



City of El Paso – City Plan Commission Staff Report

Case No: PZDS13-00011
Application Type: Detailed Site Development Plan
CPC Hearing Date: July 25, 2013
Staff Planner: Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

Location: 5800 Transmountain Road
Legal Description: A portion of Tracts 200-201, South Parkland Addition, City of El Paso, El Paso County, Texas

Acreage: 1.7456 acres
Rep District: 4
Zoning: C-1/sc (Commercial/special contract)
Existing Use: Vacant
Request: Detailed Site Plan Review per Ordinance No. 5446 dated January 14, 1975
Proposed Use: Clinic and Medical office

Property Owner: Transmountain Renal Construction, LLC
Representative: Callaway Architecture

SURROUNDING ZONING AND LAND USE

North: R-4 (Residential) / Church and Loop 375
South: A-2/sc (Apartment/special contract) / Apartment Complex
East: A-2/sc (Apartment/special contract) / Apartment Complex
West: C-1/sc (Commercial/ special contract) / Retail ; R-4 (Residential) /Single-family dwellings

PLAN EL PASO DESIGNATION: G-3, Post-War

Nearest Park: Franklin Park (3,721 feet)

Nearest School: Parkland High (2,503 feet)

NEIGHBORHOOD INPUT

Detailed Site Development Plan Review does not require public notification as per Section 20.04.520, *Notice*.

APPLICATION DESCRIPTION

The request is for a Detailed Site Development Plan Review as required by Ordinance No. 5446 (see attachment 5, page 8-18). The detailed site development plan shows a new 14,660 square foot clinic and medical office structure. The development requires a minimum of 50 parking spaces and the applicant is providing 53 parking spaces and 3 bicycle spaces. Access to the subject property is proposed from Transmountain Road and McCombs Street.

CITY DEVELOPMENT DEPARTMENT-PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the detailed site development plan request as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan.

Plan El Paso- Future Land Use Map Designation

All applications for detailed site plan review 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 C-1 (Neighborhood Commercial District) district is to provide compatible neighborhood convenience goods and services that serve day-to-day needs. Permit locations for business and professional offices and retail category uses within adjacent residential areas of medium and high densities.

City Development Department – Land Development

No Objection.

Note:

Grading plan and permit shall be required.*

Storm Water Pollution Prevention Plan and/or permit required.*

Drainage plans must be approved by the City Development Dept. Land Development Section.*

* This requirement will be applied at the time of development.

City Development Department – Planning Division - Transportation

No objections.

City Development Department – Building Permits & Inspections

No objections.

City Development Department - Landscaping Division

Approved as presented as landscaping plan.

Fire Department

Recommend “APPROVAL” of “Detailed Site Plan Application” as presented.

Note:

In accordance with the requirements of the Zoning Code Section 20.04.160 Content of application the Fire Planning Division has reviewed the submitted “Detailed Site Plan for the following: Elevations, Perspective of the building, Dimensions, square footage and height of all structures, Number of dwelling units in Multi-family structures, and Driveways as applicable to following sections of the fire code; Sections 503 and Appendix D Fire Apparatus Access Roads, Section 903 Automatic Sprinkler Systems, Section 905 Standpipe Systems.

“When required as per section 905.3.1, 905.4 and 905.5 all fire protections system plans shall be submitted separately to Fire Plan Review for further requirements and comments”.

The Fire Planning Division has reviewed the submitted “ Detailed Site Plan Application” as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES Comply within the zoning regulations.

