

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

**DEPARTMENT:** Planning & Inspections Department, Planning Division

**AGENDA DATE:** Introduction: August 25, 2015  
Public Hearing: September 25, 2015

**CONTACT PERSON/PHONE:** Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 7

**SUBJECT:**

An Ordinance changing the zoning of the property described as Parcel 1: Lot 1, Block 11, Eastwood, City of El Paso, El Paso County, Texas; and, Parcel 2: Lot 2, Block 11, Eastwood, City of El Paso, El Paso County, Texas, 1141 Caper Road and 7827 Bois D' Arc Drive, from R-3 (Residential) to S-D (Special Development), pursuant to Section 20.04.360, and approving a detailed site development plan pursuant to Section 20.04.150 and 20.10.360 of the El Paso City Code to allow for a front setback reduction as permitted in the S-D (Special Development) zone district. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 1141 Caper Road and 7827 Bois D' Arc Drive. Property Owner: Armando Beltran, MD. PZRZ15-00018 (**District 7**)

**BACKGROUND / DISCUSSION:**

Rezoning and front setback reduction request is to permit the construction of a medical clinic.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission - Approval Recommendation (7-0)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:**

Larry F. Nichols  
Director, Planning and Inspections Department

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CHANGING THE ZONING OF THE PROPERTY DESCRIBED AS PARCEL 1: LOT 1, BLOCK 11, EASTWOOD, CITY OF EL PASO, EL PASO COUNTY, TEXAS; AND, PARCEL 2: LOT 2, BLOCK 11, EASTWOOD, CITY OF EL PASO, EL PASO COUNTY, TEXAS, 1141 CAPER ROAD AND 7827 BOIS D' ARC DRIVE, FROM R-3 (RESIDENTIAL) TO S-D (SPECIAL DEVELOPMENT), PURSUANT TO SECTION 20.04.360, AND APPROVING A DETAILED SITE DEVELOPMENT PLAN PURSUANT TO SECTION 20.04.150 AND 20.10.360 OF THE EL PASO CITY CODE TO ALLOW FOR A FRONT SETBACK REDUCTION AS PERMITTED IN THE S-D (SPECIAL DEVELOPMENT) ZONE DISTRICT. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Armando Beltran, MD, (Owner) has applied for a rezoning of property from R-3 (Residential) to S-D (Special Development) per Section 20.04.360 of the El Paso City Code; and,

WHEREAS, Owner has also applied for approval of a detailed site development plan pursuant to Sections 20.04.150 and 20.10.360 of the El Paso City Code for a front setback reduction, which requires approval from both City Plan Commission and City Council; and,

WHEREAS, a public hearing was held for the rezoning and detailed site plan requests at a City Plan Commission meeting; and,

WHEREAS, City Plan Commission has recommended approval of the subject rezoning and detailed site development plan; and,

WHEREAS, the rezoning and detailed site development plan 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 the El Paso City Code.

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

1. Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning of *Parcel 1: Lot 1, Block 11, Eastwood, City of El Paso, El Paso County, Texas; and, Parcel 2: Lot 2, Block 11, Eastwood, City of El Paso, El Paso County, Texas, 1141 Caper Road and 7827 Bois D' Arc, City of El Paso, El Paso County, Texas*, be changed from **R-3 (Residential)** to **S-D (Special Development)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

ORDINANCE NO. \_\_\_\_\_

Zoning Case No: PZRZ15-00018

2. Pursuant to the requirements of the El Paso City Code, the City Council hereby approves the detailed site development plan submitted by the Owner, to reduce the front setback as permitted under the **S-D (Special Development)** district regulations of 20.04.150 and 20.10.360. Council also grants a waiver of the 1 acre minimum district area.
3. A copy of the approved detailed site development plan, signed by the Owner, the City Manager, and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference for all purposes.
4. 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 **S-D (Special Development)** District regulations.
5. 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 **S-D (Special Development)** 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.
6. The approval of this detailed site development plan shall automatically be void if construction on the property is not started in accordance with the attached plan Exhibit "A" within four (4) years from the date hereof.
7. The penalties for violating the standards imposed through this ordinance are found in Section 20.24 of the El Paso City Code.

**(SIGNATURES ON THE FOLLOWING PAGE)**

**ORDINANCE NO.** \_\_\_\_\_

**Zoning Case No: PZRZ15-00018**

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.


**THE CITY OF EL PASO**

**ATTEST:**

\_\_\_\_\_  
Oscar Leaser  
Mayor

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Karla M. Nieman  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Larry F. Nichols, Director  
Planning & Inspections Department

**ORDINANCE NO.** \_\_\_\_\_

**Zoning Case No: PZRZ15-00018**

## AGREEMENT

By execution hereof, Armando Beltran, MD ("Owner"), 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 **S-D (Special Development)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 2015

**OWNER: Armando Beltran, MD**

\_\_\_\_\_

## ACKNOWLEDGEMENT

THE STATE OF TEXAS   )  
  )  
COUNTY OF EL PASO   )

This instrument is acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2015, by Armando Beltran, MD.

My Commission Expires:

\_\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Texas

**ORDINANCE NO.** \_\_\_\_\_

**Zoning Case No: PZRZ15-00018**

# DETAILED SITE DEVELOPMENT PLAN

Exhibit "A"

## A NEW CLINIC BUILDING 1141 CAPERS STREET

MAXIMUM ACREAGE – 0.41 ACRE (14,024.5 SF)

AREA OF NON-RESIDENTIAL LAND USE – 5,705 SF  
BUILDING HEIGHT (PRIMARY STRUCTURE) – 15 FT

### LEGAL DESCRIPTION

7827 BOIS D'ARC DRIVE AND 1141 CAPER ROAD  
LOTS 1 AND 2 BLOCK 112, EASTWOOD SECTION 1,  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

PARKING		
USE	REQUIRED	PROVIDED
CLINIC	18	15
OFFICE HC	1	2
TOTAL	19	17
REQUEST 10% PARKING REDUCTION		
10% REDUCTION BY PLANNING ADMINISTRATION		

BICYCLE		
	REQUIRED	PROVIDED
	3	3 SPACE BIKE RACK

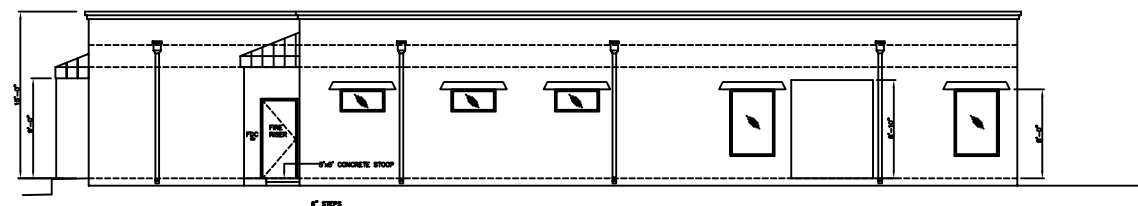
LANDSCAPING		
	REQUIRED	PROVIDED
	1,244 SF	881.0 SF.

