

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: October 20, 2015
Public Hearing: November 10, 2015

CONTACT PERSON/PHONE: Larry Nichols, (915) 212-1550, nicholslf@elpasotexas.gov
Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 7

SUBJECT:

An Ordinance changing the zoning of the property described as Lot 22, Block 206, Vista Del Sol Unit 38, 10622 Montwood Drive, City of El Paso, El Paso County, Texas from A-O (Apartment/Office) to S-D/c (Special Development/condition), pursuant to Section 20.04.360, imposing a condition, and approving a detailed site development plan pursuant to Section 20.04.150 and 20.10.360 of the El Paso City Code to allow for reduction of front, rear, and side street yard setbacks as permitted in the S-D (Special Development) zone district. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 10622 Montwood Drive. Property Owner: Prestigio Properties V, LLC. PZRZ15-00016 (**District 7**)

BACKGROUND / DISCUSSION:

On July 16, 2015, the CPC reviewed and recommended approval of the rezoning request.

PRIOR COUNCIL ACTION:

There is no prior City Council action on this rezoning application.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Approval Recommendation (6-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Larry F. Nichols
Director, Planning and Inspection Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF THE PROPERTY DESCRIBED AS LOT 22, BLOCK 206, VISTA DEL SOL UNIT 38, 10622 MONTWOOD DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-O (APARTMENT/OFFICE) TO S-D (SPECIAL DEVELOPMENT), PURSUANT TO SECTION 20.04.360, AND APPROVING A DETAILED SITE DEVELOPMENT PLAN PURSUANT TO SECTION 20.04.150 AND 20.10.360 OF THE EL PASO CITY CODE TO ALLOW FOR REDUCTION OF FRONT, REAR, AND SIDE STREET YARD SETBACKS AS PERMITTED IN THE S-D (SPECIAL DEVELOPMENT) ZONE DISTRICT. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Prestigio Properties V, LLC., (Owner) has applied for a rezoning of property from A-O (Apartment/Office) to S-D (Special Development) per Section 20.04.360 of the El Paso City Code; and,

WHEREAS, Owner has also applied for approval of a detailed site development plan pursuant to Sections 20.04.150 and 20.10.360 of the El Paso City Code for reduction of the front, rear, and side street yard setbacks, which requires approval from both City Plan Commission and City Council; and,

WHEREAS, a public hearing was held for the rezoning and detailed site plan requests at a City Plan Commission meeting; and,

WHEREAS, City Plan Commission has recommended approval of the subject rezoning and detailed site development plan; and,

WHEREAS, the rezoning and detailed site development plan 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 the El Paso City Code.

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

1. Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning of *Lot 22, Block 206, Vista Del Sol Unit 38, 10622 Montwood Drive, City of El Paso, El Paso County, Texas*, be changed from A-O (Apartment/Office) to S-D (Special Development), as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

ORDINANCE NO. _____

Zoning Case No: PZRZ15-00016

2. That the property described above be subject to the following condition which is necessitated by and attributable to the increased density generated by the change of zoning in order to protect the health, safety, and welfare of the adjacent property owners and the residents of this City:

That street trees from the El Paso City Approved Plant List be included at 30 feet on center with a 2 inch caliper along the full length of the Montwood Drive and Lomaland Drive parkway.

3. Pursuant to the requirements of the El Paso City Code, the City Council hereby approves the detailed site development plan submitted by the Owner, to reduce the front, rear, and side street yard setbacks as permitted under the **S-D (Special Development)** district regulations of 20.04.150 and 20.10.360. Council also grants a waiver of the 1 acre minimum district area.

4. A copy of the approved detailed site development plan, signed by the Owner, the City Manager, and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference for all purposes.

5. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **S-D (Special Development)** District regulations.

6. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **S-D (Special Development)** district. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

7. The approval of this detailed site development plan shall automatically be void if construction on the property is not started in accordance with the attached plan Exhibit "B" within four (4) years from the date hereof.

8. The penalties for violating the standards imposed through this ordinance are found in Section 20.24 of the El Paso City Code.

(SIGNATURES ON THE FOLLOWING PAGE)

ORDINANCE NO. _____

Zoning Case No: PZRZ15-00016

ADOPTED this _____ day of _____, 2015.

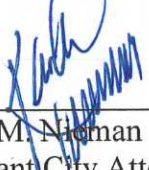
THE CITY OF EL PASO

ATTEST:

Oscar Leaser
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Karla M. Norman
Assistant City Attorney

APPROVED AS TO CONTENT:

Larry F. Nichols, Director
Planning & Inspections Department

ORDINANCE NO. _____

Zoning Case No: PZRZ15-00016

AGREEMENT

By execution hereof, Prestigio Properties V, LLC. ("Owner"), 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 (Special Development)** District regulations, and subject to all other requirements set forth in this Ordinance.

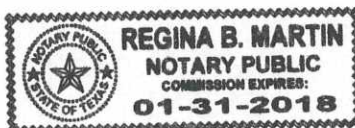
EXECUTED this 30th day of September, 2015

OWNER: Prestigio Properties V, LLC.

By: Richard Castro
Richard Castro
 (Print name & Title)

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)



This instrument is acknowledged before me on this 30th day of September, 2015, by Richard Castro, in his legal capacity on behalf of Prestigio Properties V, LLC.

My Commission Expires:

1-31-2018

Leona B. Norton
Notary Public, State of Texas

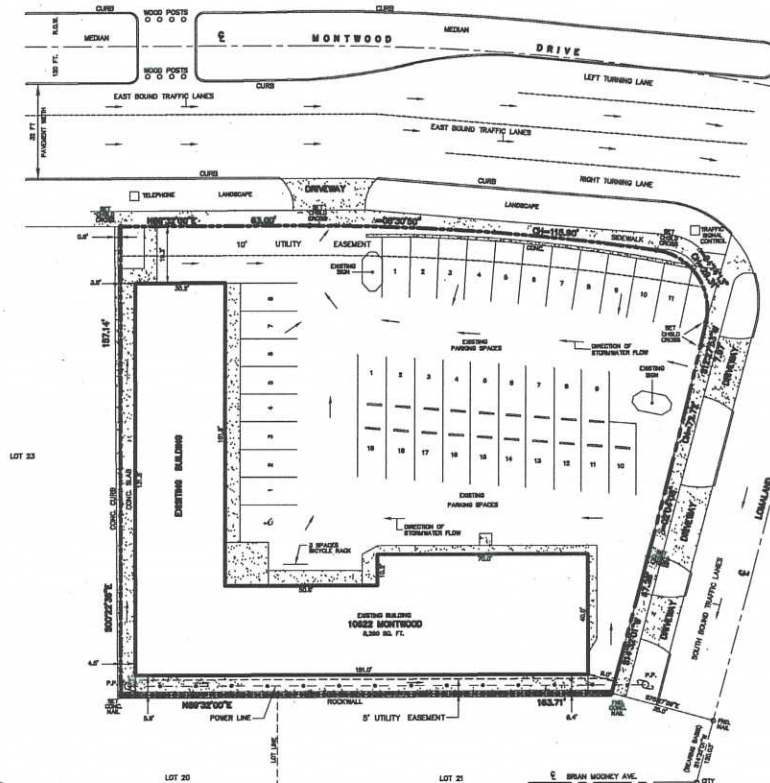
ORDINANCE NO. _____

Zoning Case No: PZRZ15-00016

DETAILED SITE DEVELOPMENT PLAN

10622 MONTWOOD DRIVE
EL PASO, TEXAS

BUILDING ELEVATIONS



Notes:
A. CONVERT FROM OFFICE TO RETAIL USE
B. NO ADDITIONS NOR ALTERATIONS TO THE BUILDING ARE PROPOSED

PARKING LAYOUT		BICYCLE RACK	
REQUIRED	PROPOSED	REQUIRED	PROPOSED
33	33	3	3



Calderon Engineering
2564 Calderon Engineering, P.C. 2564
2564 Calderon Engineering, P.C. 2564
2564 Calderon Engineering, P.C. 2564



9/3/2015

REVISIONS:

06/03/2015	DELETED 3 PARKING SPACES
06/03/2015	ADDED BICYCLE RACKS

Book	48	Page	4	Job No	10622 MONTWOOD
10622 MONTWOOD DRIVE LOT 22, BLOCK 208 VISTA DEL SOL UNIT THIRTY EIGHT CITY OF EL PASO, EL PASO COUNTY, TEXAS					
Field	AL	Office	TS-CL	Date	09/03/2015
CALDERON		ENGINEERING		Scale: 1"=20'	
3031 TRAWOOD DR.		EL PASO, TEXAS 79905		TEL: 915-799-7000	

MEMORANDUM

DATE: October 5, 2015

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

FROM: Andrew Salloum, Planner

SUBJECT: **PZRZ15-00016**

The City Plan Commission (CPC) on July 16, 2015, voted 6-0 to recommend **approval** of rezoning the subject property from A-O (Apartment/Office) to S-D (Special Development) with a condition:

That street trees from the El Paso City Approved Plant List be included at 30 feet on center with a 2 inch caliper along the full length of the Montwood Drive and Lomaland Drive parkway.

