

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

DEPARTMENT: Planning and Inspections, Planning Division

AGENDA DATE: Introduction: December 18, 2018
Public Hearing: January 8, 2019

CONTACT PERSON/PHONE: Philip Etiwe, (915) 212-1553, EtiwePF@elpasotexas.gov
GuayanteAM, (915) 212-1814, GuayanteAM@elpasotexas.gov

DISTRICT(S) AFFECTED: 7

SUBJECT:

An Ordinance changing the zoning of all of Lots 1 truth 12 of Block 8, Eastwood Section 1, an Addition to the City of El Paso, El Paso County, Texas from R-3 (Residential) to C-1 (Commercial) and imposing a condition. The penalty is as provided for in Chapter 20.24 in the El Paso City Code. Subject Property: the entire block located at the southeast corner of the intersection of Bois D'Arc and Boxwood. Property Owner: El Paso Healthcare Systems, LTD., A Texas Limited Partnership PZRZ18-00040 (District 7)

BACKGROUND / DISCUSSION:

On November 15, the CPC reviewed and recommended approval of the proposed rezoning:

Staff's Recommendation: Approval of the proposed rezoning with a condition to prohibit access to the subject property from Bois D'Arc Street.

CPC Recommendation: Approval of the rezoning with no condition.

PRIOR COUNCIL ACTION:

There is no prior City Council action on this proposed amendment.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Approval Recommendation (7-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Philip Etiwe
Planning and Inspections Department



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF ALL OF LOTS 1 TRUTH 12 OF BLOCK 8, EASTWOOD SECTION 1, AN ADDITION TO THE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-1 (COMMERCIAL) AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

Pursuant to Section 20.04.360 of the El Paso City Code, the zoning of all of Lots 1 Truth 12 of Block 8, Eastwood Section 1, An Addition to the City of El Paso, located in the City of El Paso, El Paso County, Texas, be changed from **R-3 (Residential)** to **C-1/c (Commercial/condition)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following condition which is necessitated by and attributable to the increased intensity of use 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:

- 1. *Vehicular access shall be prohibited along Bois D'Arc Street.*

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

ADOPTED this ____ day of _____, 2019.

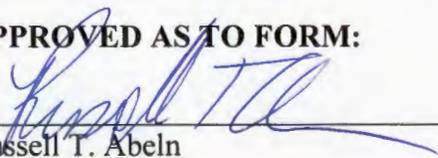
CITY OF EL PASO:

Dee Margo, Mayor

ATTEST:

Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:

Philip F. Etiwe, Director
Planning & Inspections Department

(Exhibit "A" on the following page)

ORDINANCE NO. _____

PZRZ18-00040

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION

"EL PASO HEALTHCARE SYSTEM"

A 2.0484 acre parcel (89,229.09 square feet) of land, comprised of the following:

All of Lots 1 Truth 12 of Block-8, Eastwood Section-1, an Addition to the City of El Paso, El Paso County Texas, according to the plat thereof on file in Volume 14, Page16, Real Property Records, El Paso County, Texas; , said Lots were conveyed to El Paso Healthcare System, LTD., a Texas Limited Partnership and being more particularly described by Metes and Bounds as follows to-wit:

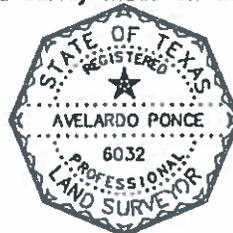
COMMENCING for reference at a found 8" nail at the intersection of Dogwood street (60' right-of-way) and Caper Road (60' right-of-way), THENCE, along the centerline of Caper Road, South 12°53'00" West, at a distance of 260.00 feet pass the intersection of Candlewood street (60' right-of-way) a total distance of 573.50 feet to a found 8" nail for a corner point at the intersection of Bois D'Arc street (55' right-of-way) and Caper Road, THENCE, leaving the centerline of Caper Road, and following the centerline of Bois D'Arc, South 77°07'00" East, a distance of 241.30 feet pass the intersection of Boxwood circle (60' right-of-way) a total distance of 298.45 feet to a set PK nail for a corner point, THENCE, leaving the centerline of said Bois D' Arc street, South 12°53'00" West, a distance of 27.50 feet to a set PK on the southerly existing right-of-way Bois D' Arc and the POINT OF BEGINNING of the parcel herein described;

- 1)THENCE, along said southerly existing right-of-way of Bois D' Arc street South 77°07'00" East, a distance of 472.65 feet to a set PK nail for a point of curvature;
- 2)THENCE, with the arc of a curve to the right having a radius of 25.00 feet, a central angle of 114°59'00", an arc length of 50.17 feet and a long chord which bears South 19°37'05" East, a distance of 42.16 feet to a set nail and a point of tangency, same being the westerly right-of-way of Sumac Drive (120' right-of-way);
- 3)THENCE, along said westerly right-of-way of Sumac Drive, South 37°52'00" West, a distance of 165.47 feet to a set nail for a point of curvature;
- 4)THENCE, with the arc of a curve to the right having a radius of 25.00 feet, a central angle of 65°07'35", an arc length of 28.28 feet and a long chord which bears South 70°23'17" West, a distance of 26.88 feet to a set nail and a point of tangency, same being the northerly right-of-way of Boxwood Circle;
- 5)THENCE, along said northerly right-of-way of Boxwood circle, North 77°07'00" West, a distance of 229.11 feet to a set nail for a point of curvature;
- 6)THENCE, with the arc of a curve to the right having a calculated radius of 200.00 feet, a central angle of 82°53'09", an arc length of 289.32 feet and a long chord which bears North 35°44'38" West, a distance of 264.75 feet to a set nail for a point of curvature;
- 7)THENCE, with the arc of a curve to the right having a radius of 25.00 feet, a central angle of 90°06'52", an arc length of 39.12 feet and a long chord which bears North 57°56'26" East, a distance of 35.39 feet to the TRUE POINT OF BEGINNING of this parcel herein described.

Said parcel contains 2.0484 acres (89,229.09 square feet) more or less, and being subject to all easements of record.

Bearing Basis: All bearings shown are based on the Eastwood Section-1 map.

I, Avelardo Ponce, a Registered Professional Land Surveyor, do hereby certify that to the best of my knowledge and belief, this property description is a true and correct representation of a survey made on the ground, under my direction and supervision.



This plat represents a survey made on the ground by me or under my supervision and complies with the current Texas Board of Professional Land Survey Professional and Technical Standards.