LANDSCAPING 29% REDUCTION



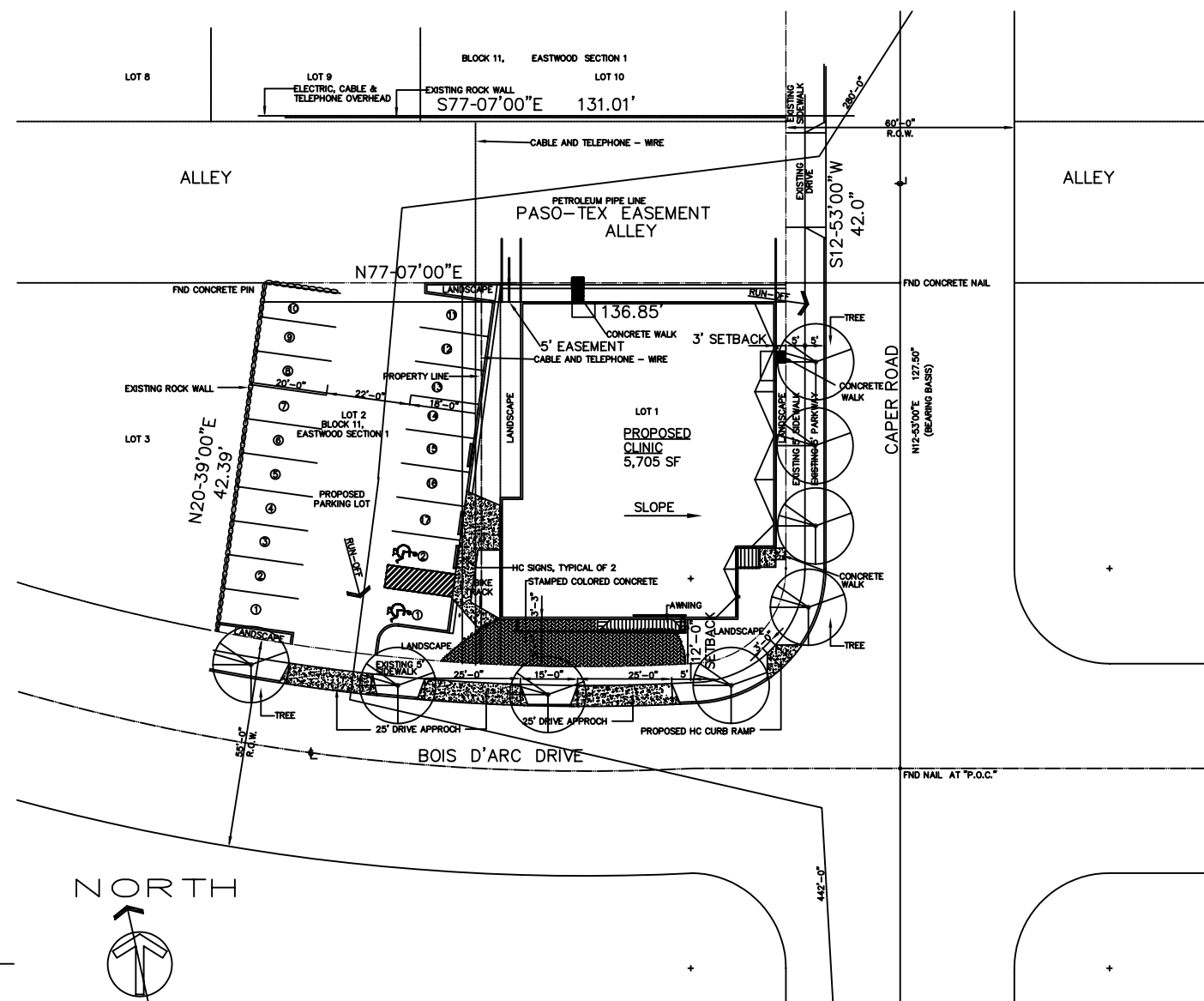
SOUTH ELEVATION

SC: 1/8" = 1' - 0"



EAST ELEVATION

SC: 1/8" = 1' - 0"



PROPOSED SITE PLAN

SC: 1" = 20' - 0"

PROGRESS DOCUMENTS

SJB

SAMUEL J. BARELA  
ARCHITECT/DESIGNER

(915) 282-5305

A LIE/WORK BUILDING FOR  
A NEW MEDICAL OFFICE BUILDING

1141 CAPERS STREET EL PASO, TEXAS

COMMISSION No.  
1407

DATE 10JUN15  
REV 30JUN15

1  
2  
3  
4

SHEET: MP

1 OF 1

## **MEMORANDUM**

**DATE:** August 17, 2015

**TO:** The Honorable Mayor and City Council  
Tommy Gonzalez, City Manager

**FROM:** Michael McElroy, Senior Planner

**SUBJECT: PZRZ15-00018**

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The City Plan Commission (CPC), on July 9, 2015, voted (7-0) to recommend **approval of** the rezoning request from R-3 (Residential) to S-D (Special Development), and a reduction in the front yard setback, for a clinic.

The CPC determined that the rezoning request protects the best interest, health, safety and welfare of the public in general; and the rezoning will have no negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There have been no communications in support or opposition to this request.

**Attachment:**  
Staff Report



## ***City of El Paso – City Plan Commission Staff Report***

**Case No:** PZRZ15-00018  
**Application Type:** Rezoning & Detailed Site Development Plan Approval  
**CPC Hearing Date:** July 9, 2015  
**Staff Planner:** Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov  
**Location:** Parcel 1: 1141 Caper Road  
Parcel 2: 7827 Bois D' Arc Drive  
**Legal Description:** Parcel 1: Lot 1, Block 11, Eastwood, City of El Paso, El Paso County, Texas  
Parcel 2: Lot 2, Block 11, Eastwood, City of El Paso, El Paso County, Texas  
**Acreage:** Parcel 1: 0.1436 acres  
Parcel 2: 0.1837 acres  
**Rep District:** 7  
**Existing Zoning:** R-3 (Residential)  
**Existing Use:** Vacant  
**C/SC/SP/ZBA/LNC:** N/A  
**Request:** From R-3 (Residential) to S-D (Special Development)  
**Proposed Use:** Clinic  
**Property Owner:** Armando Beltran, MD  
**Representative:** Samuel Barela / Carlos Veloz

### **SURROUNDING ZONING AND LAND USE**

**North:** R-3 (Residential) / Single-family dwelling  
**South:** A-O (Apartment-Office) & A-O/c (Apartment-Office/condition) / Offices  
**East:** R-3 (Residential) / Single-family dwelling  
**West:** R-3 (Residential) / Single-family dwelling

**PLAN EL PASO DESIGNATION:** G-3, Post-War (East Planning Area)

**NEAREST PARK:** Travis White Park (3,305 feet)

**NEAREST SCHOOL:** Eastwood Knolls Elementary (3,408 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Eastside Civic Association

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on June 10, 2015. Planning received one phone call in opposition to the rezoning request.

### **APPLICATION DESCRIPTION**

The property owner is requesting a rezoning from R-3 (Residential) to S-D (Special Development) to permit the construction of a clinic totaling 5,705 sq. ft. in size. The property is currently vacant. A reduction in the front setback from 20' to 3' is being requested. The required number of parking spaces for a clinic that size is 19 spaces. However, a 10% administrative parking reduction was granted by the Zoning Administrator for a reduction from the required 19 parking spaces to 17. The applicant proposes 18 parking spaces, to include two ADA and three bicycle parking spaces. The proposed development requires 1,244 sq. ft. of landscaping and proposes 881 sq. ft., as permitted per Title 18.46.090.A.3, Landscape which provides a 60% reduction in landscaping requirements for sites with street-oriented buildings. Vehicular access is proposed from Bois D' Arc Drive.



### **Planning and Inspections Department – Planning Division Recommendation**

The Planning Division recommends **approval** of rezoning the subject property from R-3 (Residential) to S-D (Special Development) and approval of the detailed site development plan. The proposed zoning district is consistent with the A-O (Apartment-Office) and C-1 (Commercial) zoning districts in proximity to the subject property. Furthermore, the proposed development is compliant with the G-3 Post-War land use designation in the East Planning Area.

