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

AGENDA DATE: July 7, 2021

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

David Samaniego, (915) 212-1608

DISTRICT(S) AFFECTED: District 4

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 Lots 1 and 2, Block 35, Colonia Verde #6, 10001 and 10005 Dyer Street, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.150. The penalty is 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: 10001 and 10005 Dver Street Applicant: Beckross Properties, LLC PZDS20-00045

BACKGROUND / DISCUSSION:

The applicant is requesting a Detailed Site Development Plan approval to allow for the construction of a convenience store with gas pumps, as required per Ordinance 8361, dated May 21, 1985, requiring that a detailed site development plan must be approved by the City Plan Commission and City Council, prior to the issuance of building permits. City Plan Commission recommend 9-0 to approve the proposed Detailed Site Development Plan on April 22, 2021. As of June 28, 2021, staff has received no communication in support or opposition of the request. See attached staff report for additional information. (Related case PZRZ20-00021)

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

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Philip F. Etiwe – Planning and Inspections Director

RESOLUTION

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR LOTS 1 and 2, BLOCK 35, COLONIA VERDE #6, 10001 and 10005 DYER STREET, 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, Beckross Properties, LLC, (the "Owner") has applied for approval of a detailed site development plan which requires City Plan Commission and City Council approval as per Section 20.04.150. The detailed site development plan is subject to the development standards in the C-1/c/sc (Commercial/conditions/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.

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, to construct a convenience store with gas pumps, with a 20-foot setback along the northerly property line and height limitation to one story as required under the C-1/c (Commercial/condition) District as per Section 20.04.150, on the following described property which is located in a C-1/c (Commercial/condition) District:

Lots 1 and 2, Block 35, Colonia Verde #6, 10001 and 10005 Dyer Street, City of El Paso, El Paso County, Texas.

- 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 "A"** 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 C-1/c/sc (Commercial/conditions/special contract) District regulations.

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/c/sc (Commercial/conditions/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.

		on on the property is not started in accordance with lan within four (4) years from the date hereof.
APPROVED	this day of _	, 2021.
		THE CITY OF EL PASO
		Oscar Leeser Mayor
ATTEST:		
Laura D. Prine City Clerk		
APPROVED AS TO	FORM:	APPROVED AS TO CONTENT:
Russell Abeln Assistant City Attorn	еу	Philip Ctiwe Philip F. Etiwe, Director Planning & Inspections Department

(Agreement on following page)