Avelardo Ponce, Registered
Professional Land Surveyor Texas
License No. 6032

Sept 18 2018

GRV INTEGRATED ENGINEERING SOLUTIONS LLC
11385 James Watt Dr, Suite B-13,
El Paso, Texas 79936
Ph: (915) 351-6701 Fax (915) 243-8010
www.integratedengineeringsolutions.com
TBPE F#15313 TBPLS F#10184278



EASTWOOD UNIT 1-PLAT PLAN
REZONING APPLICATION
BEING A PORTION OF PARCEL 3,
BLOCK- 8 ASCARATE GRANT,
EL PASO COUNTY, TEXAS
PROJECT NUMBER : 18-010
DATE: 09/17/2018

MEMORANDUM

DATE: November 21, 2018

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

FROM: Anne Guayante - Planning & Inspections

SUBJECT: PZRZ18-00040

The City Plan Commission unanimously recommended **approval** (7-0) of the proposed rezoning at its November 15, 2018 meeting, but without the condition recommended by staff.

The CPC found that the rezoning is in conformance with Plan El Paso. The CPC also determined that the case type 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 would have no negative effects on the natural environment, socio-economic conditions, and property values in the vicinity or the city as a whole.

As of November 21, 2018, Planning staff has not received any opposition to the proposed rezoning.

Property Owner: El Paso Healthcare Systems, LTD., A Texas Limited Partnership
Applicant: Marvin H. Gomez, P.E.

Attachments: Staff Report

Boxwood and Bois D'Arc

City of El Paso — Plan Commission — 11/15/2018



PZRZ18-00040 Rezoning – El Paso Healthcare System, LTD., A Texas Limited Partnership

STAFF CONTACT:	Anne Guayante, (915) 212-1814, guayanteam@elpasotexas.gov
OWNER:	El Paso Healthcare System, LTD., A Texas Limited Partnership
REPRESENTATIVE:	Marvin H. Gomez, P.E.
LOCATION:	Boxwood and Bois D'Arc, District 7
LEGAL DESCRIPTION:	Block 8, Eastwood Unit 1, City of El Paso, El Paso County, Texas
EXISTING ZONING:	R-3 (Residential)
REQUEST:	To rezone from R-3 (Residential) to C-1 (Commercial)
RELATED APPLICATIONS:	N/A
PUBLIC INPUT	No communication in support or opposition; Notices sent to property owners within 300 feet on October 31, 2018 (See Attachment #6)
STAFF RECOMMENDATION:	Approval (see pages 2—4 for basis for recommendation)

SUMMARY OF REQUEST: The applicant requests to rezone the subject property from R-3 (Residential) to C-1 (Commercial) to accommodate a proposed parking lot to serve the adjacent hospital.

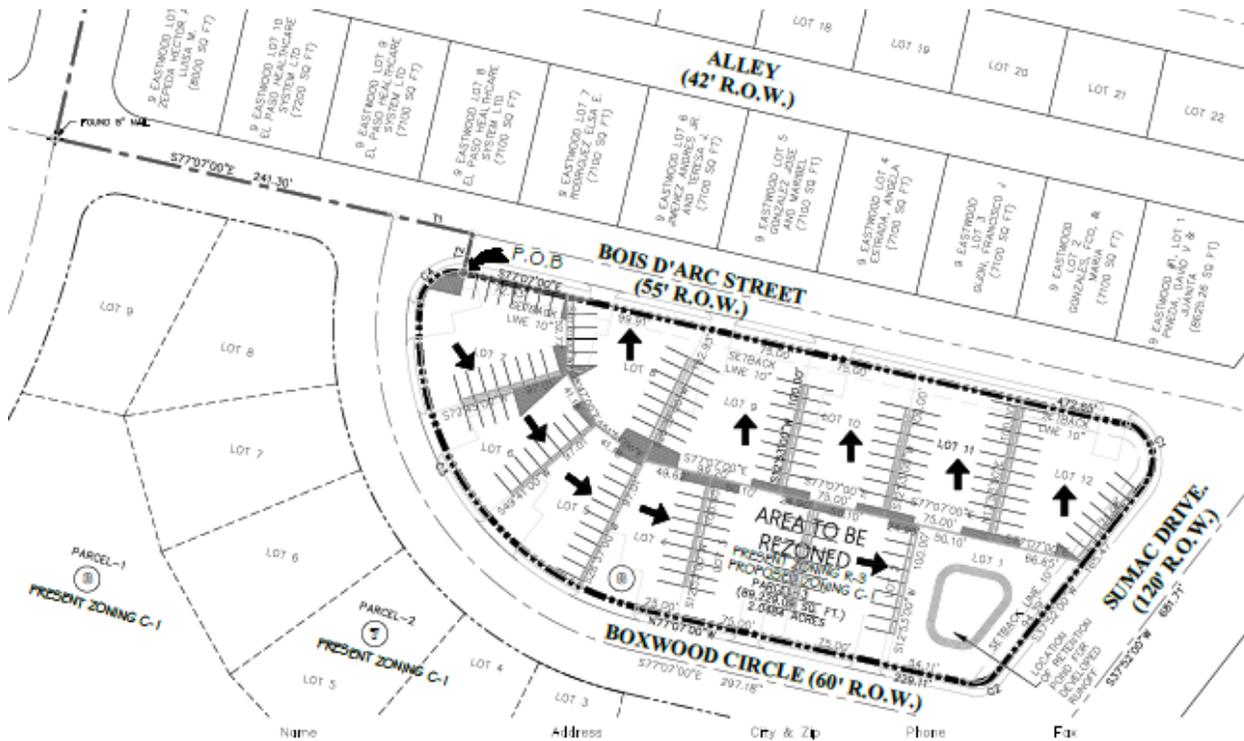
SUMMARY OF RECOMMENDATION: The Planning Division recommends **APPROVAL WITH A CONDITION** of rezoning the property from R-3 (Residential) to C-1 (Commercial). The condition is as follows: *Vehicular access shall be prohibited along Bois D'Arc Street.* The proposed zoning district is consistent with other neighborhood commercial districts and medical uses in the immediate area, and meets the established character of its surrounding neighborhood and the East Planning Area. Further, the proposed development meets the intent of the G-3, Postwar future land use designation of Plan El Paso, the City's Comprehensive Plan.



DESCRIPTION OF REQUEST

The property owner is requesting a rezoning from R-3 (Residential) to C-1 (Commercial) to accommodate a parking lot to serve the adjacent hospital. The current use of the property is vacant single family homes acquired by the hospital and proposed for demolition. The Conceptual Site Plan shows a parking lot containing 169 parking stalls, with access from Bois D'Arc and Boxwood Circle. This plan is provided as Attachment A to this staff report.

The proposed development would provide additional parking to serve the Del Sol hospital located at 10301 Gateway West. The Conceptual Site Plan demonstrates how that could be accomplished on the subject property, but is not binding. All applicable codes, to include landscaping, zoning, and engineering standards, must be met at the time of development. A Traffic Impact Analysis was provided on July 25, 2018. The City of El Paso's Traffic Engineering Division has reviewed the analysis and concurs with its findings.

