

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

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

**AGENDA DATE:** Introduction: August 6, 2019

**PUBLIC HEARING DATE:** September 3, 2019

**CONTACT PERSON NAME AND PHONE NUMBER:**

Philip F. Etiwe, (915) 212-1553, [EtiwePF@elpasotexas.gov](mailto:EtiwePF@elpasotexas.gov)

Adriana Martinez, (915) 212-1611, [MartinezAD@elpasotexas.gov](mailto:MartinezAD@elpasotexas.gov)

**DISTRICT(S) AFFECTED:** 7

**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:**

An Ordinance changing the zoning of the property described as Lot 6, Block 10, Eastwood Section 1, 7812 Bois D'arc Drive, City of El Paso, El Paso County, Texas from R-3 (Residential) to S-D (Special Development), pursuant to Section 20.04.360, 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 medical office 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: 7812 Bois D'arc Drive Owner: Martin R. Celis and Vanessa S. Celis; **PZRZ19-00011** (District 7)

**BACKGROUND / DISCUSSION:**

On July 11, 2019, the CPC reviewed and recommended approval of the proposed rezoning.

**SELECTION SUMMARY:**

**PROTESTS:**

☒ No protest received for this requirement.

**COUNCIL REPRESENTATIVE BRIEFING:**

Was a briefing provided: ☐ Yes or ☒ No

**PRIOR COUNCIL ACTION:**

N/A

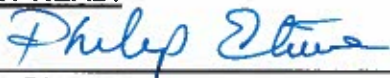
**AMOUNT AND SOURCE OF FUNDING:**

N/A

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

**DEPARTMENT HEAD:**



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Philip F. Etiwe, Director  
Planning and Inspections Department

PZRZ19-00011

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

**AN ORDINANCE CHANGING THE ZONING OF THE PROPERTY DESCRIBED AS LOT 6, BLOCK 10, EASTWOOD SECTION 1, 7812 BOIS D'ARC DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO S-D (SPECIAL DEVELOPMENT), PURSUANT TO SECTION 20.04.360, 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 MEDICAL OFFICE 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**, Martin R. Celis and Vanessa S. Celis , (Owners) 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**, Owners have 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 medical office, 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 *Lot 6, Block 10, Eastwood Section 1, 7812 Bois D'Arc Drive, 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.
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 allow a medical office as permitted under the **S-D (Special Development)** district regulations of 20.04.150 and 20.10.360.
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.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**THE CITY OF EL PASO:**

**ATTEST:**

\_\_\_\_\_  
Dee Margo  
Mayor

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Russell T. Abeln  
Assistant City Attorney

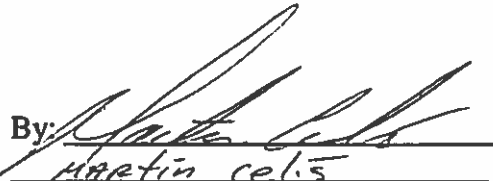
**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Philip F. Etiwe, Director  
Planning & Inspections Department

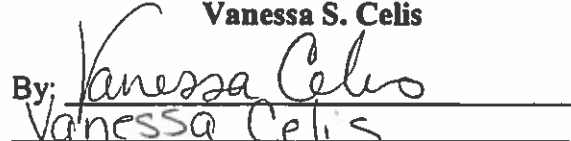
## AGREEMENT

By execution hereof, Martin R. Celis and Vanessa S. Celis ("Owners"), 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 25<sup>th</sup> day of July, 2019.

By:   
Martin celis  
(Print name & Title)

OWNER(S): Martin R. Celis &  
Vanessa S. Celis


By:   
Vanessa Celis  
(Print name & Title)

## ACKNOWLEDGEMENT

THE STATE OF TEXAS )  
 )  
COUNTY OF EL PASO )

This instrument is acknowledged before me on this 25 day of July, 2019, by  
Antonio Tiger Preciado, in his legal capacity on behalf of Martin R. Celis  
and Vanessa S. Celis.

