

**CITY OF EL PASO, TEXAS  
AGENDA ITEM  
DEPARTMENT HEAD'S SUMMARY FORM**

CITY CLERK DEPT  
2019 DEC 3 PM3:07

**DEPARTMENT:** Planning and Inspection Department, Planning Division

**AGENDA DATE:** Introduction – December 10, 2019

**PUBLIC HEARING DATE:** January 7, 2020

**CONTACT PERSON NAME AND PHONE NUMBER:**

Philip F. Etiwe, (915) 212-1553, [etiwepf@elpasotexas.gov](mailto:etiwepf@elpasotexas.gov)

Andrew Salloum, (915) 212-1603, [salloumam@elpasotexas.gov](mailto:salloumam@elpasotexas.gov)

**DISTRICT(S) AFFECTED:** 1

**STRATEGIC GOAL:** #3 Promote the Visual Image of El Paso

**SUBGOAL:** 3.1 Provide business friendly permitting and inspection processes  
3.2 Improve the visual impression of the community

**SUBJECT:**

An Ordinance granting Special Permit No. PZST19-00009, to allow for a ballroom on the property described as a portion of Lot 2, Block 1, Aguirre Subdivision Unit 2, 6456 Doniphan Drive, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.240 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 6456 Doniphan Drive. Property Owner: Rio Bravo Investments, LLC. PZST19-00009 (District 1)

**BACKGROUND / DISCUSSION:**

On October 10, 2019, The CPC reviewed and recommended approval of the subject property request.

**PRIOR COUNCIL ACTION:**

There is no prior City Council action on this special permit application.

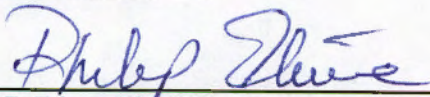
**AMOUNT AND SOURCE OF FUNDING:**

N/A

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**



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Philip F. Etiwe, Director  
Planning and Inspection Department

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST19-00009, TO ALLOW FOR A BALLROOM ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 2, BLOCK 1, AGUIRRE SUBDIVISION UNIT 2, 6456 DONIPHAN DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.240 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS**, the Rio Bravo Investments, LLC, has applied for a Special Permit under Section 20.10.240 of the El Paso City Code to allow for a ballroom; and,

**WHEREAS**, a report was made by the City Plan Commission and a public hearing was held regarding such application; and,

**WHEREAS**, the City Plan Commission has recommended approval of the subject Special Permit; and

**WHEREAS**, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval; and

**WHEREAS**, the City Council of the City of El Paso finds that the application conforms to all requirements of Section 20.04.320 of the El Paso City Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That the property described as follows, is in a C-3 (Commercial) District:

*A portion of Lot 2, Block 1, Aguirre Subdivision Unit 2, 6456 Doniphan Drive, City of El Paso, El Paso County, Texas; and more particularly described in the metes and bounds attached hereto as Exhibit "A"; and,*

2. That the City Council hereby grants a Special Permit under Section 20.04.320 of the El Paso City Code to allow for ballroom on the property described in Paragraph 1 of this Ordinance; and,

3. That this Special Permit is issued subject to the development standards in the C-3 (Commercial) District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and is incorporated herein by reference for all purposes; and,

4. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, Special Permit No. PZST19-00009, shall be subject to termination; construction

or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.24 and any other legal or equitable remedy; and,

5. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2019.

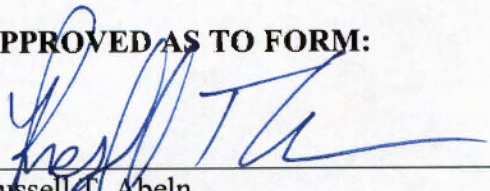
**THE CITY OF EL PASO**

**ATTEST:**

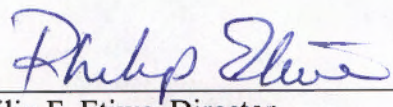
\_\_\_\_\_  
Dee Margo  
Mayor

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Russell T. Abeln  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Philip F. Etiwe, Director  
Planning & Inspections Department



## AGREEMENT

**Rio Bravo Investment, LLC., the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan attached to same Ordinance, and in accordance with the standards identified in the C-3 (Commercial) District regulations, and subject to all other requirements set forth in this Ordinance.**

**EXECUTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**Rio Bravo Investment, LLC.**

(Signature)

**(Name/Title)**

## ACKNOWLEDGMENT

**THE STATE OF TEXAS     )**

**COUNTY OF EL PASO     )**

This instrument is acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by \_\_\_\_\_ for Rio Bravo Investments, LLC. as Applicant.

(Seal)

**Notary Public, State of Texas**  
**Signature**

Printed or Typed Name

**My Commission Expires:**

**(Exhibits on the following pages)**

**ORDINANCE NO.** \_\_\_\_\_  
19-1007-2525 | 938474  
6456 Doniphan Drive  
RTA

**PZST19-00009**



## EXHIBIT "A"

Prepared For: City of El Paso  
July 2, 2019

### METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Lot 2, Block 1, Aguirre Subdivision Unit 2, as recorded in clerks file no. 20190038295, Real Property Records of El Paso County, Texas and being more particularly described by metes and bounds as follows:

the "TRUE POINT OF BEGINNING" being a found  $\frac{1}{2}$ " rebar for the southeasterly corner of Lot 2, Block 1, Aguirre Subdivision from which a found  $\frac{5}{8}$ " rebar with smashed cap for the southwesterly corner of Lot 2, Block 1, Aguirre Subdivision Unit 2 bears, South  $86^{\circ}24'07''$  West a distance of 525.22 Feet;


Thence along the southerly line of Lot 2, Block 1, Aguirre Subdivision Unit 2, South  $86^{\circ}24'07''$  West a distance of 256.09 feet to a set  $\frac{1}{2}$ " rebar;

Thence leaving said line, North  $04^{\circ}55'17''$  West a distance of 201.46 feet to a set  $\frac{1}{2}$ " rebar on the northerly line of Lot 2, Block 1, Aguirre Subdivision Unit 2;

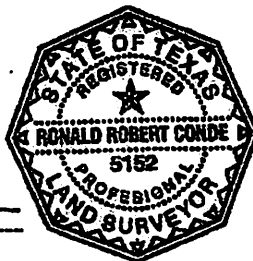
Thence along said line, North  $88^{\circ}32'05''$  East a distance of 256.94 feet to a set  $\frac{1}{2}$ " rebar for the northeasterly corner of Lot 2, Block 1, Aguirre Subdivision Unit 2;

Thence along the easterly line of Lot 2, Block 1, Aguirre Subdivision Unit 2, South  $04^{\circ}47'17''$  East a distance of 191.88 feet to the "TRUE POINT OF BEGINNING" and containing 50,398 square feet or 1.1570 acres of land more or less.

