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

AGENDA DATE: March 1, 2022 PUBLIC HEARING DATE: March 29, 2022

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

David Samaniego, (915) 212-1608

DISTRICT(S) AFFECTED: District 6

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

SUBGOAL: 3.2 Set one standard for infrastructure across the city

SUBJECT:

An Ordinance granting Special Permit No. PZST21-00018, to allow for a crematorium on the property described as Lots 6 and 7, Block 2, Golden Gate Commercial Park, 1755 Zaragoza Road, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

The proposed special permit 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: 1755 Zaragoza Road Applicant: Golden Gate Family LTD, PZST21-00018

BACKGROUND / DISCUSSION:

The applicant is requesting a special permit to allow for the addition of a crematorium to an existing funeral home in the C-4 (Commercial) zone district. City Plan Commission recommended 7-0 to approve the proposed special permit request on December 16, 2021. As of February 22, 2022, the Planning Division has not received any communication in support or opposition to the special permit request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING: N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division **SECONDARY DEPARTMENT:** N/A

DEPARTMENT HEAD:

Philip (Tiwe

Philip F. Etiwe – Planning and Inspections Director

ORDINANCE NO.

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST21-00018, TO ALLOW FOR A CREMATORIUM ON THE PROPERTY DESCRIBED AS LOTS 6 AND 7, BLOCK 2, GOLDEN GATE COMMERCIAL PARK, 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 Golden Gate Family Limited Partnership, has applied for a Special Permit under Section 20.10.280 of the El Paso City Code to allow for a Crematorium; 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-4 (Commercial) District: Lots 6 and 7, Block 2, Golden Gate Commercial Park, City of El Paso, El Paso County, Texas; 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 Crematorium 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-4 (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 "A" 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. PZST21-00018, 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 ______, 2022.

THE CITY OF EL PASO:

ATTEST:

Oscar Leeser Mayor

Laura D. Prine City Clerk

APPROVED AS TO FORM:

Wed N. Vigad

Wendi N. Vineyard Assistant Attorney

APPROVED AS TO CONTENT:

Philip Ctiwe Philip F. Etiwe, Director

Philip F. Etiwe, Director Planning & Inspections Department

AGREEMENT

Golden Gate Family Limited Partnership, 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-4 (Commercial) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 15%	lay of February, 2022.
	Golden Gate Family Limited Partnership:
	- utt
	(Signature)
	Faime W. WonFuce Ouven
	(Name/Title)