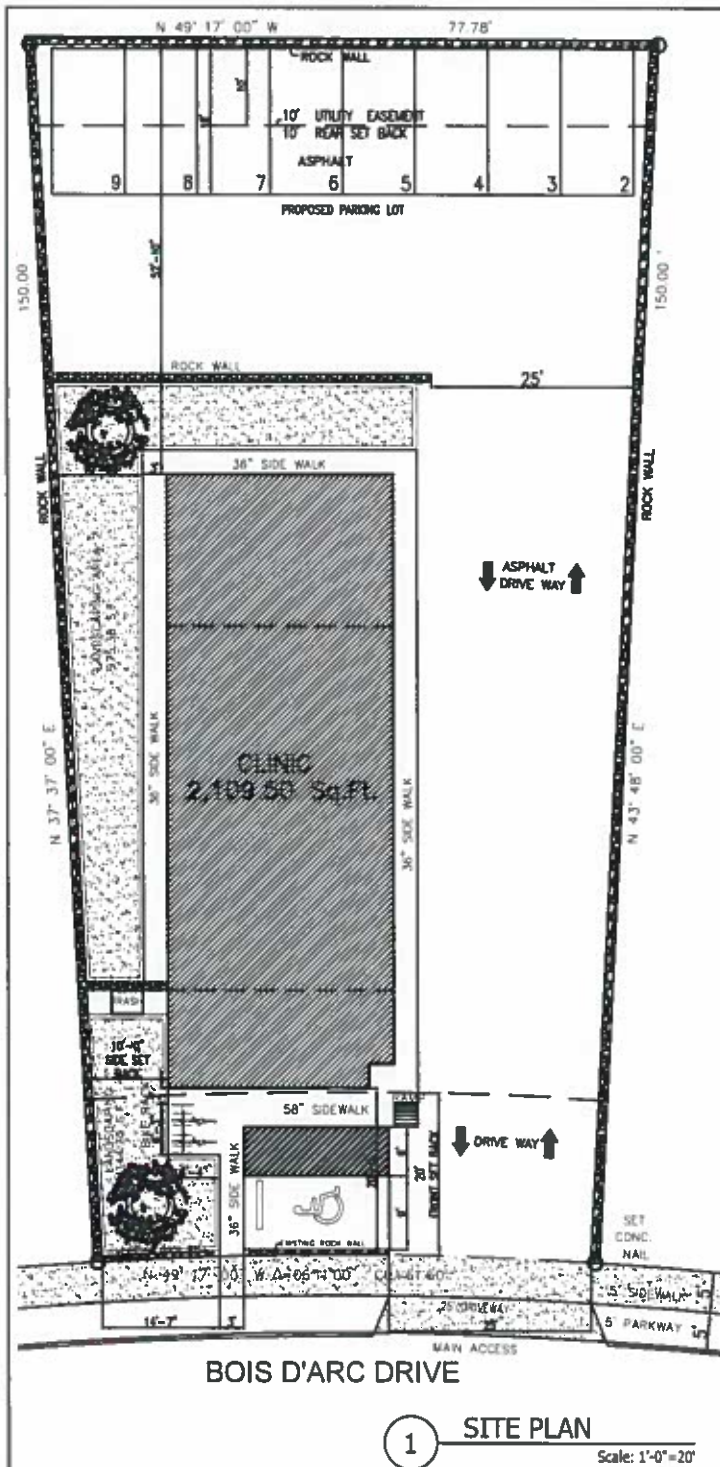
My Commission Expires:  
03/13/2021

  
Notary Public, State of Texas



(Exhibit "A" on the following page)

# EXHIBIT "A"



BUILDING PROJECT DATA  
 APPLICABLE CODES  
 INTERNATIONAL BUILDING CODE 2015

LEGAL DESCRIPTION  
 LOT 6, BLOCK 10, EASTWOOD,  
 AN ADDITION  
 TO THE CITY OF EL PASO, EL  
 PASO, TX.

LEGAL ADDRESS  
 7812 BOIS D'ARC DR.,  
 EL PASO COUNTY, TX 79925

ZONING  
 REQUIRED ZONING: S-D

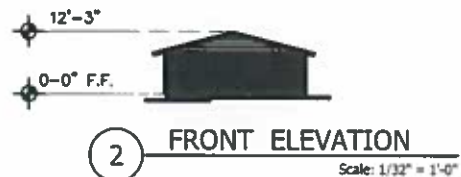
SETBACKS & DENSITY SIZE		
YARD	REQUIRED	PROVIDED
FRONT YARD	20'-0"	20'-6"
REAR YARD	10'-0"	52'-10"
SIDE YARD	10'-0" BETWEEN STRUCTURES	10'-0"
CUMULATIVE F&R	N/A	N/A

LANDSCAPING CALCULATION  
 LAND AREA = 10,472.30 S.F.  
 BUILDING AREA = 2,109.50 S.F.  
 $10,472.30 \text{ S.F.} - 2,109.50 \text{ S.F.} = 8,362.80 \text{ S.F.}$   
 $8,362.80 \text{ S.F.} \times 15\% = 1,254.42 \text{ S.F.}$   
 TOTAL AREA REQUIRED = 1,254.42 S.F.

LANDSCAPE AREA	Sq.Ft.
LANDSCAPE AREA 1	344.30 S.F.
LANDSCAPE AREA 2	995.78 S.F.
TOTAL AREA PROVIDED	1,340.08 S.F.