### **Plan El Paso-Future Land Use Map Designation**

All applications for rezoning shall demonstrate compliance with the following criteria:

G-3 – Post War: 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.

The purpose of the S-D (Special Development) district is to provide an opportunity for mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. The regulations of this district are designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. For the purpose of this district, older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.

### **COMMENTS:**

#### **Planning and Inspections Department – Planning Division - Transportation**

No objections.

Note: All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

#### **Planning and Inspections Department - Land Development**

No objection.

#### **Planning and Inspections Department – Plan Review**

No objection to proposed rezoning at the time of submittal for building permits the project will need comply with all applicable provisions of the IBC, TAS and Local municipal code.

#### **Planning and Inspections Department - Landscaping**

No objection. At the time of submittal for building permits project will need to comply with all provisions of Title 18.46 as applicable.

#### **El Paso Fire Department**

Recommend Approval

#### **El Paso Water Utilities**

EPWU-PSB does not object to this request.

#### **Water:**

1. There is an existing 12-inch diameter water main that extends along Capar Rd. located approximately 10.5 feet east of the right-of-way centerline. This main is available for service.
2. There is an existing 8-inch diameter water main that extends along Bois D'Arc St., located

approximately 9.5 north of the right-of-way centerline. This main is available for service.

3. Previous water pressure tests from fire hydrant #439 located at the southeast corner of Caper Rd. and Candlewood, have yielded a static pressure of 106 (psi) pounds per square inch, a residual pressure of 100 (psi) pounds per square inch, and a discharge of 1233 (gpm) gallons per minute.
4. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device
5. EPWU records indicate two active 3/4-inch water meter serving the subject properties. The service address for these meters are 1141 Caper Rd and 7827 Bois D'Arc St.

**Sanitary Sewer:**

1. There is an existing 8-inch diameter sanitary sewer main that extends along Caper Rd. located approximately 5 feet west of the right-of-way centerline. This main is available for service.
2. There is an existing 8-inch diameter sanitary sewer main that extends along Bois D'Arc St located along the centerline of the right-of-way. This main is available for service.

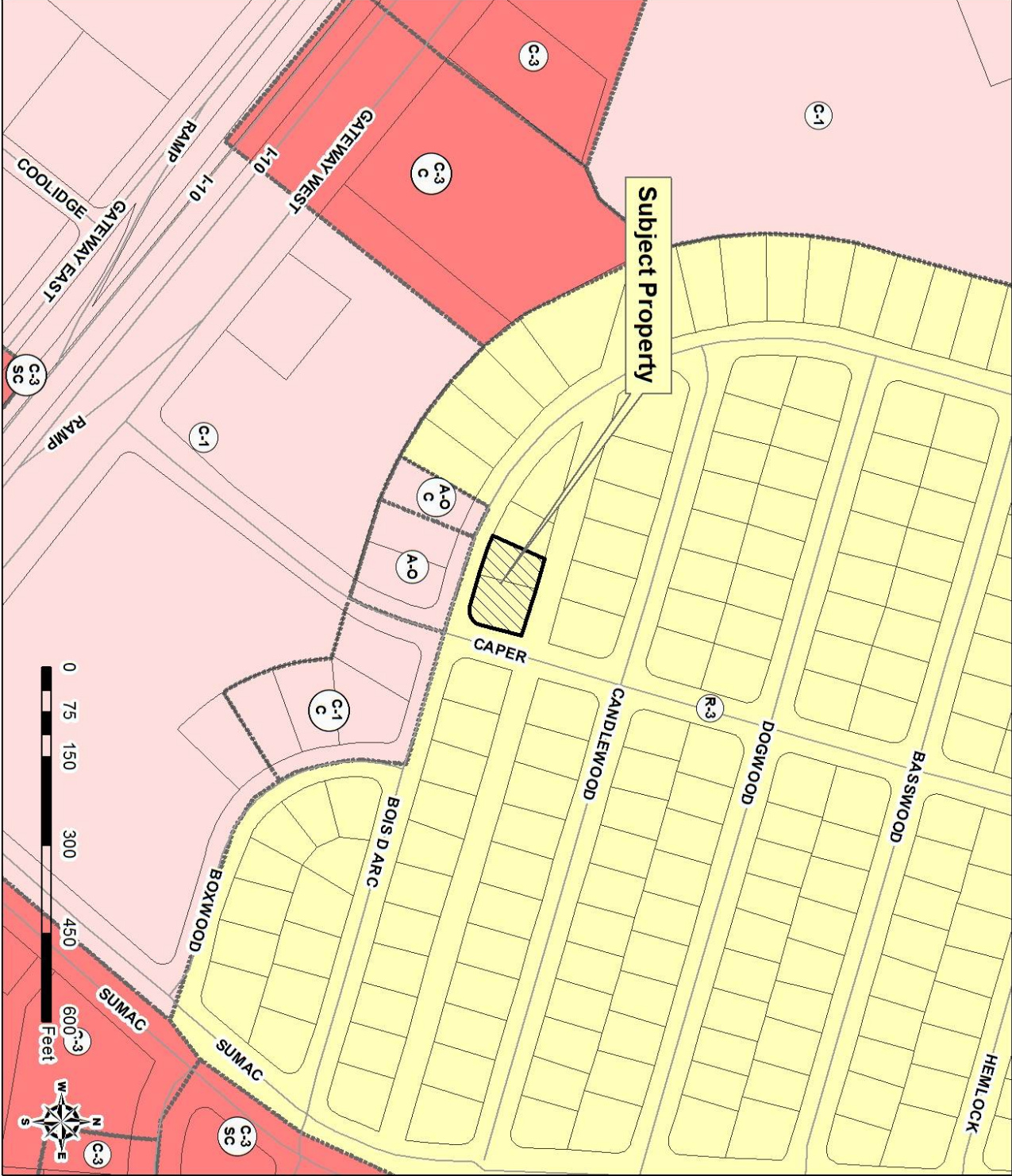
**General:**

EPWU-PSB requires a new service application to provide additional services. New service applications should be made 6-8 weeks in advance of construction to ensure water for construction work. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with street names and addresses; (2) finalized set of improvement plans, including grading & drainage plans; (3) digital copy of site plan; (4) benchmark check; (5) construction schedule; and (6) a certificate of compliance. Service will be provided in accordance with the current El Paso Water Utilities – Public Service Board (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.