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ACKNOWLEDGMENT

THE STATE OF TEXAS

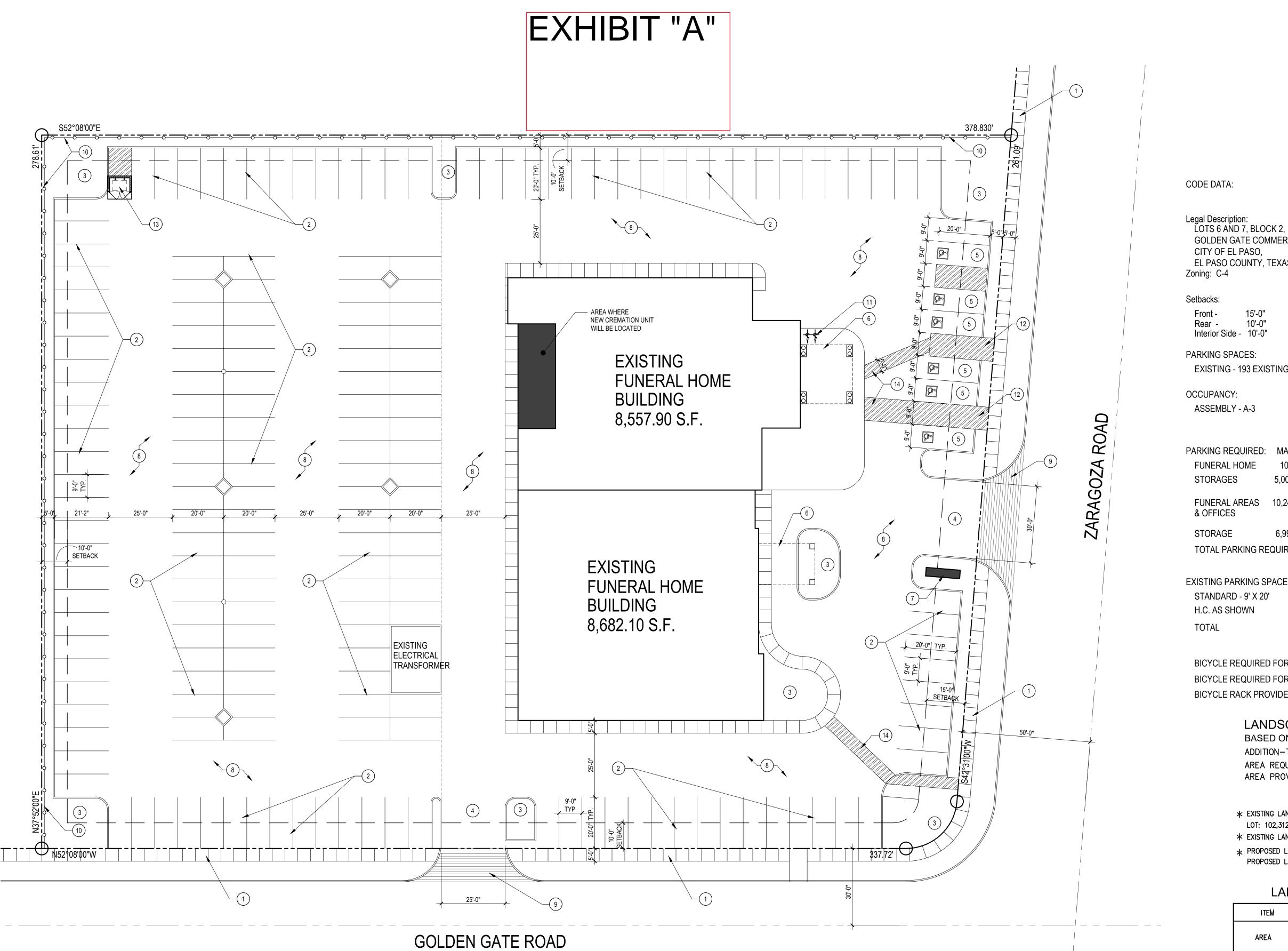
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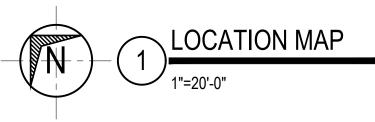
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COUNTY OF EL PASO

Februard, 2022, by	nowledged_before me on this 15th day of Jaime H. Martinez for Golden
Gate Family Limited Partnership as A	pplicant.
(Seal) MARIA GARDEA NOTARY PUBLIC ID# 131604370 State of Texas Comm. Exp. 06-13-2022	Notary Public, State of Texas Signature Maria Grandea Printed or Typed Name

My Commission Expires: 4/13/2022





IMPROVEMENT KEYED NOTES:

- (1) EXISTING CONCRETE SIDEWALK TO REMAIN.
-) EXISTING PARKING SPACES TO REMAIN.
- (3) EXISTING LANDSCAPE AREA TO REMAIN.
- (4) EXISTING DRIVEWAY TO REMAIN
- 5) EXISTING H.C. PARKING TO REMAIN.
- (6) EXISTING CANOPY TO REMAIN.
- (7) EXISTING FUNERAL SIGN TO REMAIN.
- (8) EXISTING ASPHALT PAVING TO REMAIN.
- (9) EXISTING CONCRETE APRON TO REMAIN.
- (10) EXISTING CHAIN LINK FENCE TO REMAIN.
- (11) EXISTING BICYCLE RACK TO REMAIN.
- 12) EXISTING ACCESS FOR H.C. FROM THE STREET.
- (13) EXISTING DUMPSTER LOCATION.

ALL EXISTING ELEMENTS AND BUILDING WERE PREVIOUSLY APPROVED BY THE CITY OF EL PASO IN TWO DIFFERENT PERMITS.

TYPE OF CONSTRUCTION:

(14) EXISTING PEDESTRIAN ACCESS FROM THE STREET.

DATE: 12-01-2021
DRAWN BY: TG
DRWG.# OF SHEETS
TITLE: DETAIL SITE PLAN
REV. DATE:
The Texas Board of Architectural Examiners has Jurisdiction over
complaints regarding the professional practices of persons registered
as architects in Texas. TBAE, P.O. Box 12337, Austin, TX.
78711-2337. Tel. (512) 305-9000.