PARKING SPACE  
 CLINIC  $2,109.50 \text{ S.F.} / 360 \text{ MIN. GFA} = 5.85 = 6$   
 PARKING PROVIDED = 8  
 ACCESSIBLE PARKING PROVIDED = 1

TOTAL PARKING PROVIDED = 9 SPACES  
 TOTAL PARKING REQUIRED = 6 SPACES  
 BIKE RACK PROVIDED = 3 SPACES



DESIGN & DRAFTING  
 CARLOS A. VILLANUEVA



810 TEXAS  
 EL PASO TEXAS 79901

109 ARGONAUT DR.  
 EL PASO TEXAS 79901

915 830-4882 / 915 777-3056

PROJECT: RENOV - SPEECH AND LANGUAGE SERVICES

SHEET TITLE: DETAIL SITE PLAN

PROJECT No. 03.14.19

SCALE: AS NOTATES

DATE: 04/30/2019

NOTES:

## MEMORANDUM

**DATE:** July 26, 2019

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

**FROM:** Adriana Martinez, Planner

**SUBJECT:** PZRZ19-00011

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The City Plan Commission (CPC), on July 11, 2019 voted 8-0 to recommend **Approval** to the rezoning of the property described as Lot 6, Block 10, Eastwood Section 1, 7812 Bois D'arc Drive, City of El Paso, El Paso County, Texas from R-3 (Residential) to S-D (Special Development), pursuant to Section 20.04.360, 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 medical office as permitted in the S-D (Special Development) zone district.

The CPC found that the rezoning is in conformance with Plan El Paso. The CPC also determined that the rezoning protects the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the rezoning will not have negative effects on the natural environment, social economic conditions, property values in the vicinity, and the city as a whole.

Planning received one call of inquiry to the rezoning request.

**Property Owner:** Martin R. Celis and Vanessa S. Celis  
**Applicant:** Martin R. Celis and Vanessa S. Celis  
**Representative:** Vanessa Duran

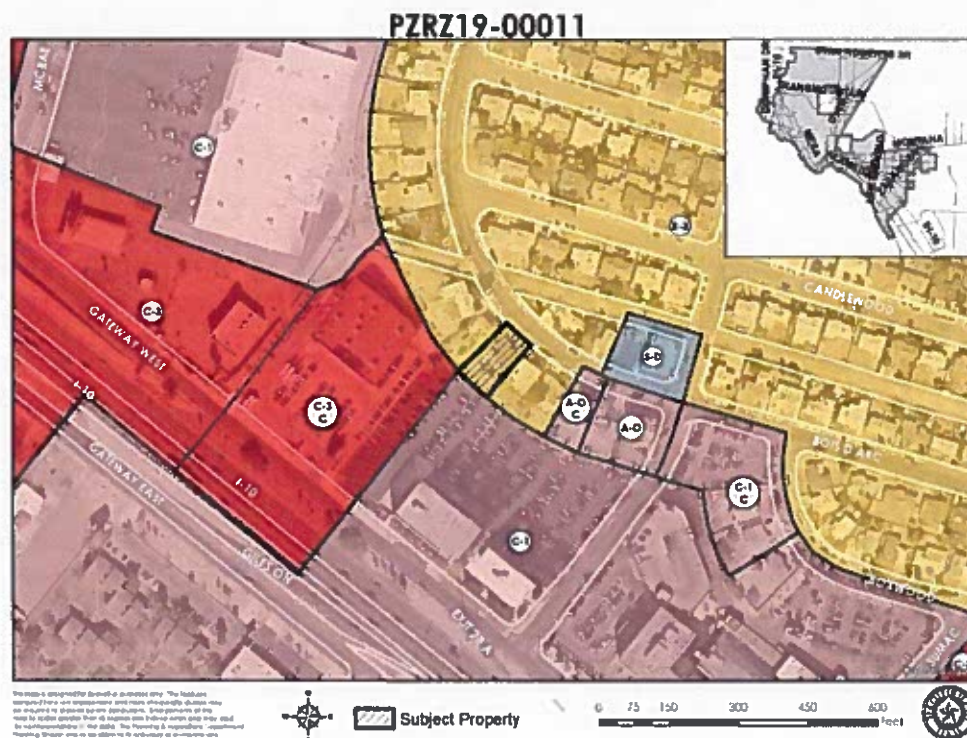
**Attachments:**  
Staff Report



## City Plan Commission — July 11, 2019



**SUMMARY OF DCC RECOMMENDATION:** The Development Coordinating Committee recommended **APPROVAL** of the rezoning request and the Detailed Site Development Plan on June 4, 2019. The proposed development is consistent with the adjacent commercial development within its vicinity and meets the established character of its surrounding neighborhood. Further, the proposed development meets the intent of G-3, Post-war, use designation of *Plan El Paso* in the East Planning area.



**DESCRIPTION OF REQUEST:** The property owner is requesting rezone from R-3 (Residential) to S-D (Special Development) which is accompanied Detailed Site Development Plan to allow the subject property to be used as a medical office. The property is located at 7812 Bois D'Arc Dr. within the East Planning Area. The area of the rezoning request is 0.24 acres in size. The detailed site development plan shows a 2,109 sq. ft. single family dwelling to be converted into a medical office. The Development Coordinating Committee recommended **APPROVAL** of the rezoning request on June 4, 2019

**COMPATIBILITY WITH NEIGHBORHOOD CHARACTER:** The proposed development is consistent with the adjacent commercial development within its vicinity and meets the established character of its surrounding neighborhood. Further, the proposed development meets the intent of G-3, Post-war, use designation of *Plan El Paso*, in the East Planning area.

