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

DEPARTMENT: Planning & Inspections, Planning Division

AGENDA DATE: December 8, 2020

CONTACT PERSON NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553

Luis Zamora, (915) 212-1552

DISTRICT(S) AFFECTED: 7

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:

A resolution approving a Detailed Site Development Plan for a portion of Tract 1, Block 5 and a Portion of Tract 1, Block 6, Christy Tract, 588 South Yarbrough, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

The proposed detailed site development plan meets the intent of the Future Land Use designation for the property and is in accordance with *Plan El Paso*, the City's Comprehensive Plan.

Subject Property: 588 South Yarbrough

Applicant: Sitework Engineering, LLC PZDS20-00026

BACKGROUND / DISCUSSION:

Detailed Site Development Plan approval for a proposed apartment complex as required per Ordinance No. 8707, dated June 24, 1986, requiring that prior to the issuance of any building permits, a detailed site development plan must be approved by the City Plan Commission and the Mayor and City Council. City Plan Commission recommended 8-0 to approve the proposed PZDS20-00026 on October 29, 2020. As of November 30, 2020, staff has received no communication in support/opposition of the request. See attached staff report for additional information.

| <u>PRIOR</u> | COUNCIL | AC | HON: |
|--------------|---------|----|------|
| N/A | | | |

AMOUNT AND SOURCE OF FUNDING: N/A

DEPARTMENT HEAD:

Philip F. Etiwe - Planning and Inspections Director

RESOLUTION

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR A PORTION OF TRACT 1, BLOCK 5 AND A PORTION OF TRACT 1, BLOCK 6, CHRISTY TRACT, 588 SOUTH YARBROUGH, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.150. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, ESTANCIAS VALENCIA, LLC, (the "Owner") has applied for approval of a detailed site development plan which requires City Plan Commission and City Council approval. The detailed site development plan is subject to the development standards in the C-1/SC (COMMERCIAL/SPECIAL CONTRACT) District regulations and 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,

WHEREAS, pursuant to Ordinance No. 8707, approval of the detailed site development plan is required by the City Plan Commission and the City Council: and

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

WHEREAS, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

WHEREAS, the City Council finds that the detailed site development plan meets all applicable requirements of the El Paso City Code:

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

1. Pursuant to requirements, the City Council hereby approves the detailed site development plan submitted by the Applicant, on the following described property which is located in a C-1/SC (COMMERCIAL/SPECIAL CONTRACT) District:

A PORTION OF TRACT 1, BLOCK 5, AND A PORTION OF TRACT 1, BLOCK 6, CHRISTY TRACT, 588 SOUTH YARBROUGH, City of El Paso, El Paso County, Texas, and as more particularly described on the attached Exhibit "A".

- 2. A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as **Exhibit** "B" and incorporated herein by reference.
 - 3. 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 C-1/SC (COMMERCIAL/SPECIAL CONTRACT) District regulations.

- 4. 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 C-1/SC (COMMERCIAL/SPECIAL CONTRACT) 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.
- 5. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

| THE CITY OF EL PASO |
|---|
| Dee Margo Mayor |
| |
| APPROVED AS TO CONTENT: |
| Philip F. Etiwe, Director Planning & Inspections Department |
| |

(Agreement on following page)

DEVELOPMENT AGREEMENT

By execution hereof, ESTANCIAS VALENCIA, LLC, ("Owner"), identified in the Resolution to which this Development Agreement is attached, hereby covenant and agree, to develop the above-described property in accordance with the approved Detailed Site Development Plan, and in accordance with the standards applicable to the C-1/SC (COMMERCIAL/SPECIAL CONTRACT) District located within the City of El Paso.