The CPC also had recommended **approval** of the detailed site development plan to include a reduction in the front, rear, and side street yard setback for retail uses as permitted in the S-D (Special Development) zone district.

The CPC found that the rezoning 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.

Planning Division received a phone call in support to the rezoning request.

Property Owner: Prestigio Properties V, LLC
Representative: Ray Mancera

Attachments:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ15-00016
Application Type: Rezoning and Detailed Site Development Plan Review
CPC Hearing Date: July 16, 2015
Staff Planner: Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov

Location: 10622 Montwood Drive
Legal Description: Lot 22, Block 206, Vista Del Sol Unit 38, City of El Paso, El Paso County, Texas
Acreage: 0.6807 acres
Rep District: 7
Existing Zoning: A-O (Apartment/Office)
Existing Use: Office
C/SC/SP/ZBA/LNC: N/A
Request: From A-O (Apartment/Office) to S-D (Special Development)
Proposed Use: Retail (low-volume)

Property Owner: Prestigio Properties V, LLC
Representative: Ray Mancera

SURROUNDING ZONING AND LAND USE

North: R-4 (Residential) / Single-family dwellings
South: R-3 (Residential) / Single-family dwellings
East: C-1 (Commercial) / Retail
West: A-O (Apartment/Office) / Office

PLAN EL PASO DESIGNATION: G-3, Post-War (East Planning Area)

NEAREST PARK: Pico Norte Park (1,451 feet)

NEAREST SCHOOL: Vista Hills Elementary (2,514 feet)

NEIGHBORHOOD ASSOCIATIONS

Eastside Civic Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on July 1, 2015. Planning Division received a phone call in support to the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from A-O (Apartment/Office) to S-D (Special Development) to allow for retail center. The A-O (Apartment/Office) district does not permit retail use. The applicant also submitted a detailed site development plan for review as required by the S-D (Special Development) zone district. The subject property is 0.6807 acres in size. The detailed site development plan shows an existing 8,290 sq. ft. office to be converted for retail use, 14 feet in height. The applicant is also requesting the following reductions: front setback from the required 20 feet to 19.3 feet, rear setback from the required 10 feet to 5.9 feet and side street from the required 10 feet to 9 feet as permitted in the S-D (Special Development) district with the approval of a detailed site development plan by City Council. The development requires 33 parking spaces and the applicant is providing 43 parking spaces, to include ADA and three bicycle spaces. The development complies with the minimum landscape area requirements of Title 18.46. Access to the subject property is provided from Montwood Drive and Lomaland Drive.

The lot area requirement for S-D (Special Development) district is 1 acre. The applicant is requesting a waiver for a lot less than one acre for City Council approval.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from A-O (Apartment/Office) to S-D (Special Development) and approval of the detailed site development plan with a condition:

That street trees from the El Paso City Approved Plant List be included at 30 feet on center with a 2 inch caliper along the full length of the Montwood Drive and Lomaland Drive parkway.

The recommendation is based on compatibility with the properties zoned C-1 (Commercial), S-D (Special Development), and A-O (Apartment/Office) directly adjacent to the subject property, and in compliance with the Plan El Paso land use designation G-3, Post-War in the East Planning Area.

Plan El Paso- Future Land Use Map Designation

All applications for rezoning shall demonstrate compliance with the following criteria:

G-3 – Post War: This sector applies to transitional neighborhoods typically developed from the 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.

The purpose 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.

COMMENTS:

Planning Division - Transportation

No objections to rezoning and detailed site development plan.

Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

Planning and Inspections Department – Building and Development Permitting

No objections to proposed rezoning. Applicant will need to submit plans for change of occupancy prior to suites being occupied due to occupancy being changed from office to mercantile.

Planning and Inspections Department – Landscaping Division

Additional landscape is not required.

Planning and Inspections Department - Land Development

No objections.

Fire Department

No objections.

Police Department

No adverse comments.

Sun Metro

Sun Metro does not oppose this request. Routes 1 & 53 provide service to a bus stop 320 ft. east of the subject property.

El Paso Water Utilities

EPWU-PSB does not object to this request

EPWU-PSB Comments**Water:**

There is an existing 12-inch (12") diameter water main extending along Lomaland Dr. that is available for service, the water main is located approximately 45 feet (45') east from the eastern property line.

There is an existing 24-inch (24") diameter water main extending along Montwood Dr. that is located approximately 90' north from the northern property line. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules & Regulations.

EPWU records indicate an active 1 ½-inch (1 ½") domestic water meter located along Lomaland Dr. approximately 12 feet (12') north of south property line. The service address for this meter is 10622 Montwood Dr.

Previous water pressure tests from fire hydrant # 3513 located on the southeast corner of Montwood Dr. and Lomaland Dr. yielded a static pressure of 70 (psi) pounds per square inch, a residual pressure of 60 (psi), and a discharge of 919 (gpm) gallons per minute.

Sewer:

There is an existing 8-inch (8") diameter sanitary sewer extending along Lomaland Dr. that is available for service, the sewer main is located approximately 28 feet (28') east from the eastern property line. The depth of the existing sewer main is approximately 7 feet (7') deep.

EPWU records indicate a 4-inch (4") sanitary service line located along Lomaland Dr. approximately 121 feet (121') south of manhole at Montwood Dr. and Lomaland Dr.

General:

EPWU requires a new service application to provide additional services to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. 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 Utilities - Stormwater Division