<b>COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with Plan El Paso, consider the following factors:</b>	
<b>Criteria</b>	<b>Does the Request Comply?</b>
<p><b>Future Land Use Map:</b> Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p><b><u>G-3 Post-war</u></b> 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>	<p>Yes, the proposed commercial development is consistent with other commercial uses in the neighborhood. The proposed development remains consistent with the established neighborhood. Commercial and Residential uses are common and welcomed in this sector. The surrounded properties are zoned C-1 (Commercial), R-3 (Residential), A-O (Apartment office), C-3 (Commercial) and S-D (Special Development). The surrounding area uses vary from single-family dwellings, hospital, medical, and professional offices.</p>
<p><b>Compatibility with Surroundings:</b> The proposed zoning district is compatible with those surrounding the site:</p> <p><b><u>S-D (Special Development) District:</u></b> 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. 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. Older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.</p>	<p>Yes, the proposed development is a permitted use in the S-D (Special Development) district with the approval of a Detailed Site Development Plan. The existing development is adjacent to commercial and residential lots.</p>



<b>COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with Plan El Paso, consider the following factors:</b>	
<b>Preferred Development Locations:</b> Is the property in a "Compact Urban" area?	Yes, the proposed development meets the intent of the G-3, Post-war, use designation of <i>Plan El Paso</i> .
<b>THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:</b>	
<b>Historic District or Special Designations &amp; Study Area Plans:</b> 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
<b>Potential Adverse Effects:</b> Potential adverse effects that might be caused by approval or denial of the requested rezoning.	The proposed development does not represent any adverse effects on the community. It has the potential to maximize the use of an existing parcel.
<b>Natural Environment:</b> Anticipated effects on the natural environment.	Subject property does not involve greenfield/ environmentally sensitive land or arroyo disturbance.
<b>Stability:</b> Whether the area is stable or in transition.	Yes, the proposed development is within an older area of the city, which represent stability within the G-3, Post-war use designation of <i>Plan El Paso</i> .
<b>Socioeconomic &amp; Physical Conditions:</b> Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The proposed use is permitted in the S-D (Special Development) district.

**ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE:** Along Bois D' Arc Drive between Caper Street and Candlewood Street there is an existing eight ( 8 ) inch diameter water main. This main is available for service.

**SUMMARY OF DEPARTMENTAL REVIEW COMMENTS:** No objections to proposed rezoning. No reviewing departments had any negative comments. Applicant is responsible for obtaining all applicable permits and approvals prior to any construction or change in occupancy.

**PUBLIC COMMENT:** The proposed development lies within the Eastside Civic Association. Notices sent to property owners within 300 feet on June 3, 2019. Planning received one call of inquiry to the rezoning request.

**RELATED APPLICATIONS:** N/A

**OTHER APPLICABLE FACTORS:** Approval of the detailed site plan by the City Plan Commission 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, Development Standards for Construction (DSC), and Drainage Design Manual (DDM). Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

**CITY PLAN COMMISSION OPTIONS:**

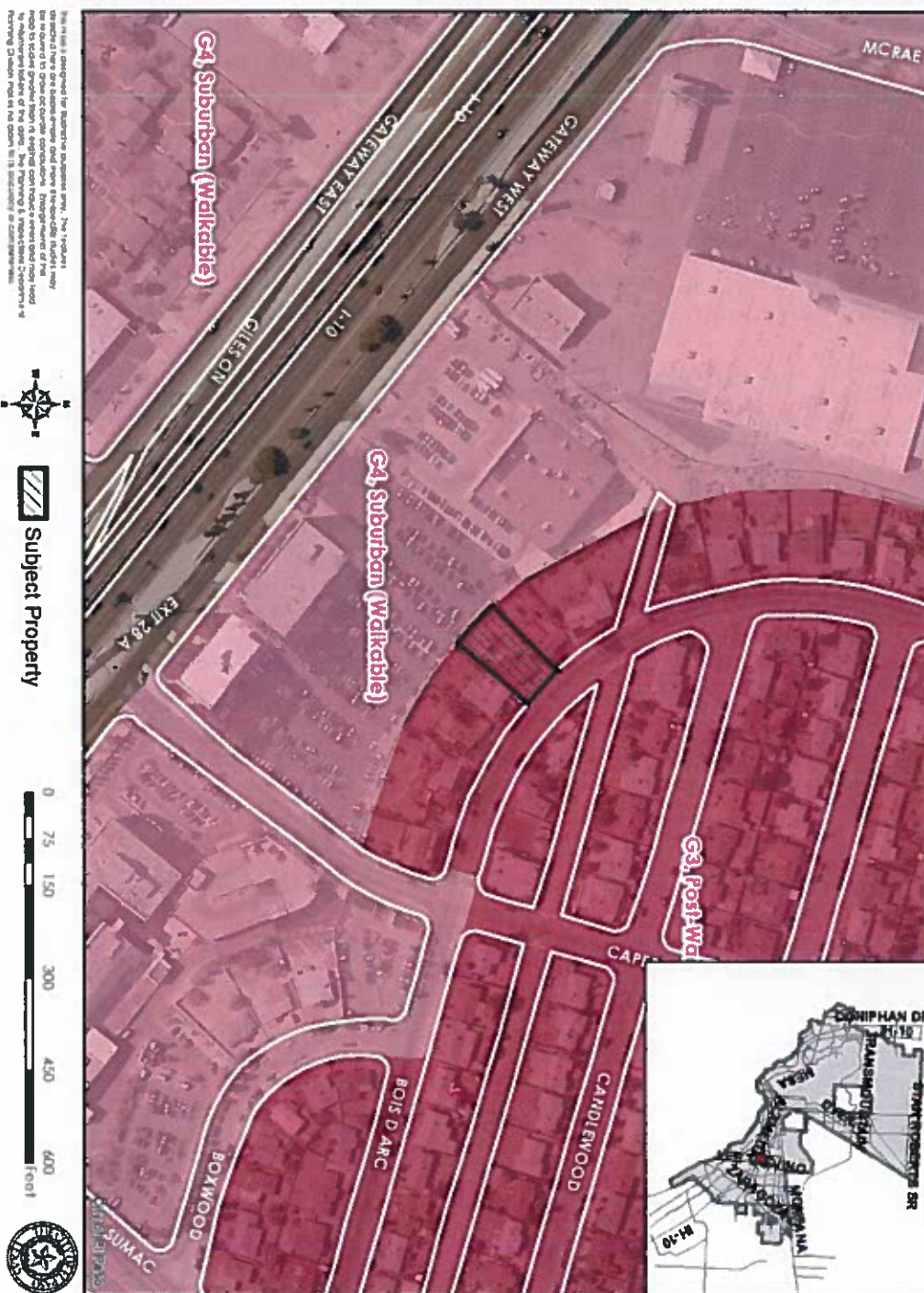
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