Note: A drawing of even date accompanies this description.



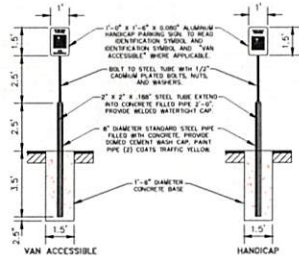
Ron R. Conde  
R.P.L.S. No. 5152



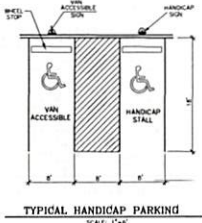
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CONDE INC  
ENGINEERING / LAND SURVEYING / PLANNING  
6080 SURETY DRIVE / SUITE 100 / EL PASO, TEXAS 79905  
(915) 592-0283 FAX (915) 592-0286 FIRM NO. 10078100

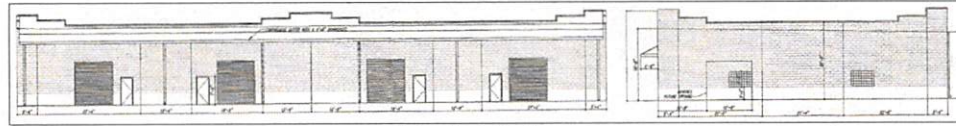
# EXHIBIT "B"



HANDICAP PARKING SIGN  
SCALE: 1"=3'



TYPICAL HANDICAP PARKING  
SCALE: 1"=3'

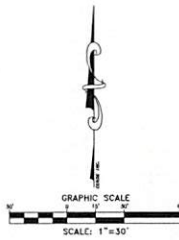
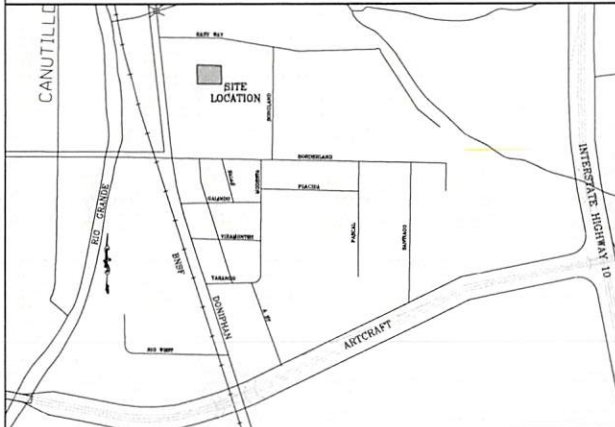


East and South Elevation  
NTS

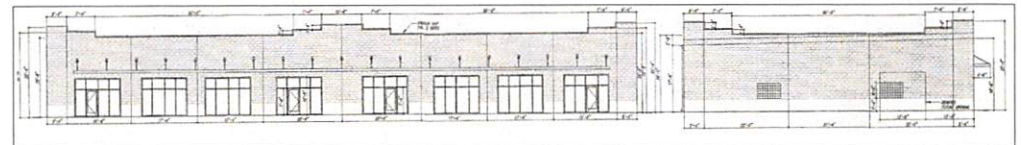


1"=600'

LOCATION MAP



GRAPHIC SCALE  
SCALE: 1"=30'



West and North Elevation  
NTS

## REQUIRED LANDSCAPING

TOTAL SITE REQUIRED: 11,982.00 sq. ft. - 15%  
TOTAL SITE PROPOSED: 12,339.00 sq. ft. - 15.5%  
DECIDUOUS OR CANOPY TREES: 12 - 2" CALIPER  
SHRUBS: 240 - 5 gal. (1'x1')  
GROUND COVER: 1,198 sq. ft. Min.  
ONE DECIDUOUS OR EVERGREEN TREE HAVING A MINIMUM TWO INCH CALIPER AND 10' AT THE TIME OF PLANTING.  
SHADING SHALL BE REQUIRED FOR PARKING LOTS AND VEHICULAR USE AREAS THAT ARE LOCATED WITHIN THE PROJECT. WITH TEN PARKING SPACES FOR MORE SHALL BE PROVIDED WITH AT LEAST ONE PARKING LOT TREE FOR EVERY TEN PARKING SPACES.  
CANOPY TREES REQUIRED BY CITY CODE II  
SUBSTITUTION AS PER EL PASO MUNICIPAL ORDINANCE 18.46.090 SECTION 1  
TREES AS PER "RECOMMENDED TREES FOR EL PASO" WEST TEXAS URBAN FORESTRY COUNCIL.