AND 7, BLOCK 2, N GATE COMMERCIAL PARK	Type V-B unsprinklered per table 601 (EXISTING)
	BUILDING AREA ALLOWED:
O COUNTY, TEXAS. 4	18, 081.65 S.F.
	EXISTING AREAS
15'-0" 10'-0" Side - 10'-0"	FUNERAL AREAS 10,248.00 S.F. & OFFICES
	STORAGE 6,992.00 S.F.
SPACES:	TOTAL 17,240.00 S.F.
IG - 193 EXISTING PARKING SPACES	
ICY:	FIRE PROTECTION:
3LY - A-3	NOT REQUIRED.
	FIRE PROTECTION REQUIRED - NONE
REQUIRED: MAX MIN. AL HOME 100 - 144 GES 5,000 - 7,200	STRUCTURAL $= 0$ Hr.BEARING WALLS $= 0$ Hr.NON BEARING WALLS $= 0$ Hr.ROOF CONSTRUCTION $= 0$ Hr.
AL AREAS	EXISTING LANDSCAPE AREA - 8, 748.20 S.F.
GE 6,992 / 5000 = 1.39 ; 6,992 / 7200 = 0.92	
PARKING REQUIRED 103 MAX. ; 72 MIN	_ .
PARKING SPACES:	
ARD - 9' X 20' = 187 PARKING SPACES	
SHOWN = 6 PARKING SPACES	
= 193 PARKING SPACES	
E REQUIRED FOR FUNERAL HOME - 3 SPACES	
E REQUIRED FOR STORAGE - NONE	
E RACK PROVIDED - ONE	
LANDSCAPING REQUIREMENTS BASED ON TENANT IMPROVEMENTS ADDITION-TENANT IMPROVEMENT: 600 S.F. X AREA REQUIRED: 90 S.F. AREA PROVIDED: 90 S.F. *	
* EXISTING LANDSCAPING BASED ON CODE 2003	
LOT: 102,312 S.F. X 7.5% = 7,674 S.F. * EXISTING LANDSCAPING = 8,748 S.F.	

NOTE:

* PROPOSED LANDSCAPING REQUIREMENTS, CODE 2021 = 90 S.F. PROPOSED LANDSCAPING TO BE INCORPORATED IN EXISTING AREA

LANDSCAPING SUMMARY:

ITEM	REQUIRED	PROVIDED	REMARKS
AREA	90 S.F.	★ 90 S.F.	PROPOSED LANDSCAPING TO BE INCORPORATED IN EXIST. LANDSCAPING, NEW TREES AND SHRUBS TO TO BE IRRIGATED WITH EXISTING IRRIGATION SYSTEM
PROJECT TREES	1	5	2" CAL 10' HGT. SUBSTITUTION: 4 PROJECT TREES FOR 20-5 GAL. SHRUBS
30 FT. TREES	N/A	N/A	
BUFFER TREES	N/A	N/A	
PARKING TREES	N/A	N/A	EXISTING PARKING
5 GAL. SHRUBS	45	25	SUBSTITUTION: 20 – 5 GAL. SHRUBS WITH 4 PROJECT TREES

ALL AREAS TO RECIEVE MULCH SHALL BE DROPPED 1" BELOW WALKS OR CURBS. MULCH OR ROCK TO BE 2" DEEP ABOVE WEED BARRIER, AS PER SPECS. TYPAR-SPUNBONDED POLYPROPYLENE, STYLE NO. 3201 AS MANUFACTURED BY DUPONT, OR APPROVED EQUAL, 9 MILS, 1.9 OZ./YD , FREE OF²HOLES AND TEARS



GONZALEZ

UR

RT

5609 STAR VIEW DRIVE EL PASO, TEXAS. 79912 (915) 726-0146

1755 Zaragoza Rd.

City Plan Commission — December 16, 2021 🔇 🏳 🥅 🤇

CASE NUMBER:
CASE MANAGER:
PROPERTY OWNER:
REPRESENTATIVE:
LOCATION:
PROPERTY AREA:
EXISTING ZONING:
REQUEST:
RELATED APPLICATIONS:
PUBLIC INPUT:

PZST21-00018

David Samaniego, (915) 212-1608, <u>SamaniegoDC@elpasotexas.gov</u> Golden Gate Family Limited Partnership H20 Terra 1755 Zaragoza Rd. (District 6) 2.362 acres C-4 (Commercial) Special Permit for addition of a crematorium None No support or opposition received as of December 9, 2021

SUMMARY OF REQUEST: The applicant is requesting a special permit and the approval of a detailed site development plan to allow for the addition of a crematorium to an existing funeral home in a C-4 (Commercial) zone district.