1. **Recommend Approval** of the rezoning 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.
2. **Recommend Approval of the rezoning 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 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 Development Plan

## Future Land Use Map



# **ATTACHMENT 2**

## **Department Comments**

### **Planning and Inspections Department**

No objections to the rezoning.

Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

### **Texas Department of Transportation**

Development is not abutting State Right of Way.

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

Recommended approval

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

Recommended approval

1. The code 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.

### **Fire Department**

Recommend Approval

### **Police Department**

No comments received

### **Sun Metro**

Sun Metro has no objections

### **El Paso Water**

EPWater-PSB does not object to this request.

### **Water:**

Along Bois D' Arc Drive between Caper Street and Candlewood Street there is an existing eight ( 8 ) inch diameter water main. This main is available for service.

Previous water pressure readings conducted on fire hydrant number 439 located at the corner Caper Street and Candlewood Street have yielded a static pressure of 104 pounds per square inch (psi), residual pressure of 94 psi, discharge of 1,300 gallons per minute (gpm). 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 Owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

### **Sewer:**

Along Bois D' Arc Drive west of Caper Street there is an existing eight ( 8 ) inch diameter sanitary sewer main fronting the subject Property. This main is available for service.

**General:**

As per EPWater Records, the subject Property has a single three-quarter ( 3/4 ) inch diameter water service.

