

# 360 Vin Rambla

Zoning Board of Adjustment — July 22, 2024



**CASE NUMBER:** PZBA24-00039  
**CASE MANAGER:** Luis Zamora, (915) 212-1552, [ZamoraLF@elpasotexas.gov](mailto:ZamoraLF@elpasotexas.gov)  
**PROPERTY OWNER:** Montecillo Retail Investments LP  
**REPRESENTATIVE:** David Bogas & Richard Aguilar  
**LOCATION:** 360 Vin Rambla Dr. (District 8)  
**ZONING:** SCZ T5 (SmartCode Urban Center)  
**REQUEST:** Variance from 21.80.020  
**PUBLIC INPUT:** None received as of July 16, 2024

**SUMMARY OF REQUEST:** Applicant requests a Variance under Section 2.16.030 *Variances* to permit a superregional shopping center monument sign per El Paso City Code Section 21.10.050 *Warrants, variances, and adjustments*. The applicant is requesting to install a sign that exceeds the maximum height and sign area in an SCZ T5 (SmartCode Urban Center) zone district.

**SUMMARY OF STAFF'S RECOMMENDATION:** Staff recommends **APPROVAL** of the Variance request.

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



Subject Property

0 15 30 60 90 120 Feet



Figure A. Aerial of Subject Property & Immediate Surroundings

**DESCRIPTION OF REQUEST:** The applicant is requesting to install a sign that exceeds the maximum height of six feet (6') for a fifty-foot (50') high sign, as well as exceeding the maximum sign area of forty-eight square feet (48 sq. ft.) for a four hundred seventy-five square feet (475 sq. ft.) sign area in an SCZ T5 (SmartCode Urban Center) zone district.

**BACKGROUND:** Monument signs under the SCZ T5 (SmartCode Urban Center) zone district are restricted to a maximum height of six feet (6') and maximum sign area of forty-eight square feet (48 sq. ft.). A monument sign may be used as a directory for multiple businesses or just one.

The SmartCode zoning districts are created to provide for a walkable and dense neighborhood with a sense of place. Signage standards are adopted to reinforce the uniqueness of development within the SmartCode zoning districts, specifically within the internal mixed-use walkable areas of the development. The applicant is requesting a variance based on unnecessary hardship due to the commercial development abutting Interstate 10 and SmartCode restricting dimensional standards for all signs located anywhere on the property.

Definition of Unnecessary Hardship, Section 20.02.1128:

*"Unnecessary hardship" means a hardship by reason of exceptional shape of a lot, exceptional topographic conditions, or other exceptional physical conditions of a parcel of land. Unnecessary hardship shall not include personal or financial hardship or any other hardship that is self-imposed.*

SMARTCODE SIGN REQUIREMENTS	REQUIRED	REQUESTED
Max Height	6 feet	50 feet
Max Sign Area	48 square feet	475 square feet

(C-4) SIGN REQUIREMENTS	SUPERREGIONAL SHOPPING CENTERS ALONG I-10 *	REQUESTED
Max Height	45 feet*	50 feet
Max Sign Area	600 square feet*	475 square feet

\* For comparison only. These requirements do not apply to the SmartCode zoning districts.

**ANALYSIS:** Staff recommends approval of the Variance request. The property is currently located approximately one hundred and seventy-nine feet (179') from Interstate 10 with no direct access to or from the Interstate. Additionally, in comparing the requirements for superregional shopping center signage in C-4 (Commercial) zoning districts with frontage on Interstate 10, the requirements allow for a max height of forty-five feet (45') and a max sign area of six hundred square feet (600'). Dimensions for the proposed sign reflect a height of fifty feet (50'), exceeding the maximum allowed for superregional shopping centers by five feet (5') and a sign area of 475 square feet, under the maximum six hundred square feet (600') allowed.

#### COMPLIANCE WITH EL PASO CITY CODE SECTION 2.16.030

The Zoning Board of Adjustment is empowered under Section 2.16.030 to:

*Authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done.*

**The following questions should be carefully considered in order to grant a variance:**

Questions	Does the Request Comply?
1. Is the need for the variance due to special conditions?	Yes. Signage visibility from Interstate 10 is restricted due to topographical features.
2. Would a literal enforcement of the ordinance create an unnecessary hardship?	Yes. Other properties with frontage to Interstate 10 are allowed signage similar to what is being requested.