Sun Metro

Routes 44 and 46 travel along McCombs adjacent to the subject property. Sun Metro does not oppose this request. Recommends the construction of sidewalks to provide accessibility to nearby mass transit opportunities.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the detailed site development plan application:

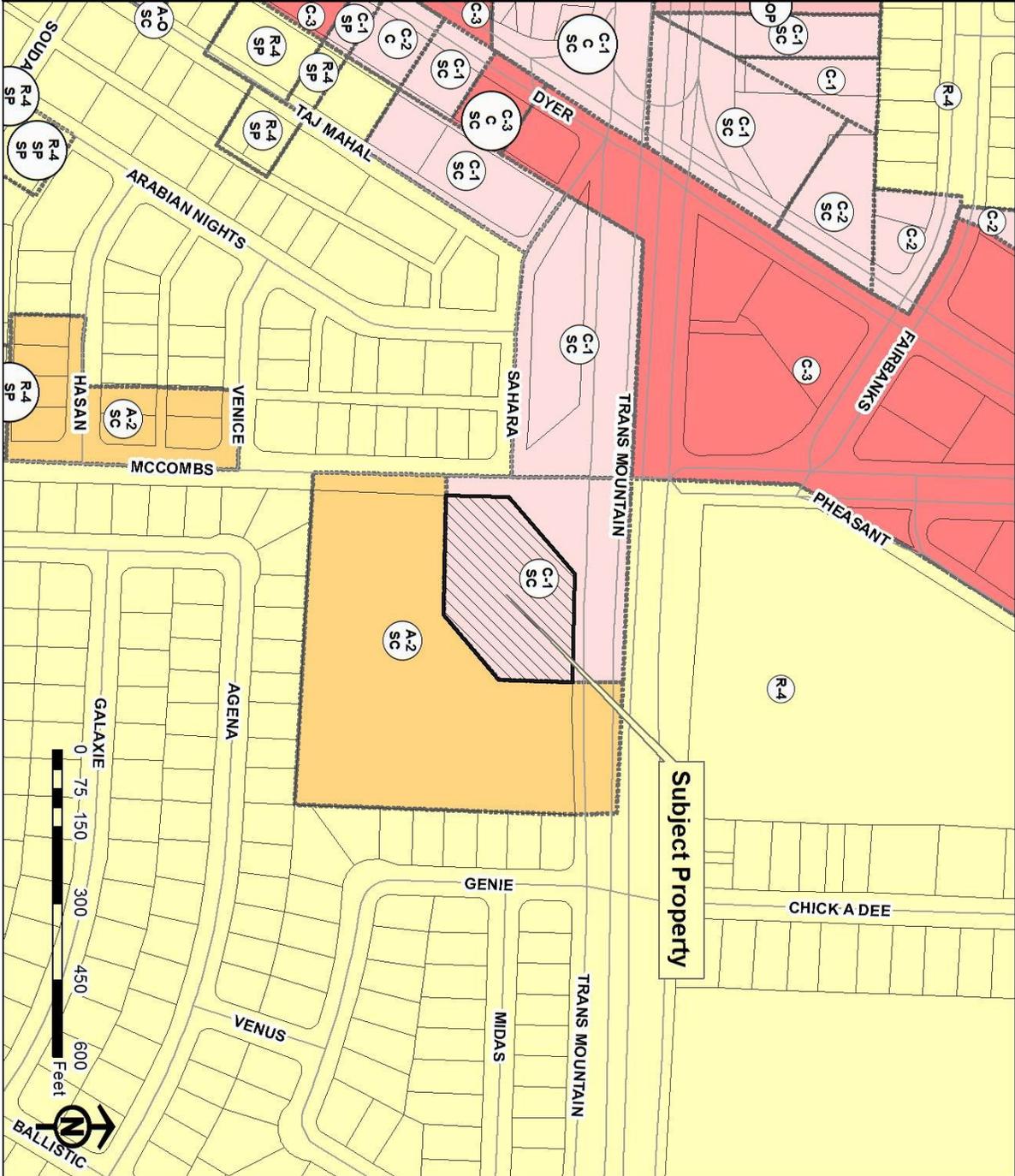
1. Recommend approval of the application finding that the detailed site development plan is in conformance with the review criteria of Plan El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.

