

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: May 1, 2018
Public Hearing: May 29, 2018

CITY CLERK DEPT.
2018 APR 24 AM 9:54

CONTACT PERSON/PHONE: Victor Morrison-Vega, (915)212-1553, morrison-vegavx@elpasotexas.gov
Armida Martinez, (915) 212-1605, martinezar@elpasotexas.gov

DISTRICT(S) AFFECTED: 3

SUBJECT:

An Ordinance granting Special Permit No. PZST18-00001, to allow for a hotel on the property described as a portion of Lot 1, Block 1, Cielo Vista Replat A, City of El Paso, El Paso County, pursuant to Section 20.24 of the El Paso City Code. Subject Property: North of Edgemere and East of Airway. Property Owner: Landstar Hotels I, LLC. PZST18-00001 (District 3)

BACKGROUND / DISCUSSION:

On April 19, 2018, CPC reviewed and recommended approval of the special permit.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Approval recommendation (5-0)

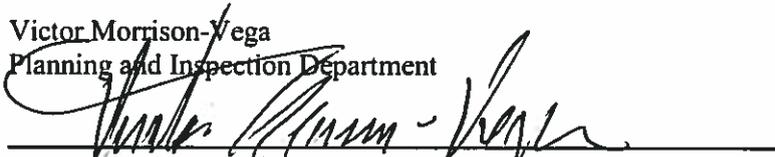
*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Victor Morrison-Vega
Planning and Inspection Department



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST18-00001, TO ALLOW FOR A HOTEL ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 1, BLOCK 1, CIELO VISTA REPLAT A, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.320 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, the LandStar Hotels I, LLC., has applied for a Special Permit under Section 20.04.320 of the El Paso City Code to allow for a hotel; 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 S-D/c (Special-Development/condition) District:

A portion of Lot 1, Block 1, Cielo Vista Replat A, City of El Paso, El Paso County, Texas; and more particularly described by the metes and bounds attached 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 hotel 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 S-D/c (Special-Development/condition) 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. PZST18-00001, 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,

ORDINANCE NO. _____

18-1007-2165 | 775939
Edgemere-Airway- Special Permit
KMN

PZST18-00001

CITY CLERK DEPT.
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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 _____, 2018.

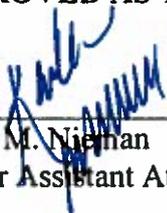
THE CITY OF EL PASO

ATTEST:

Dee Margo
Mayor

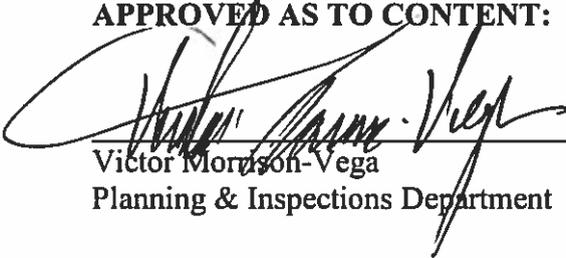
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Karla M. Nieman
Senior Assistant Attorney

APPROVED AS TO CONTENT:



Victor Morrison-Vega
Planning & Inspections Department

AGREEMENT

CITY CLERK DEPT.
2018 APR 24 AM 9:54

LandStar Hotels I, 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 S-D/c (Special-Development/condition) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 18th day of April, 2018.

LandStar Hotels I, LLC.

(Signature)

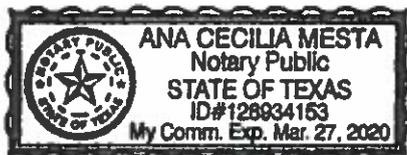
Diego S. Costa Creel - Manager
(Name/Title)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 18th day of April, 2018, by Diego Salvador Costa Creel for LandStar Hotels I, LLC. as Applicant.

(Seal)



Ana Cecilia Mesta
Notary Public, State of Texas
Signature

Ana Cecilia Mesta
Printed or Typed Name

My Commission Expires:

3/27/2020

ORDINANCE NO. _____
18-1007-2165 | 775939
Edgemere-Airway- Special Permit
KMN

PZST18-00001

EXHIBIT "A"



PRECISION LAND SURVEYORS

10441 VALLE DE ORO DR
El Paso, Texas 79927
Ph# (915) 222-5227

Being a portion of Lot 1,
Block 1, Cielo Vista Replat "A",
City of El Paso, El Paso County, Texas
March 24, 2017;

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Lot 1, Block 1, Cielo Vista Replat "A", an addition to The City Of El Paso, El Paso County, Texas, according to Instrument#20170040515, El Paso County Real Property Records, and being more particularly described by metes and bounds as follows:

"TRUE POINT OF BEGINNING" being a found PK nail at the centerline of Avalon Drive (60 foot right of way), City of El Paso, El Paso County, Texas.