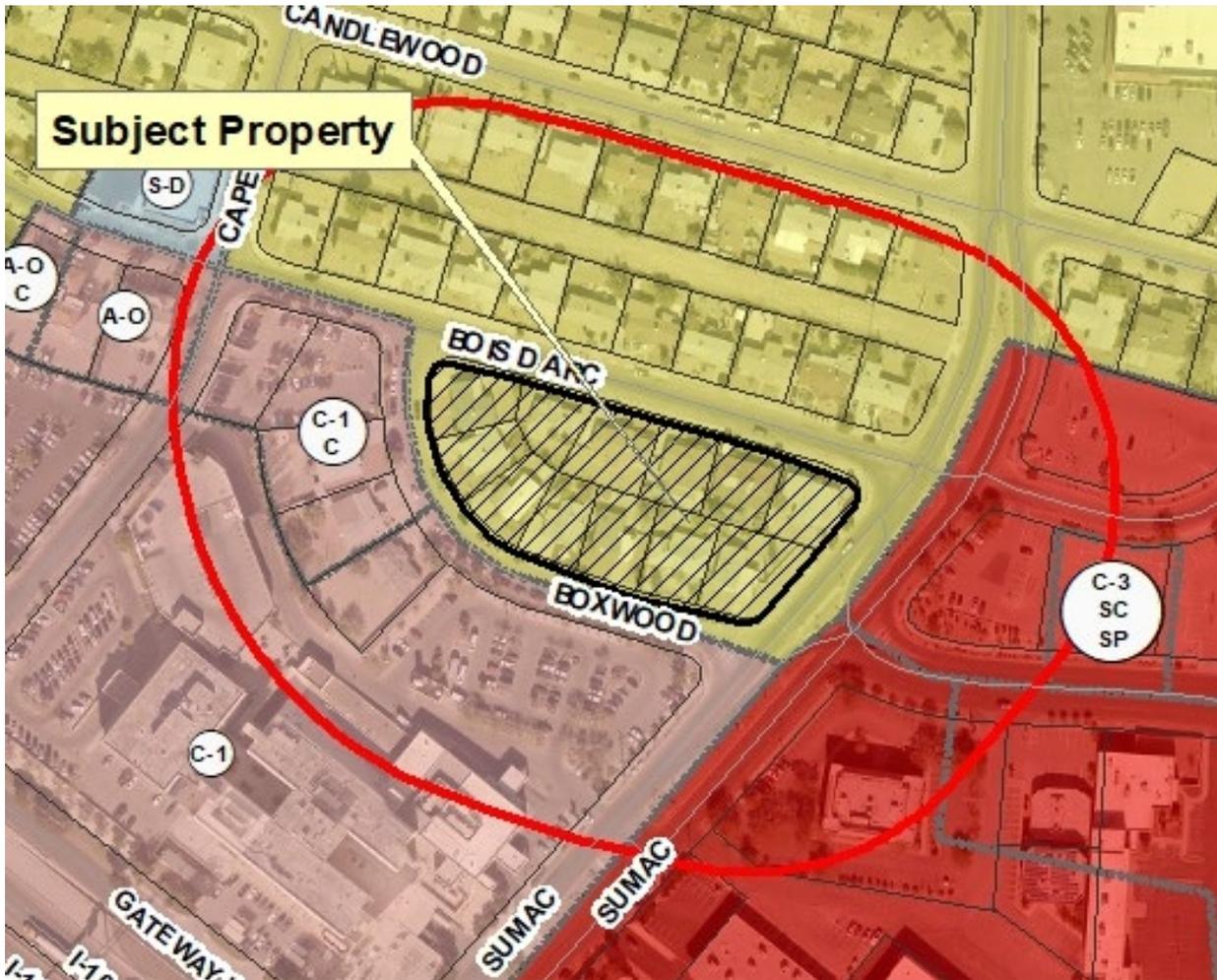


REZONING POLICY

POLICY	DOES IT COMPLY?
<p>Compatibility Proposed zone change matches existing land use map or matches existing land use designation within 300 ft. of the subject property.</p>	<p>Yes, properties adjacent to the subject property are zoned C-1 (Commercial), C-3 (Commercial), A-O (Apartment/Office) and R-3 (Residential).</p>

NEIGHBORHOOD CHARACTER AND COMPATIBILITY: The subject property is located immediately north of the Del Sol Hospital campus located at 10301 Gateway West, immediately between the hospital and the residential neighborhood to the north. It is part of the Eastwood Unit 1 Subdivision, which was platted in 1955 as a residential subdivision with larger lots to the south capable of accommodating commercial and medical uses. Properties south of Boxwood and east of Caper were rezoned from the R-3 (Residential) District to the C-1 (Commercial) District, in 2001 and 2007; and properties south of Bois D'Arc and west of Caper Street were rezoned A-O (Apartment Office)

in 2001. Following this rezoning, if approved, all of the properties in this subdivision south of Bois D'Arc will be commercially zoned, and all of the properties north of Bois D'Arc will remain residentially zoned.



RELATION OF PROPOSED CHANGE TO THE CITY'S COMPREHENSIVE PLAN

CONSISTENCY WITH PLAN EL PASO	DOES IT COMPLY?
<p><u>G-3 (Postwar)</u> 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.</p>	The proposed rezoning and use of the subject property would continue to meet the character of the G-3 (Postwar) growth sector.
ZONING DISTRICT	DOES IT COMPLY?
<p><u>C-1 (Commercial) District</u> The purpose of this 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.</p>	The proposed parking lot use is permitted in the C-1 (Commercial) District.
POLICY	DOES IT COMPLY?
<p><u>Policy 5.15.2</u> Continue support and participation with other agencies in the provision of emergency preparedness.</p> <p><u>Public Facilities Chapter Introduction, p. 5.2</u> Citizens of El Paso also enjoy public facilities and services that are not managed by the City of El Paso; however, they are critical to the success of the community and play a vital role in our lives. These services include public and private schools, utilities, and hospitals. Even though different organizations manage various elements of public facilities and services, they affect one another in their ability to serve the needs of the entire community. Quality of life is affected by the location, quantity, design, and service excellence provided with each facility and the service rendered. Managing growth in the City through the assurance of adequate and timely public facilities to serve the current and future population is an on-going challenge.</p>	As articulated in the introduction to the Public Facilities chapter of Plan El Paso, hospitals are a critical part of the fabric of El Paso's network of public facilities. Allowing for the provision of additional parking, and an area for potential future expansion at one of El Paso's existing hospitals will directly further the goal of Policy 5.15.2 by allowing the existing hospital to grow with the community it serves.

SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: Each of the twelve lots that comprise the subject property meet all dimensional standards for the R-3 (Residential) District, with the exception of one that does not meet the required 90 foot lot depth. However, as the lots were legally created by a formal subdivision in 1955, the dimension would likely be considered legally nonconforming. The proposed parking lot use is not permitted in the R-3 (Residential) District, nor would any future medical uses be permitted.