2. Recommend approval of the application with modifications to bring the detailed site development plan into conformance with the review criteria in Plan El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the detailed site development plan does not conform to the review criteria in Plan El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

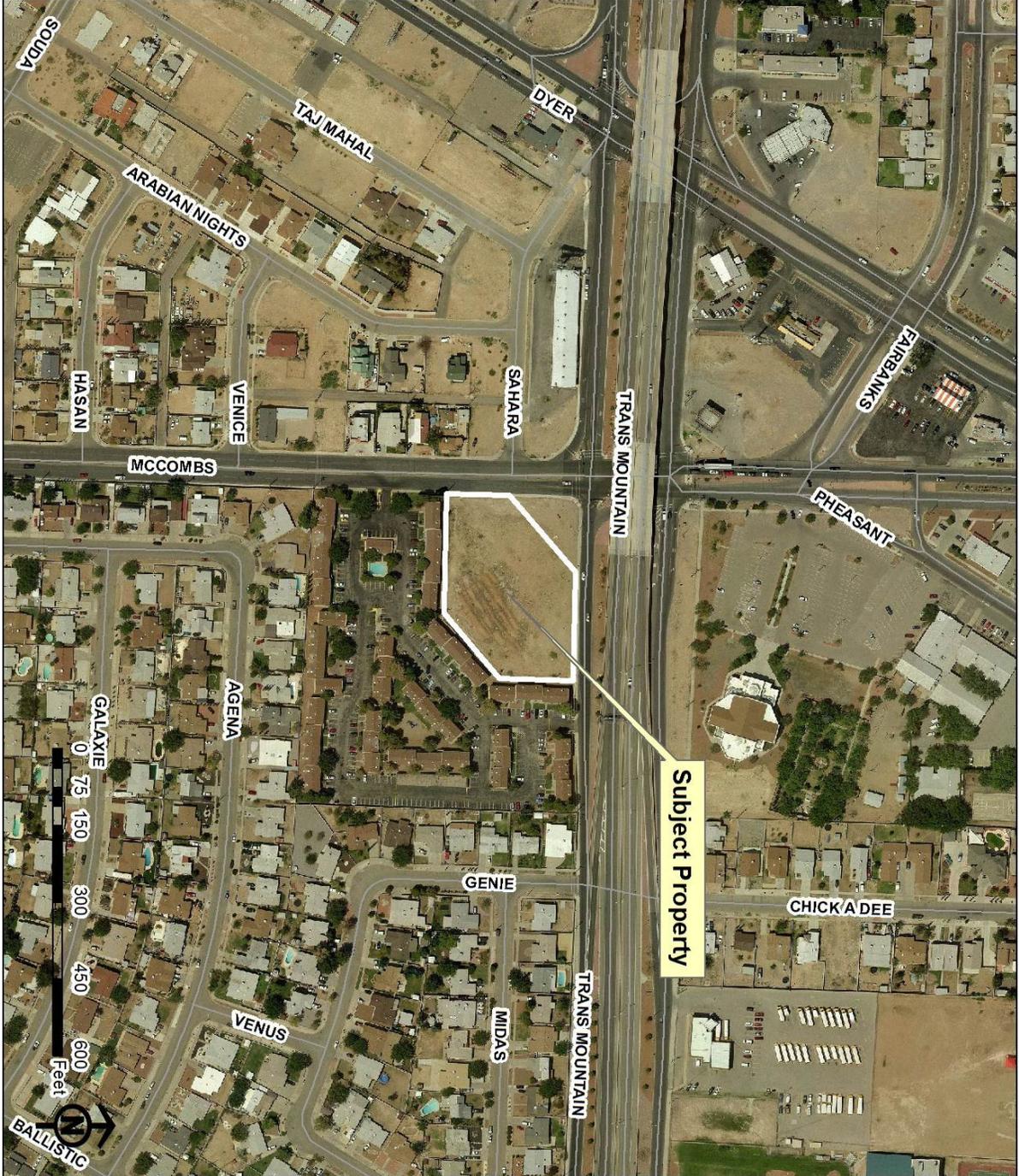
Attachments

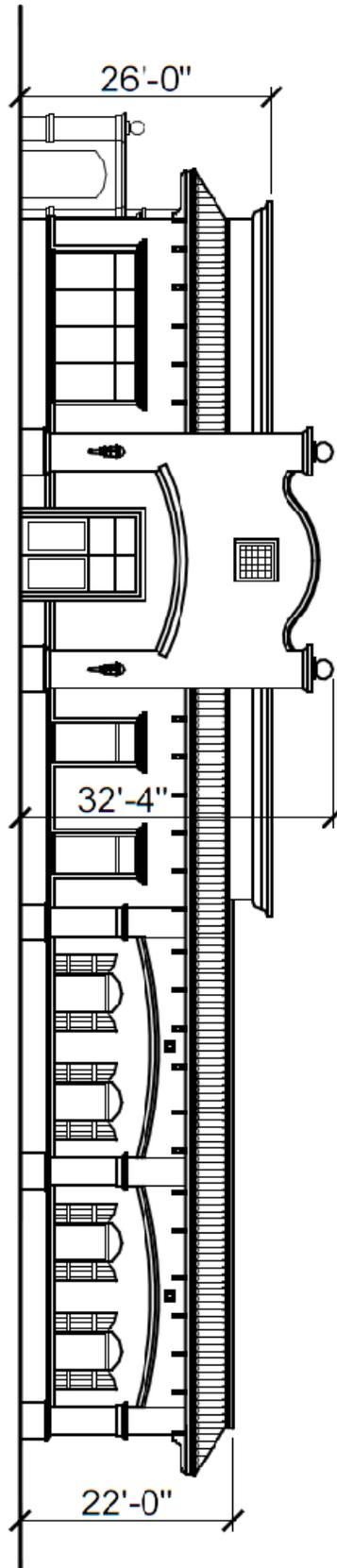
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Ordinance No. 5446 dated January 14, 1975

PZDS13-00011



PZDS13-00011





FRONT ELEVATION

NOT TO SCALE

AN ORDINANCE CHANGING THE ZONING
OF A PORTION OF TRACTS 200 AND 201,
SOUTH PARKLAND ADDITION, THE PEN-
ALTY BEING AS PROVIDED IN SECTION
25-10 OF THE EL PASO CITY CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of the following described portion of Tracts 200 and 201, South Parkland Addition in the City of El Paso be changed as indicated within the meaning of the Zoning Ordinance, and the zoning map of the City be revised accordingly:

PARCEL 1
A-2 Zoning

Beginning at a point of intersection of the east boundary line of Tract 201, South Parkland Addition in El Paso County, Texas and the south right of way line of Trans-Mountain Road;

Thence South $1^{\circ} 08' 45''$ East, along said east boundary of said Tract 201, being common with the west boundary line of Block 26, Dale Bellamah Subdivision, Unit Eight, in said El Paso County, a distance of 543.12 feet to its intersection with the north boundary line of Block 26, Dale Bellamah Subdivision Unit 7;