SUMMARY OF STAFF RECOMMENDATION: Planning recommends **APPROVAL** of the special permit request and detailed site development plan as it complies with El Paso City Code Sections 20.04.260 and 20.04.320 – Special Permit, and 20.04.150, Detailed Site Development Plan. Further, the special permit request meets the intent of the G-4, Suburban (Walkable) land use designation of *Plan El Paso*, the City of El Paso's Comprehensive Plan in the East Planning area.

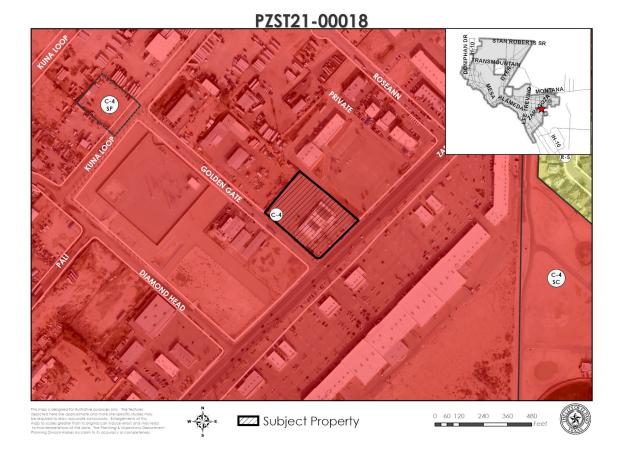


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special permit and detailed site development plan approval to allow for the addition of a crematorium, to be constructed inside of the an existing funeral home, in the C-4 (Commercial) zone district. The property is located at 1755 Zaragoza Road within the East Planning Area. The detailed site development plan shows an existing 17,240 square-foot building, with a maximum building height of 12-feet. A funeral home is a permitted use in the C-4 (Commercial) zone district and the addition of a crematorium, to be constructed inside of the existing funeral home, may be permitted with an approved Special Permit. The existing development requires a minimum of 72 parking spaces and the applicant is providing 193 parking spaces. As there is no construction proposed to the existing building footprint, additional trees are not required within the existing development. Access to the subject property is provided from Zaragoza Road and Golden Gate Road.

COMPLIANCE WITH SPECIAL PERMIT REQUIREMENTS (EL PASO CITY CODE SECTION 20.04.320.D)

20.04.320.D)	
Criteria	Does the Request Comply?
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 existing development, as shown on the detailed site development plan, complies with all density and dimensional standards for the C-4 (Commercial) zone district. A funeral home is a permitted use in the C-4 (Commercial) zone district and the addition of a crematorium may be permitted with an approved Special Permit by City Council.
2. Furthers <i>Plan El Paso</i> and applicable neighborhood plans or policies.	Yes. No additional square footage to the footprint of the building is proposed. In addition, the request complies with the recommendations of <i>Plan El Paso</i> and the G4, Suburban (Walkable) land use designation.
3. Adequately served by and will not impose an undue burden upon public improvements.	Yes. Access to the subject property is from Zaragoza Road., a major arterial street, which is adequate to serve the existing funeral home and the proposed crematorium use.
4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.	Yes. There are no adverse effects anticipated from the proposed special permit. The existing infrastructure will support the mix of uses for the surrounding properties. No additional square footage to the footprint of the building is proposed on the subject property.
5. The design of the proposed development mitigates substantial environmental problems.	Yes. The subject property does not involve greenfield/environmentally sensitive land or arroyo disturbance.
6. The proposed development provides adequate landscaping and/or screening where needed.	Yes. The existing development complies with the landscaping ordinance requirement of Title 18.46 of the <i>El Paso City Code</i> .
7. The proposed development is compatible with adjacent structures and uses.	Yes. The existing building configuration is similar to other properties in the immediate area. The proposed addition of a crematorium is compatible with the surrounding uses: contractor's yard, church, retail, and a variety of low to medium intensity commercial uses.