SUITABILITY OF SITE FOR USES UNDER PROPOSED ZONING: The proposed use is permitted in the C-1 (Commercial) District, and the lot meets all applicable dimensional standards.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE: The intent of the Zoning Ordinance is to protect the public health, safety, and general welfare; to regulate the use of land and buildings within zoning districts to ensure compatibility, and to protect property values. The intent of the C-1 (Commercial) 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. The

proposed rezoning is consistent with that intent. The subject property allows for all applicable requirements for a parking lot in the C-1 (Commercial) District to be met.

ADEQUACY OF PUBLIC FACILITIES AND SERVICES: No reviewing departments expressed opposition to the applicant's proposal. Following the rezoning, the application will be required to formally combine the lots through the City's subdivision process.

EFFECT UPON THE NATURAL ENVIRONMENT: The subject property is not within an arroyo or other environmentally sensitive area. No negative environmental impact is anticipated from this rezoning, if approved.

COMMENT FROM THE PUBLIC: The subject property falls within the boundary of the Eastside Civic Association. It was contacted as required by 20.04.520. Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on October 31, 2018. The Planning Division has received inquiry phone calls, but no communication in support of or opposition to the applicant's request.

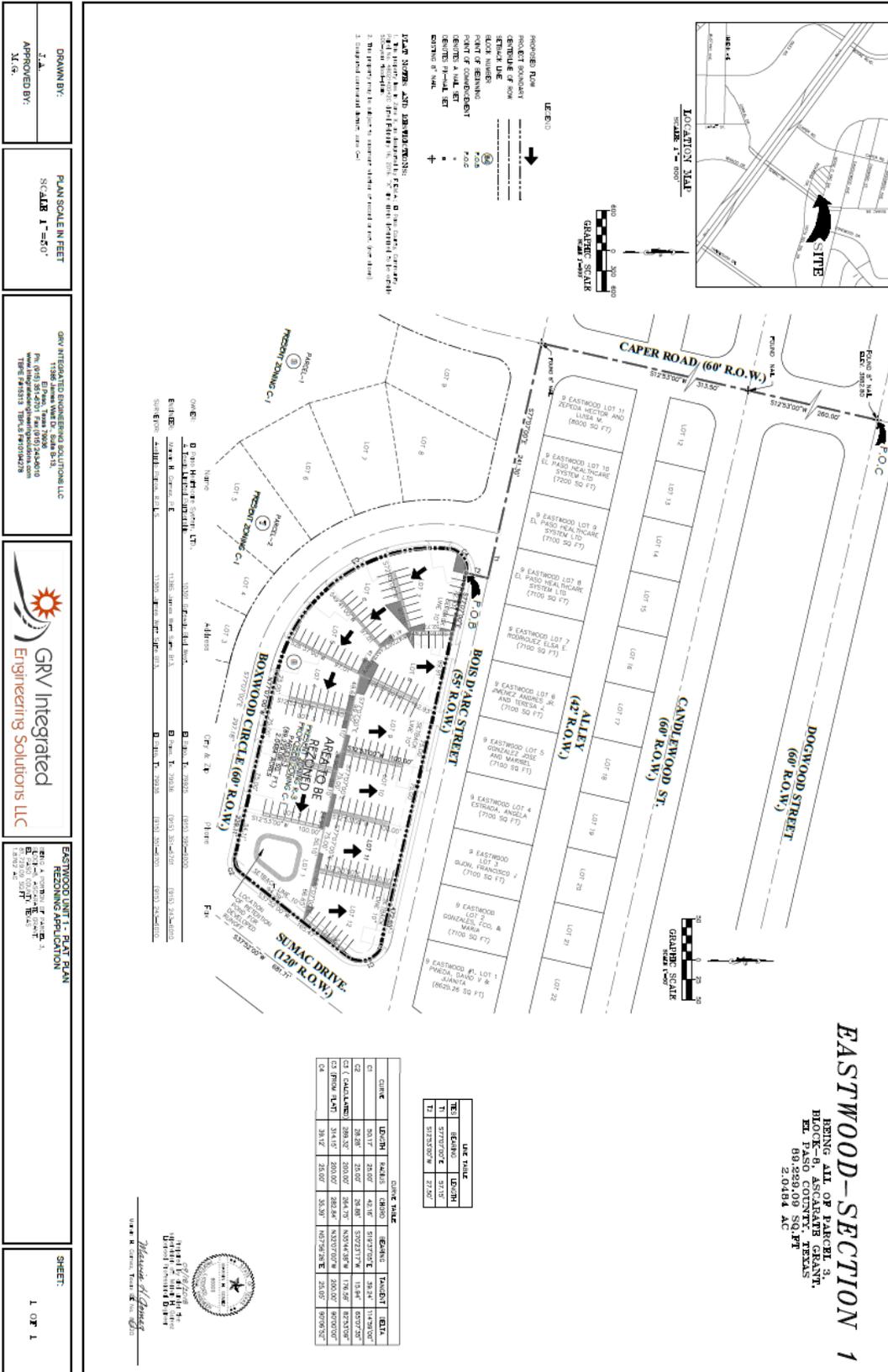
STAFF COMMENTS: No objections to proposed rezoning. No reviewing departments had any negative comments. Following the rezoning, the application will be required to formally combine the lots through the City's subdivision process. Applicant is responsible for obtaining all applicable permits and approvals prior to any construction or change in occupancy.