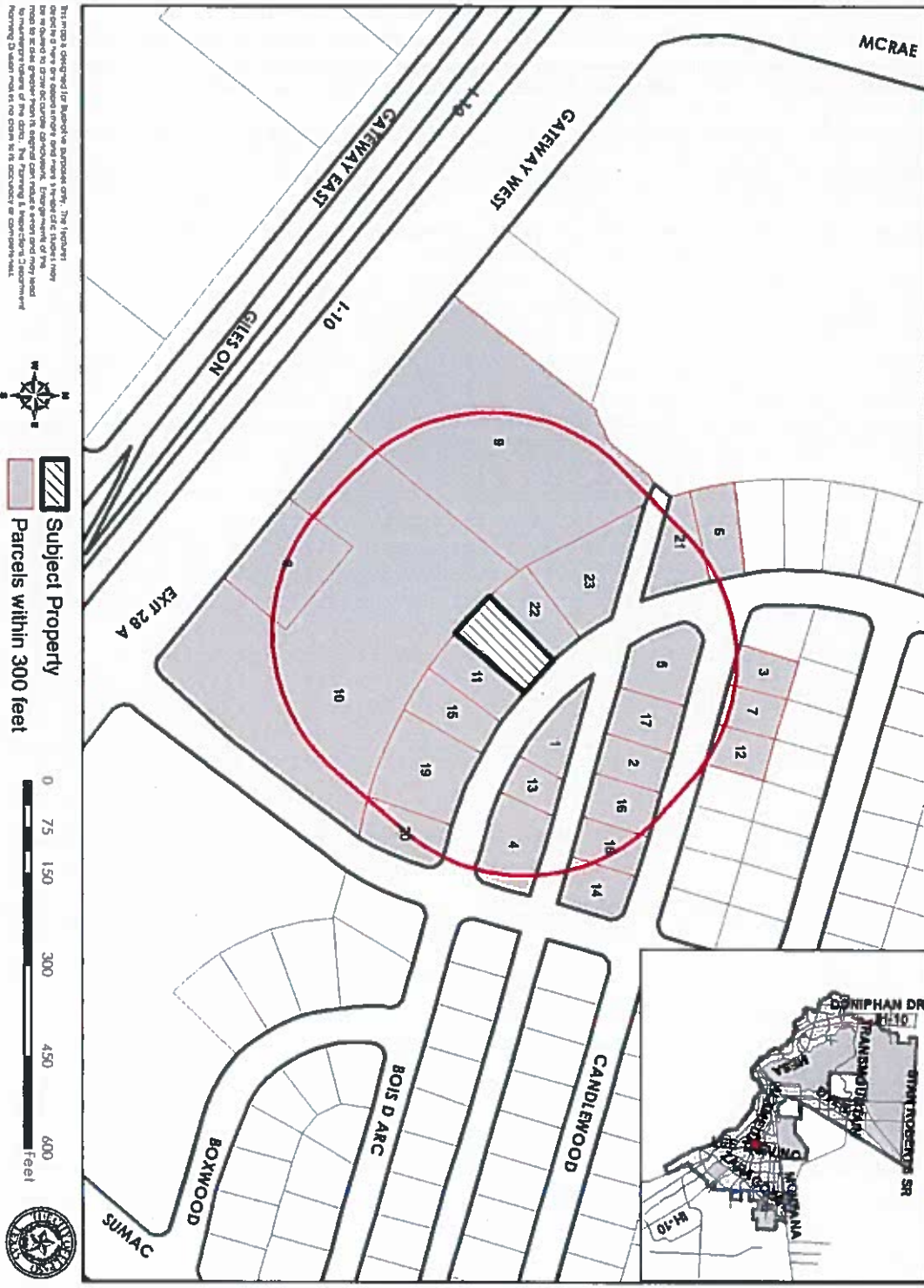
Application for additional water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3<sup>rd</sup> Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, 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:**

No comments received.