## DETAILED SITE PLAN

BEING ALL OF LOT 1, BLOCK 2,  
AGUIRRE SUBDIVISION UNIT 2,  
CITY OF EL PASO, EL PASO COUNTY, TEXAS  
CONTAINING: 2.411 ACRES  
SPECIAL PERMIT FOR BALLROOM

## PARKING INFORMATION

TOTAL SITE: 105,014.58 SQ. FT. ~ 2.411 Ac.  
TOTAL BUILDING: 23,863.00 SQ. FT.  
BUILDING 1: ~ 11,777 SQ. FT.  
OFFICE: ~ 5,888 SQ. FT.  
TOTAL PARKING REQUIRED BY CITY CODE: 10 MIN.  
DANCE HALL: ~ 5,888 SQ. FT.  
TOTAL PARKING REQUIRED BY CITY CODE: 65 MIN.  
BUILDING 2: ~ 6,317 SQ. FT.  
DAYCARE: ~ 5,317 SQ. FT.  
TOTAL PARKING REQUIRED BY CITY CODE: 11 MIN.  
BUILDING 3: ~ 1,469 SQ. FT.  
METAL BLDG. (Storage)  
BUILDING 4: ~ 6,870 SQ. FT.  
OFFICE: ~ 4,870 SQ. FT.  
TOTAL PARKING REQUIRED BY CITY CODE: 8 MIN.  
RESTAURANT: ~ 2,000 SQ. FT.  
TOTAL PARKING REQUIRED BY CITY CODE: 14 MIN.  
TOTAL HANDICAPPED PARKING REQUIRED: 5  
TOTAL BICYCLE PARKING REQUIRED: 109  
TOTAL CAR PARKING PROPOSED: 6  
TOTAL HANDICAPPED PARKING PROPOSED: 6  
TOTAL PARKING PROPOSED: 115  
TYPICAL PARKING DIMENSIONS:  
STALLS: 9 FT. BY 18 FT.  
BICYCLE: 24" BY 75"



## MEMORANDUM

**DATE:** November 25, 2019

**TO:** The Honorable Mayor and City Council  
Tommy Gonzalez, City Manager

**FROM:** Andrew Salloum, Senior Planner

**SUBJECT:** PZST19-00009

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The City Plan Commission (CPC), on October 10, 2019, voted 6-0 to recommend approval of the special permit to allow for ballroom in C-3 (Commercial) zone district.

The CPC found that the special permit is in conformance with Plan El Paso. The CPC also determined that the special permit protect the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the special permit will have no negative effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

The Planning Division received a phone call in support of the special permit request.

**Property Owner:** Rio Bravo Investments, LLC.  
**Representative:** Conde, Inc.

**Attachments:**  
Staff report



# 6456 Doniphan Drive

City Plan Commission — October 10, 2019 (REVISED)



<b>CASE NUMBER:</b>	<b>PZST19-00009</b>
<b>CASE MANAGER:</b>	Andrew Salloum, 212-1603, SalloumAM@elpasotexas.gov
<b>PROPERTY OWNER:</b>	Rio Bravo Investments, LLC
<b>REPRESENTATIVE:</b>	Conde, Inc.
<b>LOCATION:</b>	6456 Doniphan Drive (District 1)
<b>PROPERTY AREA:</b>	2.411 acres
<b>EXISTING ZONING:</b>	C-3 (Commercial)
<b>REQUEST:</b>	Special Permit to allow a ballroom in C-3 (Commercial) zone district
<b>RELATED APPLICATIONS:</b>	None
<b>PUBLIC INPUT:</b>	Received a phone call in support

**SUMMARY OF REQUEST:** The applicant is requesting a special permit to allow for a ballroom in C-3 (Commercial) zone district.

**SUMMARY OF DCC RECOMMENDATION:** The Development Coordinating Committee (DCC) recommend approval of the special permit for a ballroom in C-3 (Commercial) district. The proposal meets all the requirements of 20.04.320 Special Permit, and 20.04.150, Detailed Site Development Plan.