DEVELOPMENT AGREEMENT

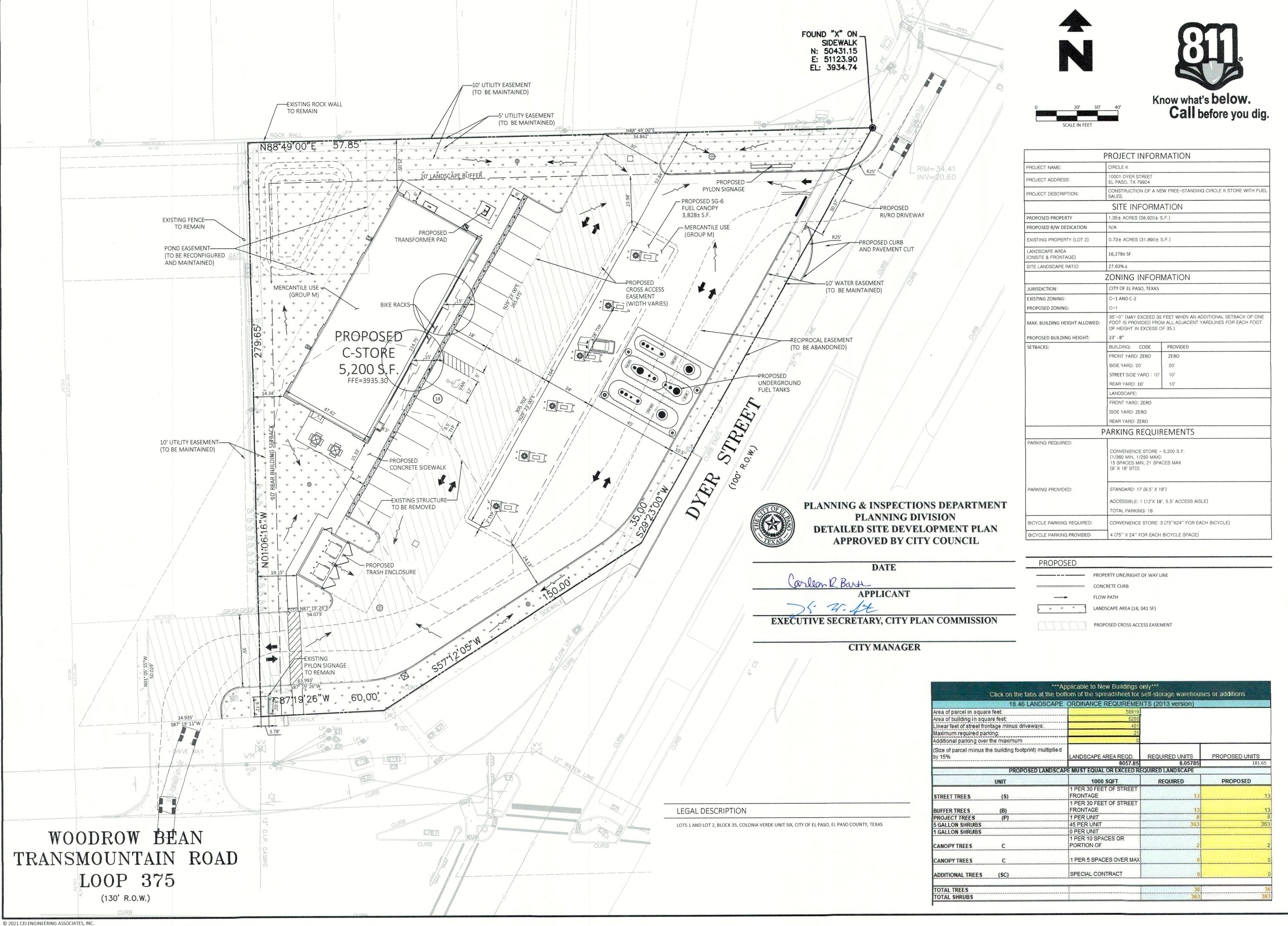
By execution hereof, Beckross Properties, LLC, ("Owner"), identified in the Resolution to which this Development Agreement is attached, hereby covenant and agree, to develop the above-described property in accordance with the approved Detailed Site Development Plan, and in accordance with the standards applicable to the C-1/c/sc (Commercial/conditions/special contract) District located within the City of El Paso.

EXECUTED this 1511 day of June, 2021.
BECKROSS PROPERTIES, LLC
By: Carller R. Bart
ACKNOWLEDGMENT
THE STATE OF TEXAS)
COUNTY OF EL PASO)
This instrument is acknowledged before me on this 15th day of Jone, 2021, by Carleen R. Bollton, in his legal capacity on behalf of Beckross Properties, LLC.
My Commission Expires:
12/22/2024 Jonethan Torres My Commission Expires 12/22/2024 10 No 130798038

(Exhibit on following page)

4.1

ATTACHMENT "A"



GGIA GGIA Solutions for Land and Life

CEI ENGINEERING ASSOCIATES, INC.
710 W. PINEDALE AVE.
FRESNO, CA 93711
PHONE: (559) 447-3119
FAX: (559) 447-3129



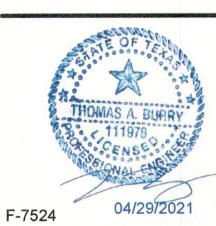
LAND DEVELOPMENT
CONSULTANTS, LLC

LAND DEVELOPMENT CONSULTANTS, LLC. 100 FILMORE STREET, SUITE 500 DENVER, COLORADO, 80206 PHONE: (303) 717-3305



PLANS PREPARED FOR CIRCLE K STORES, INC. 5500 S. QUEBEC ST., SUITE 100 GREENWOOD VILLAGE, COLORADO, 80111 PHONE: (720) 758-6223