ACKNOWLEDGMENT

| THE STATE OF TEXAS) |
|---|
|) COUNTRY OF EL DASO |
| COUNTY OF EL PASO) |
| This instrument is acknowledged before me on this 2nd day of December, 2020, by Eduardo Valencia, in his legal capacity on behalf of Estancias Valencia Ld |
| Eduardo Valencia, in his legal capacity on behalf of Estancias Valencia Ld |
| Jana fill |
| Notary Public, State of Texas |
| My Commission Expires: |
| |
| 5/21/2020 Laura L Chacon My Commission Expires 05/21/2022 |

(Exhibits on the following pages)

EXHIBIT "A"

Being a portion of Tract 1, Block 5 and A portion of Tract 1, Block 6, Christy Tract, City of El Paso, El Paso County, Texas August 17, 2020

METES AND BOUNDS DESCRIPTION Exhibit "A"

FIELD NOTE DESCRIPTION of being a portion of Tract 1, Block 5 and a portion of Tract 1, Block 6, Christy Tract, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found iron rod on the southwesterly corner of Tract 1, Block 5 and the easterly right-of-way line of Yarbrough Drive (R.O.W. varies), also being the **POINT OF BEGINNING** of the herein described parcel;

THENCE, leaving said southwesterly corner and along the Easterly right-of-way line of Yarbrough Drive, North 18°47'00" East, a distance of 30.67 feet to a found iron rod for corner;

THENCE, continuing along said easterly right-of-way line, 338.87 feet along the arc of a curve to the left whose radius is 4,244.71 feet, whose interior angle is 04°34'27", whose chord bears North 27°38'18" East, a distance of 338.78 feet to a found iron rod for corner;

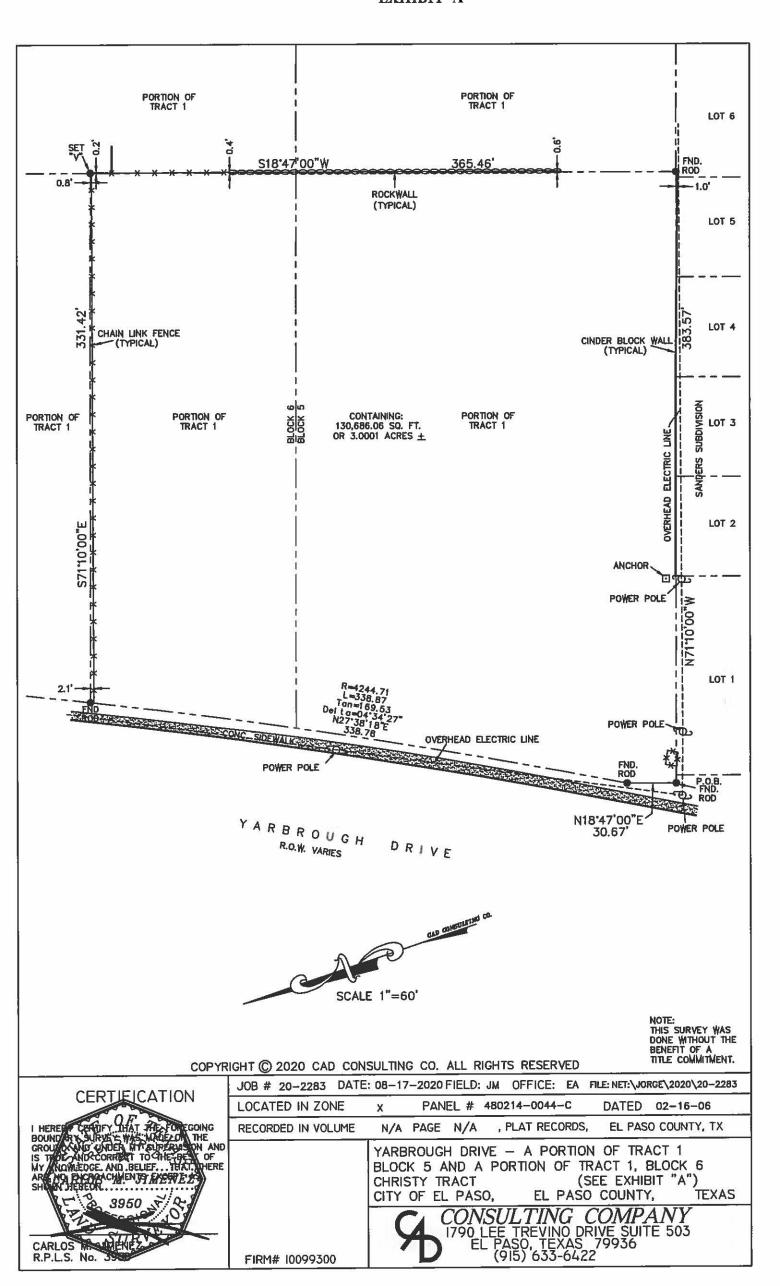
THENCE, leaving easterly right-of-way line of Yarbrough Drive, South 71°10'00" East, a distance of 331.42 feet to a found chiseled "V" for corner;