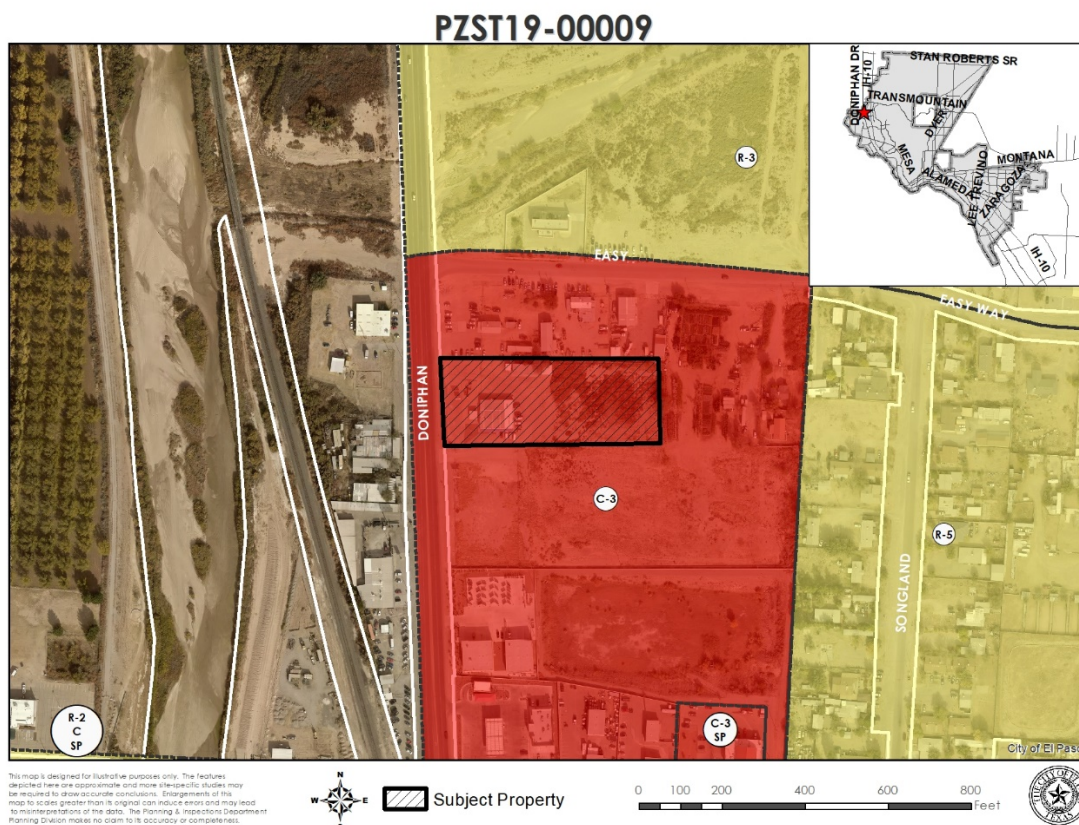


Figure A. Subject Property & Immediate Surroundings

**DESCRIPTION OF REQUEST:** The applicant is requesting a special permit to allow for a ballroom in C-3 (Commercial) zone district. The site plan shows an 11,777 sq. ft. building with a 5,889 sq. ft. ballroom and 5,888 sq. ft. office. The site plan also shows existing daycare, office, and future restaurant buildings on the subject property, which are not the part of the special permit request. The development requires a minimum of 115 parking spaces for the entire property and the applicant is providing 120 parking spaces and 6 bicycle spaces. Access to the subject property is provided from Doniphan Drive.

<b>COMPLIANCE WITH SPECIAL PERMIT REQUIREMENTS (20.04.320.D)</b>	
<b>Criteria</b>	<b>Does the Request Comply?</b>
1. The proposed development complies, except to the extent waived, varied or modified pursuant to the provisions of this title, with all of the standards and conditions applicable in the zoning district in which it is proposed to be located.	Yes. The ballroom use is allowed in the C-3 (Commercial) District after approval of a Special Permit. All applicable requirements, to include setback requirements, landscaping requirements, and dimensional requirements for parking stalls, driveways, and aisles are met on the detailed site development plan.
2. Furthers <i>Plan El Paso</i> and applicable neighborhood plans or policies.	Yes. The requests comply with the recommendations of <i>Plan El Paso</i> and the G-3 future land use designation.
3. Adequately served by and will not impose an undue burden upon public improvements.	Yes. The development does not require a traffic impact analysis. The subject property takes access from Doniphan Drive, which is a classified in the Major Thoroughfare Plan as a major arterial street. All reviewing departments indicated that the subject property will be adequately served by existing infrastructure.
4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.	<i>Refer to the "Compliance with Plan El Paso" table. Responses relevant to this criteria include "Compatibility with Surroundings," "Potential Adverse Effects," "Natural Environment," and "Stability."</i>
5. The design of the proposed development mitigates substantial environmental problems.	Yes. No adverse comments were received from other reviewing departments.
6. The proposed development provides adequate landscaping and/or screening where needed.	Yes. The site plan demonstrates compliance with the requirements of El Paso City Code Section 18.46, which governs landscaping and additional screening.
7. The proposed development is compatible with adjacent structures and uses.	<i>Refer to the "Compliance with Plan El Paso" table, in particular the "Compatibility with Surroundings" criteria.</i>
8. The proposed development is not materially detrimental to the property adjacent to the site.	<i>Refer to the "Compliance with Plan El Paso" table. Responses relevant to this criteria include "Compatibility with Surroundings," "Potential Adverse Effects," "Natural Environment," and "Stability."</i>

<b>COMPLIANCE WITH PLAN EL PASO GOALS &amp; POLICIES – When evaluating whether a proposed special permit is in accordance with Plan El Paso, consider the following factors:</b>	
<b>Criteria</b>	<b>Does the Request Comply?</b>
<b>Future Land Use Map:</b> Proposed PWSF is compatible with the Future Land Use designation for the property: <b>G-3, Post-War:</b> This sector applies to transitional neighborhoods typically developed from the	Yes. The subject property, and the proposed development for it, meet the intent of the G-3, post-war Future Land Use Map designation.

<b>COMPLIANCE WITH PLAN EL PASO GOALS &amp; POLICIES – When evaluating whether a proposed special permit is in accordance with Plan El Paso, consider the following factors:</b>	
1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.	
<p><b>Compatibility with Surroundings:</b> The proposed zoning district is compatible with those surrounding the site:</p> <p><b>C-3 (Commercial) District:</b> The purpose of the district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the districts will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses</p>	Yes. The subject property and the proposed ballroom use match the character of their surroundings. The property is located midblock between other C-3 (Commercial) zoned properties of similar size and use. All properties on this block are also zoned C-3 (Commercial) and ETJ (Extra-Territorial Jurisdiction). All properties on this block, to include the subject property, take their access from Doniphan Drive.
<b>THE PROPOSED PROJECT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:</b>	
<b>Historic District or Special Designations &amp; Study Area Plans:</b> Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.	N/A. The subject property is not within Historic or other overlay district, and there are no study area plans which govern this area.
<b>Potential Adverse Effects:</b> Potential adverse effects that might be caused by approval or denial of the requested rezoning.	No adverse impacts are anticipated from the proposed off-site parking use on the subject property. The proposed layout is consistent with all applicable codes and is not expected to cause adverse impacts to surrounding properties. Its neighboring parcels to the north, south, east, and west are also surface parking lots.
<b>Natural Environment:</b> Anticipated effects on the natural environment.	The subject property is within an area designated in <i>Plan El Paso</i> as an area where development is encouraged, and it is not within an area identified in as open space to be preserved. It is not within an arroyo or either the Mountainside or Hillside Development areas, or any other area identified as environmentally sensitive.
<b>Stability:</b> Whether the area is stable or in transition.	The subject property is stable within an area that has seen significant commercial uses and a major highway of Doniphan Drive.
<b>Socioeconomic &amp; Physical Conditions:</b> Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	No changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.



**SUMMARY OF DEPARTMENTAL REVIEW COMMENTS:** No objections to proposed special permit approval. No reviewing departments had any negative comments. Applicant is responsible for obtaining all applicable permits and approvals prior to any construction or change in occupancy.

**PUBLIC COMMENT:** The subject property falls within the boundary of the Borderland Community Improvement Association and Upper Valley Neighborhood Association. It was contacted as required by 20.04.520. Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on September 26, 2019. The Planning Division received a phone call in support of the Special Permit request.