COMPLIANCE WITH SPECIAL PERMIT REQU 20.04.320.D)	JIREMENTS (EL PASO CITY CODE SECTION
	Yes. No additional square footage to the footprint of the building is proposed. There are no negative impacts anticipated from the proposed crematorium use and the existing funeral home on the adjacent commercial, retail, and church developments.

COMPLIANCE WITH PLAN EL PASO GOALS & POLICIES – When evaluating whether a proposed special permit is in accordance with Plan El Paso, consider the following factors:

Criteria	Does the Request Comply?
Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property: <u>G-4, Suburban (Walkable)</u> : 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 would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.	Yes. The subject property is located in an area of low to medium intensity commercial and church uses.
Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site: C-4 (Commercial) District: The purpose of the district is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities.	Yes. A funeral home is a permitted use in the C-4 (Commercial) zone district and the proposed crematorium may be permitted, subject to an approved special permit. The development is in character with the surrounding area. In addition, the development will not result in an increase in density.
THE PROPOSED PROJECT'S EFFECT ON THE PROPE EVALUATING THE FOLLOWING FACTORS:	RTY AND SURROUNDING PROPERTY, AFTER
Historic District or Special Designations & Study Area Plans: 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 property is not located within any historic districts or specially designated areas.
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	No adverse effects are anticipated. The development configurations are existing and

COMPLIANCE WITH PLAN EL PASO GOALS & POLICIES – When evaluating whether a proposed special permit is in accordance with Plan El Paso, consider the following factors:

	are similar to other properties in the surrounding area.
Natural Environment: Anticipated effects on the natural environment.	The subject property does not involve greenfield/environmentally sensitive land or arroyo disturbance.
Stability: Whether the area is stable or in transition.	The area is stable and the proposed crematorium use is compatible with the existing C-4 (Commercial) zoning and uses of the surrounding properties.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The proposed development is within an older, stable area of the city comprised of a funeral home, contractor's yard, church, retail, and a variety of low to medium intensity commercial uses.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Access to the subject property is from Zaragoza Road, which is designated as a major arterial street on the City of El Paso's Major Thoroughfare Plan. The major arterial classification is appropriate to serve the existing funeral home and proposed crematorium. In addition, the existing utility services and infrastructure are adequate to serve a funeral home and crematorium uses.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: There are no objections to the proposed special permit. There were no adverse comments received. Applicant is responsible for obtaining all applicable permits and approvals prior to construction.

PUBLIC COMMENT: Public notices were mailed to all property owners within 300 feet of the subject property on November 30, 2021. As of December 9, 2021, the Planning Division has received no comment in support of or opposition to the special permit request.

RELATED APPLICATIONS: N/A

CITY PLAN COMMISSION OPTIONS:

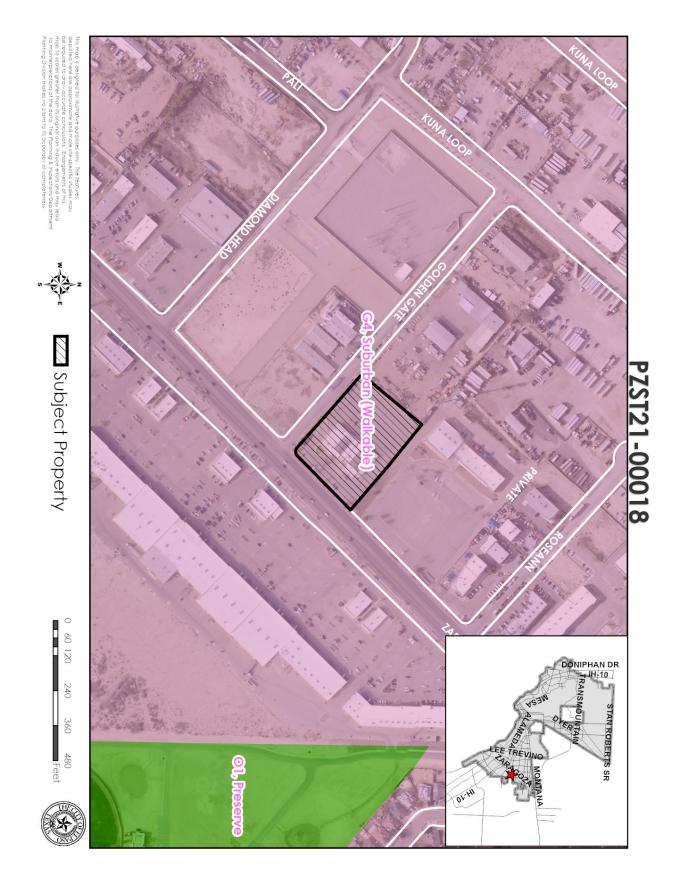
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