CIRCLE K 10001 DYER ST



PROFESSIONAL OF RECORD	TAB
PROJECT MANAGER	ASD
DESIGNER	ERN
CEI PROJECT NUMBER	30511
DATE	3/25/2021
REVISION	REV-1

DETAIL SITE PLAN

SHEET NUMBER

1

10001 Dyer

City Plan Commission — April 22, 2021

CASE NUMBER: PZDS20-00045

CASE MANAGER: David Samaniego, (915) 212-1608, SamaniegoDC@elpasotexas.gov

PROPERTY OWNER: Barth Family LTD

REPRESENTATIVE: Land Development Consultants LOCATION: Land Development Consultants 10001 Dyer Street (District 4)

PROPERTY AREA: 1 acre

REQUEST: Detailed Site Development Plan Approval per Ordinance 8361

RELATED APPLICATIONS: PZRZ20-00027 (Rezoning)

PUBLIC INPUT: N/A

SUMMARY OF REQUEST: A Detailed Site Development Plan review for the proposed construction of a convenience store with gas pumps, as required per Ordinance 8361, dated May 21, 1985, requiring that prior to the issuance of building permits, a detailed site development plan must be approved by the City Plan Commission and City Council.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the request. The proposed development is consistent with the surrounding commercial and 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*.

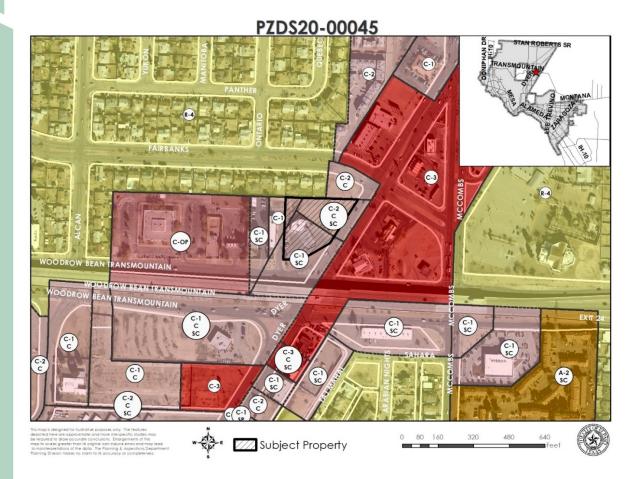


Figure A. Subject Property & Immediate Surrounding

DESCRIPTION OF REQUEST: The applicant is requesting approval of a Detailed Site Development Plan to construct a 5,200-square foot convenience store with gas pumps at 10001 Dyer Street, located within the Northeast Planning area. There is an existing convenience store with a car wash on the subject property that will be demolished. In addition, the abutting property, 10005 Dyer Street, is being combined with the subject property to create a 1-acre parcel for the new development. Primary access to the proposed development is from Dyer Street and Woodrow Bean Transmountain Drive.

PREVIOUS CASE HISTORY: The subject property was rezoned from R-4 (Residential) to C-1 (Commercial) on May 21, 1985. As a result, a condition was placed on the subject property, via Ordinance No. 8361, requiring that prior to the issuance of building permits, that a detailed site development plan be approved by the City Plan Commission and City Council.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed development is compatible with the established neighborhood; the block face of the subject property is similarly zoned with compatible uses. The abutting property to the north is zoned R-4 (Residential) and features single-family development. Abutting properties to the southeast are zoned C-3 (Commercial) and feature a fire station. Abutting properties to the west are zoned C-1 (Commercial) and feature an office. The abutting property to the east is zoned C-2/c/sc (Commercial/condition/special contract) and is currently vacant – this vacant parcel will be combined with the subject property for the proposed development.

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 Does the Request Comply? El Paso City Code Section 20.04.140 – When Yes. A Detailed Site Development Plan Required. Except as stated herein, a detailed approval by the City Plan Commission and site development plan is required prior to City Council is required prior to the issuance development in a special purpose district or of building permits, per Ordinance 8361 with a special permit application and may be (dated May 5, 1985). 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.

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

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

C-1 (Commercial) District: The purpose of the district 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.

Yes. A convenience store with gas pumps is permitted in the C-1 (Commercial) zoning district. The proposed Detailed Site Development Plan is in keeping with the spirit of the C-1 (Commercial) District, and the proposed detailed site development plan demonstrates compliance with applicable regulations.

THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:

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 proposed development is not within any historic districts or study area plan boundaries.

Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the special permit.

No. There are no adverse impacts anticipated from the approval of the Detailed Site Development Plan request.