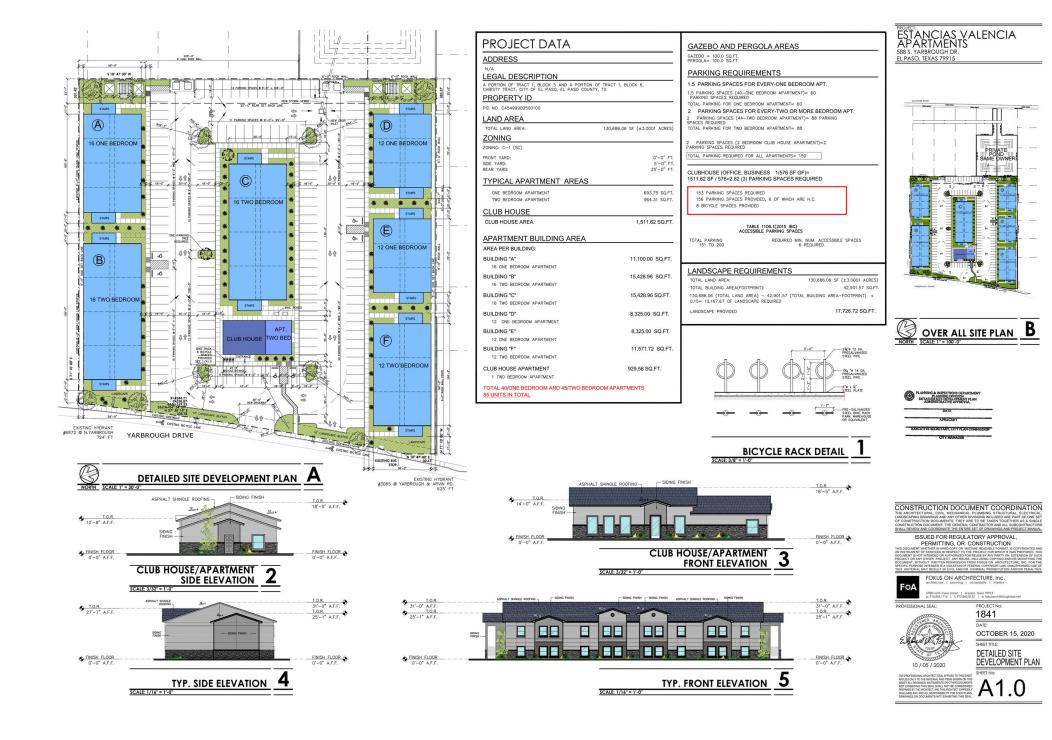
THENCE, South 18°47'00" West, a distance of 365.46 feet to a found iron rod for corner at the common boundary line of Sanders Subdivision and Christy Tract;

THENCE, along the common boundary line of Christy Tract and Sanders Subdivision, North 71°10′00″ West, a distance of 383.57 fee to the **POINT OF BEGINNING** of the herein described parcel and containing 130,686.06 square feet or 3.0001 acres of land more or less.

CAD Consulting Co.
1790 Lee Trevino Drive. Suite 503
El Paso, Texas 79936
(915) 633-6422
I:\M&B\2020\20-2283 Yarbrough Drive.wpd







588 S. Yarbrough Drive

City Plan Commission — October 29, 2020

CASE NUMBER: PZDS20-00026

CASE MANAGER: Luis Zamora, (915) 212-1552, ZamoraLF@elpasotexas.gov

PROPERTY OWNER:Estancias Valencia, LLCREPRESENTATIVE:Sitework Engineering, LLC

LOCATION: 588 S. Yarbrough Drive (District 7)

PROPERTY AREA: 3.00 acres

REQUEST: Detailed Site Development Plan Approval per Ordinance No. 8707

RELATED APPLICATIONS: None

PUBLIC INPUT: None received as of October 22, 2020

SUMMARY OF REQUEST: Detailed Site Development Plan review for a proposed apartment complex as required per Ordinance No. 8707, dated June 24, 1986, requiring that prior to the issuance of any building permits, a detailed site development plan must be approved by the City Plan Commission and the Mayor and City Council.