- 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.

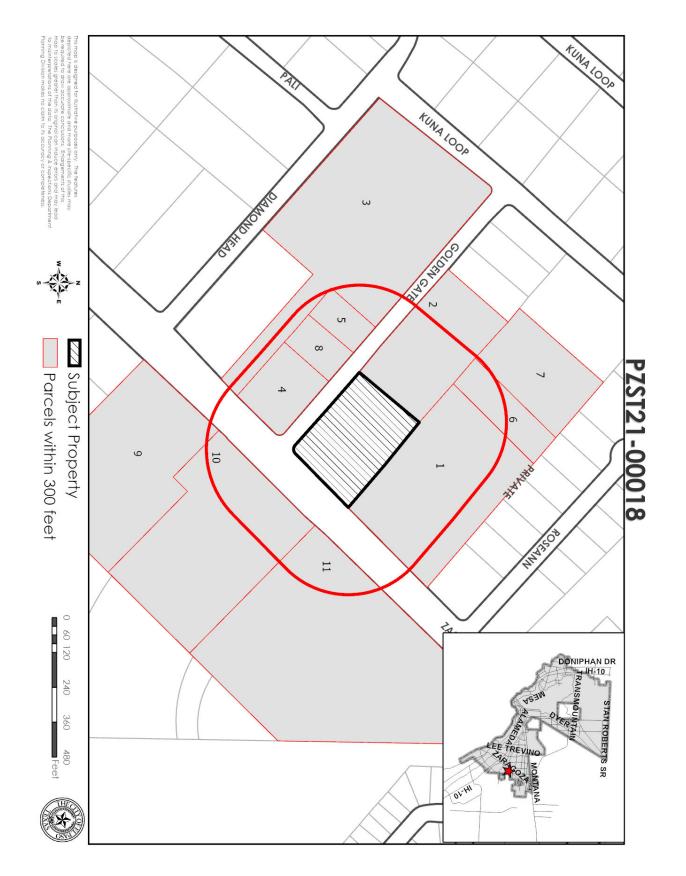
ATTACHMENTS:

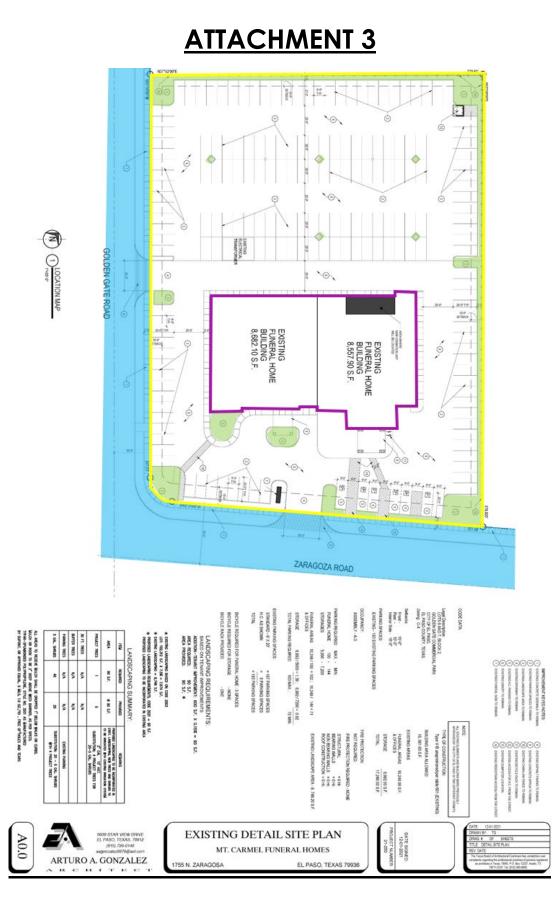
- 1. Future Land Use Map
- 2. Neighborhood Notification Boundary Map
- 3. Detailed Site Plan
- 4. Department Comments