**Attachments**

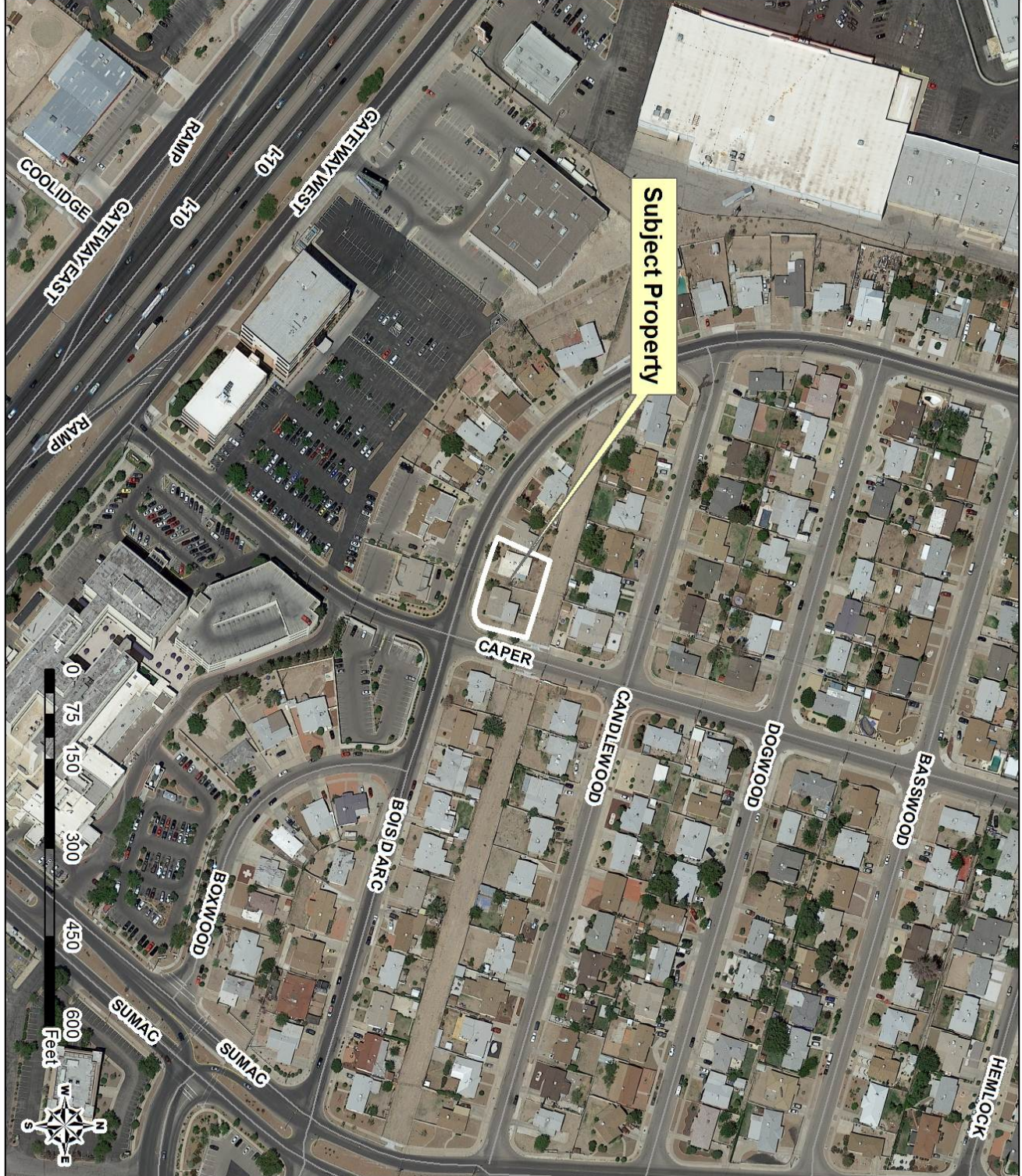
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations

PZRZ15-00018



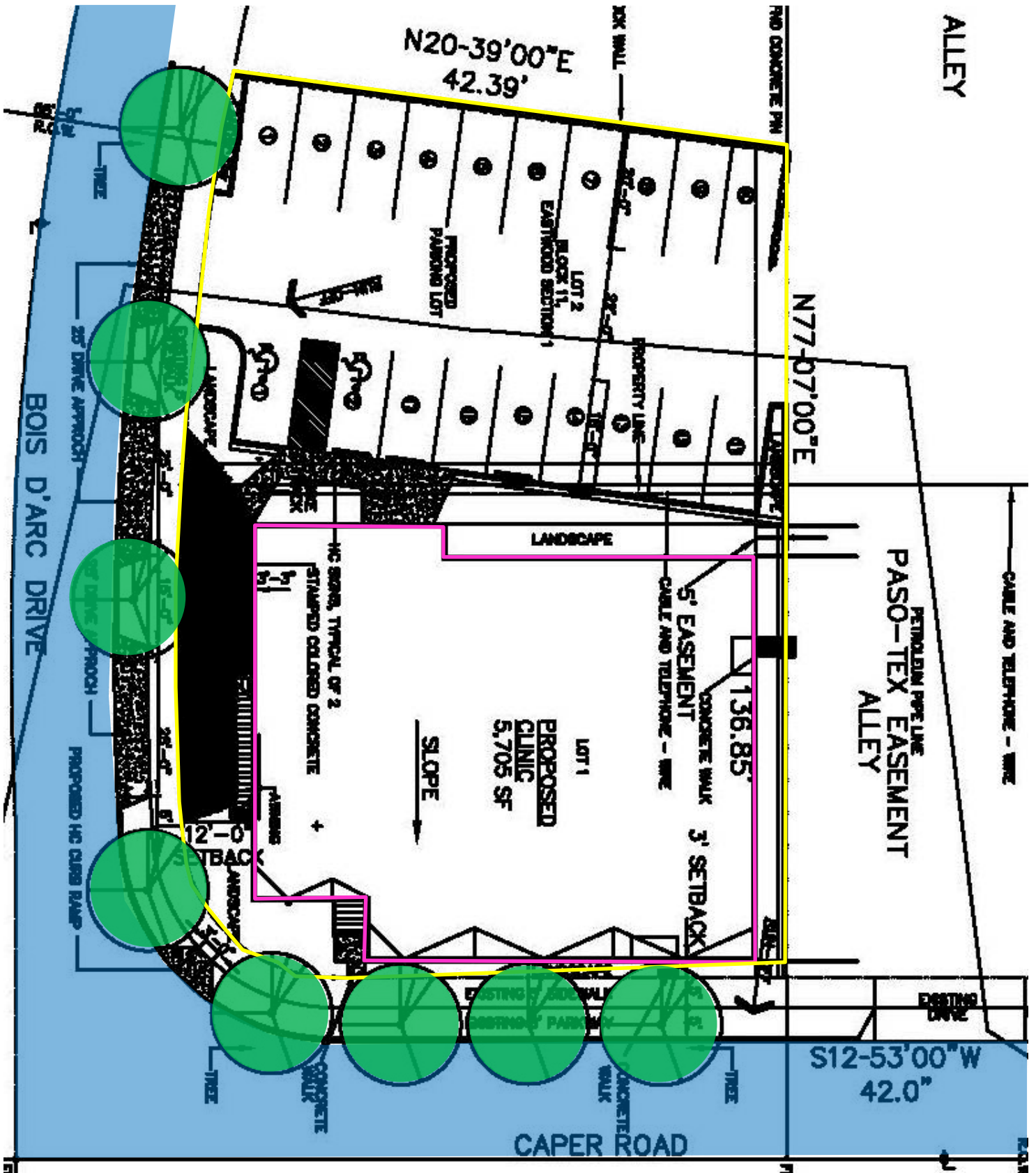


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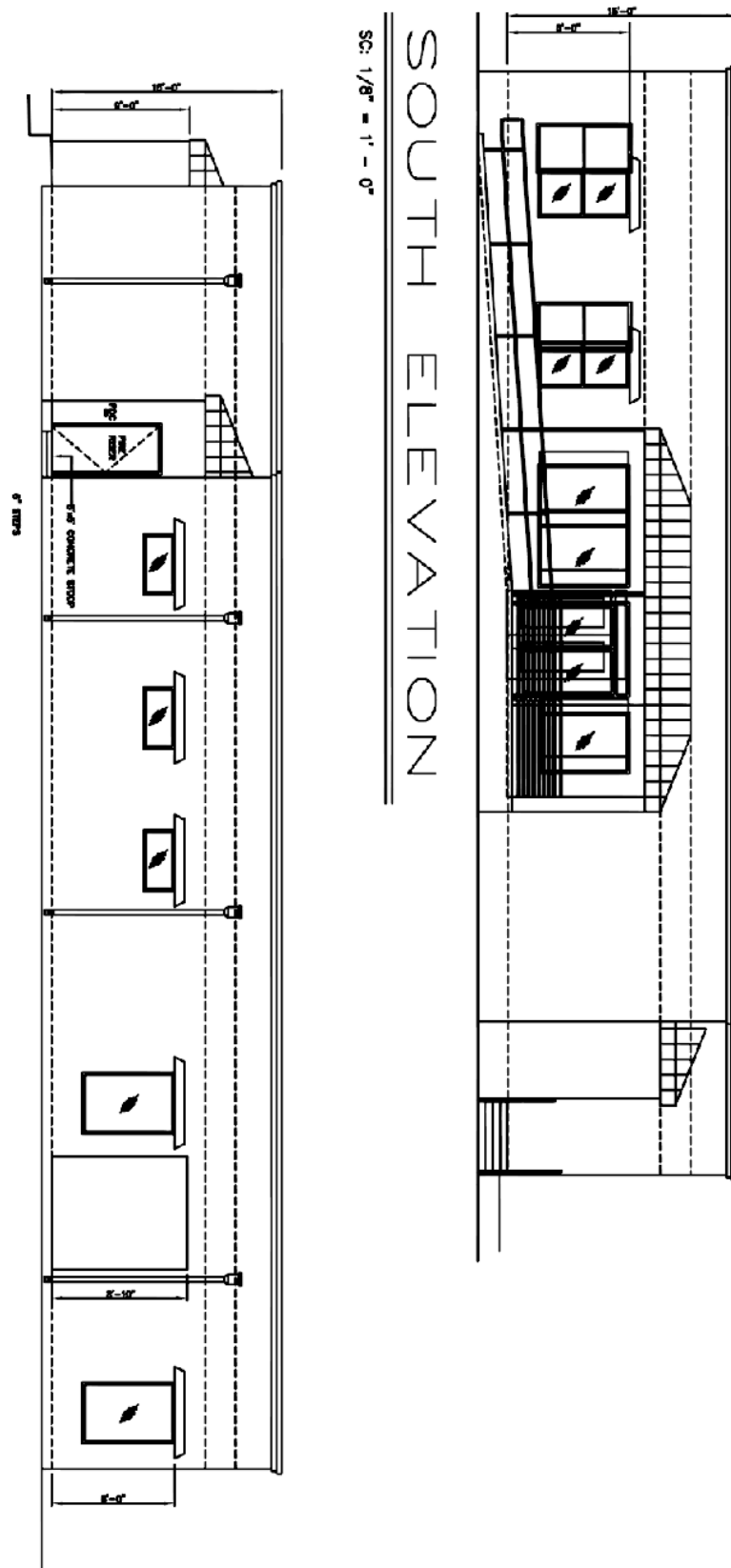




ATTACHMENT 3: DETAILED SITE PLAN



# ATTACHMENT 4: ELEVATIONS





## Recommendation/Public Input

- Planning Division recommendation: Approval
- CPC Vote: Approval Recommendation (7-0)
- Public Input: One phone call in opposition to the rezoning request.

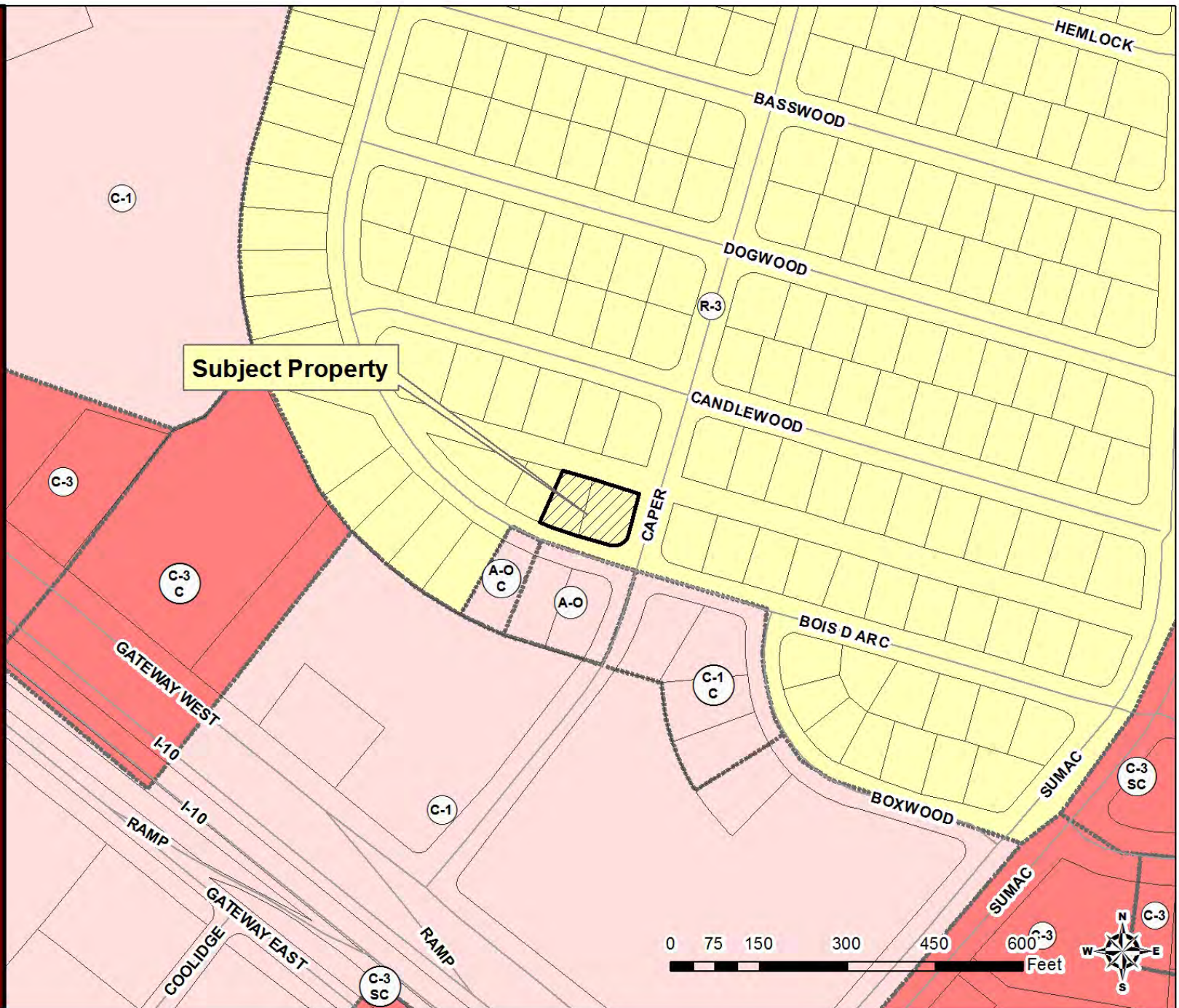
Strategic Goal #3 Promote the Visual Image of El Paso