SUMMARY OF RECOMMENDATION: Staff recommends **APPROVAL** of the request. The proposed development is consistent with the surrounding single-family and apartment residential development and meets the requirements of El Paso City Code Section 20.04.150 Detailed Site Development Plan. Furthermore, the development complies with the G-3 Post-War land use designation of *Plan El Paso*.

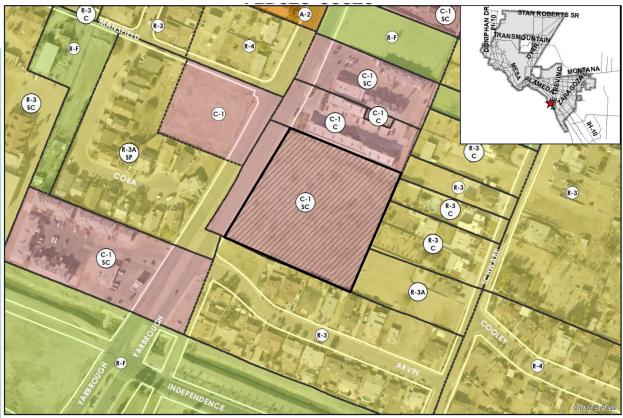


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting approval of a Detailed Site Development Plan to develop a proposed apartment complex, that includes seven (7) buildings, from which six (6) will be solely for residential use and one (1) to serve as office/club house with an additional residential unit. There are 85 units in total being proposed, consisting of 40 one-bedroom units and 45 two-bedroom units. Required maximum parking for the property is 154 vehicular spaces consisting of 148 regular parking spaces and six (6) accessible parking spaces, and eight (8) bicycle spaces. The proposed development provides 156 vehicular spaces consisting of 150 regular parking spaces and six (6) accessible parking spaces, and eight (8) bicycle spaces. In addition to required landscape requirements, the development includes one (1) parking tree as required per El Paso City Code Section 20.14.050.E. Primary access to proposed development will be from Yarbrough Drive.

PREVIOUS CASE HISTORY: None.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The abutting property to the north is zoned C-1 (Commercial) and consists of an apartment complex. Abutting properties to the east and south are zoned R-3 (Residential) consisting of single-family dwellings. Abutting properties to the west across Yarbrough Drive are zoned R-3A (Residential) and C-1 (Commercial), consisting of single-family homes and a vacant lot. The nearest school is Rio Bravo Middle School (0.55 miles) and the nearest park is J. P. Shawyer (0.10 miles).

COMPLIANCE WITH THE ZONING ORDINANCE – When evaluating whether a proposed Detailed Site Development Plan is in accordance with the Zoning Ordinance, consider following factors:

Criteria

20.04.140 – When Required. Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

Compatibility with Zoning Regulations: The zoning district permits the proposed use, and all applicable regulations are met

<u>C-1 (Commercial) District:</u> The purpose of these districts is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood convenience goods and services that serve day-to-day needs. The regulations of the districts will permit location of business and professional offices and retail category uses within adjacent residential areas of medium and high densities.

Does the Request Comply?

A Detailed Site Development Plan approval by the City Plan Commission and City Council is required prior to the issuance of building permits per Ordinance No. 8707 (dated June 24, 1986).

Apartments are permitted in the C-1 (Commercial) zoning district. The proposed Detailed Site Development Plan is in compliance with the requirements and is in keeping with the spirit of the C-1 (Commercial) District.