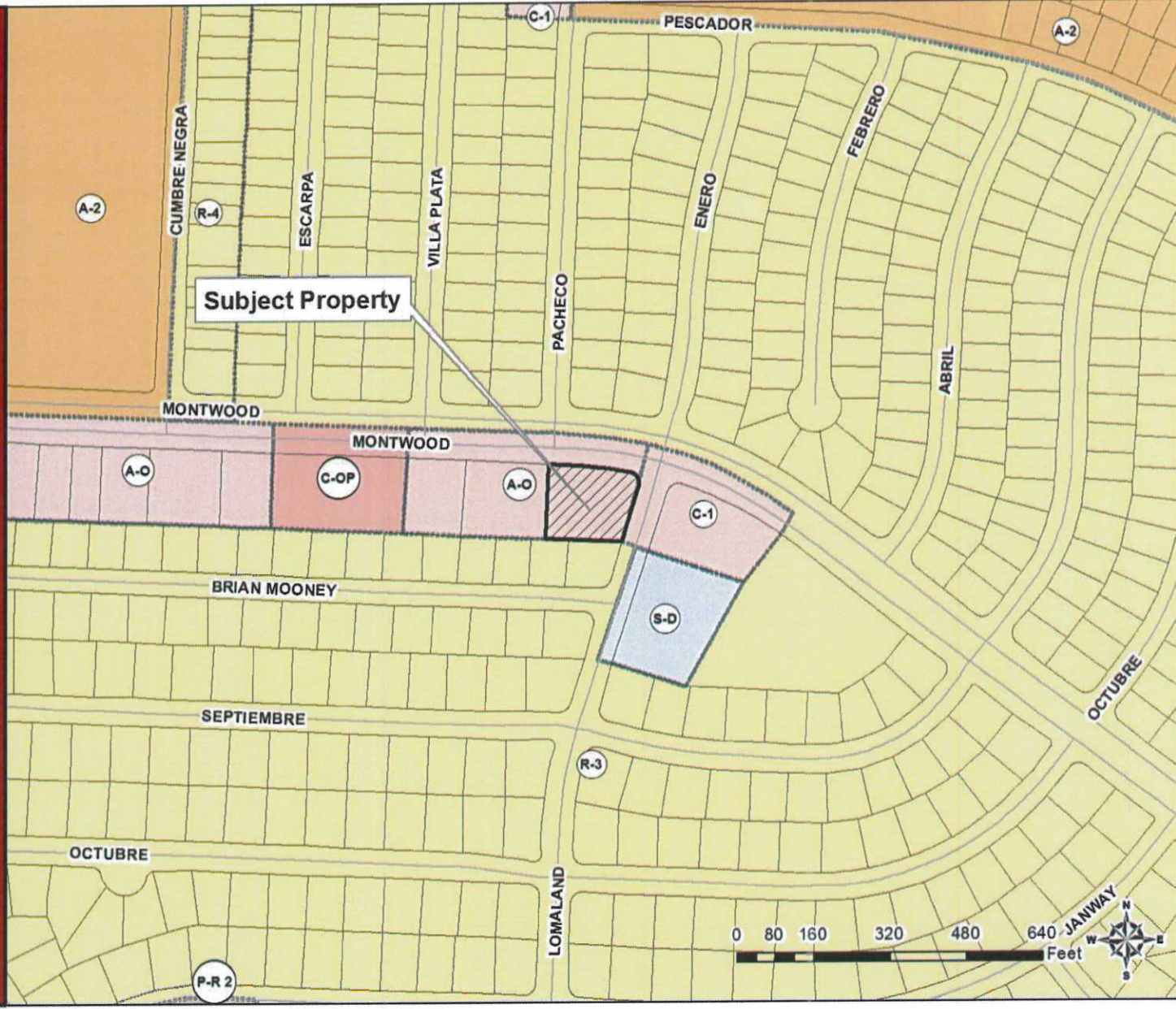
No comments received.

Attachments:

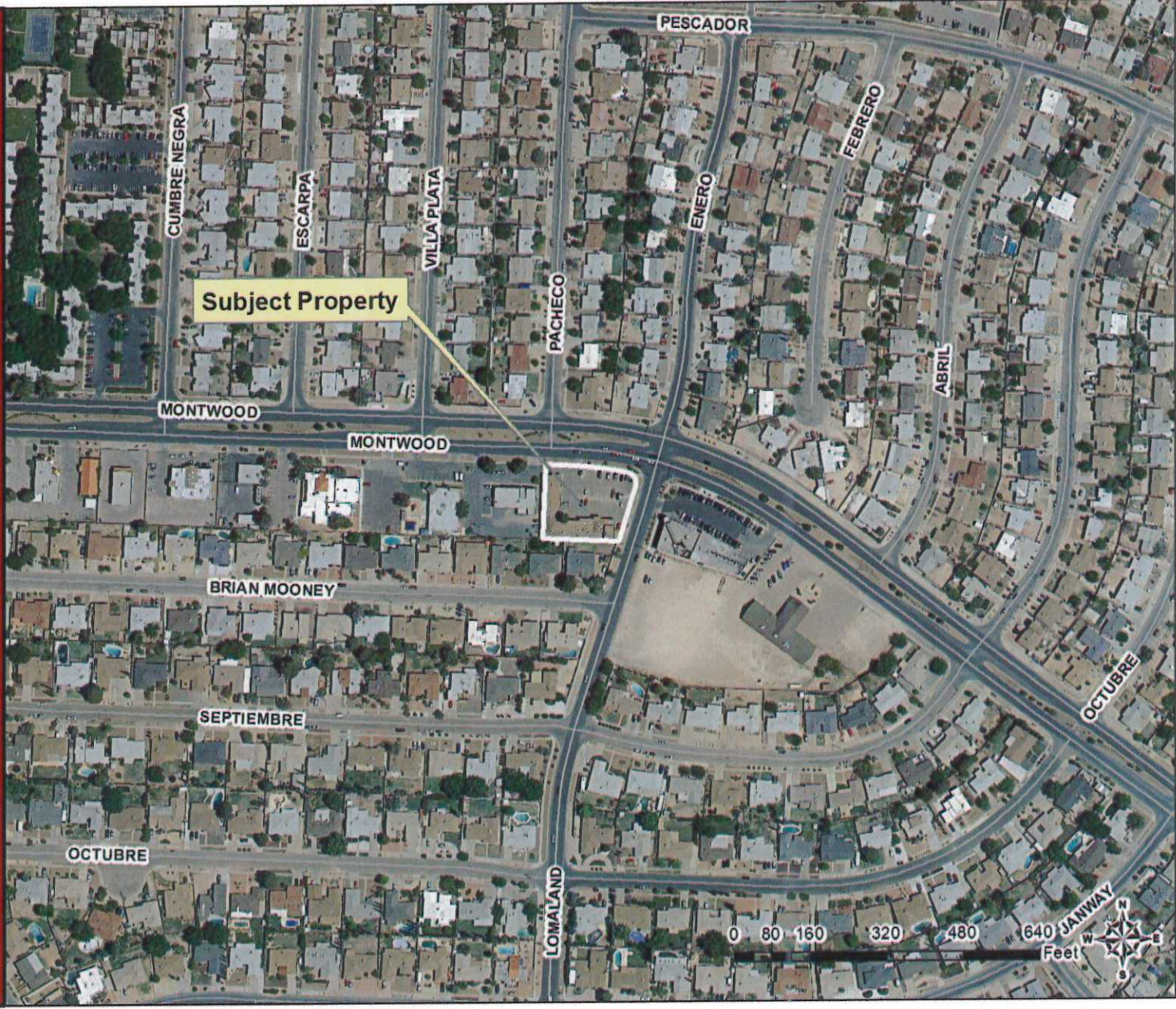
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations

ATTACHMENT 1: ZONING MAP

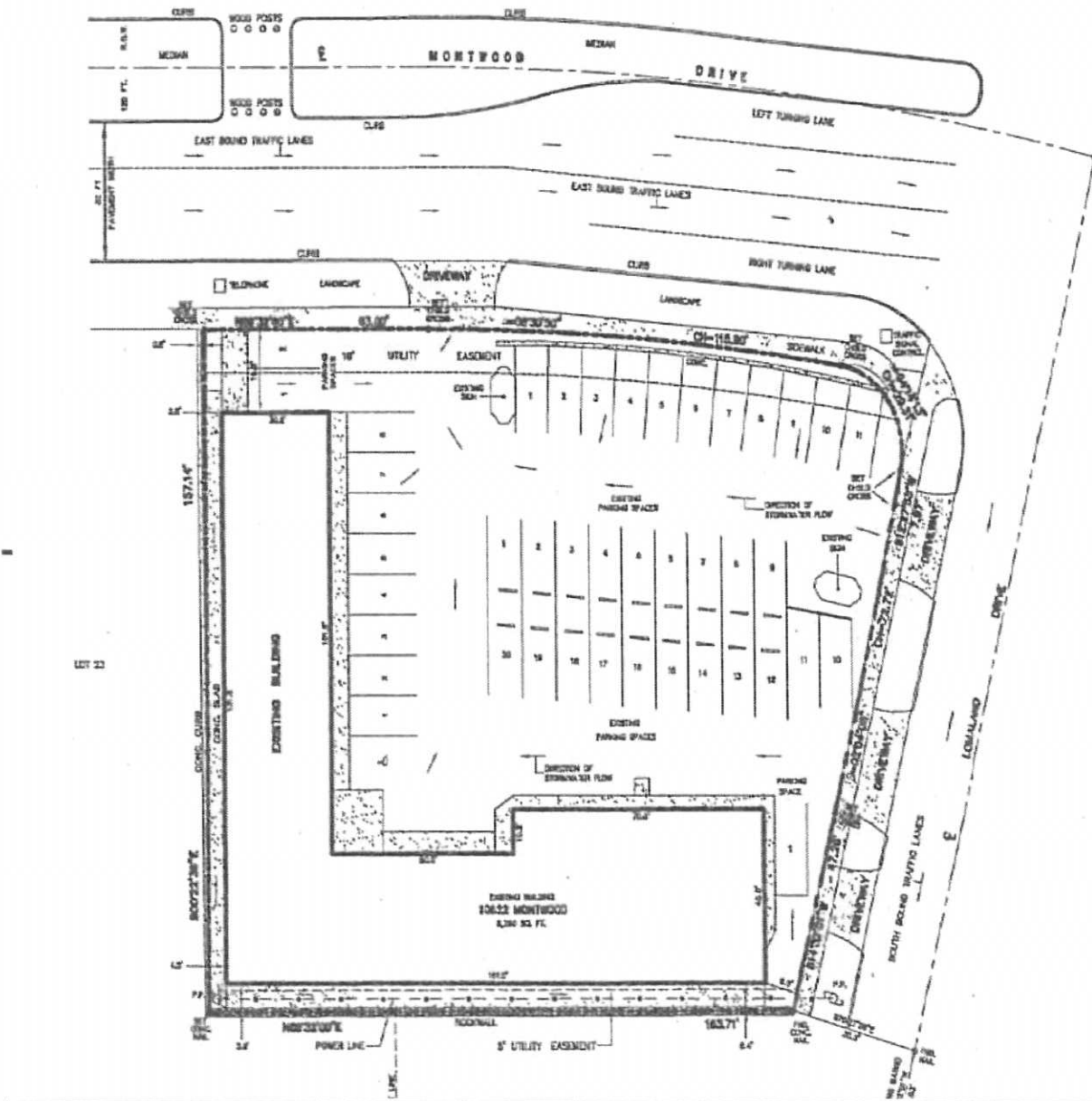
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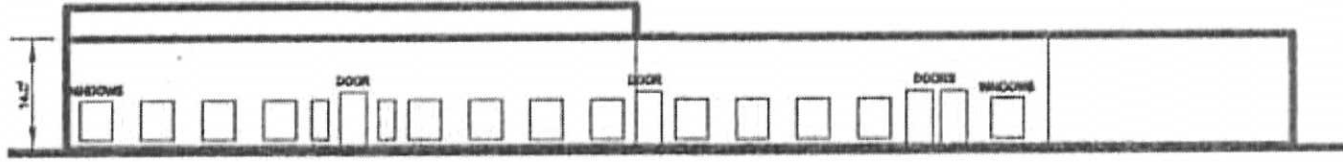
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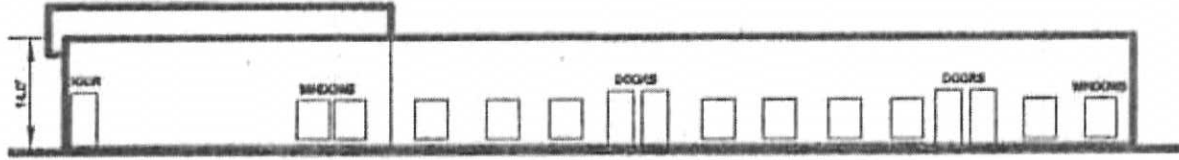
ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: ELEVATIONS



NORTH ELEVATION



EAST ELEVATION



Recommendation/Public Input

- **Planning Division recommendation:** Approval
- **CPC Vote:** Approval Recommendation (6-0)
- **Public Input:** Planning Division received a phone call in support to the rezoning request.

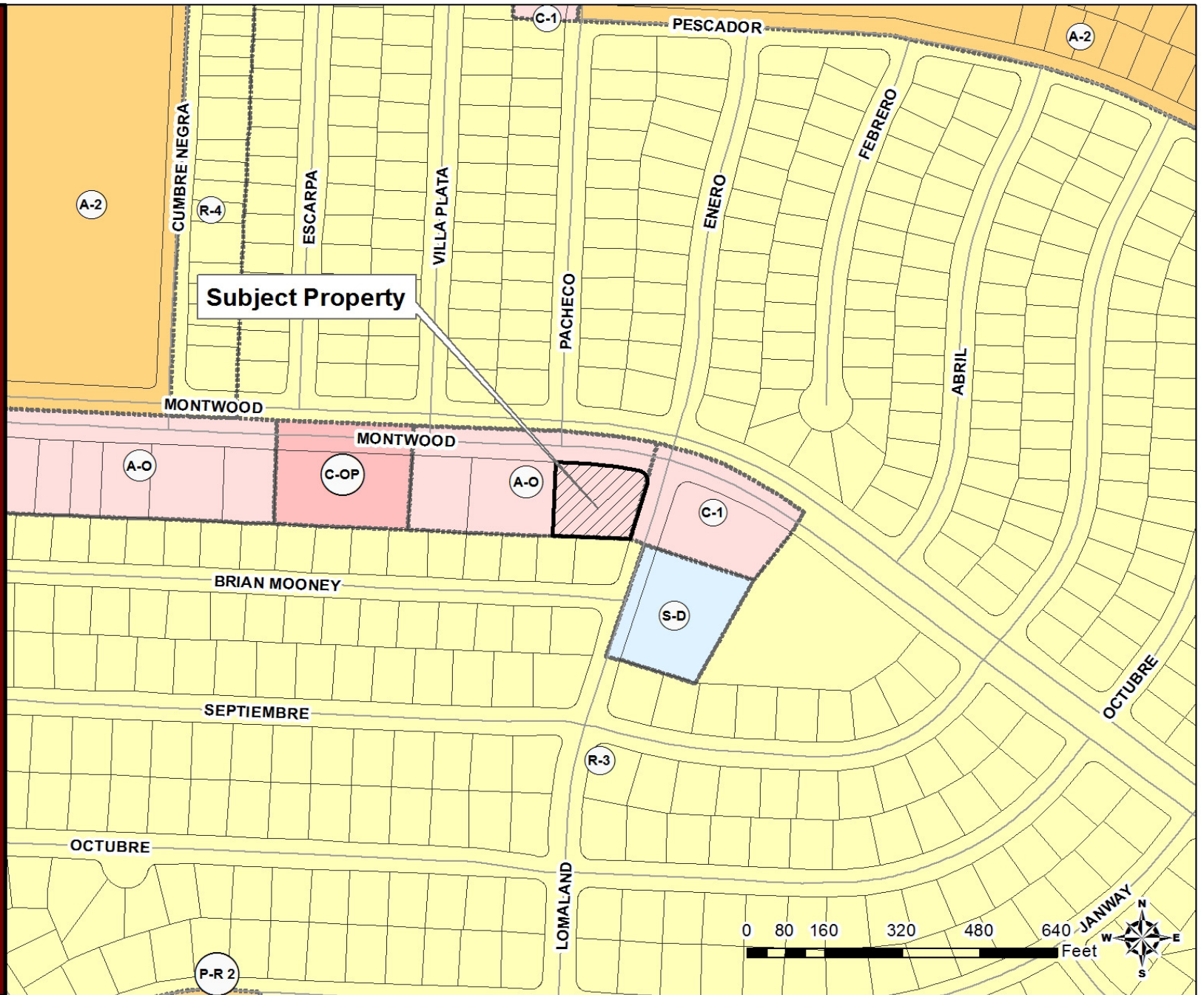
Strategic Goal #3 Promote the Visual Image of El Paso