**RELATED APPLICATIONS:** None.

**CITY PLAN COMMISSION OPTIONS:**

The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

1. **Recommend Approval** of the special permit request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. (Staff Recommendation)
2. **Recommend Approval of the special permit request With Modifications** to bring the request into conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.
3. **Recommend Denial** of the special permit request, finding that the request does not conform to the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

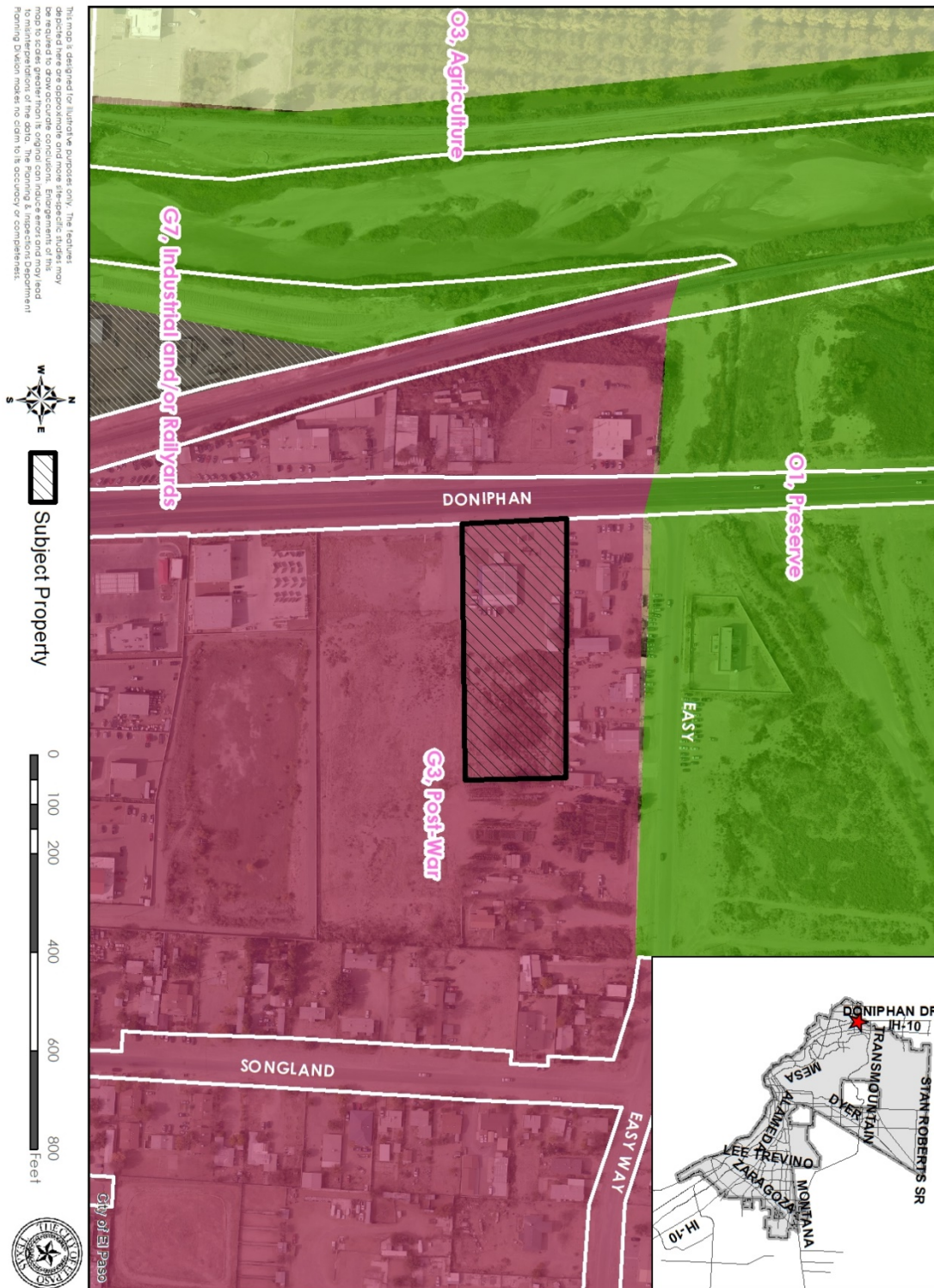
**ATTACHMENTS:**

1. Detailed Site Plan
2. Future Land Use Map
3. Department Comments
4. Neighborhood Notification Boundary Map



# ATTACHMENT 2

PZST19-00009





# **ATTACHMENT 3**

## **Planning and Inspections Department – Planning Division**

No objections to special permit.

## **Planning and Inspections Department – Plan Review & Landscaping Division**

No objection to proposed special permit.

At the time of submittal for building permits, the project will need to comply with all applicable provisions of the IBC, Municipal Code, and TAS.

## **Planning and Inspections Department – Land Development**

No objection to special permit.

## **TxDOT**

This request has change the design several times. I got the latest revision on Tuesday Aug 29, 2019. I will present it to the AMC committee on our September 13 meeting. I will send you an update if driveway with deceleration lane is approved.

*Note: Driveway access shall be coordinated with TXDOT prior to issuance of building permit.*

## **Fire Department**

Recommend approval.

## **Sun Metro**

No objections.