PZDS20-00026 2 October 29, 2020

| COMPLIANCE WITH THE ZONING ORDINANCE – When evaluating whether a proposed | | | | |
|---|---|--|--|--|
| Detailed Site Development Plan is in accordance with the Zoning Ordinance, consider | | | | |
| following factors: | | | | |
| THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER | | | | |
| EVALUATING THE FOLLOWING FACTORS: | | | | |
| Historic District or Special Designations & Study Area | N/A. The proposed development is not within any | | | |
| Plans: Any historic district or other special designations | historic districts or study area plan boundaries. | | | |
| that may be applicable. Any adopted small areas plans, | | | | |
| including land-use maps in those plans. | | | | |
| Potential Adverse Effects: Potential adverse effects | There are no anticipated adverse impacts from the | | | |
| that might be caused by approval or denial of the | approval of the Detailed Site Development Plan | | | |
| special permit. | request. | | | |
| Natural Environment: Anticipated effects on the | The subject property does not involve greenfield or | | | |
| natural environment. | environmentally sensitive land or arroyo disturbance. | | | |

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Main access to the proposed apartment complex will be from Yarbrough Drive, which is designated as a Major Arterial as per the City of El Paso's Major Thoroughfare Plan and is adequate for an apartment complex. A bus stop is located in close proximity to the proposed development. Sidewalks exist adjacent to the property and on both sides of Yarbrough for pedestrian accessibility. Turning access for traffic on Yarbrough Drive going southbound might require coordination with the Streets Department, as there is an existing landscaped median.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: There are no adverse comments from reviewing departments.

PUBLIC COMMENT: None as of October 22, 2020. Notices were not required.

RELATED APPLICATIONS: None.

OTHER CONSIDERATIONS: None.

CITY PLAN COMMISSION OPTIONS:

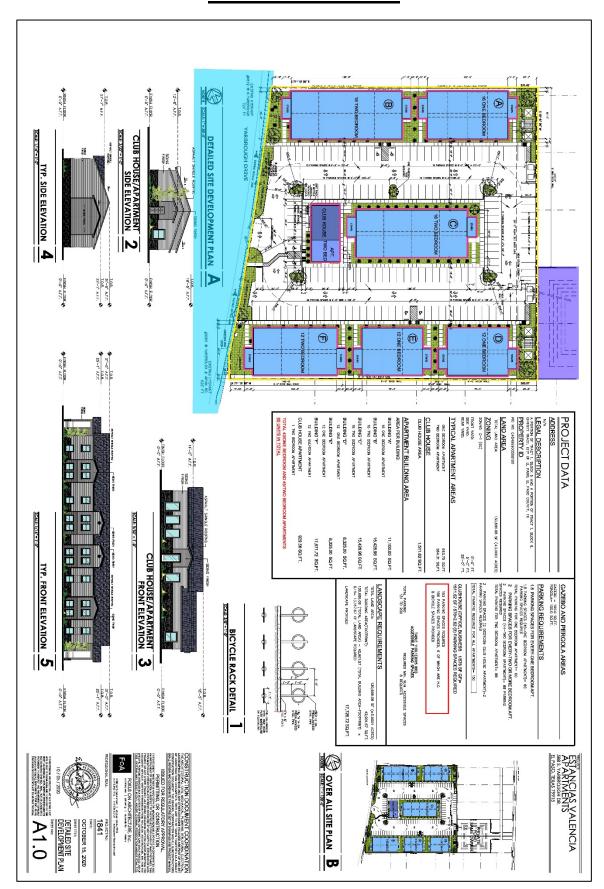
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

- Approve/Recommend Approval of the Detailed Site Development Plan, 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. **Approve/Recommend Approval of the Detailed Site Development Plan 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. **Deny/Recommend Denial** of the rezoning 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. Future Land Use Map
- 2. Detailed Site Plan
- 3. Department Comments
- 4. Ordinance No. 8707





<u>Planning and Inspections Department - Planning Division</u>

Recommend approval.

1. Coordinate with the Streets and Maintenance Department to check if a safe U-turn is available for southbound traffic on Yarbrough Dr.

<u>Planning and Inspections Department – Plan Review & Landscaping Division</u>

Recommend approval.

<u>Planning and Inspections Department – Land Development</u>

Recommend approval.

Fire Department

Recommend approval.

Streets and Maintenance Department

1. Please note that Yarbrough is an existing Bike Lane and will need to maintain bike lane with installation of new driveway.

Environmental Services Department

No comments.

Police Department

No comments received.