Natural Environment: Anticipated effects on the natural environment.

None. The subject property does not involve greenfield or environmentally sensitive land or arroyo disturbance.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Main access to the proposed convenience store with gas pumps will be from Dyer Street and Woodrow Bean Transmountain Drive – both roads which are designated as a Major Arterial as per the City of El Paso's Major Thoroughfare Plan. The roads are adequate for a convenience store with gas pumps. A Sun Metro bus stop is located 0.15 miles northeast of the subject property along Dyer Street. Sidewalks exist adjacent to the property along Dyer Street and Woodrow Bean Transmountain Drive for pedestrian accessibility.

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

PUBLIC COMMENT: Notice was mailed to property owners within 300-feet of the subject property on April 9, 2021. As of April 14, 2021, Planning has received no communication in support of or opposition to the request to approve the detailed site development plan.

RELATED APPLICATIONS: There is a current application, PZRZ20-00027, to rezone the abutting property at 10005 Dyer from C-2/c/sc (Commercial/condition/special contract) to C-1/c/sc (Commercial/condition/special contract) – to be combined with the subject property to create

a 1-acre parcel for the proposed development. This application is being heard, concurrently, at the April 22, 2021 City Plan Commission meeting.

OTHER CONSIDERATIONS: N/A

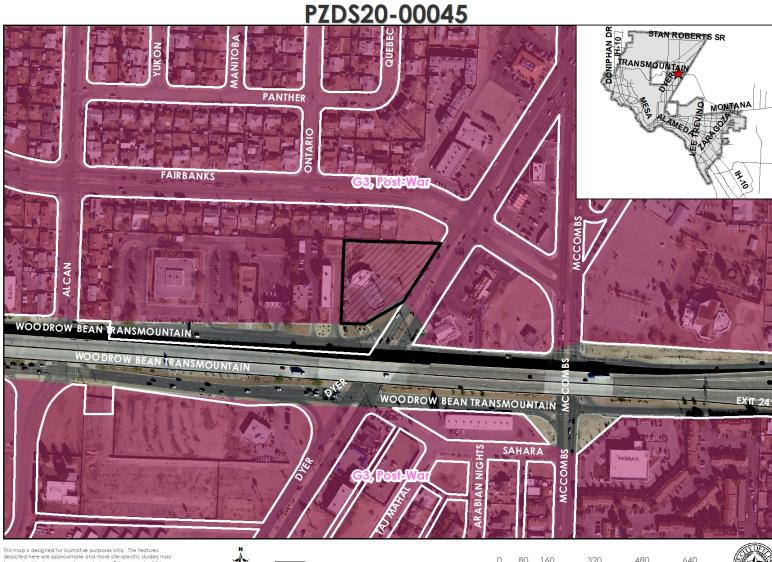
CITY PLAN COMMISSION OPTIONS:

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:

- 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. Department Comments
- 3. Neighborhood Notification Boundary Map
- 4. Detailed Site Plan



2

ATTACHMENT 2

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

Recommend approval.

<u>Planning and Inspections Department – Plan Review</u>

Recommend approval.

Texas Department of Transportation

Engineer need to submit plans and access request form and grading plan to TxDOT for review and approval. Please have requestor to send their request to ELP_Access@txdot.gov

*Applicant has submitted emails showing continued coordination with TxDOT on access – Planning.

Planning and Inspections Department – Land Development

No objections to proposed rezoning & detailed site development plan.

Streets and Maintenance

No objections

Fire Department

Recommend approval.

Police Department

Reviewed – no objections.

Sun Metro

Recommend approval – no objections.

El Paso Water

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

Dyer Street and Woodrow Bean Transmountain Road are Texas Department of Transportation (TxDOT) rights-of-way. All proposed water and sanitary sewer work to be performed within Dyer Street and Woodrow Bean Transmountain Road rights-of-way requires written permission from TxDOT.

Water:

There is an existing 12-inch diameter water main that extends along Woodrow Bean Transmountain Rd., located approximately 20-feet south of and parallel to the northern right-of-way line of Woodrow Bean Transmountain Rd. and continues along Dyer St. approximately 14-feet west of and parallel to the eastern right-of way of Dyer St. This water main is available for service.