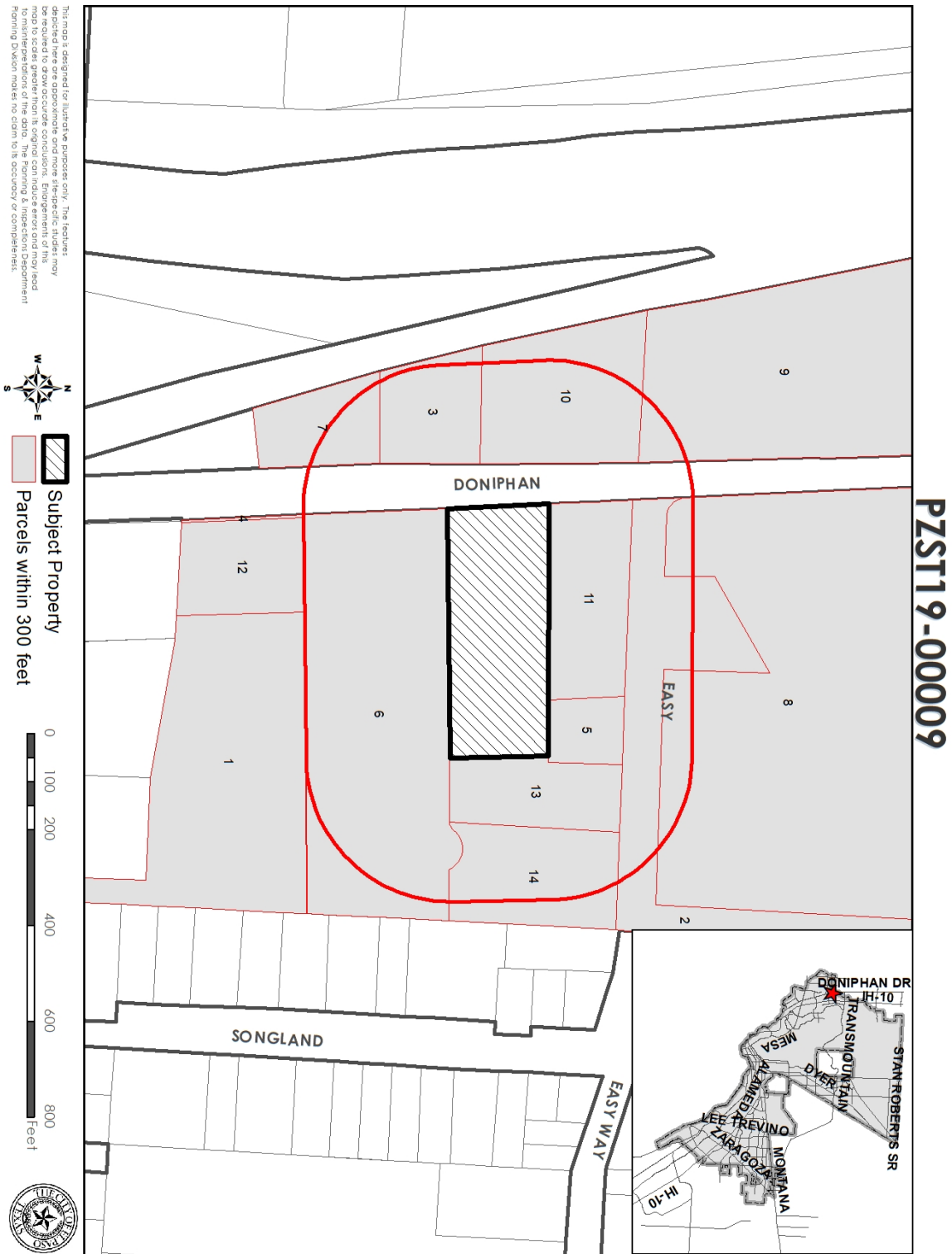
## **El Paso Water**

No comments received.

## **El Paso Water – Stormwater Engineering**

1. Doniphan Dr. is not equipped to handle outside runoff; very little to no runoff shall be allowed.
2. The proposed pond shall have enough capacity to hold the developed runoff for a designated 100-yr. storm event.

# ATTACHMENT 4



I T E M

# 6456 Doniphan Drive Special Permit



## PZST19-00009





# Recommendation | Public Input

2

## **Planning Division and DCC recommendation:**

Approval

## **CPC Vote:**

Approval (6-0)

## **Public Input:**

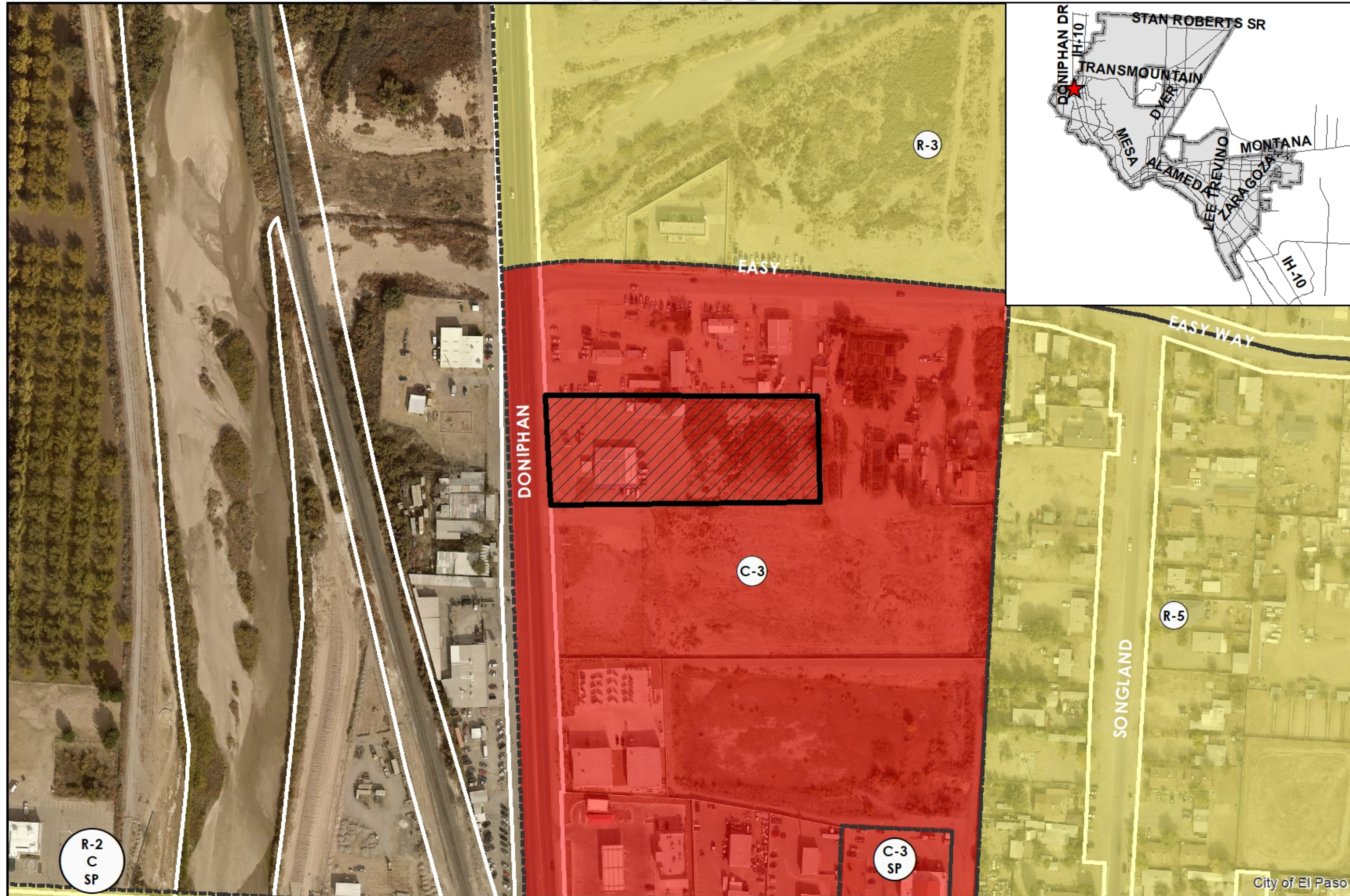
- The Planning Division received a phone call in support of the special permit request.