3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community

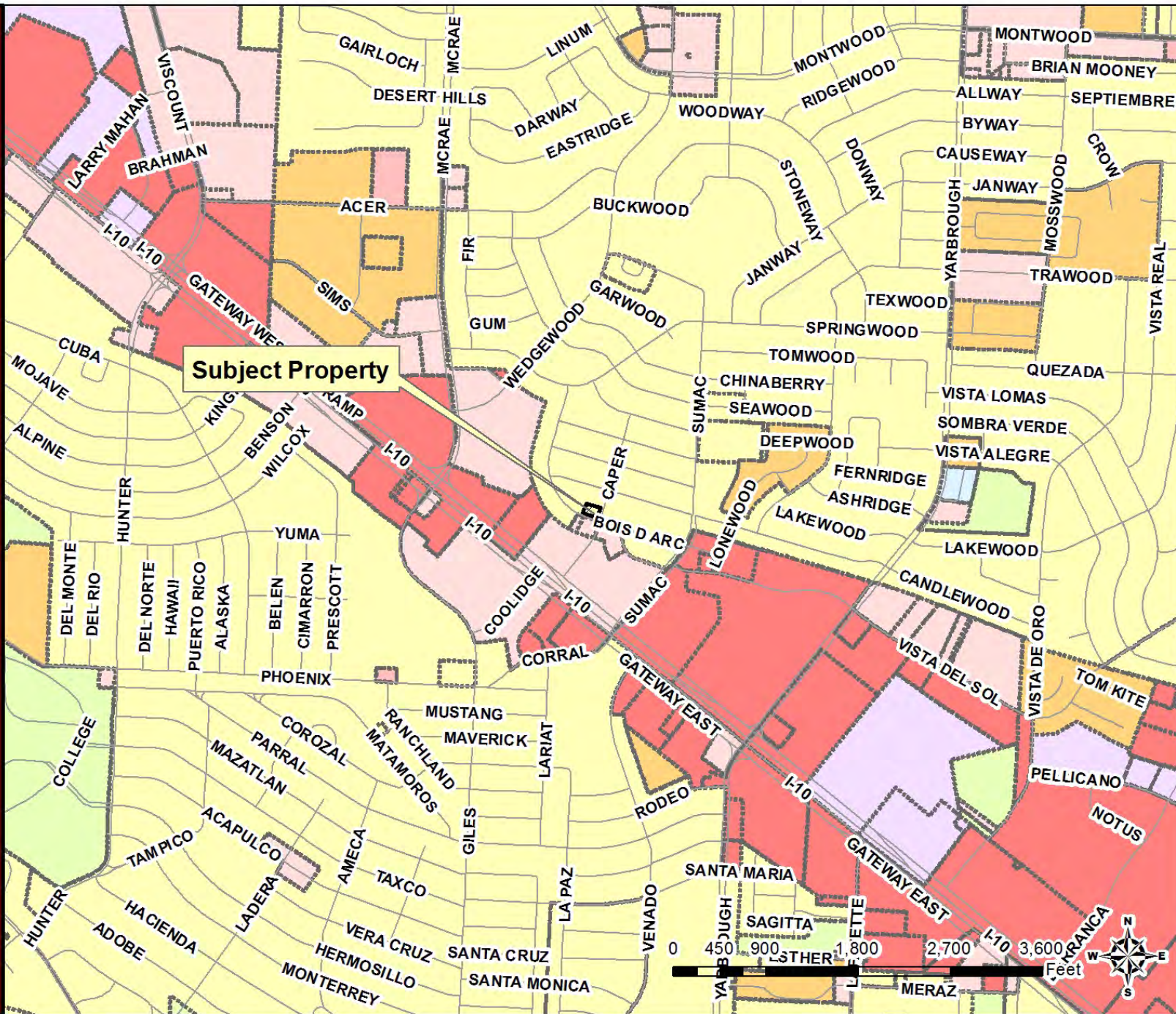


PZRZ15-00018





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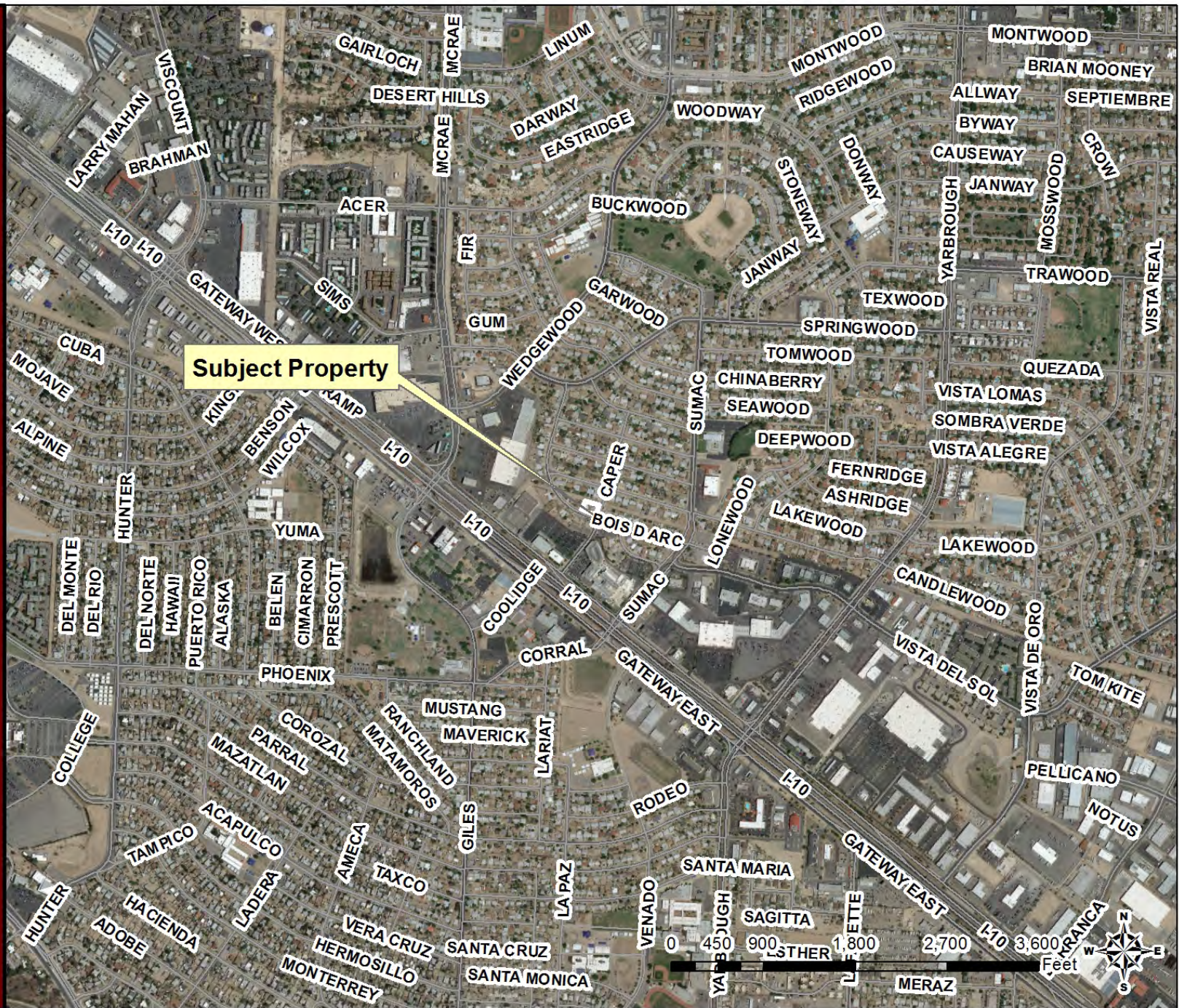