ATTACHMENT 1



ATTACHMENT 2





ATTACHMENT 4

Planning and Inspections Department – Planning

Planning recommends approval of the special permit request with the following comment:

1. Provide a stamped/sealed Detailed Site Development Plan.

Planning and Inspections Department – Plan Review and Landscaping Division

No objections to the proposed special permit. At the time of submittal for building permits, the project will need to comply with all applicable municipal and building code requirements.

Planning and Inspections Department – Land Development

No objections to proposed special permit.

Streets and Maintenance Department

No TIA comments.

Fire Department

Recommend approval – no adverse comments.

<u>Sun Metro</u>

Recommend approval – no objections.

El Paso Water

We have reviewed the subdivision and provide the following comments: Zaragoza Rd. is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Zaragoza Rd. right-of-way requires written permission from TxDOT.

El Paso Water (EPWater) does not object to this request.

Water:

There is an existing 12-inch diameter water main extending along Zaragoza Rd., located approximately 6-feet south of the north right-of-way line. This main is available for service.

There is an existing 8-inch diameter water main extending along Golden Gate Rd., located approximately 20-feet south of the north right-of-way line. This main is available for service.

EPWater records indicate an active 1½-inch domestic water meter serving the subject property. The service address for this meter is 1755 N Zaragoza Rd.

Previous water pressure from fire hydrant #5640 located on the northwest corner of the intersection of Zaragoza Rd. and Golden Gate Rd. has yield a static pressure of 54 (psi), a residual pressure of 52 (psi), and a discharge of 978 gallons per minute.

Sewer:

There is an existing 8-inch diameter sanitary sewer main extending along Zaragoza Rd., located approximately 22-feet south of the north right-of-way line. This main is available for service.

There is an existing 8-inch diameter sanitary sewer main extending along Golden Gate Rd., located approximately 35-feet south of the north right-of-way line. This main is available for service.

General:

EPWater requires a new service application to provide service 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 EPWater – 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.

Stormwater:

EPWater-SW has no objections to this proposal.

Texas Department of Transportation

No comments from TxDOT

El Paso County Water Improvement District #1

The attached item is not within the boundaries of EPCWID1.

<u>911</u>

The 911 District has no comments/concerns regarding this request.

Police Department

No comments received.

Environment Services

No comments received.



1755 Zaragoza Rd. Special Permit

PZST21-00018





PZST21-00018 STAN ROBERTS SR 0 0 TRANSMOUNTAL MONTANA 114-10 C-4 SC



Aerial

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.