### **Strategic Goal #3 Promote the Visual Image of El Paso**

3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community





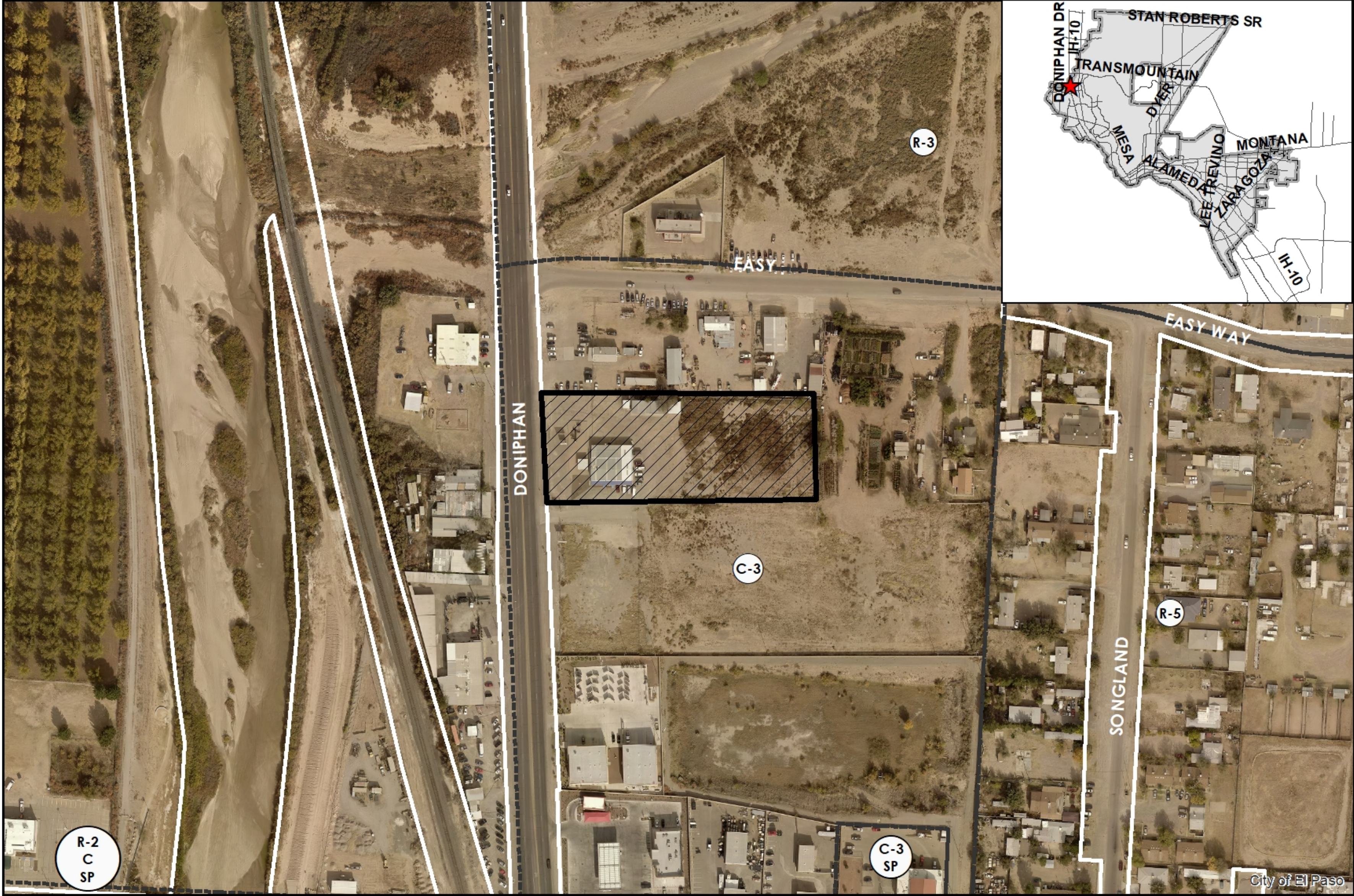
This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.