There is an existing 30-inch diameter water flow main located 20-feet south of and parallel to the northern right-of-way line of Woodrow Bean Transmountain Rd. and continues along Dyer St. approximately 12-feet west of and parallel to the western back of curb of Dyer St. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

EPWater records indicate an active 1-1/2-inch water meter serving the subject property. The service address for this meter is 10001 Dyer.

Previous water pressure from fire hydrant #813 located at the northeast corner of Dyer St. and Woodrow Bean Transmountain Rd., has yielded a static pressure of 88 psi, a residual pressure of 80 psi, and a discharge of 1061 gallons per minute.

Sanitary Sewer:

There is an existing 15-inch diameter sanitary sewer main that extends along Dyer St. approximately 20-feet east of and parallel to the western right-of-way line of Dyer St. This sanitary sewer main is available for service.

There is an existing 21-inch diameter sanitary sewer main that extends along Dyer St. approximately 25-feet west of and parallel to the western right-of-way line of Dyer St. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

General:

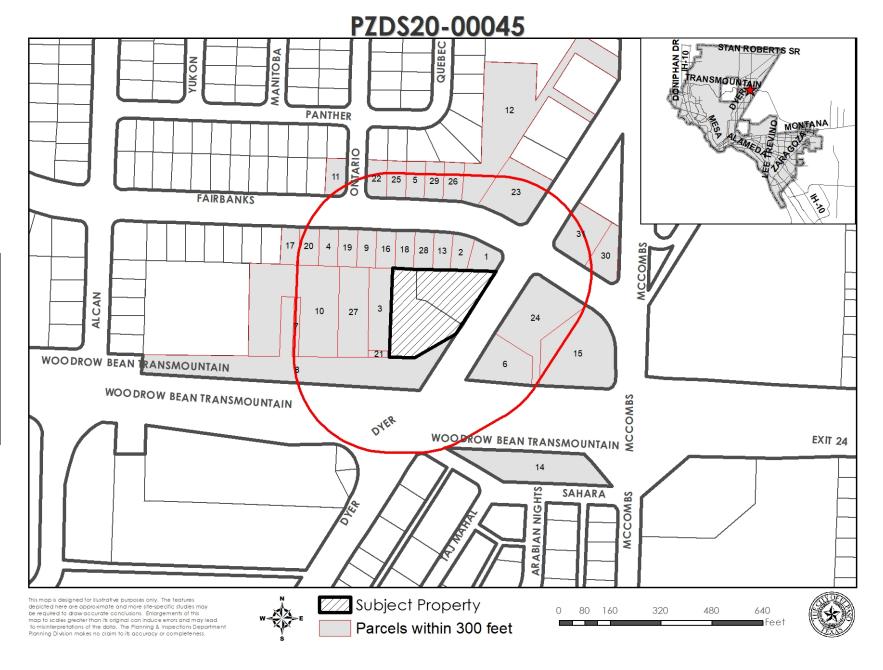
EPWU requires a new service application to provide service to the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: a site plan, utility plan, drainage and grading plans, landscaping plan (if applicable). Application for services for subdivisions must be made in conjunction with the request for water and sanitary sewer main extensions. 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 owner 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 Engineering

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

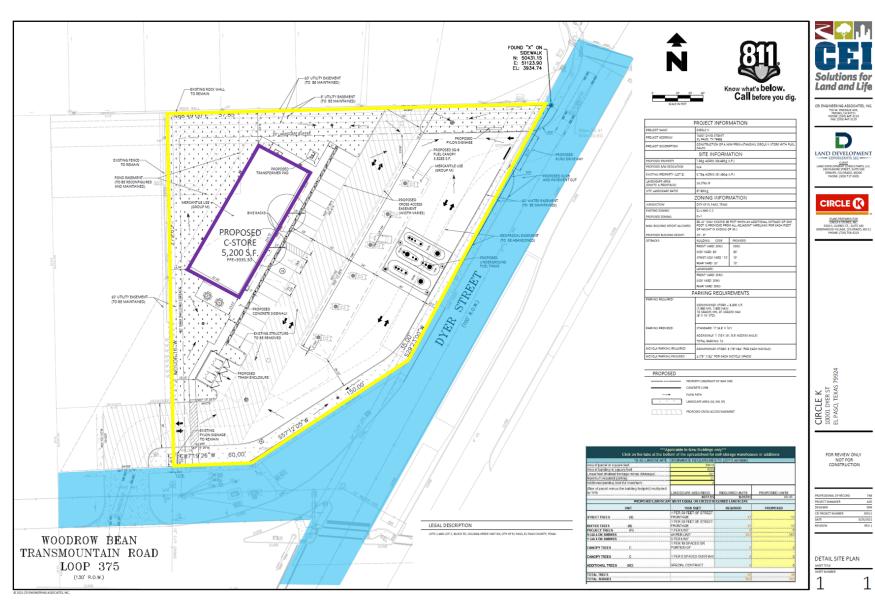
- As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also encourages the use of nonstructural storm water management such as the preservation of greenspace, water harvesting, and other conservation efforts, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, and Subparagraph A-2 & A-5.
- Previously, this property had a ponding area in the back and there was a vacant lot fronting Dyer St., which had pervious surface. Once it becomes fully developed, there will be runoff into Dyer St. & Transmountain Rd.; these are state-maintained roads and they are not designed to take any offsite runoff.