3. Is the variance consistent with public interest?	Yes. The public interest is kept protected even if the variance is granted and allows the property owner fair process for signage.
4. Would the spirit of the ordinance be observed and substantial justice done if the variance is approved?	<p>Yes. According to 20.18.030 (Purpose), the purpose of the sign ordinance, in part, is to:</p> <ul style="list-style-type: none"> <li>• Allow adequate opportunity for the exercise of free speech by the display of a message or an image on a sign, while balancing that opportunity against the community and public interests affected by signs;</li> <li>• Enhance the aesthetic value of the city's landscape by reducing visual clutter that is potentially harmful to property values and economic development;</li> <li>• Protect adjacent and nearby properties from the impact of excessive or inappropriate signage.</li> </ul>

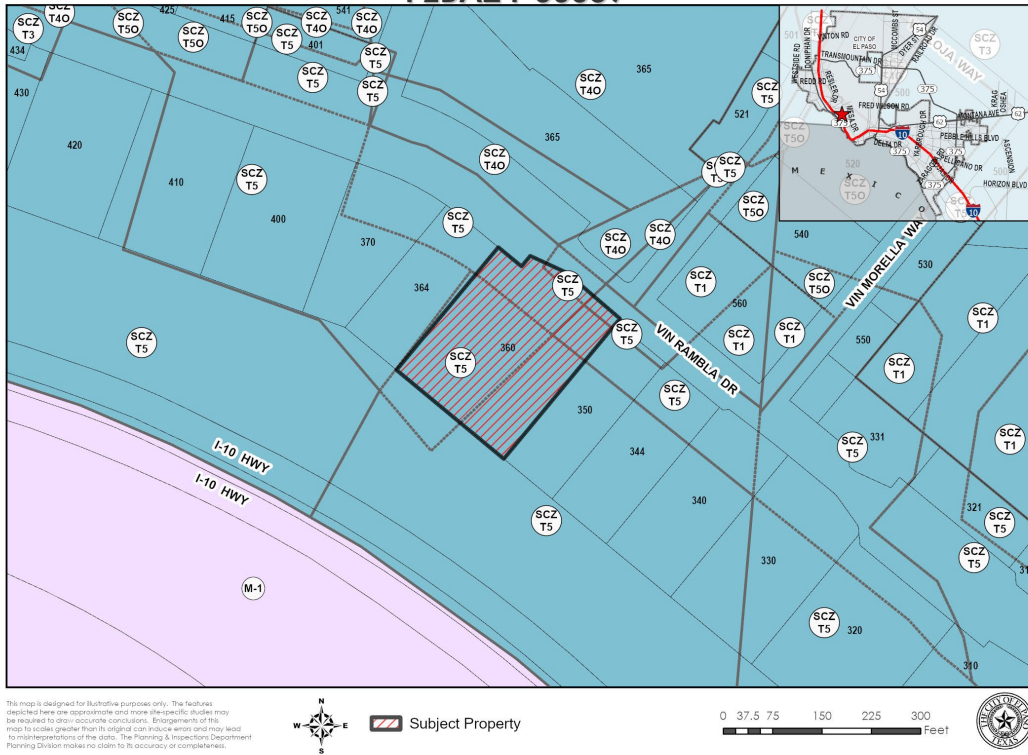
**PUBLIC COMMENT:** Public notice was sent on May 2, 2024 and June 5, 2024 to all property owners within 300 feet of subject property. The Planning Division has not received any communications in support or opposition to the special exception request. This item was postponed from the June 17<sup>th</sup> hearing.

**ZONING BOARD OF ADJUSTMENT OPTIONS:** The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The Zoning Board of Adjustment (ZBA) may authorize in specific cases a variance from the terms of the zoning ordinance (Title 20) or as specified in (Title 21) SmartCode if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done. In evaluating the request, the ZBA may take any of the following actions:

1. **Approval** of the variance request, finding that the request is in in harmony with the spirit and purposes of Titles 2 and 20, including the preservation of the essential character of the district in which the property is located, that the public convenience and welfare will be substantially served, and that the use of neighboring property will not be substantially injured. **(Staff Recommendation)**
2. **Approval with Modifications** of the variance request to bring the request into conformance as provided in El Paso City Code Titles 2 and 20 as the board deems appropriate.
3. **Denial** of the variance request, finding that the request does not conform to the review criteria as provided in El Paso City Code Titles 2 and 20.