Sun Metro

There is an existing bus stop adjacent to the subject property along Yarbrough. Please coordinate with Sun Metro if any work is proposed within the bus stop area.

El Paso Water Utilities

No comments received.

<u>Texas Department of Transportation</u>

No comments received.

008707

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 1, BLOCK 5 AND THE SOUTHWESTERLY PORTION OF TRACT 1, BLOCK 6, CHRISTY TRACT, THE PENALTY BEING AS PROVIDED IN SECTION 25-96 OF THE EL PASO CITY CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of a portion of Tract 1, Block 5, and the southwesterly portion of Tract 1, Block 6, Christy Tract, as more particularly described by metes and bounds in the attached Exhibit "A," be changed from R-F (Ranch/Farm) to C-1 (Commercial) within the meaning of the zoning ordinance, subject to a special contract placing certain restrictions, conditions and covenants on the property, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this 24 day of Tune, 1986.

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

i certify that the zoning map has been

I CERTIFY THAT THE FOLLOWING ZONING MACH

COUNTER

86-5169



PROPERTY DESCRIPTION

RETNG the description of a parcel of land being a portion of Tract 1, Block 6 of Christy Tract and Tract 1, Block 5, Christy Tract in Block 31, Ysleta Grant in El Paso County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a point, said point being the point of intersection of the southwesterly R.O.W. line of Valley View Drive and the northwesterly R.O.W. line of Schwabe Road; thence along the southwesterly R.O.W. line of Valley View Drive North 71° 10' 00" West a distance of 309.66 feet to a point; thence South 18° 47' 00" West a distance of 577.09 feet to the Point of Beginning of the parcel of land being described;

THENCE South 18° 47' 00" West a distance of 365.46 feet to a point;

THENCE North 71° 10' 00" West a distance of 383.57 feet to a point in the southeasterly R.O.W. line of Yarbrough Drive extension;

THENCE along the southeasterly R.O.W. line of Yar-brough Drive extension North 18° 47' 00" East a distance of 30.67 feet to a point;

THENCE continuing along the southeasterly R.O.W. line of Yarbrough Drive 209.47 feet along the arc of a curve to the left whose radius is 4244.71 feet, whose angle of intersection is 02° 49' 39" and whose chord bears North 28° 30' 40" East a distance of 209.45 feet to a point;

THENCE along the southeasterly R.O.W. line of Yarbrough Drive 129.40 feet along the arc of a curve to the left whose radius is 4244.71 feet, whose angle of intersection is 01° 44' 48", and whose chord bears North 26° 13' 26" East a distance of 129.40 feet to a point;

THENCE South 71° 10' 00" East a distance of 331.42 feet to the Point of Beginning of the parcel of land being described and containing 3.000 acres of land more or less.

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EXHIBIT "A"

008707

86-5169

THE STATE OF TEXAS
COUNTY OF EL PASO

CONTRACT

THIS CONTRACT, made this day of ______,

1986, by and between DANIEL S. GUILLEN, First Party, and the CITY OF
EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning a portion of Tract 1, Block 5, and southwesterly portion of Tract 1, Block 6, Christy Tract, City and County of El Paso, Texas, which are more particularly described by metes and bounds in the attached Exhibit "A" which is made a part hereof by reference.

To remove certain objections to such rezoning, First Party covenants that if the property is rezoned from R-F (Ranch/Farm) to C-1 (Commercial) District within the meaning of the zoning ordinance of the City of El Paso, it shall be subject to the following restrictions, conditions and covenants:

Prior to the issuance of any building permits, a detailed site development plan must be approved by the City Plan Commission and the Mayor and City Council.

This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Party and his successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express reference.

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby, and without affecting the validity, or necessitating the amendment of, the ordinance passed by the City Council embodying this change of zoning and subject to this contract.

WITNESS THE FOLLOWING SIGNATURES AND SEALS.