Thence leaving said centerline, South 47°42'00" East a distance of 253.00 feet to a found 5/8" iron rod at the southeasterly right of way line of Catalina Way (55' R.O.W.);

Thence along said right of way, South 42°18'00" West a distance of 213.40 feet to a set 1/2" rebar with cap "6085";

Thence, South 88°55'40" West a distance of 133.01 feet to a set 1/2" rebar with cap "6085";

Thence, North 01°01'58" West a distance of 227.78 feet to a set 1/2" rebar with cap "6085";

Thence, North 42°18'00" East a distance of 139.05 feet to "TRUE POINT OF BEGINNING" and containing in all 59,734 square feet or 1.3713 acres of land more or less

Jesus D. Ibarra, RPLS No 6085
January 23, 2018



MEMORANDUM

DATE: April 23, 2018
TO: The Honorable Mayor and City Council
Tommy Gonzalez, City Manager
FROM: Armida Martinez, Planner
SUBJECT: PZST18-00001

CITY CLERK DEPT.
2018 APR 24 AM 9:55

The City Plan Commission (CPC) on April 19, 2018, voted unanimously (5-0) to recommend **approval** of the special permit to allow for a hotel in an S-D (Special-Development/condition) zone district.

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

The Planning Division received one letter in support of the proposed development and no communication opposing the rezoning request.

Property Owner: Landstar Hotels I, LLC

Representative: Exigo Architects

Attachments: Staff Report

Edgemere/Airway

City of El Paso — Plan Commission — 4/19/2018 Reconsideration



PZST18-00001

Special Permit

- STAFF CONTACT:** Armida Martinez, 915-212-1605, martinezar@elpasotexas.gov
- OWNER:** Land Star Hotel I, LLC.
- REPRESENTATIVE:** Exigo Architects
- LOCATION:** North of Edgemere and East of Airway, District 3
- LEGAL DESCRIPTION:** Portion of Lot 1, Cielo Vista Replat A, City of El Paso, El Paso County, Texas
- EXISTING ZONING:** C-3/c (Commercial/conditions)
- REQUEST:** Special permit approval for a hotel in S-D (Special-Development) district. This case was presented and approved by City Plan Commission on March 22, 2018 and is being reheard due to a change to the property's legal description.
- RELATED APPLICATIONS:** PZRZ18-00001
- PUBLIC INPUT** Planning received 1 letter in support of the proposed development and no opposition to the special permit request was received. Notices were sent to property owners within 300 feet on April 5, 2018.
- STAFF RECOMMENDATION:** Approval (see pages 2—4 for basis for recommendation)

SUMMARY OF REQUEST: The applicant is requesting a special permit to allow for a hotel use in the S-D (Special-Development) zone district. The subject property is 1.37 acres in size and is currently vacant. The detailed site plan shows a 61,293 sq. ft. hotel. Access will be from Airway and Catalina. This case was presented and approved by CPC on March 22, 2018, and is being reheard due to a change to the property's legal-description.

SUMMARY OF RECOMMENDATION: The Planning Division recommends **APPROVAL** of the requests for special permit and detailed site development plan review for a hotel as it complies with Sections 20.04.260 and 20.04.320, Special Permit, 20.04.150, Detailed Site Development Plan, and the Plan El Paso land use designation G-4, Suburban (Walkable) in the East Planning area.