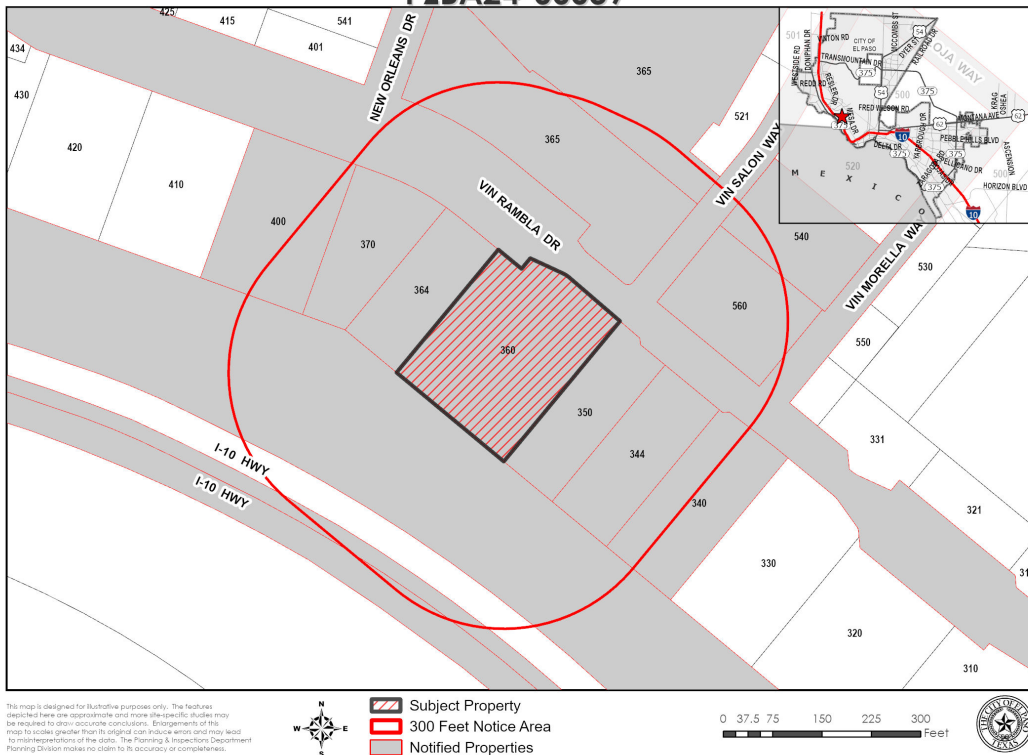
# ZONING MAP

PZBA24-00039



# NEIGHBORHOOD NOTIFICATION MAP

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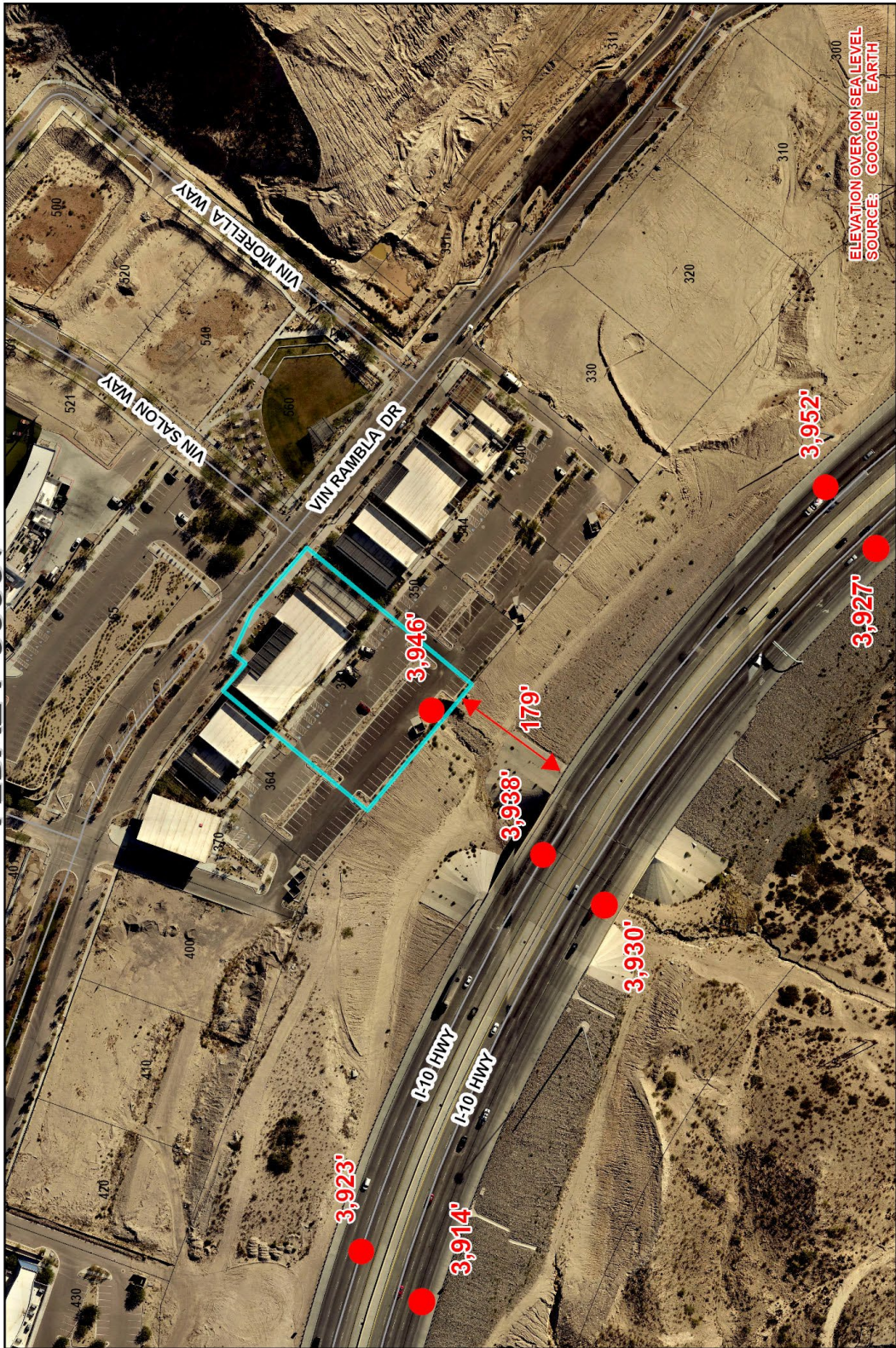
The site plan for Building D includes the following details:

- Proposed New Sign Location:** A red rectangular area in the foreground, labeled "PROPOSED NEW SIGN LOCATION".
- Parking Spaces:** A row of parking spaces with wheelchair accessibility symbols, located between the sign area and the building.
- Building D:** A large, irregularly shaped building footprint with a pink outline, labeled "BUILDING D".
- Landscaping:** Areas labeled "LANDSCAPING" are shown along the perimeter of the building and in the foreground.
- Dimensions:** Various dimensions are provided, including "S 36' 28' 29\" W 242.26'", "S 36' 28' 29\" W 276.80'", and "20.75'".
- Other Features:** A "PROPOSED NEW SIGN LOCATION" label points to the red area. A "PROPOSED NEW SIGN LOCATION" label points to the red area. A "PROPOSED NEW SIGN LOCATION" label points to the red area.



# AERIAL

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Subject Property

N E S W

0 40 80 160 240 320 Feet

ELEVATION OVER ON SEA LEVEL  
SOURCE: GOOGLE EARTH



# PROPOSAL

Client: City of El Paso  
Project: El Paso, Texas  
File: C:\X-Giant Install  
Sheet: 1

Key Notes	
1	Steel Columns - 16" dia
2	Steel Columns - 24" dia
3	PLYON ALUMINUM SKIN
4	DIGITAL MEDIA SCREEN - H 37'-9 1/2" x W 12'-6 7/8"
5	120" x 4" x W 10' CONCRETE BASE
6	CONCRETE FOOTINGS FOR STEEL COLUMNS
7	HORIZONTAL STRUCTURAL SUPPORT
8	VERTICAL STRUCTURAL SUPPORT

MONTECILLO  
Iconic Pylon  
El Paso, Texas

Missing or Invalid File: C:\X-Giant Install  
Sheet: 1  
ELEV-02

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