3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community

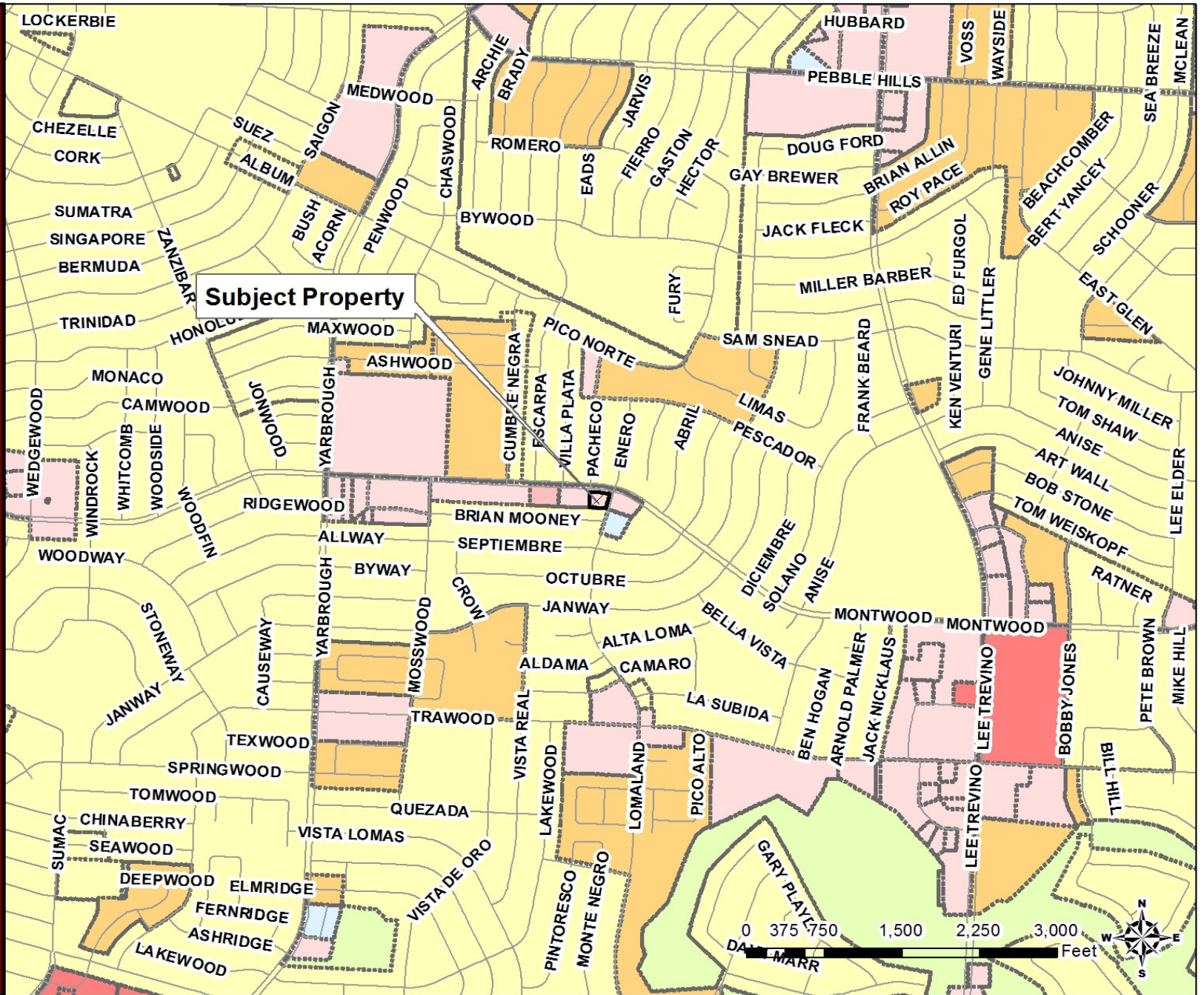
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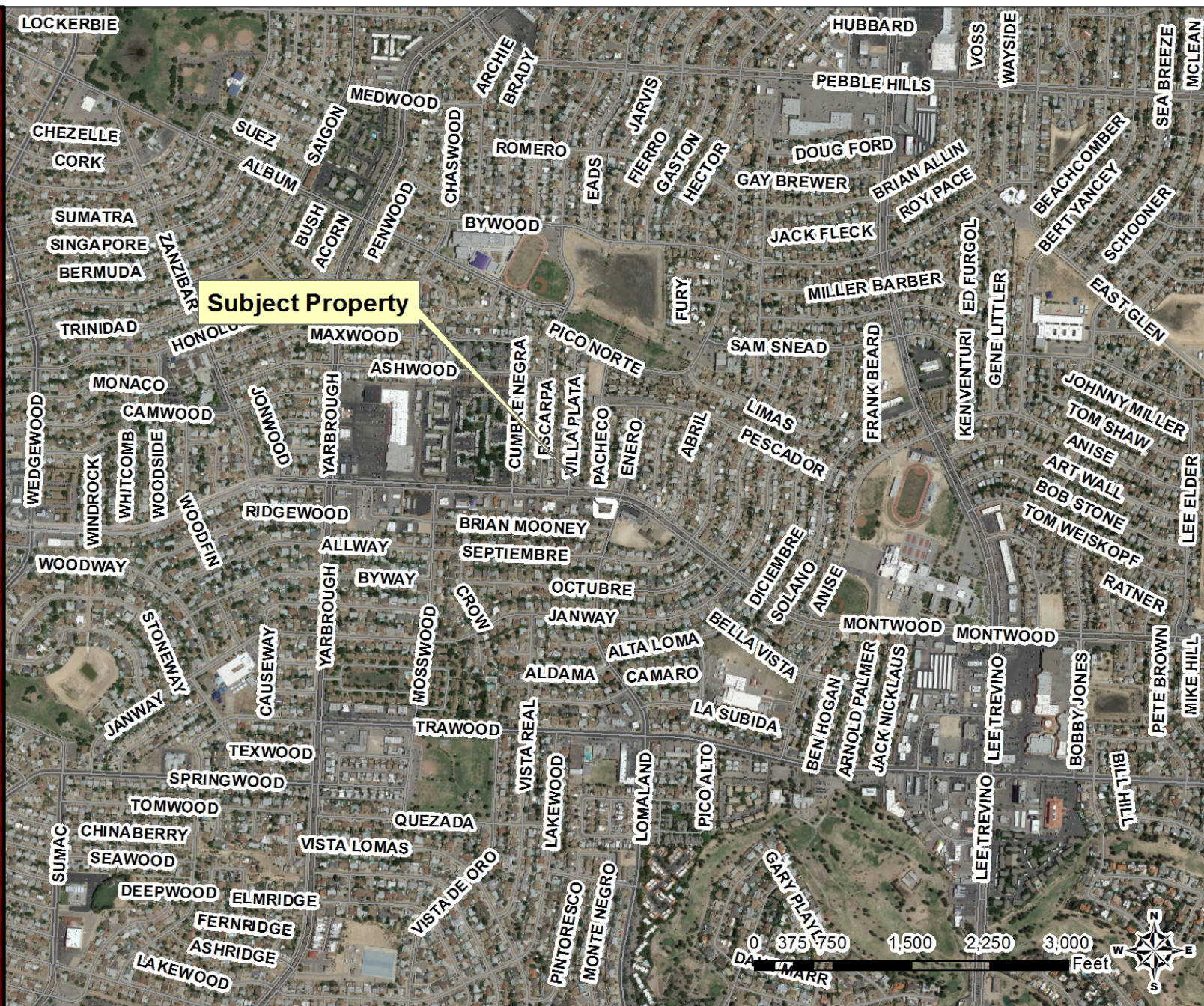