DESCRIPTION OF REQUEST

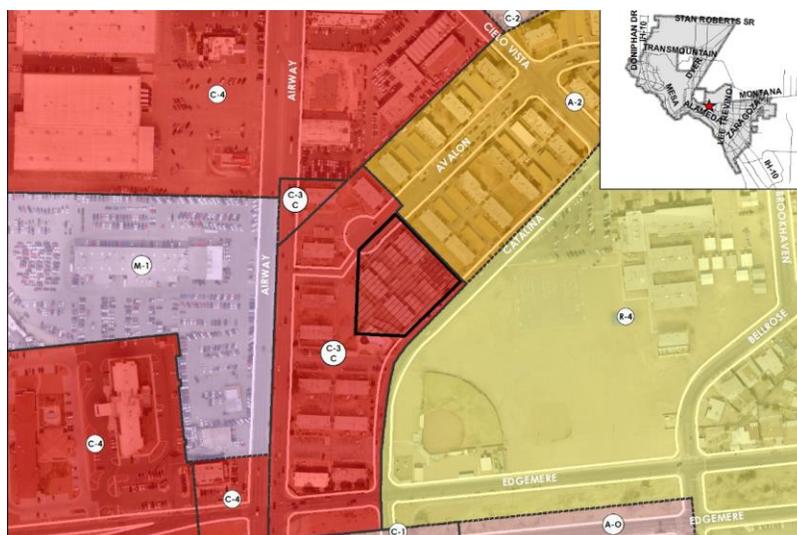
The applicant is requesting a special permit and detailed site development plan approval to allow for the hotel use in an S-D district. The detailed site development plan shows a new 61,293 sq. ft. hotel, 59 feet and 8 inches in height. The development requires a minimum of 92 parking spaces. The applicant is providing 79 parking spaces, 14 compact spaces and 3 bicycle spaces. Conditions imposed on the subject property requires a ten ft. (10') landscape buffer along the property lines adjacent to any residential or apartment zoning districts or uses, all commercial vehicle ingress and egress from Avalon prohibited and a limit of 4 driveways from Catalina, 2 outer driveways 35' wide and 2 inner driveway 25' wide of which the applicant is providing one of each which is shown on the detailed site development plan as required. The development complies with the minimum landscape area requirements of Title 18.46. Access to the subject property is from Airway and Catalina. This case is related to rezoning application – PZRZ18-00001

REZONING POLICY

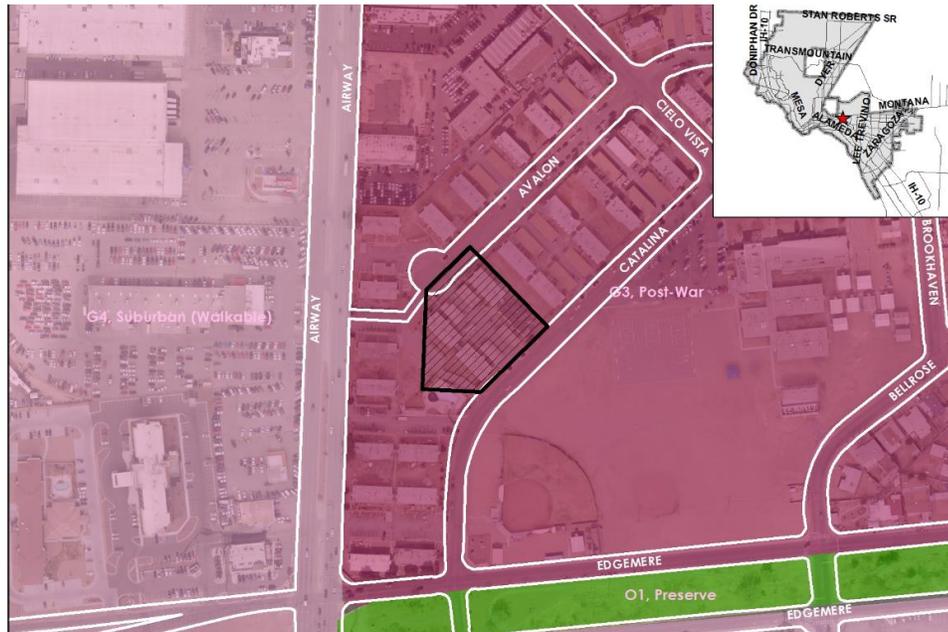
20.04.260 & 20.04.0320 Special Permit	DOES IT COMPLY?
A. Building and occupancy permits shall not be issued to any building or use identified in this title as requiring a special permit until after approval of such special permit by the city council.	Yes. Hotel is a permitted use in S-D (Special-Development) zone district with an approved Special Permit and Detailed Site Development Plan as identified by the zone district use regulations.
D. The city council, after hearing and report by the city plan commission, may approve a special permit upon a finding that the proposed development meets the following minimum requirements necessary to protect the public health, safety and general welfare of the community:	Yes, the proposed use complies the 20.04.320 D 1-8, as further explained below.
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; complies with any special standards applicable to the particular type of development being proposed, or to the particular area in which the development is proposed; complies with any special approvals required in connection with such development or area;	Yes, the proposed development complies with setbacks, adequate parking, and landscaping are provided.
2. The proposed development is in accordance with and in furtherance of the plan for El Paso, any special neighborhood plans or policies adopted by the city regarding the development area, or any approved concept plan;	Yes. The subject property, and the proposed development, meet the intent of the G-4, Suburban (Walkable) Future Land Use Map designation.
3. The proposed development is adequately served by and will not impose an undue burden upon the public improvements and	Yes, A TIA is not required. No negative comments from any reviewing departments were received.