RECEIVED

OCT 24 1986

PLANNING DEPARTMENT

FIRST PARTY

Daniel S dvillen

| THE CITY OF EL PASO Second Party |
|--|
| |
| |
| ATTEST: |
| City Clark |
| APPROVED AS TO CONTENT: APPROVED AS TO FORM: |
| Planning Department Assistant City Attorney |
| THE STATE OF TEXAS) |
| COUNTY OF EL PASO) |
| of October, 1986, by DANIEL S. GUILLEN. |
| My Commission res: |
| COUNTY CO |
| of the City of El Paso. This instrument was acknowledged before me on this 21 day of the City of El Paso. |
| Notary Public, State of Texas My Commission Expires: |
| 7-30-80 |
| |
| |
| |
| |
| |
| |
| |
| Ord#8707 |
| 86-5169 RECEIVED |
| OCT 24 1986 |

PLANNING DEPARTMENT

008303

PROPERTY DESCRIPTION

BRITNG the description of a parcel of land being a portion of Truct 1, Block 6 of Christy Truct and Truct 1, Block 5, Christy Truct in Block 31, Ysleta Grant in El Paso County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a point, said point being the point of intersection of the southwesterly R.O.W. line of valley view Drive and the northwesterly R.O.W. line of Schwabe Road; thence along the southwesterly R.O.W. line of Valley View Drive North 71° 10' 00" West a distance of 309.66 feet to a point; thence South 18° 47' 00" West a distance of 537.09; feet to the Point of Beginning of the parcel of land being described;

THENCE South 18° 47' 00" West a distance of 365.46 feet to a point;

THENCE North 71° 10' 00" West a distance of 383.57 feet to a point in the southeasterly R.O.W. line of Yarbrough Drive extension;

THENCE along the southeasterly R.O.W. line of Yar-brough Drive extension North 18° 47' 00" East a distance of 30.67 feet to a point;

THENCE continuing along the southeasterly R.O.W. line of Yarbrough Drive 209.47 feet along the arc of a curve to the left whose radius is 4244.71 feet, whose angle of intersection is 02° 49' 39" and whose chord bears North 28° 30' 40" East a distance of 209.45 feet to a point;

THENCE along the southeasterly R.O.W. line of Yarbrough Drive 129.40 feet along the arc of a curve to the left whose radius is 4244.71 feet, whose angle of intersection is 01° 44' 48", and whose chord bears North 26° 13' 26" East a distance of 129.40 feet to a point;

THENCE South 71° 10' 00" East a distance of 331.42 feet to the Point of Beginning of the parcel of land being described and containing 3.000 acres of land more or less.

*9 \$10

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008707

PLANNING DEPARTMENT

86-5169



588 S. Yarbrough
Detailed Site Development Plan

PZDS20-00026

Strategic Goal 3.

Promote the Visual Image of El Paso





Recommendation

- Staff recommend approval of the Detailed Site Development Plan
- CPC recommended approval (8-0) on October 29, 2020

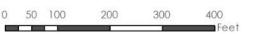


PZDS20-00026



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 Pianning & Inspections Department Planning Division makes no claim to its accuracy or completeness.