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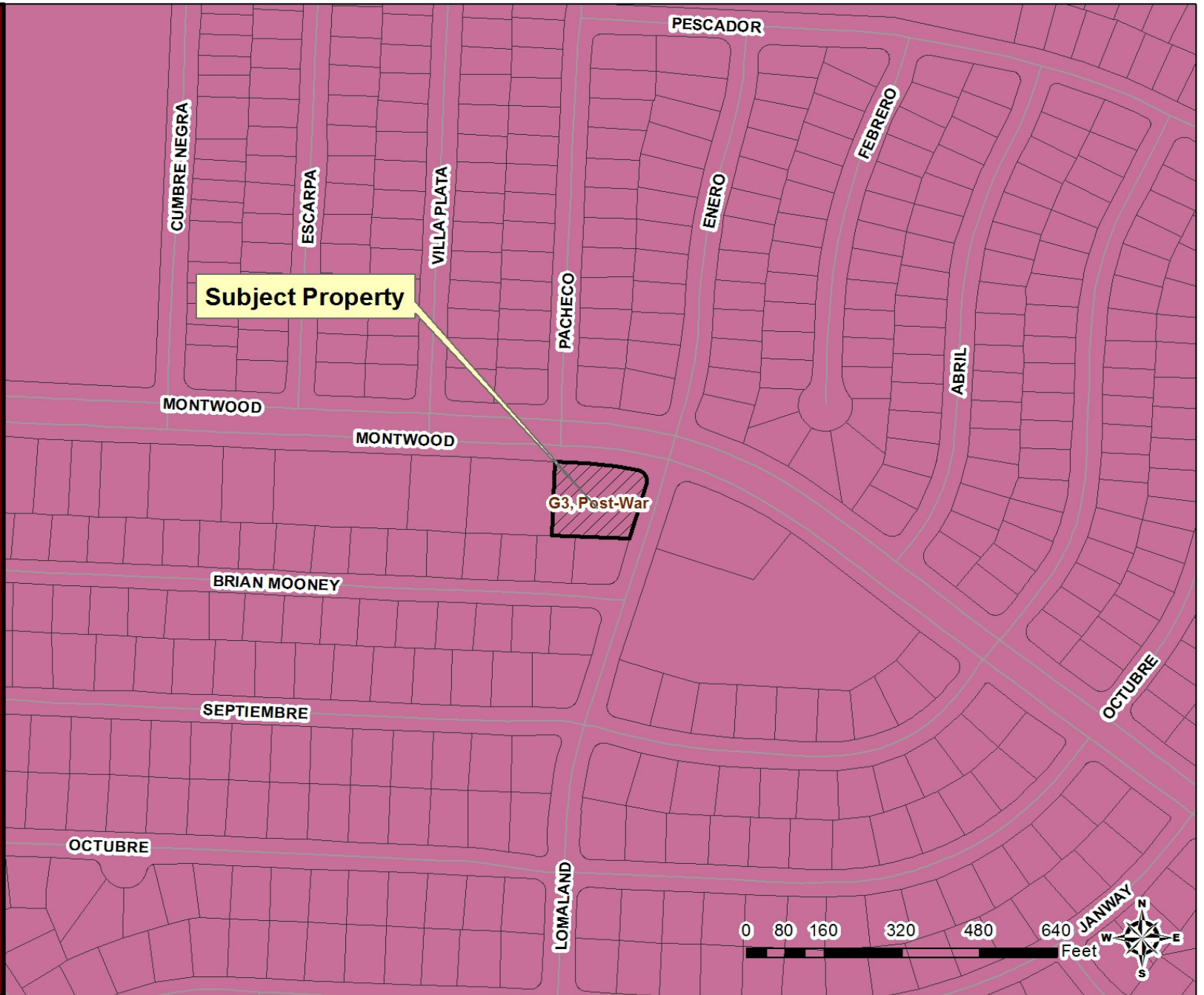