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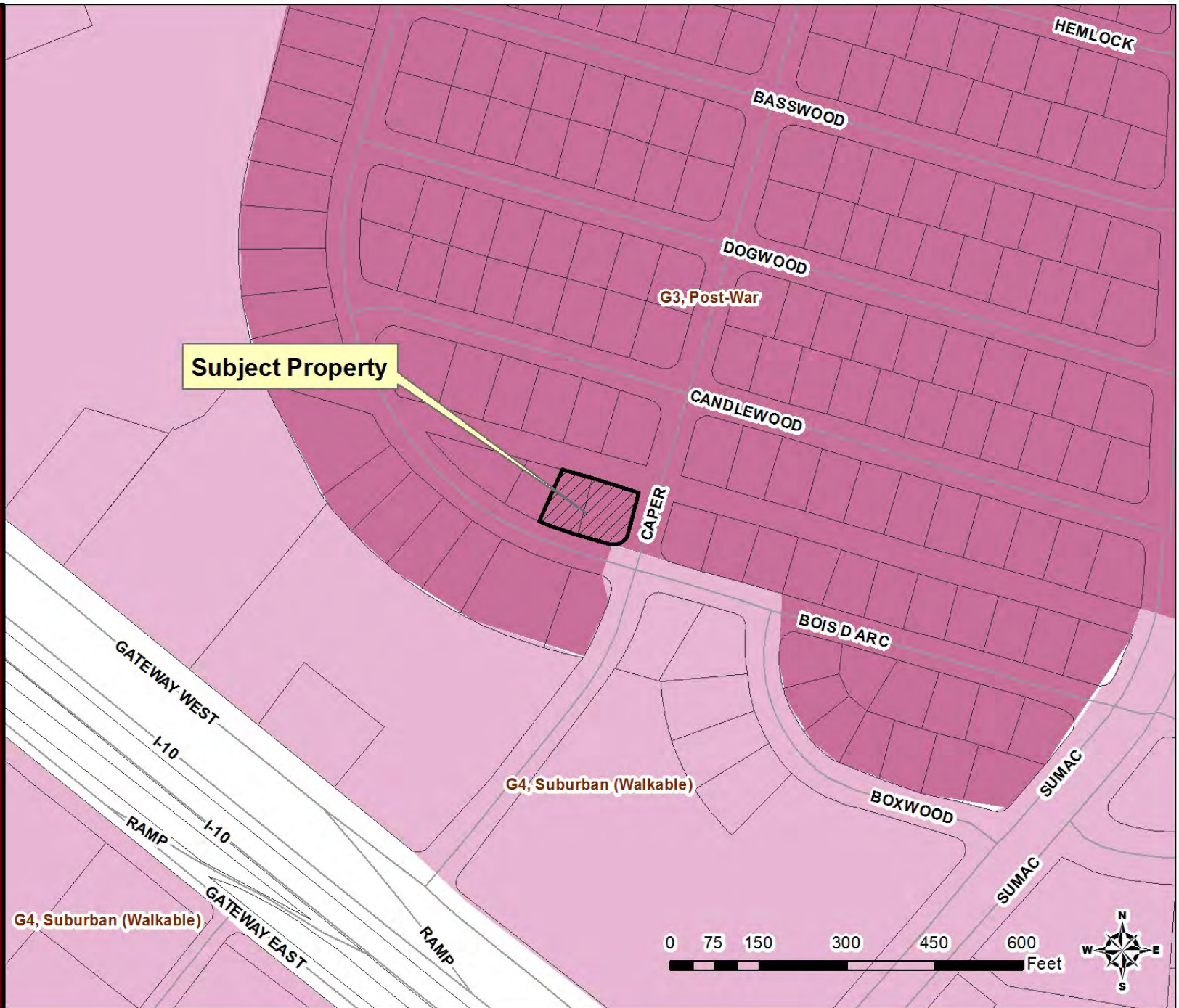