rights-of-way by which it will be served or benefited, or which exist or are planned for installation within its boundaries or their immediate vicinity. A traffic impact study may be required to determine the effects of the proposed development on the public rights-of-way;	
4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development;	Construction will require submittal of building permits and compliance with all applicable building and zoning standards.
5. The design of the proposed development mitigates substantial environmental problems;	It does not apply to the proposed building/use.
6. The proposed development provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses;	The development complies with the minimum landscape area requirements of Title 18.46. No additional screening is necessary between the subject property and its neighbors.
7. The proposed development is compatible with adjacent structures and uses;	A hotel is compatible with surrounding retail, restaurants, and existing hotel uses.
8. The proposed development is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.	The proposed use will have no negative affect on adjacent uses.

NEIGHBORHOOD CHARACTER AND COMPATIBILITY: The subject property is located in Cielo Vista Replat A subdivision, recorded in 2017. The site is currently zoned C-3 and is currently vacant. Surrounding land uses include commercial, multi-family dwellings and single-family. The nearest park is Edgemere Park (486 feet) and the nearest school is Bonham Elementary (179 feet).



COMPLIANCE WITH PLAN ELPASO: The purpose of the application is to introduce a hotel and increase density and height for a vacant lot within G-4, Suburban (Walkable).



RELATION OF PROPOSED CHANGE TO THE CITY'S COMP. PLAN

<p>CONSISTENCY WITH PLAN EL PASO G-4- Suburban (Walkable) This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.</p>	<p>DOES IT COMPLY? Yes, the lot is vacant. The surrounding properties include different type of commercials uses to include shopping centers, school and park , single-family and multi-family dwellings all within walking distance.</p>
<p>ZONING DISTRICT S-D (Special Development) District is to provide an opportunity for mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. The regulations of this district are designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to</p>	<p>DOES IT COMPLY? Yes, a hotel is a permitted use with a special permit and the applicant's use meets all the applicable dimensional standards.</p>

<p>protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. For the purpose of this district, older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.</p>	
<p>POLICY</p>	<p>DOES IT COMPLY?</p>
<p>1.3.1: Most neighborhoods, even new ones, would benefit from a greater variety of activities within walking and bicycling distance. For instance, a greater number of smaller parks are preferable to a few larger ones that are accessible only to those with a private vehicle. Likewise, smaller schools often become the centerpiece of their neighborhoods rather than distant facilities to which most students must be driven or bused each day. This policy is most applicable within the G-3 "Post-War" and G-4 "Suburban" growth sectors on the Future Land Use Map.</p>	<p>This is an existing neighborhood with a variety of mixed uses. Residents in the area may walk to nearby restaurants, shopping centers, school, and park.</p>

SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: A hotel use, with the proposed height is permitted in the S-D (Special- Development) district upon approval of a special permit.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE: The intent of the Zoning Ordinance is to protect the public health, safety, and general welfare; to regulate the use of land and buildings within zoning districts to ensure compatibility, and to protect property values. The intent of the S-D (Special Development) District is to provide an opportunity for mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. The regulations of this district are designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. For the purpose of this district, older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.

ADEQUACY OF PUBLIC FACILITIES AND SERVICES: There are existing water and sewer mains along Catalina Drive available for service. The applicant will need to coordinate with EPWater to provide services to the property.

EFFECT UPON THE NATURAL ENVIRONMENT: Subject property does not involve greenfield/ environmentally sensitive land or arroyo disturbance.