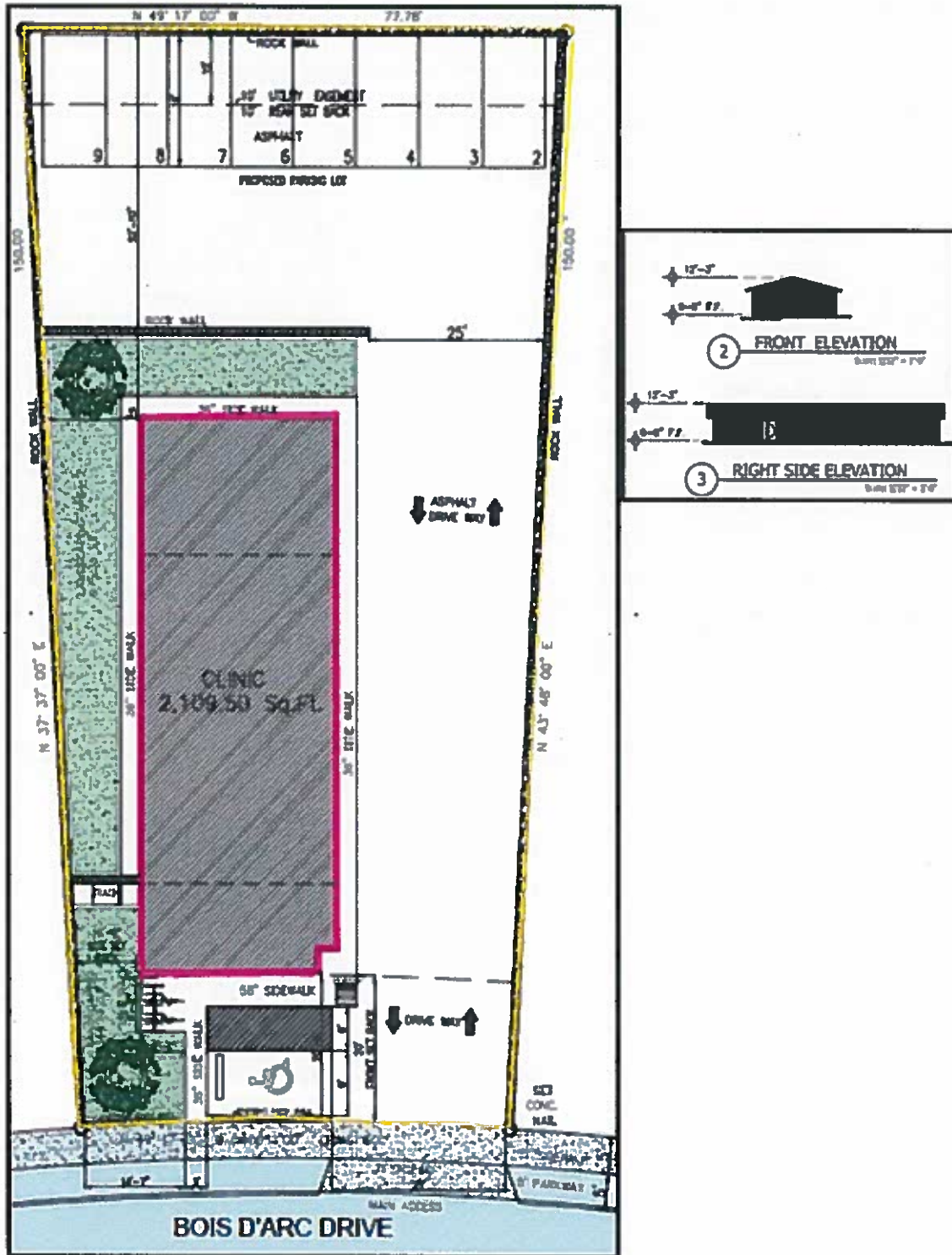


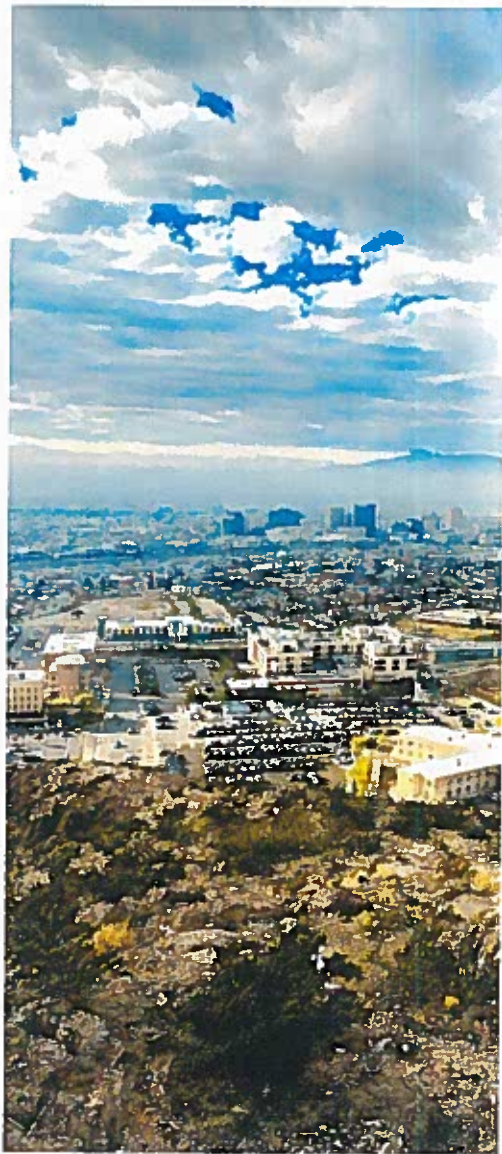
## Notification Map



# ATTACHMENT 4

## Detailed Site Development Plan





## Recommendation | Public Input

1

**The City Plan Commission:** Recommended **approval** of the rezoning request and the Detailed Site Development Plan on July 11, 2019.

### **Public Input:**

- The Planning Division received one call of inquiry 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