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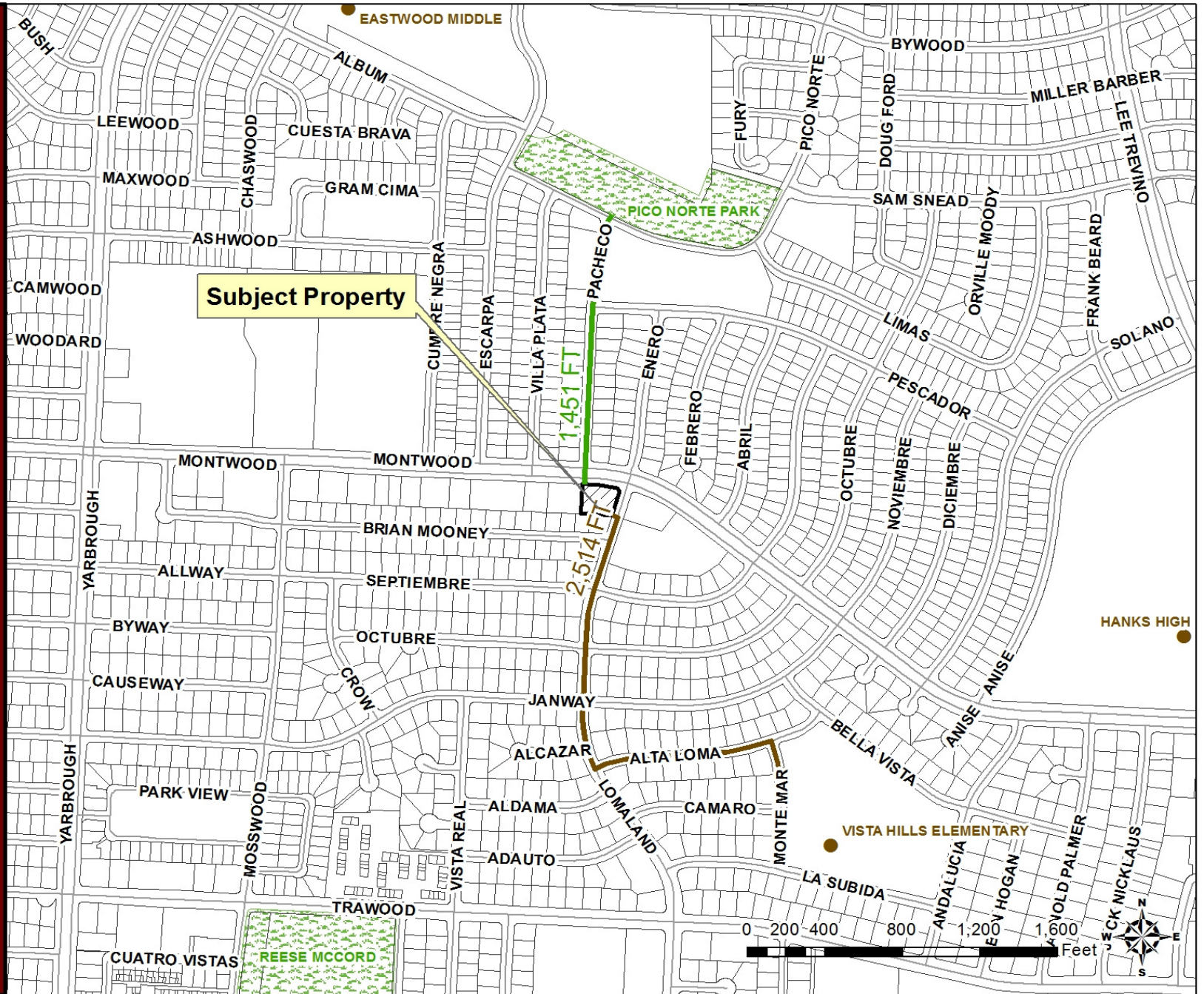
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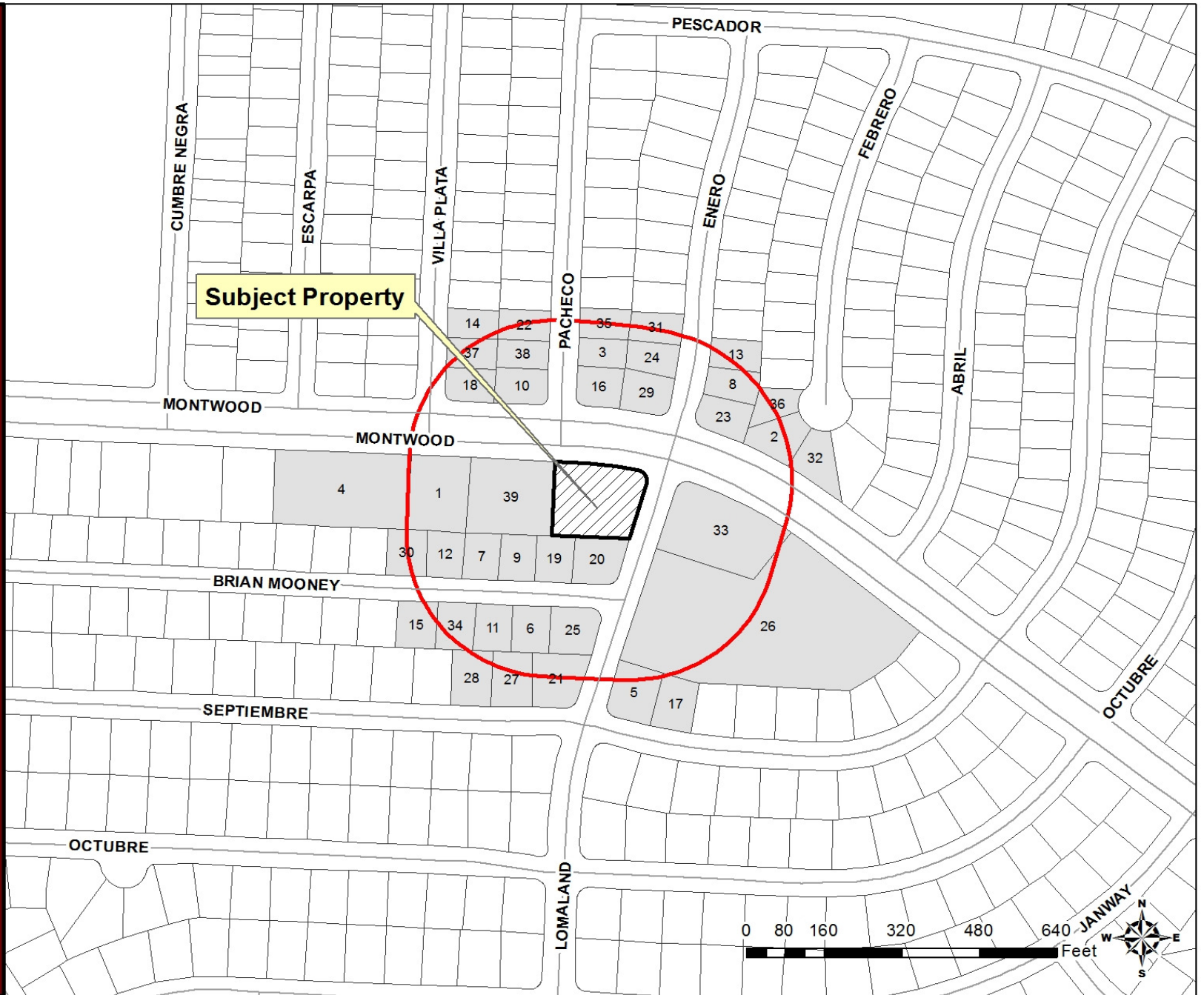
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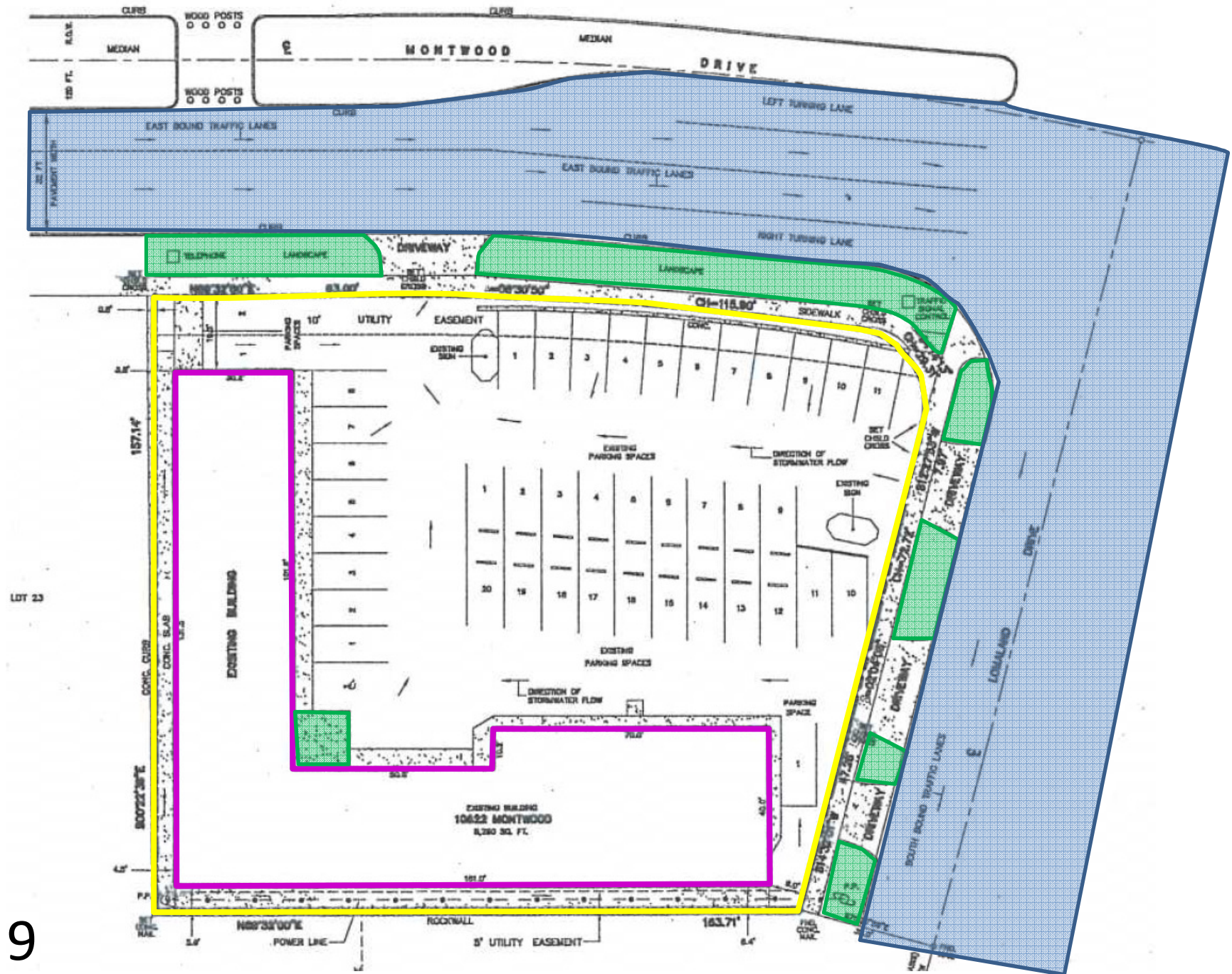
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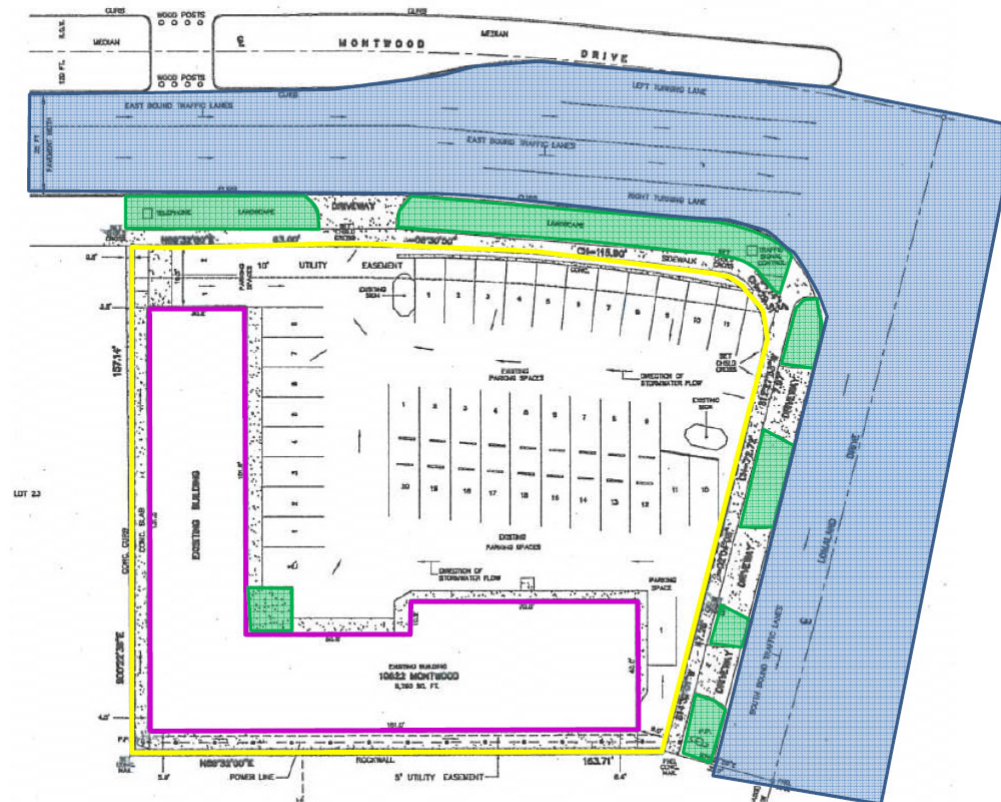
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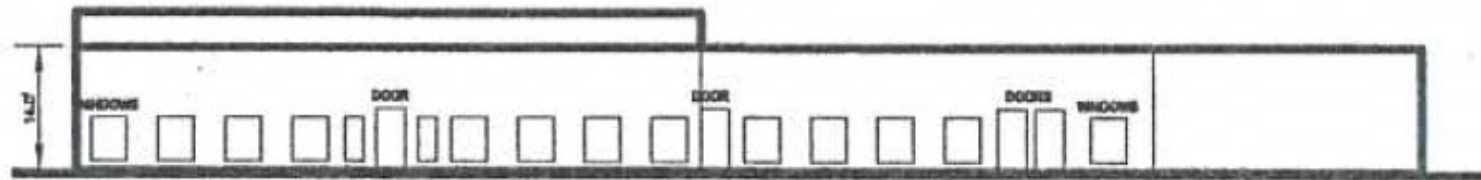