OTHER APPLICABLE FACTORS: Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

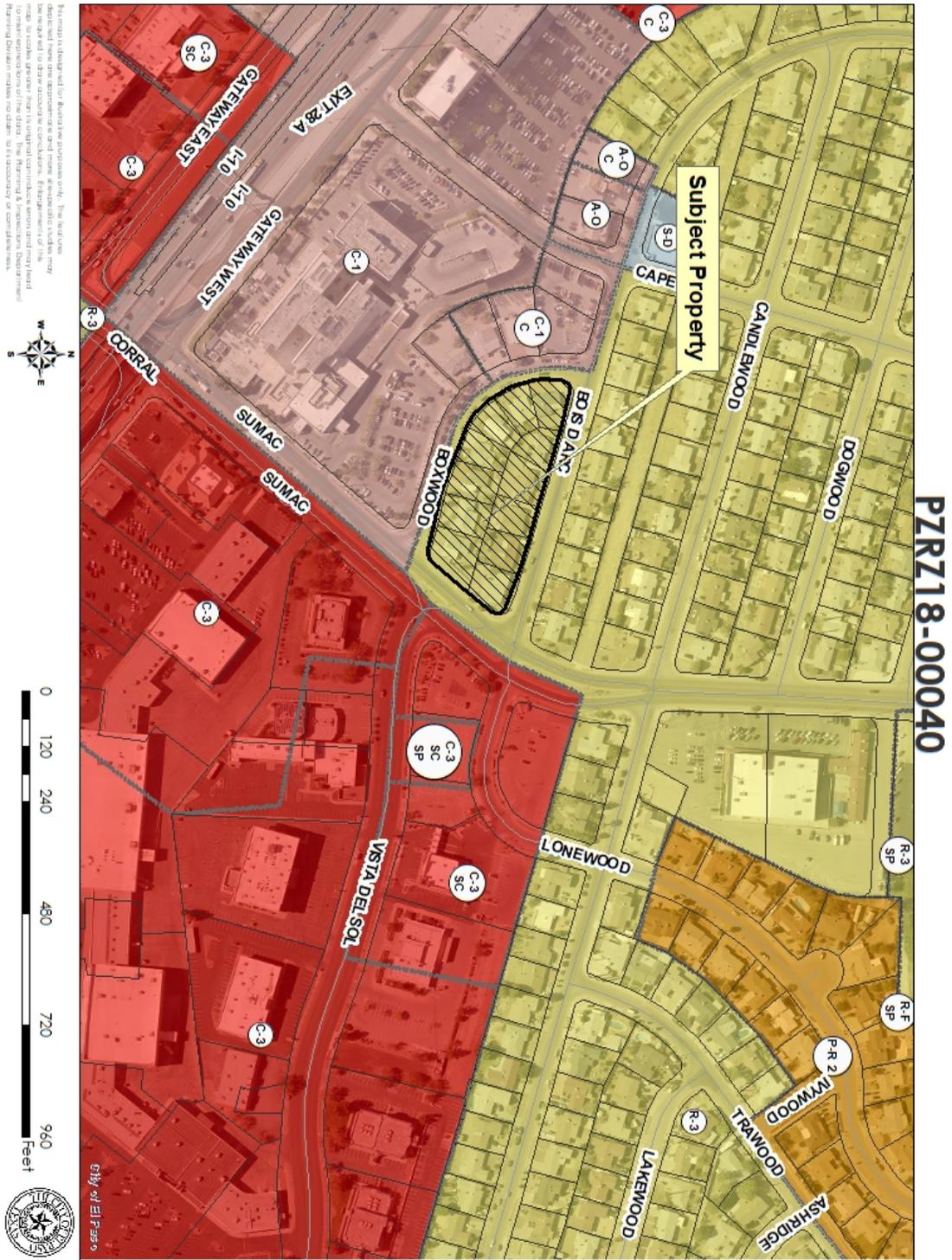
ATTACHMENTS:

1. Conceptual Site Plan
2. Zoning Map
3. Future Land Use Map
4. Department Comments
5. Neighborhood Notification Boundary Map
6. Letters from the Public

ATTACHMENT 1: CONCEPTUAL SITE PLAN



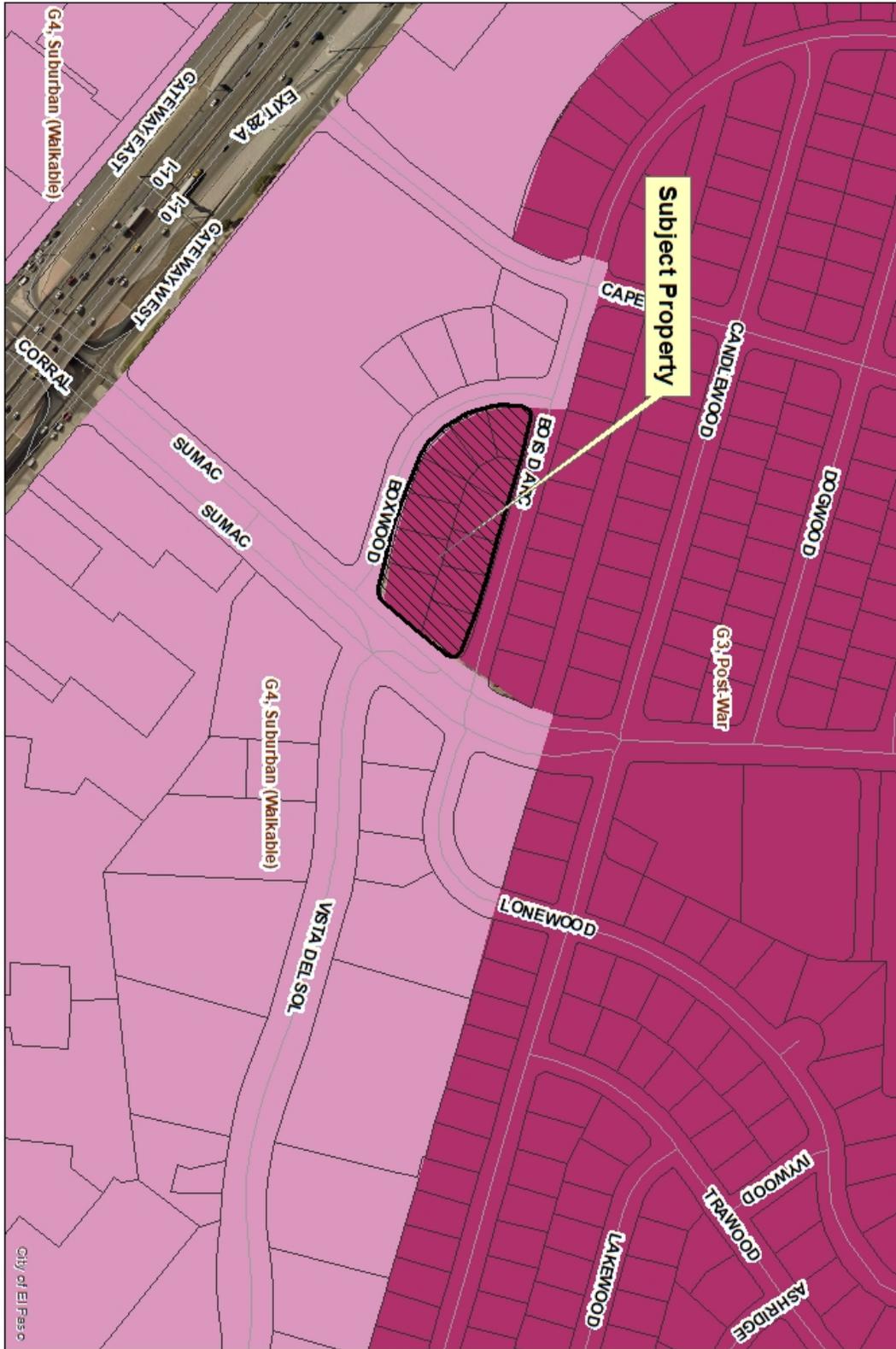
ATTACHMENT 2: ZONING MAP



PZR18-00040

ATTACHMENT 3: FUTURE LAND USE MAP

This map is designed for future use purposes only. The boundaries depicted here are approximate and more definitive studies may be required to draw accurate conclusions. Eminent domain of the road to access the site from the original construction area may lead to future expansion of the site. The Planning & Inspection Department Planning Division may adjust to its discretion or convenience.