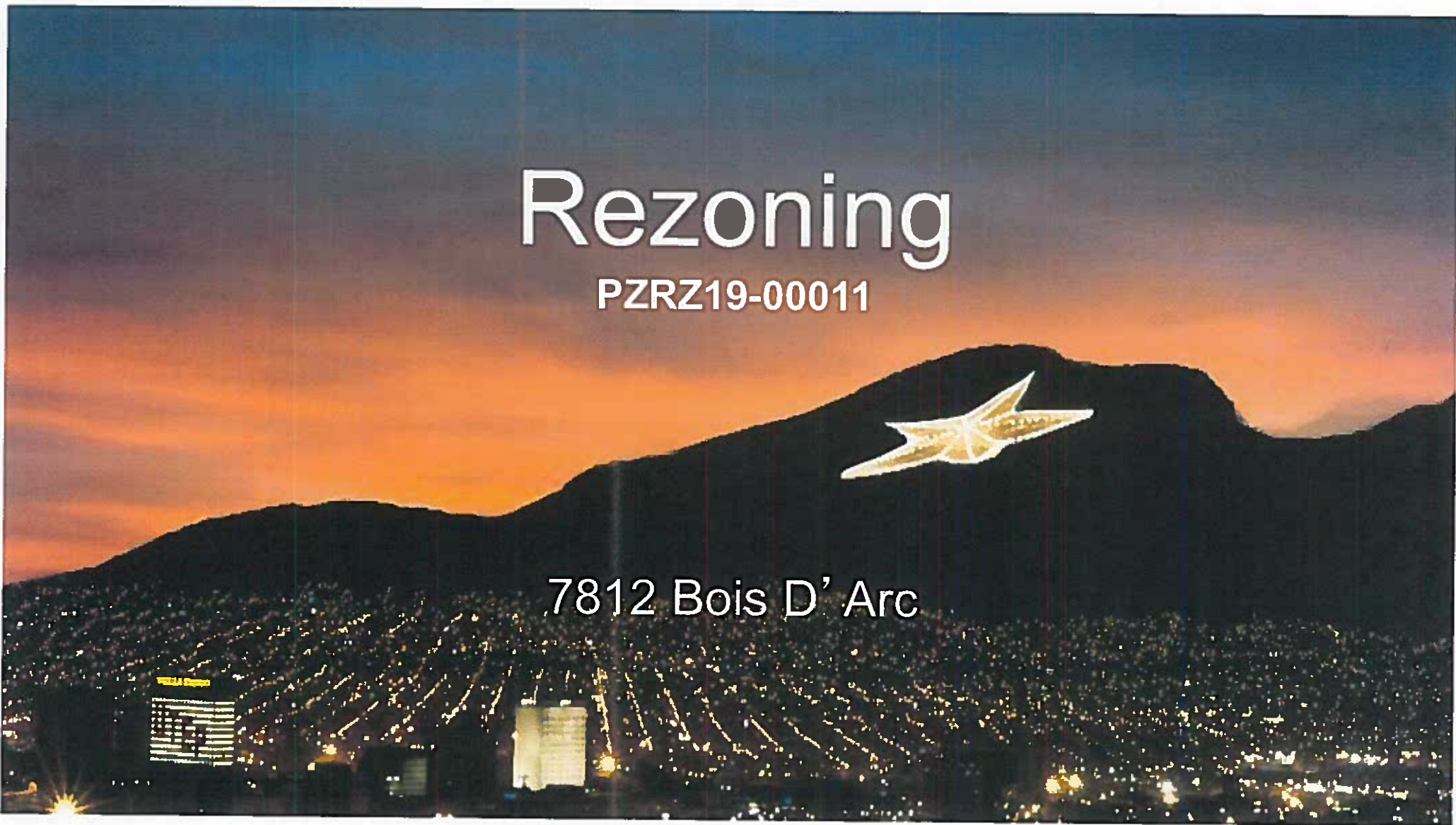


# Rezoning

PZRZ19-00011



7812 Bois D' Arc





### Subject Property





PZRZ19-00011



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 1:10,000 can induce errors and may lead to misinterpretation of the data. The Planning & Inspection Department Planning Division makes no claim to its accuracy or completeness.



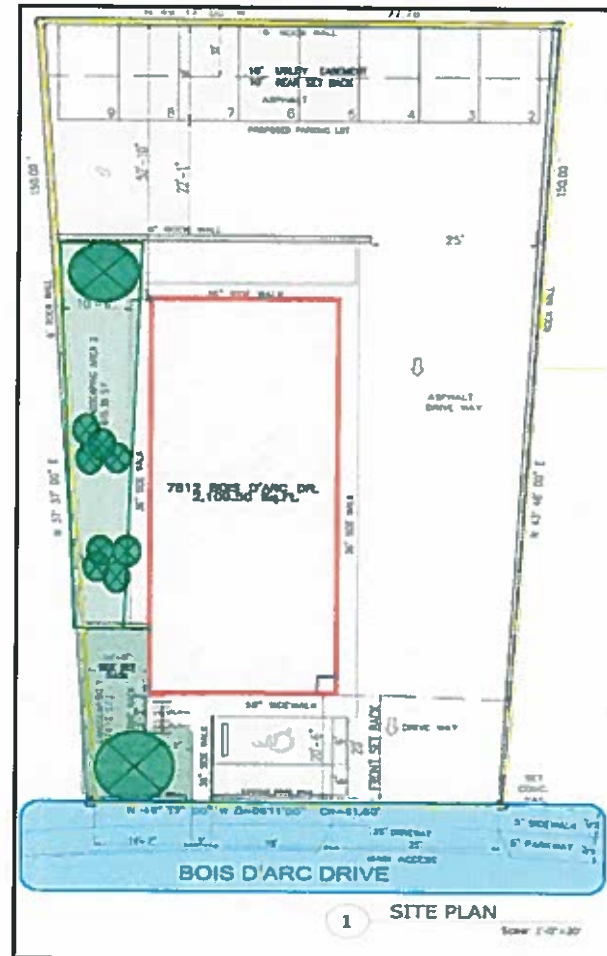
 Subject Property

0 75 150 300 450 600 Feet



# Detailed Site Development Plan

5



## SETBACKS & DENSITY SIZE

YARD	REQUIRED	PROVIDED
FRONT YARD	20'-0"	20'-6"
REAR YARD	10'-0"	52'-10"
SIDE YARD	10'-0" BETWEEN STRUCTURES	10'-0"
CUMULATIVE F&R	N/A	N/A

## PARKING SPACE

CLINIC 2,109.50 S.F./480 MIN./GFA= 4.39 = 5  
 PARKING PROVIDED = 8  
 ACCESSIBLE PARKING PROVIDED = 1

TOTAL PARKING PROVIDED = 9 SPACES  
 TOTAL PARKING REQUIRED = 6 SPACES

BIKE RACK PROVIDED = 3 SPACES