ZZZ Subject Property

0 60 120 240 360 480



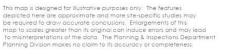


PZST21-00018





Existing Zoning





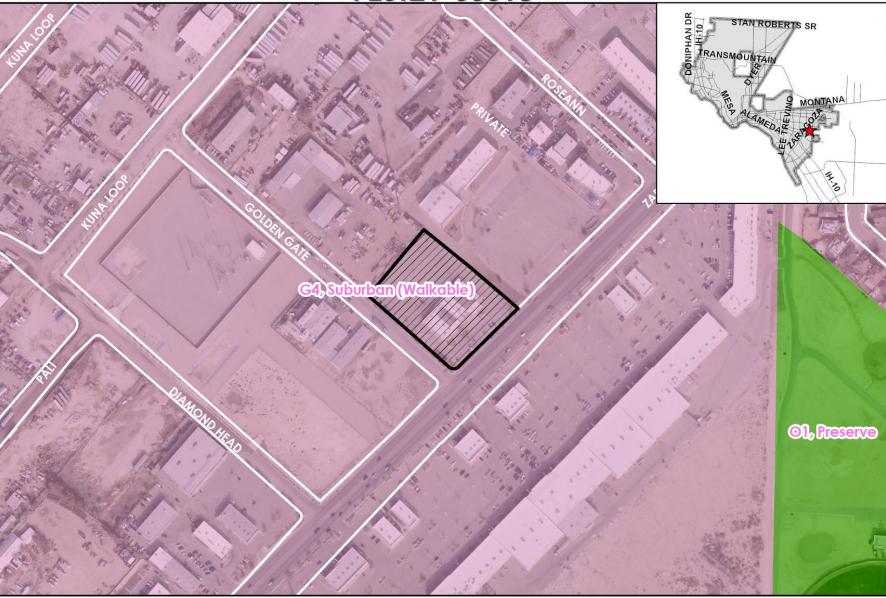


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PZST21-00018





Future Land Use



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



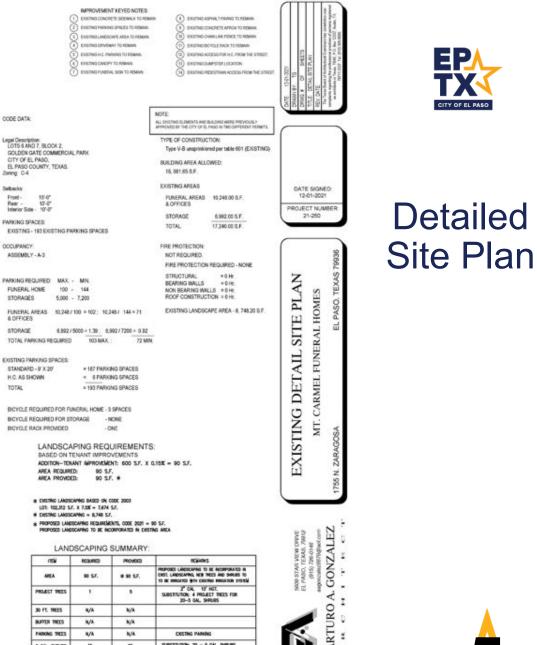
Subject Property

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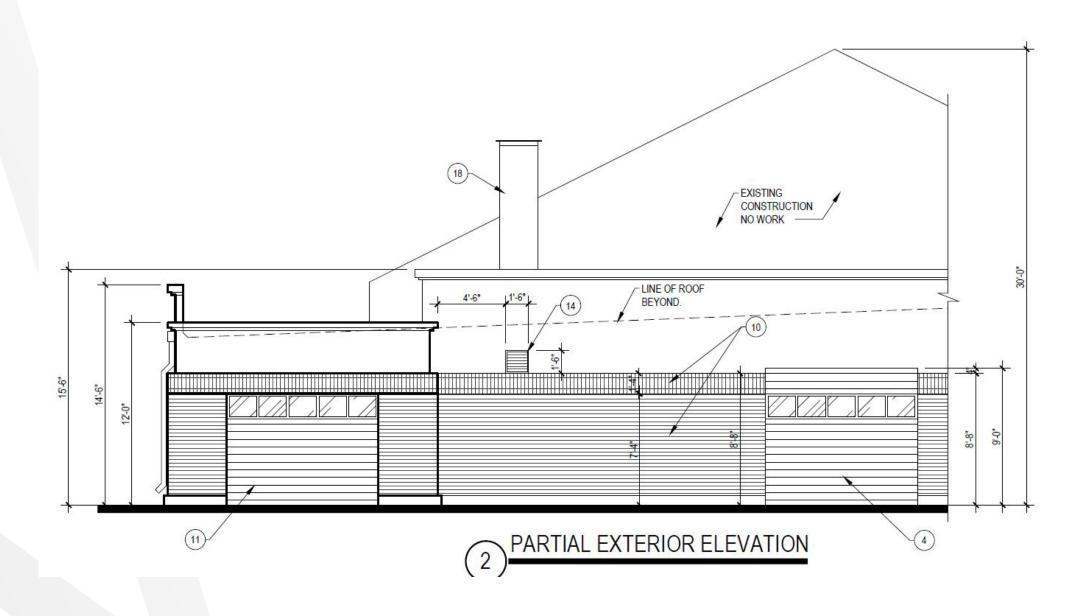






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Elevations





Subject Property



1755 N. Zaragoza Rd.



Surrounding Development



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Public Input

- Notices were mailed to property owners within 300 feet on November 30, 2021.
- The Planning Division has not received any communications in support nor opposition to the request.





Recommendation

• Staff recommends approval of the special permit request





Mission

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