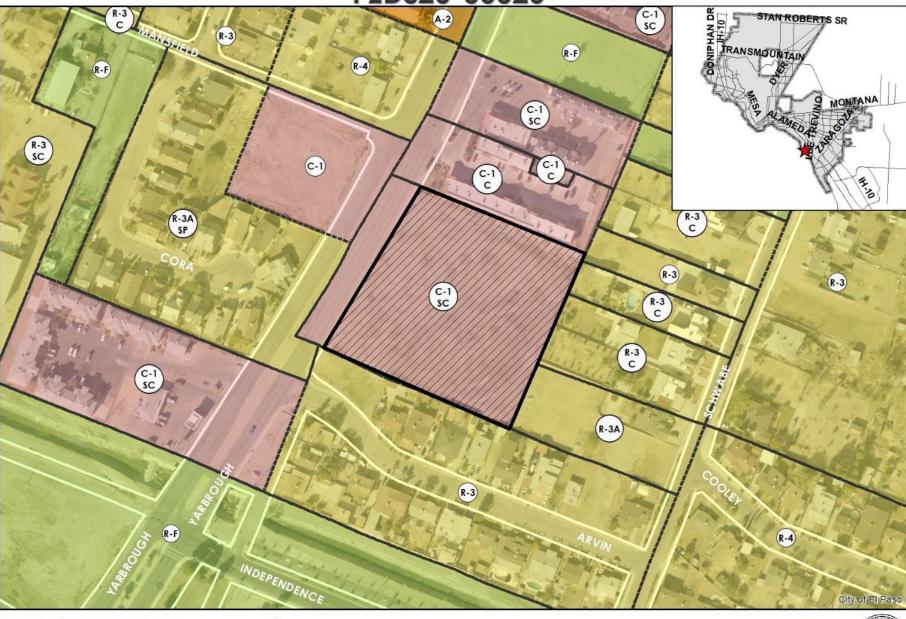




Aerial



PZDS20-00026



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Existing Zoning

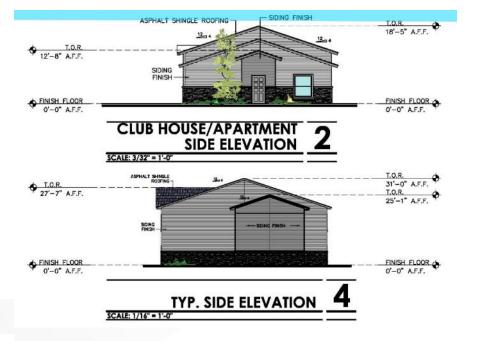


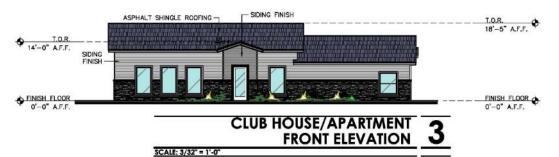




Detailed Site Plan







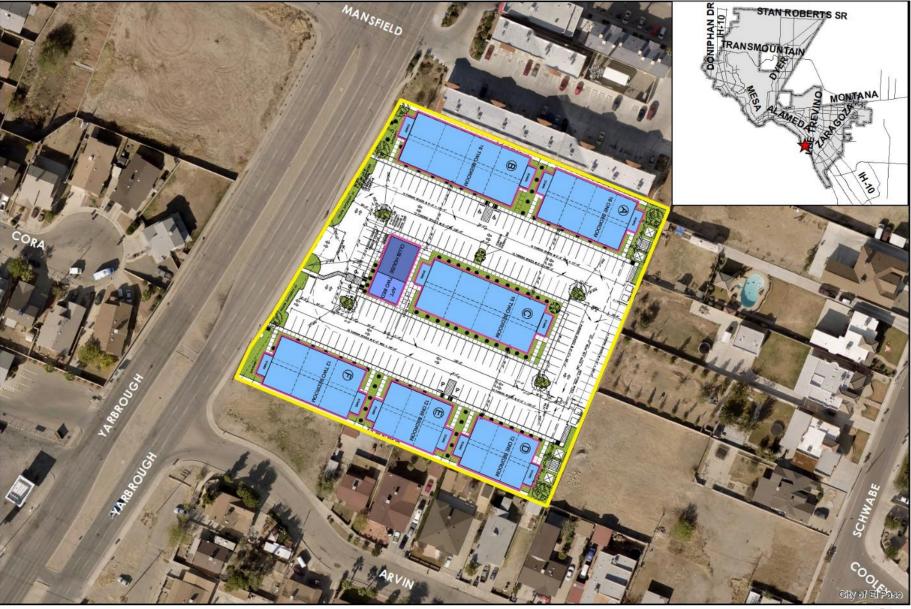




Elevations

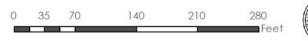


PZDS20-00026



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Aerial with Site Plan







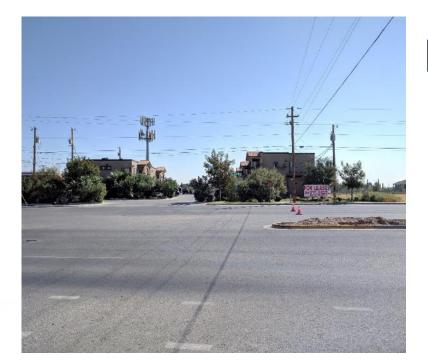
Subject Property



Surrounding Development



W











Ε



Public Input

Notices not required











Deliver exceptional services to support a high quality of life and place for our community

Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government

☆ Values

Integrity, Respect, Excellence, Accountability, People