Subject Property




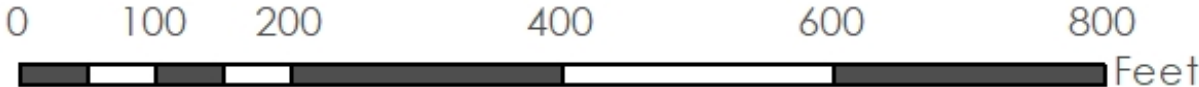




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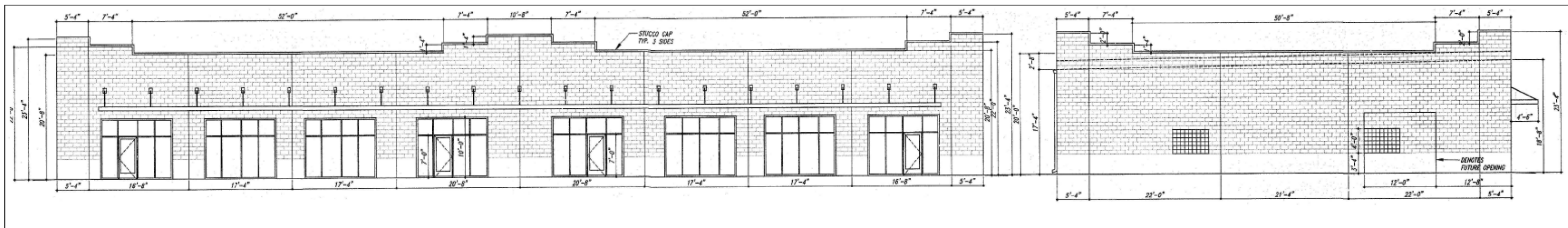
 Subject Property







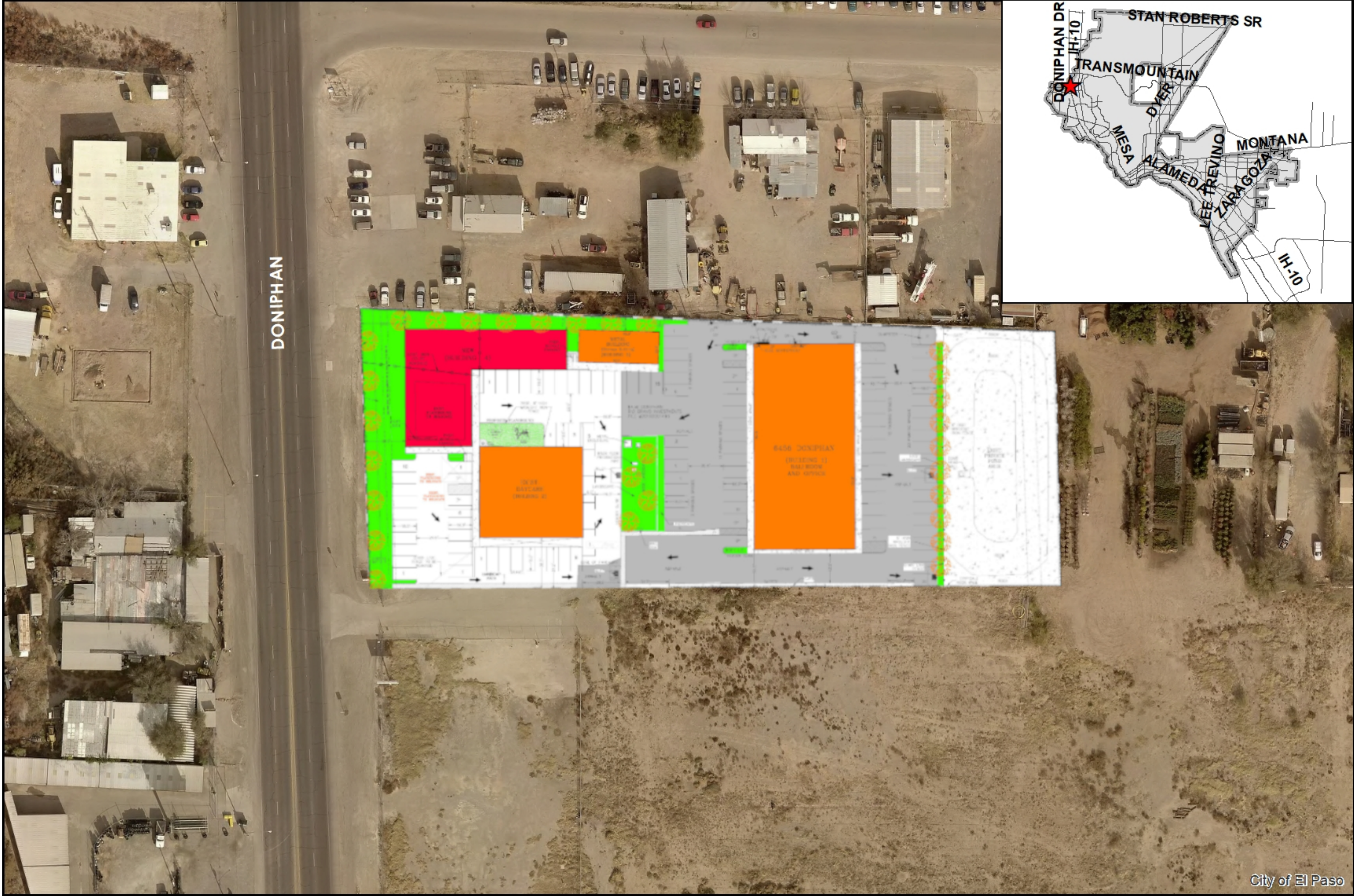




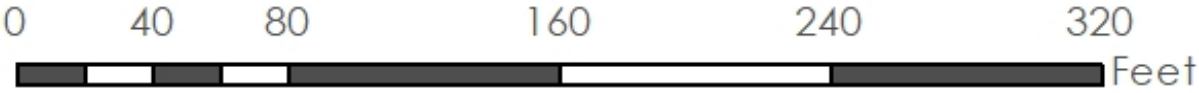
West and North Elevation

NTS





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THANK YOU