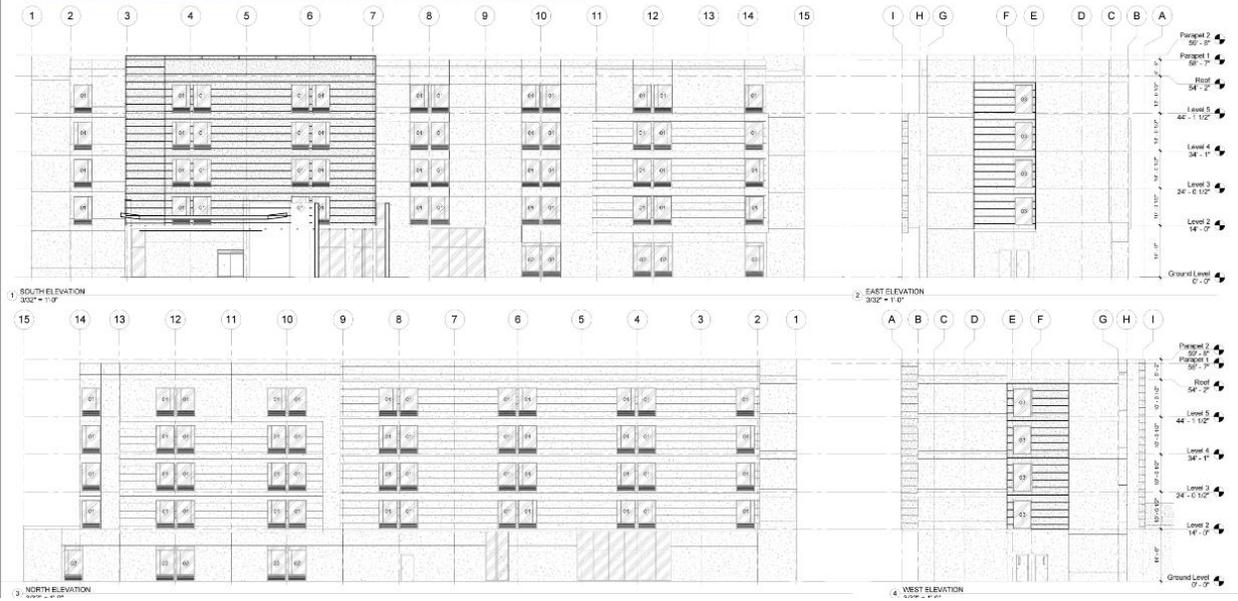
COMMENT FROM THE PUBLIC: The subject property falls within the boundary of the Eastside Civic Association and Cielo Vista Neighborhood Association and were contacted as required by

20.04.520. Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on April 5, 2018. Planning received 1 letter in support of the proposed development and no opposition to the special permit request was received.

STAFF COMMENTS: No objections to the special permit. 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.