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ATTACHMENT 4





10001 & 10005 Dyer

❖ PZDS20-00045 - Detailed Site Development Plan

Strategic Goal 3.

Promote the Visual Image of El Paso





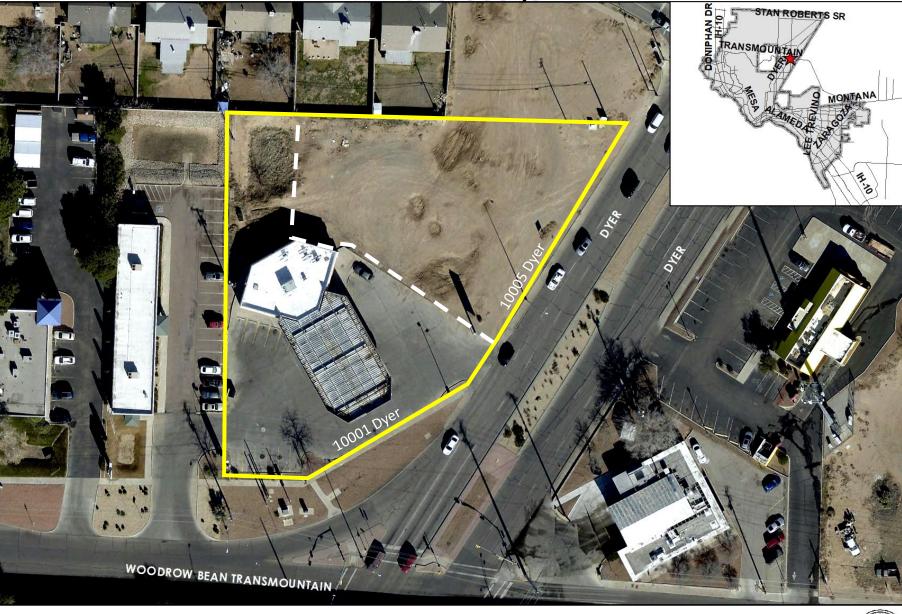
Recommendation

 Staff recommends APPROVAL of the detailed site development plan.

• City Plan Commission recommends approval (9-0) of the detailed site development plan.



10001 & 10005 Dyer St.



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 Flanning Division makes no claim to its accuracy or compileteness.