**Subject Property**



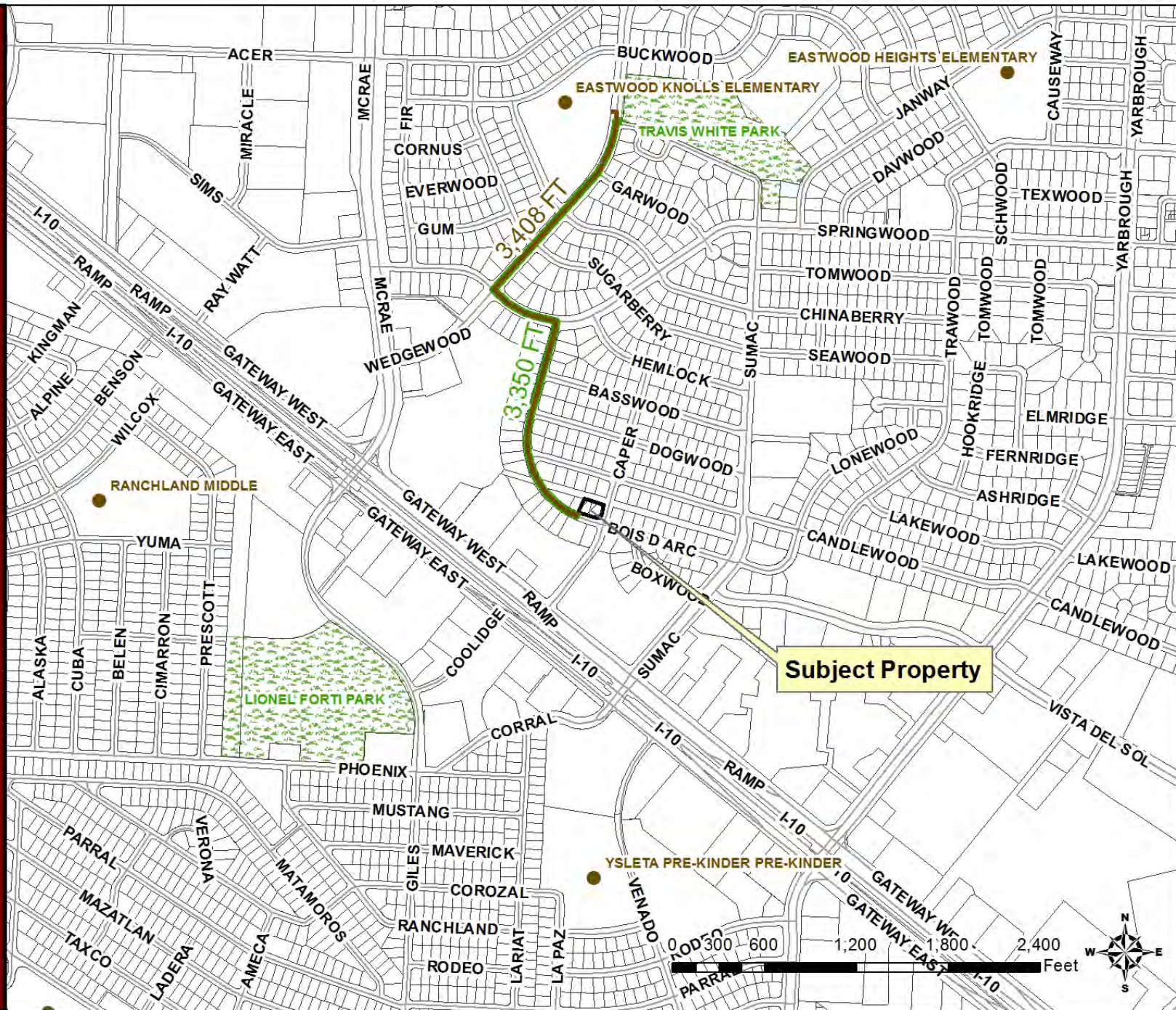


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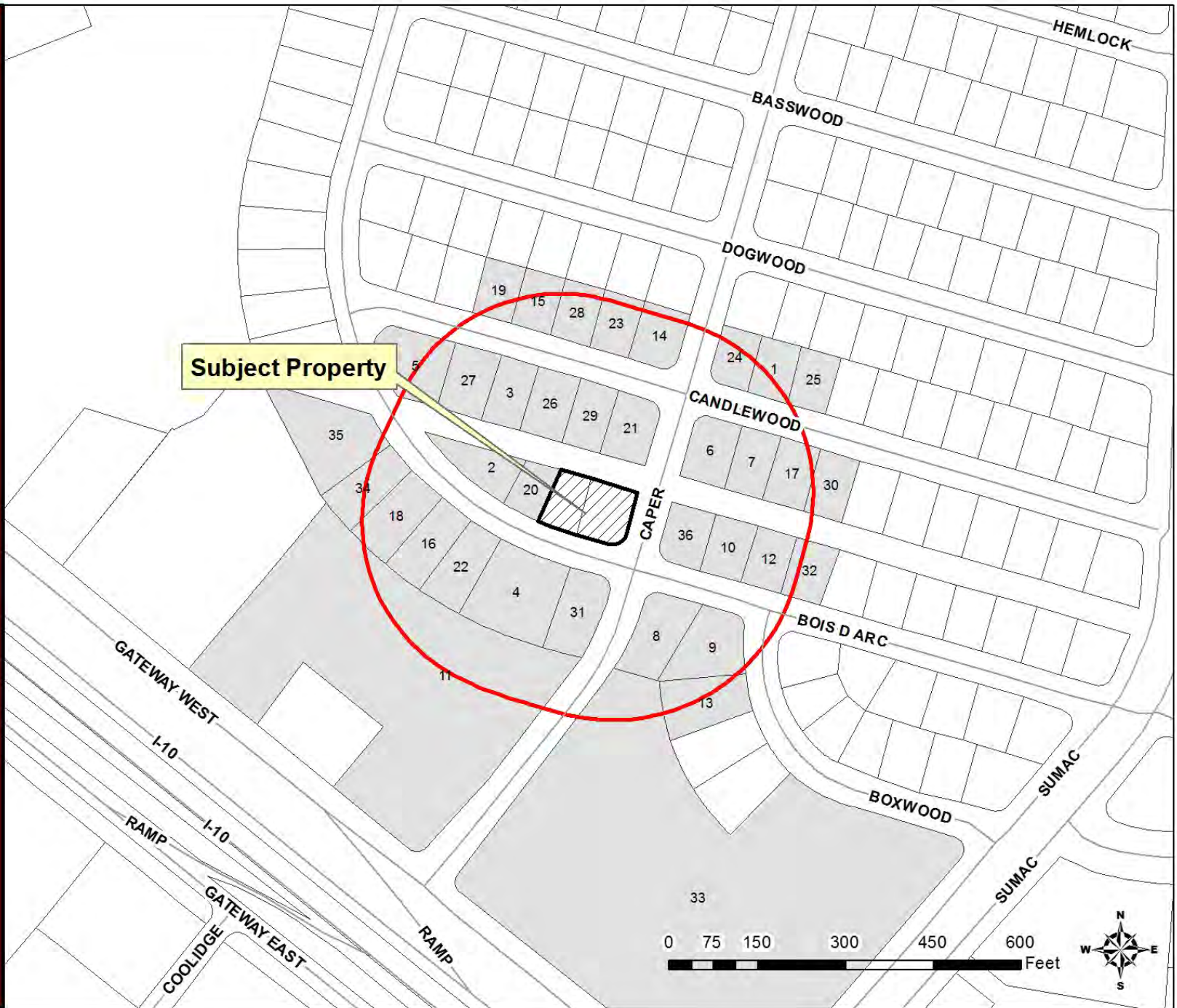


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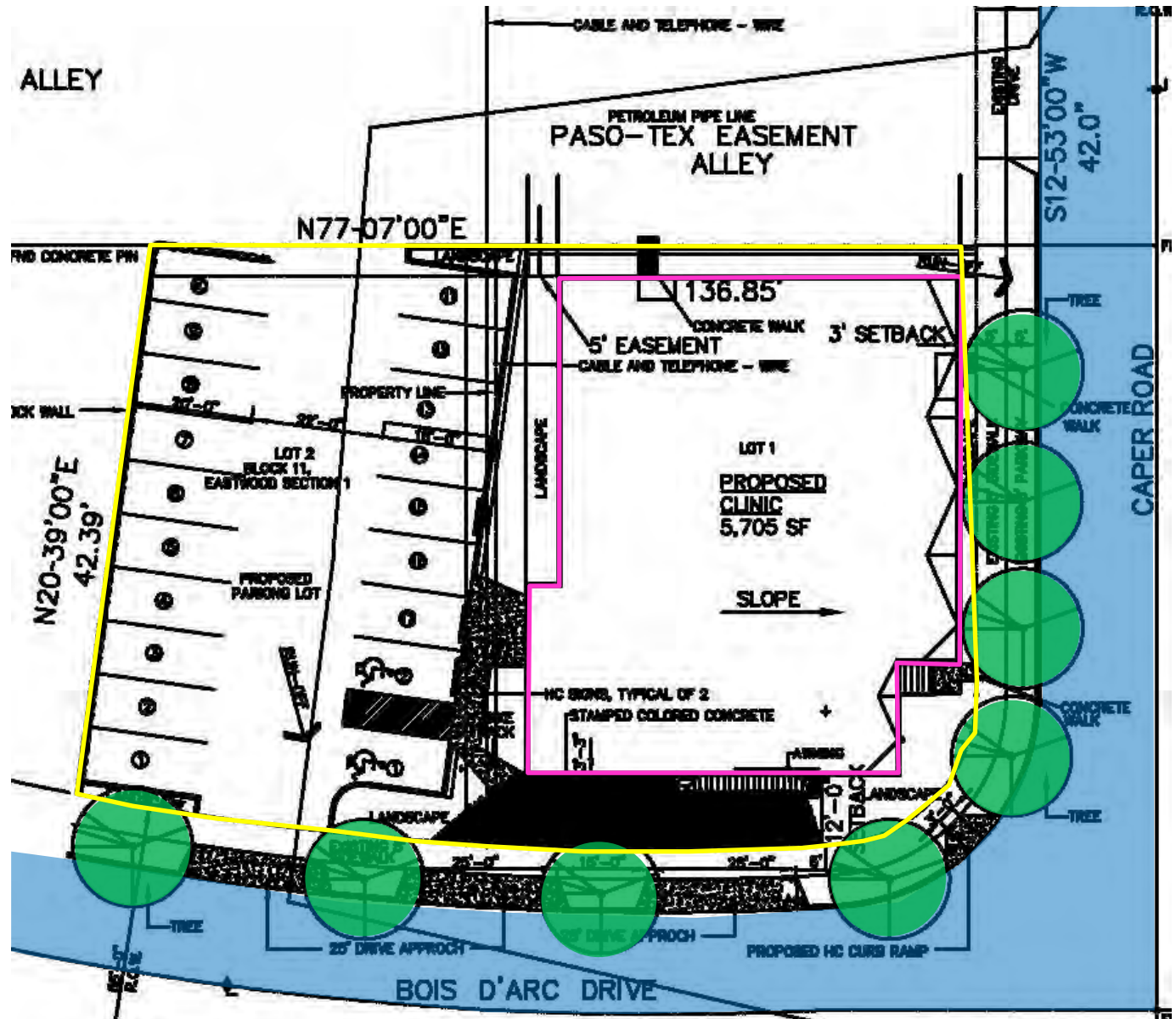


PZRZ15-00018





## Detailed Site Development Plan







Subject Property & North





East





West





South





South



PZRZ15-00018