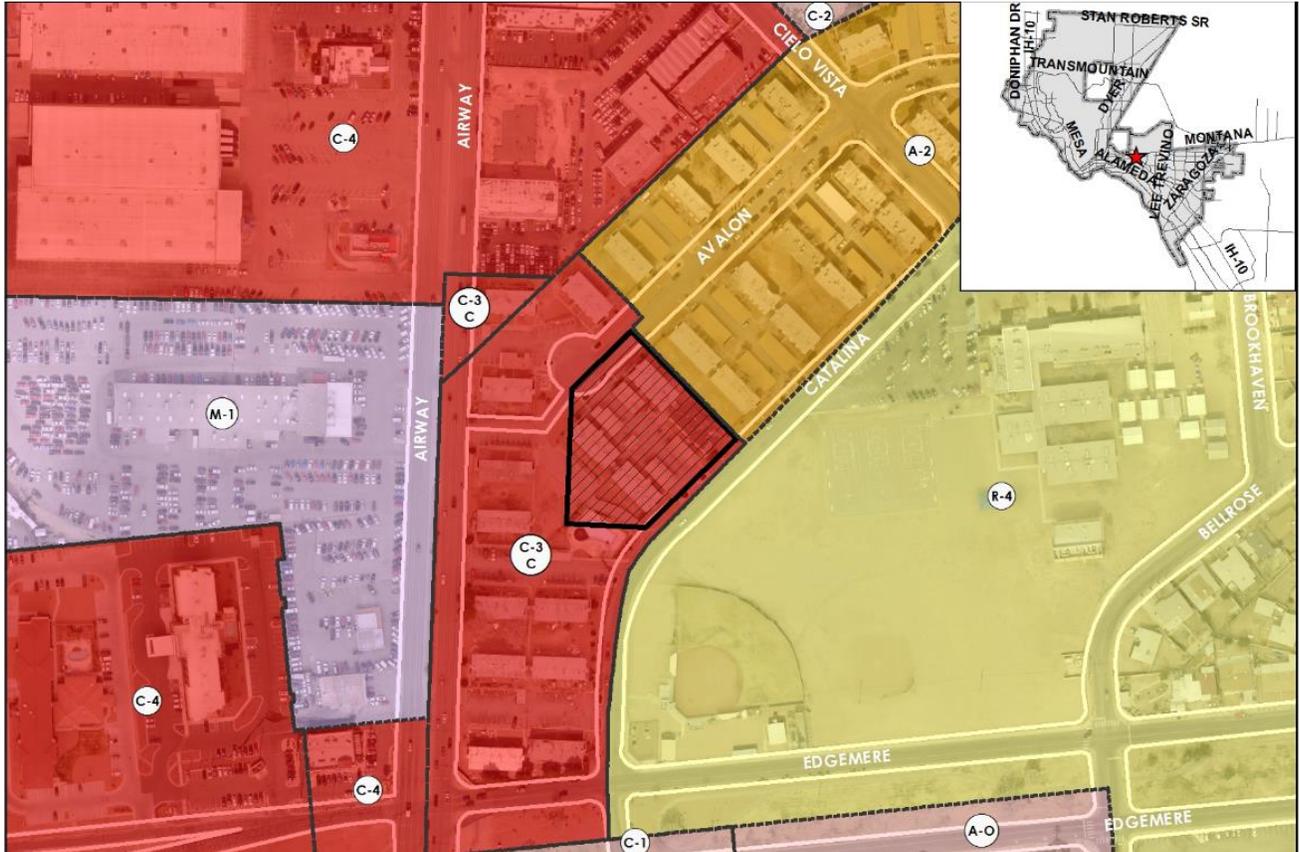
ATTACHMENTS:

1. Site Plan
2. Zoning Map
3. Future Land Use Map
4. Department Comments
5. Public Notification Boundary Map
6. Narrative of Standards met
7. Letter of Support