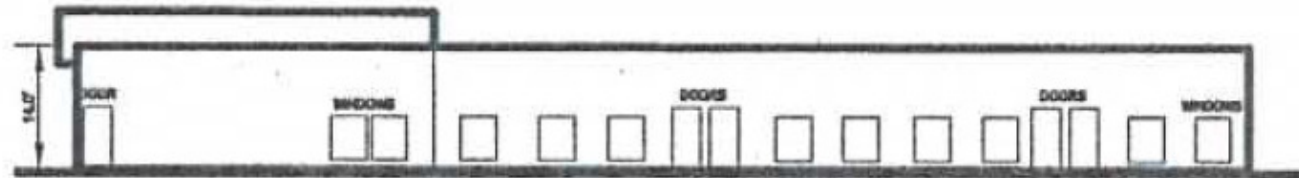


	Required	Requested
Front Setback	20'	19.3'
Rear Setback	10'	5.9'
Side Street Setback	10'	9'

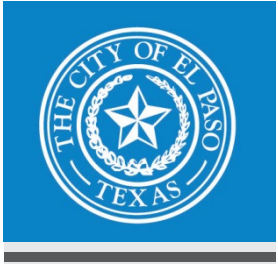




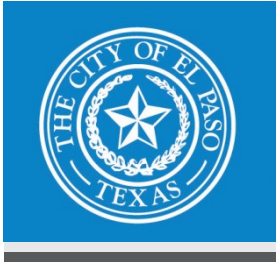
NORTH ELEVATION



EAST ELEVATION

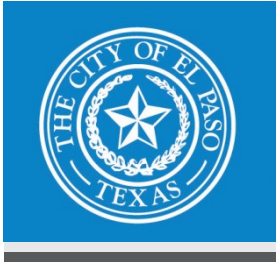


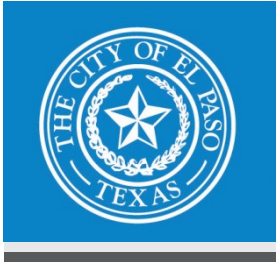
Subject
Property



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"Delivering Outstanding Services"

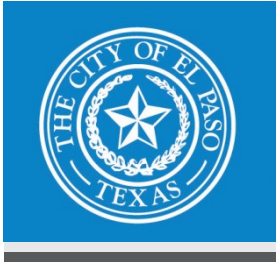




South

15

"Delivering Outstanding Services"



West

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"Delivering Outstanding Services"

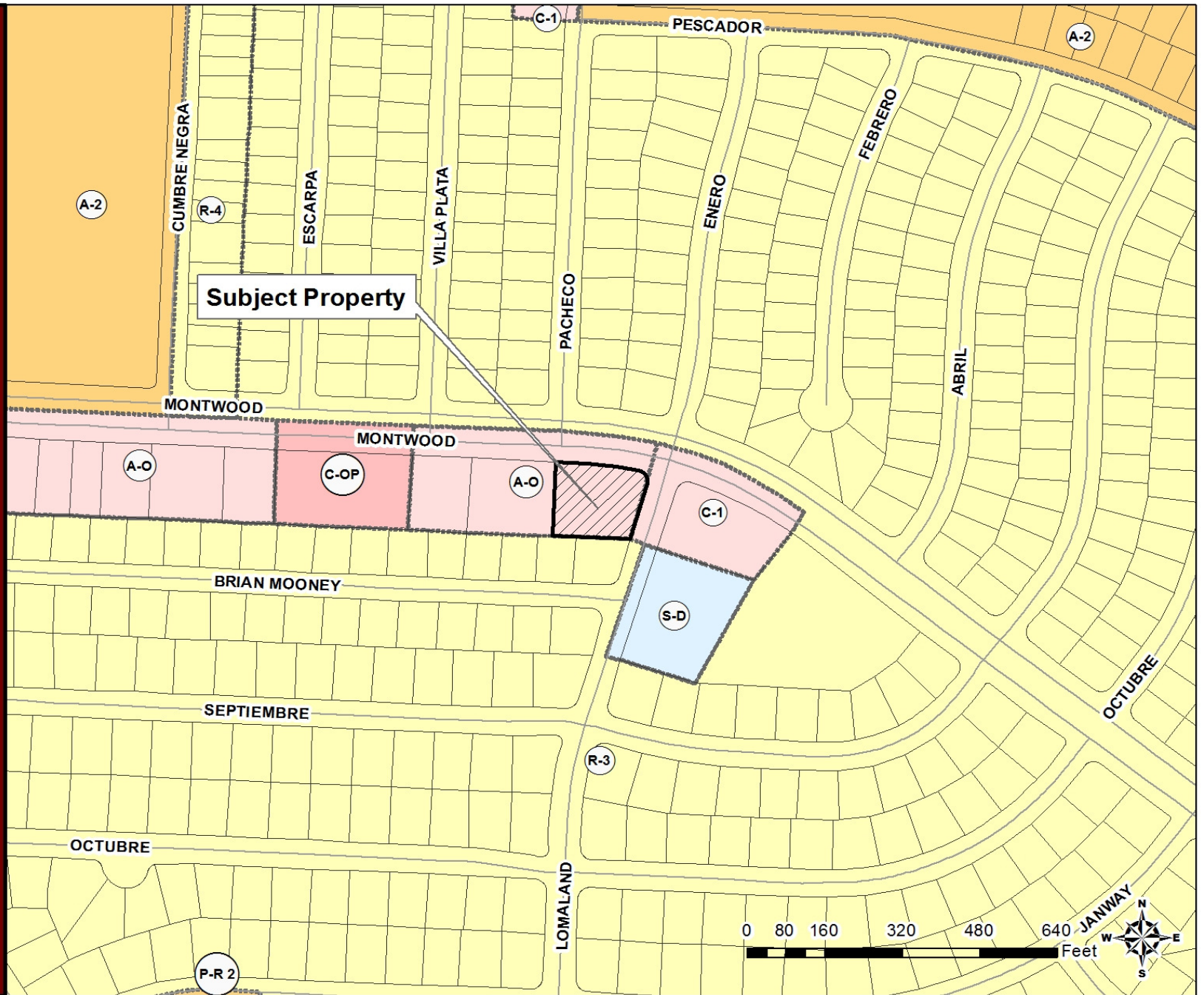


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That street trees from the El Paso City Approved Plant List be included at 30 feet on center with a 2 inch caliper along the full length of the Montwood Drive and Lomaland Drive parkway.

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