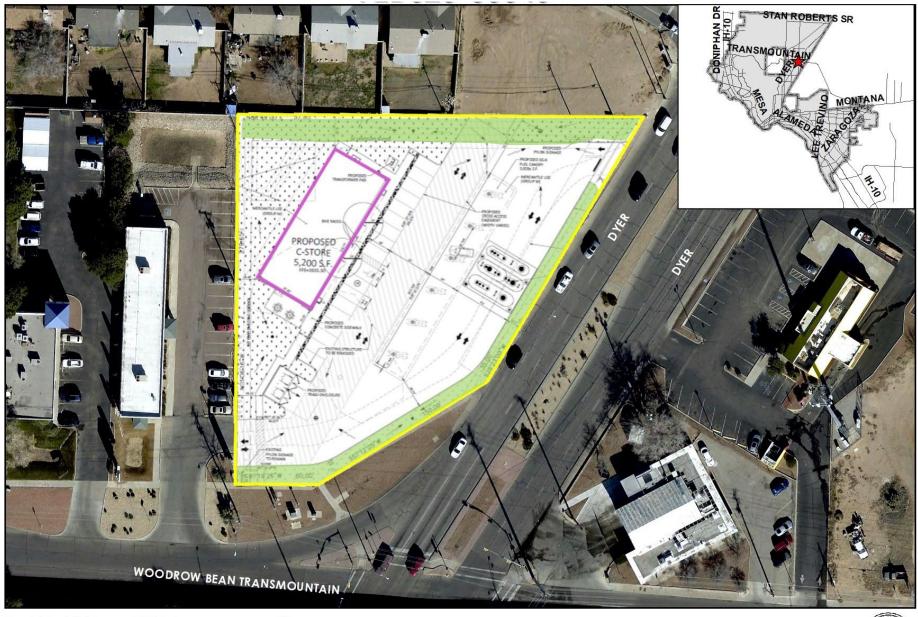




Aerial



PZDS20-00045



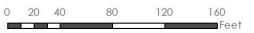


Aerial with Site Plan

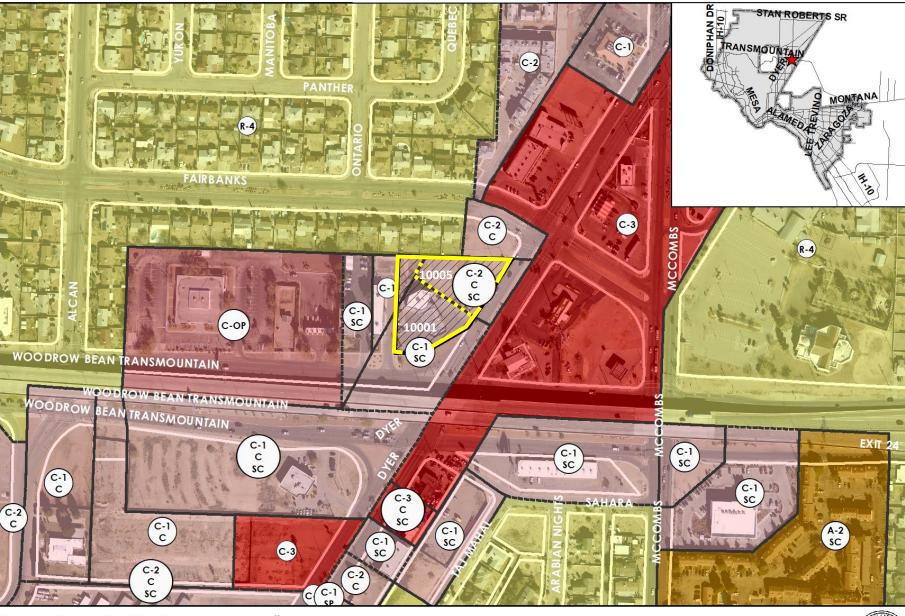








10001 & 10005 Dyer St.