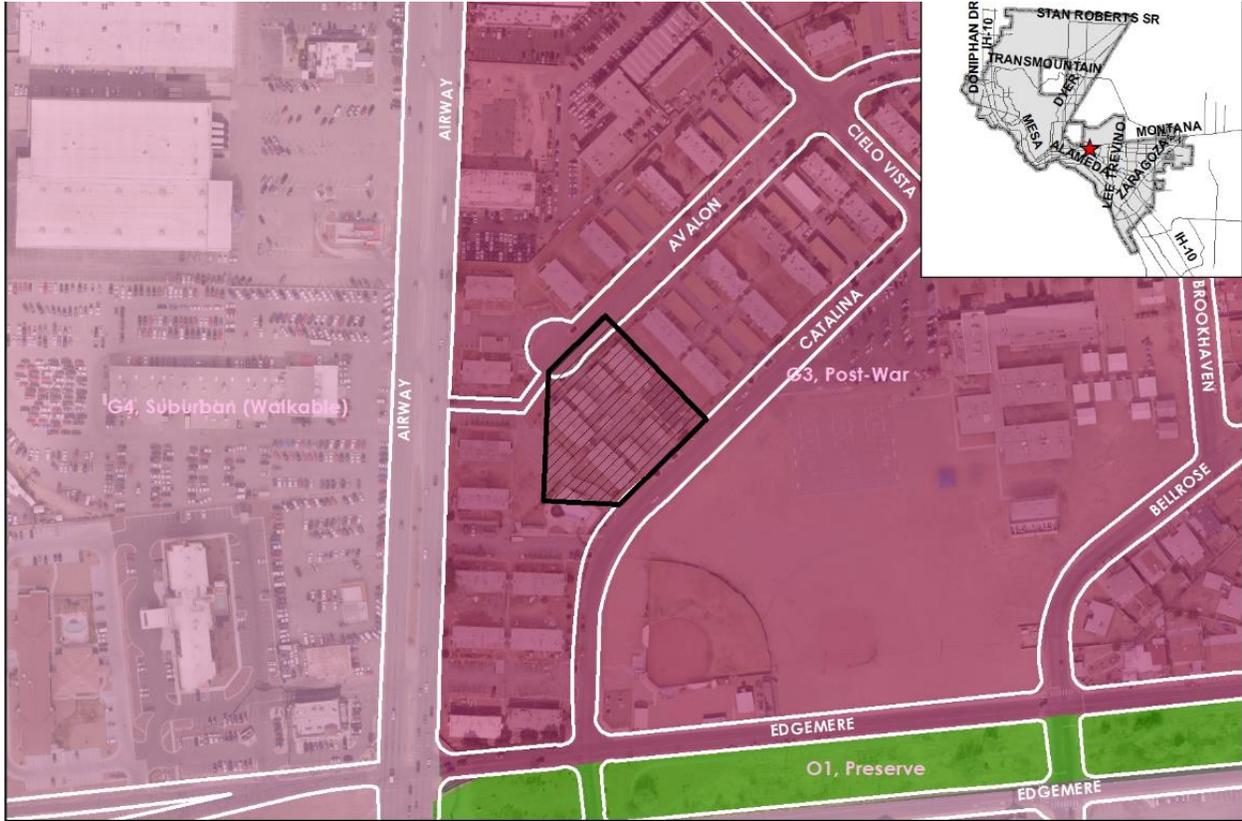
ATTACHMENT 2

Zoning Map



ATTACHMENT 3

Future Land Use Map



ATTACHMENT 4

Department Comments

Planning and Inspections Department- Planning Division

No objections to rezoning.

Planning and Inspections Department - City Development & Permitting- Landscape

Recommend approval.

Planning and Inspections Department - Land Development

We have reviewed subject plans and recommend that the applicant addresses the following comments.

1. No objections to proposed rezoning.
2. Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that storm-water is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

Sun Metro:

Sun Metro does not oppose this request. Sun Metro has numerous stops along Airway, as well as, Edgemere. Montana Brio will be providing service along the Airway corridor in mid-2020.

Fire Department

No objections.

Police Department

No objections.

El Paso Water

We have reviewed the zoning change request described above and provide the following comments:

EPWater does not object to this request.

Water

Along Catalina Way between Edgemere Boulevard and Cielo Vista Drive there is an existing six (6) inch diameter water main. This main is available for service.

Previous water pressure readings conducted on fire hydrant number 472 located at the corner of Catalina Way and Edgemere Boulevard have yielded a static pressure of 65 pounds per square inch (psi), residual pressure of 55 psi, discharge of 949 gallons per minute (gpm).

Sanitary Sewer

Along Catalina Way between Edgemere Boulevard and Cielo Vista Drive there is an existing eight (8) inch diameter sanitary sewer main. This main is available for service.

General

Application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan,

the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

El Paso Water – Stormwater

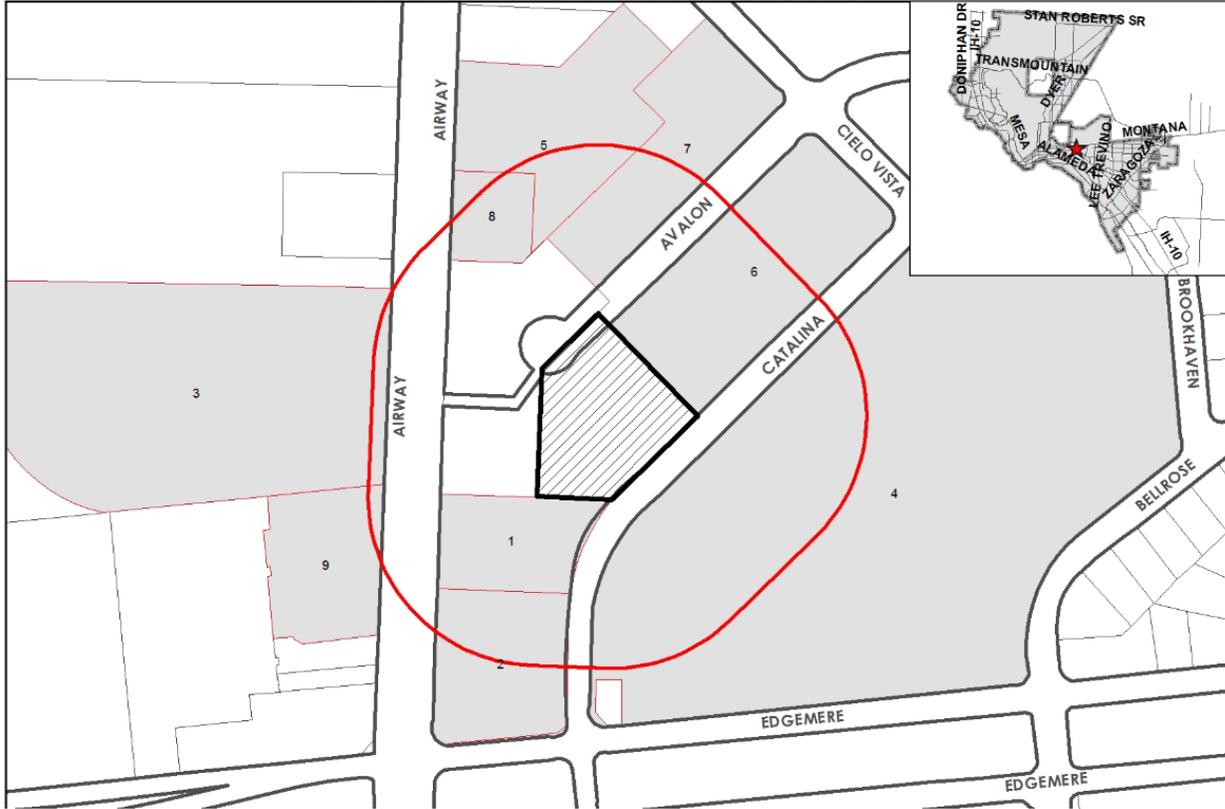
We have reviewed the property described above and provide the following comments:

1. Provide an acceptable Drainage Plan in accordance with Section 19.01.050 of the current city ordinance.
2. The developer shall be responsible for the additional stormwater runoff generated by the proposed property, and must ensure that the historic runoff volume, peak and duration are maintained.
3. EPW - Stormwater Engineering recommends using principles of low impact & green infrastructure development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff and to mitigate adverse downstream drainage conditions.

ATTACHMENT 5

Notification Map

PZRZ18-00001 & PZST18-00001



ATTACHMENT 6

Narrative of standard met



February 20, 2018

Armida Martinez
Planning and Inspections Department
801 Texas 1st Floor
El Paso, Texas 79901

Re: PZST18-00001 5 Story Hotel

Dear Ms. Martinez,

The above referenced rezoning request meets the standards of Section 20.10.360.A.5)c)j-i-v in the following ways:

- i. The authorized height of the proposed 5-story hotel is compatible with the uses, appearance and environment of adjacent areas along Airway Boulevard. There are two hotels directly across the street, the Fairfield Inn & Suites by Marriott and the TownePlace Suites by Marriott. Further north on Airway, there is the El Paso Marriott, Hawthorn Suites by Wyndham and Radisson Hotel. These existing hotels all range from three to five stories. The development along Airway is largely commercial and in close proximity to the El Paso International Airport.
- ii. Not applicable (Ivan Chan [traffic dept] determined there was no traffic impact study required because proposed hotel is less than 169 rooms)
- iii. Not applicable (Ivan Chan [traffic dept] determined there was no traffic impact study required because proposed hotel is less than 169 rooms)
- iv. The proposed hotel is located on an arterial street (Airway Blvd) served by Sun Metro public transportation.
- v. The proposed hotel will be a sprinklered building and will meet all health, safety, and welfare standards and building codes necessary to protect the general public.

If you have any additional questions. Please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "PLagos", with a long horizontal flourish extending to the right.

Paulina Lagos, AIA
Project Manager

architecture . interiors
planning . project management

211 N. Florence Suite 204
El Paso, Texas 79901
www.exigoarch.com
phone 915.533.0323
fax 915.533.0332

ATTACHMENT 7



April 11, 2018

City Plan Commission
c/o Planning and Inspections Department
P.O. Box 1890
El Paso, TX 79950-1890

RE: Case Number – PZRZ18-00001 & PZST18-00001 (the “Property”)

To Whom It May Concern:

We received notice of the public hearing to consider a special permit and review a detailed site development plan for the Property. We fully support the proposed change of this Property. If you have any questions please call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ayoub", is written over a light gray rectangular background.

Robert Ayoub

CORPORATE OFFICE

6500 Montana Ave | El Paso, TX 79925-2129 | 915.779.6500

AUSTIN OFFICE

500 W 5th St, Ste 710 | Austin, TX 78701-3830 | 512.599.5770

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