PZR18-00040

ATTACHMENT 4: DEPARTMENT REVIEW

COMMENTS

Planning and Inspections Department - Planning Division

1. Please show on your site plan a general layout for the proposed parking lot, showing its general features, the ingress and egress, the legal description, and the lot dimensions.
2. Please provide a metes and bounds description of the subject property, completed within the past 12 months.
3. Please provide an electronic version of the Traffic Impact Analysis.
4. A community or commercial garage or parking lot is a permitted use by right in the C-1 (Commercial) District. Therefore, the Special Permit is not required for the proposed development. The Special Permit application can be withdrawn and we can refund the required fee.

Planning and Inspections Department - Subdivisions

1. With the understanding that the subject properties will eventually be combined into one lot and turned into a parking lot, staff recommends that a platting determination be submitted to the Planning Department prior to the issuance of building permits.

Texas Department of Transportation

No comments provided

Planning and Inspections Department – Plan Review & Landscaping Division

Recommend approval

Planning and Inspections Department – Land Development

2. 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 stormwater 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.
3. Show proposed drainage flow patterns and designated ponding destination(s).

Fire Department

Recommend approval

Police Department

1. Thank you for letting us know about these changes.

Sun Metro

No comments provided

El Paso Water Utilities

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

1. EPWater does not object to this request.

Water:

2. There is an existing 12-inch (12") diameter water main extending along Bois D'Arc St. that is available for service. The water main is located approximately 17.5-feet (17.5') south from the northern street right-of-way line.
3. There is an existing 8-inch (8") diameter water main extending along Sumac Dr. that is available for service. The water main is located approximately 23-feet (23') west from the eastern street right-of-way line.
4. There is an existing 6-inch (6") diameter water main extending along Boxwood St. that is available for service. The water main is located approximately 18-feet (18') south from the northern street right-of-way line.
5. EPWater would require an abandonment of the existing water main, relocation of fire hydrants and the removal of water meters along Boxwood St. at the Owner's expense if Street Vacation proceeds in the future. Design and work would be performed by EPWater.
6. EPWater records indicate eleven non-active (11) ¾-inch (3/4") domestic water meters located at the subject location along Boxwood St. & Bois D'Arc St. The Owner is responsible for contacting EP Water's Planning & Development New Installation's Section to vacate any or all meters. The vacation of these meters will be performed by EPWater at the Owner's expense.

Sanitary Sewer:

7. There is an existing 8-inch (8") diameter sanitary sewer main extending along Bois D'Arc St. that is available for service. The sanitary sewer main is located approximately 25-feet (25') north from the southern street right-of-way line.
8. There is an existing 8-inch (8") diameter sanitary sewer main extending along Sumac Dr. that is available for service. The sanitary sewer main is located approximately 22-feet (22') east from the western street right-of-way line.
9. There is an existing 8-inch (8") diameter sanitary sewer main extending along Boxwood St. that is available for service. The sanitary sewer main is located approximately 25-feet (25') north from the southern street right-of-way line.
10. EPWater would require an abandonment of the existing sewer main along Boxwood St. at the Owner's expense if Street Vacation proceeds in the future. Design and work would be performed by EPWater.
11. EPWater records indicate eleven (11) 4-inch (4") sanitary sewer service laterals located at the subject location.

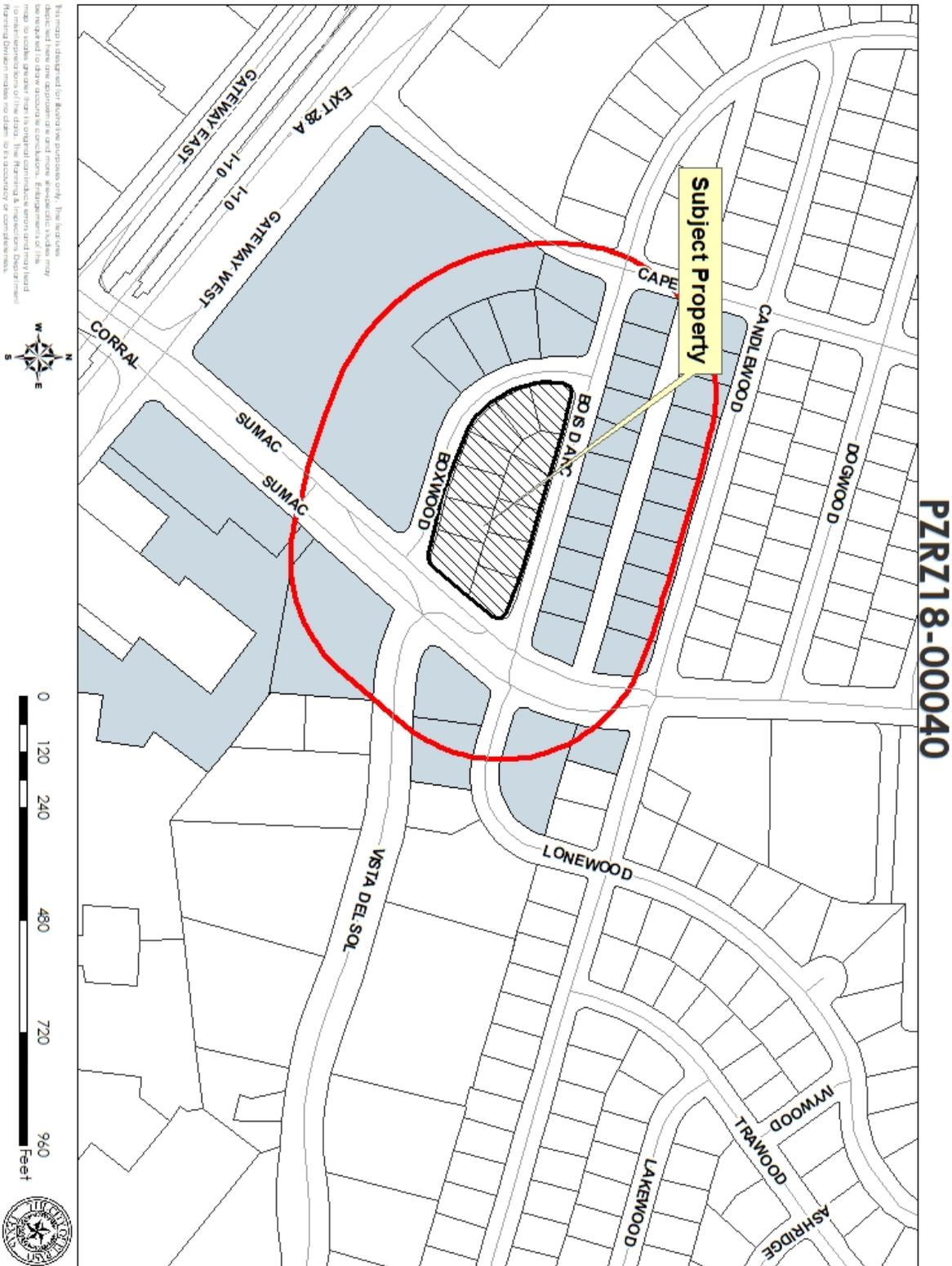
General:

12. EPWater requires a new service application for additional services to the subject 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 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:

13. See Land Development.

ATTACHMENT 5: OWNER NOTIFICATION MAP

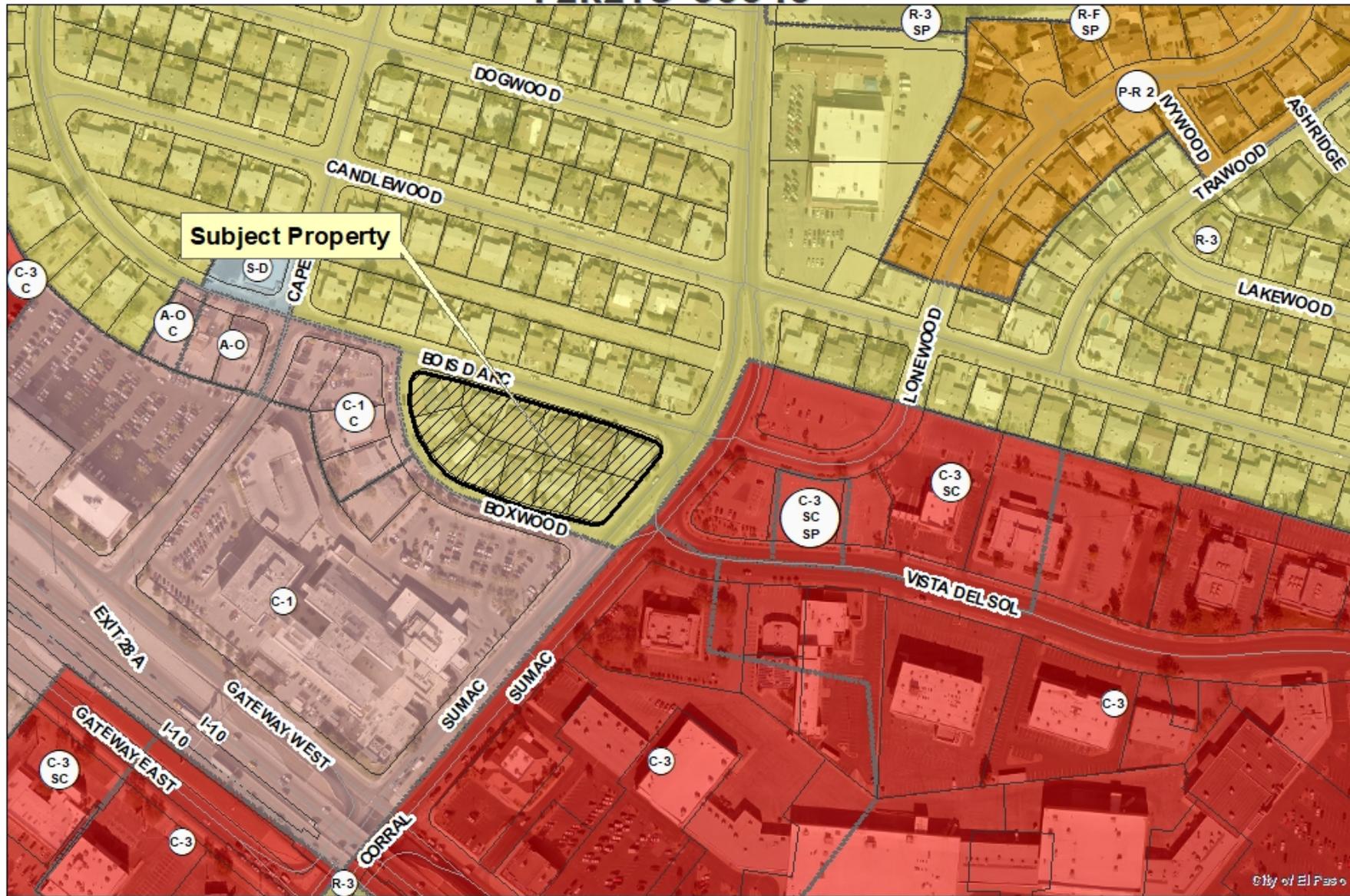


ATTACHMENT 6: PUBLIC COMMENT

No written comment from the public received.

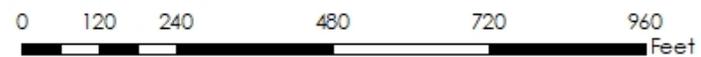


PZRZ18-00040



Subject Property

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 introduce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.