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Existing Zoning



PZDS20-00045





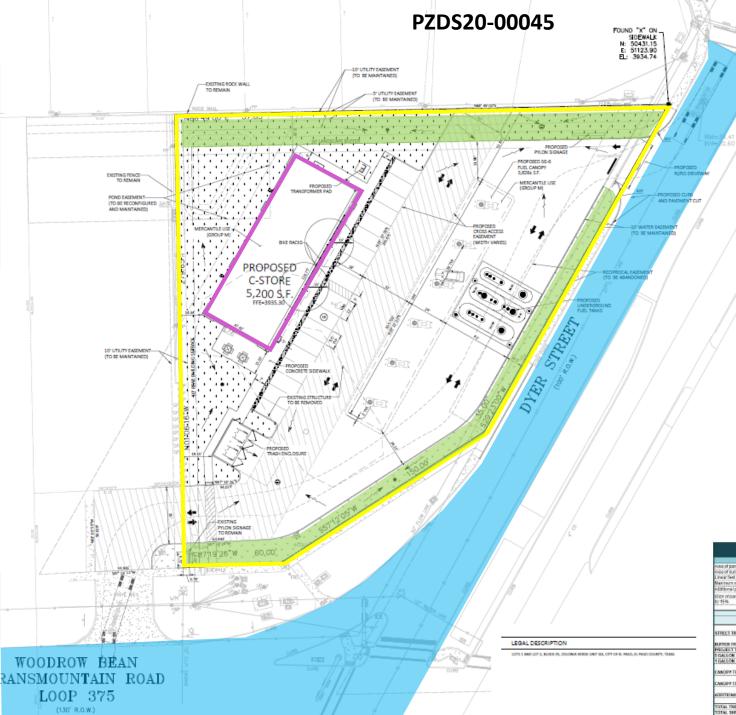
Future Land Use













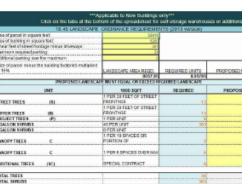






	PROJECT INFOR	MATION				
PROJECT NAME:	CROEX					
PROJECT ADDRESS	Todal green street SLPHSO, TX 79604					
PROJECT DESCRIPTION:	CONSTRUCTION OF A NEW PREE-STANDING CIRCLE K STORE MARK.					
	SITE INFORM	ATION				
PROPOSED PROPERTY	1,00± ucens (m,000± 0	(2)				
PROPOSED INVESTIGATION	NA					
EXECUTABLE DESCRIPTION (NOT 2)	0,70± 40,889 (21,800±	OTTO E ACCROMA (AT LONG E M. P.)				
LANDSCAPE AREA (ONSTE & PROMINGE)	16,278e SF	16,278e 19				
STE LANDSCAPE INTO	27,00%±					
	ZONING INFOR	MATION				
ARROCTOR	CITY OF SLPIKED, TEXAS					
EXSTING ZONING:	C-1AND 02					
PROPOSED ZONING:	p-1					
MAX. BUILDING HEIGHT ALLOWED.	38"-0" (MAY EXCEED 36 PEET WHEN AN ADDITIONAL SETSACE FOOT IS PROVIDED FROM ALL ADJACENT VANDLINES FOR EAR OF HEIGHT IN EXCESS OF 36.)					
PROPOSED BUILDING HEIGHT:	28' - 8"					
SETMON	BATCONS COOF	PROVIDED				
	PROPE SAME: SERGI	2880				
	805 YM0: 22	50.				
	STREET SIDE YAPD : 10"	le:				
	REAR TAPE: SE	lo:				
	LANGSCAPE:					
	PRONT TARES ZERO					
	BOS YANG: 2080 REAR YANG: 2080					
	ARKING REQUIR	EMENTS				
	ARRING REQUIR	NEWIEWI3				
PARKING REQUIRES:	IS NAME OF STATES OF A STATES OF STA					
PMRKING PROVIDES:	STANDARD: 17 (0,8' X 1)	1)				
	ACCESSIONS 1 (12 X 18) TOTAL PARKING 18	, N.S. ACCESS A SAIS				
BICYCLE PARKING REQUIRES:	CONTENENCE STORE: 5	(76 YOF FOR BACK SICHOLS)				
SICYCLE PRINKING PROVIDED:	4.0%" X 24" FOR BACH	SICYCLE SPACE				

PROPOSED	
	PROPERTY UNIS/RIGHT OF WAY UNIS
	CONCRETE CURB
	R/OW PATH
	LANCISCAPE AREA (18, DEL 19)
	PROPOSED CROSS ACCESS FAVEMENT





Detailed Site Plan







Elevations

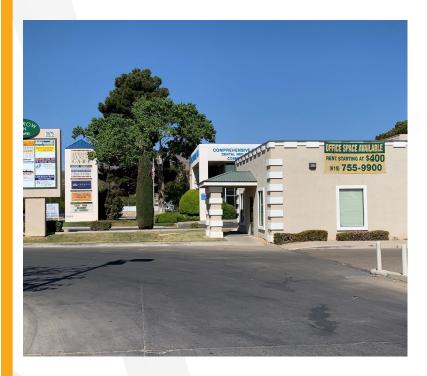


Subject Property: 10001 & 10005 Dyer St.





Surrounding Development



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Public Input

- Notices were mailed to property owners within 300 feet on April 9, 2021.
- The Planning Division has not received any communications in support nor opposition to the request as of April 22, 2021.









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