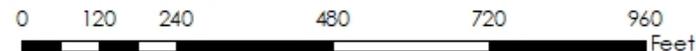


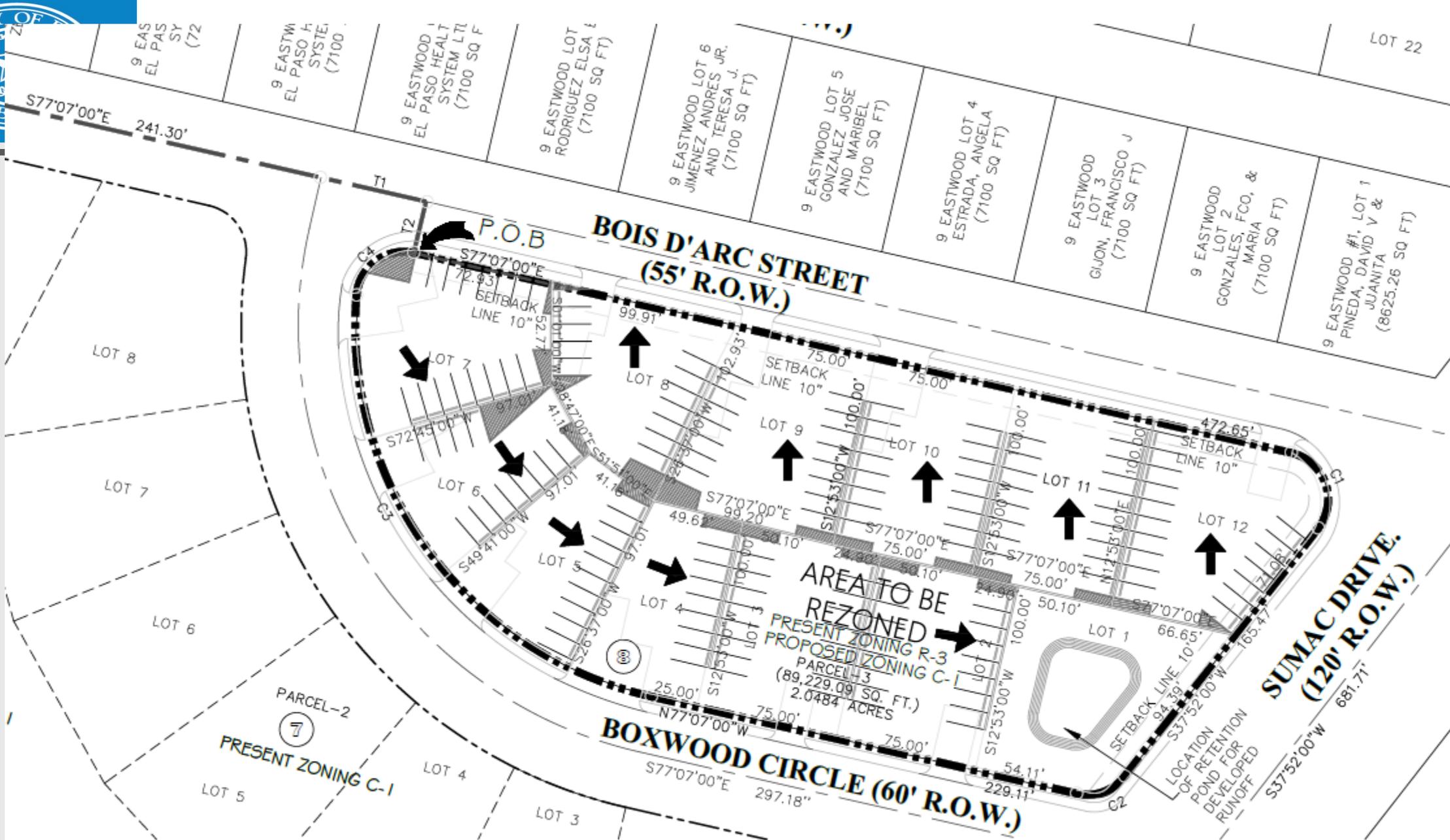
PZRZ18-00040



City of El Paso

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 introduce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.





Name _____ Address _____ City & Zip _____ Phone _____ Fax _____

"Delivering Outstanding Services"



**LOCATION OF PROPOSED: REZONING
PUBLIC HEARINGS ARE SCHEDULED.
PLEASE CALL: 915-212-1569**

**UBICACION DE PROPUESTA: REZONIFICACION
AUDIENCIAS PUBLICAS ESTAN PROGRAMADAS.
POR FAVOR HABLE AL: 915-212-1569**



LOCATION OF PROPOSED: REZONING
PUBLIC HEARINGS ARE SCHEDULED.
PLEASE CALL: 915-212-1569

UBICACION DE PROPUESTA: REZONIFICACION
AUDIENCIAS PUBLICAS ESTAN PROGRAMADAS.
POR FAVOR HABLE AL: 915-212-1569



N



W

E

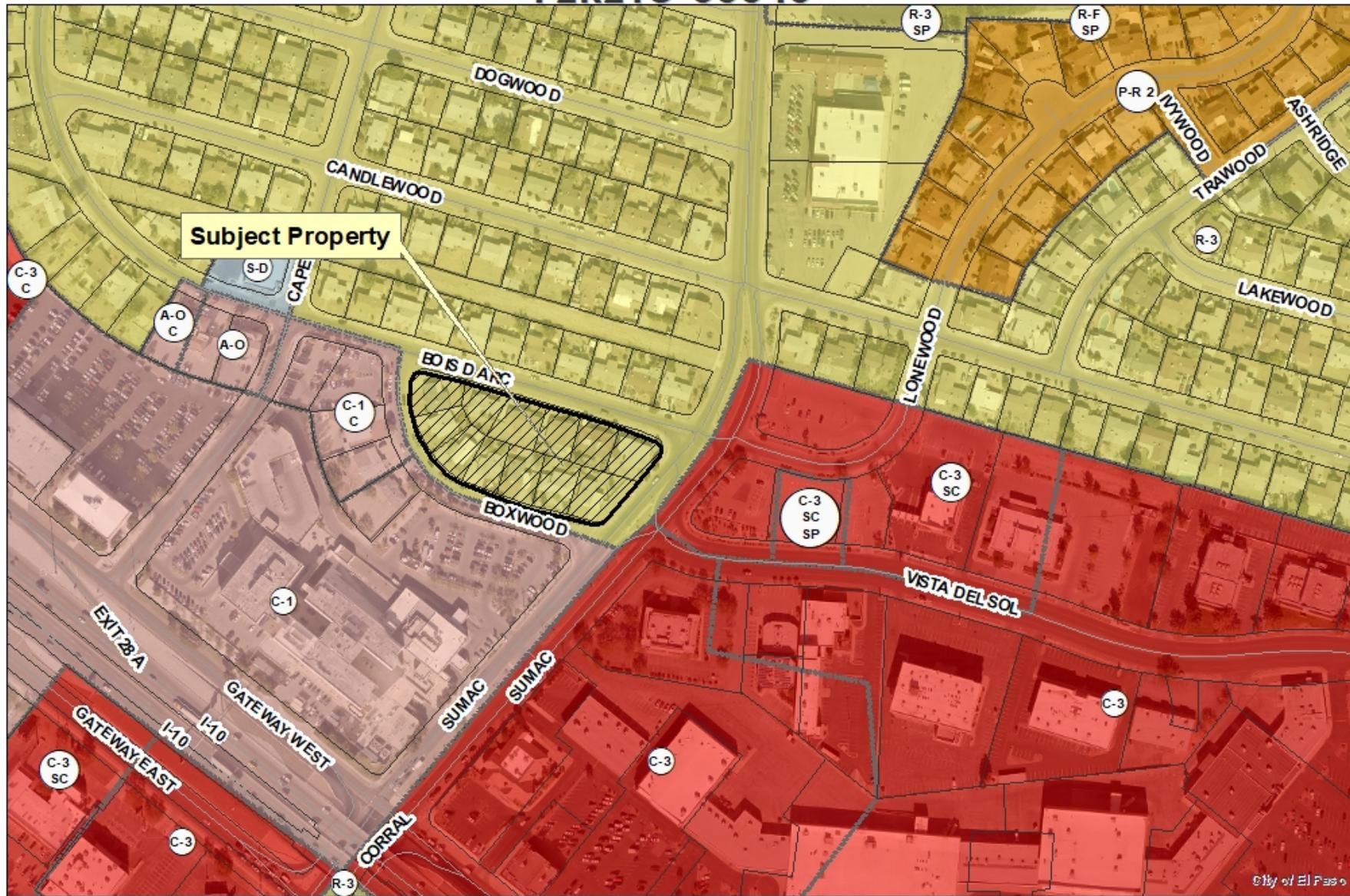


S





PZRZ18-00040



Subject Property

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 introduce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.