Thence South $89^{\circ} 58' 48''$ West a distance of 614.77 feet along said north boundary line to its intersection with the east right of way line of McCombs Road;

Thence North $1^{\circ} 11'$ West along said east right of way line a distance of 260.06 feet;

Thence North $88^{\circ} 49'$ East a distance of 244.65 feet to the P. C. of a curve to the left;

Thence northeasterly along said curve to the left an arc distance of 180.64 feet, curve having a radius of 115.00 feet, a central angle of $90^{\circ} 00'$, and a long chord bearing North $43^{\circ} 49'$ East a distance of 162.63 feet;

Thence North $1^{\circ} 11'$ West a distance of 145.00 feet to a point on said south right of way line; *of Trans-Mountain Road*

Thence North $86^{\circ} 26' 41''$ East along said south right of way line a distance of 255.57 feet to the point of beginning, containing 5.378 acres of land, more or less, and lying within Tracts 200 and 201 of said South Parkland Addition.

74-3877

CONTRACT

This contract, made this 14 day of January, 1975,
by and between DALE BELLAMAH LAND CO., INC., a corporation, First
Party, and the CITY OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning of por-
tions of Tracts 200 and 201 of the South Parkland Addition in the City of El
Paso, El Paso County, Texas, such property being more particularly de-
scribed in Ordinance No. 5446, now pending before the City Council of the
City of El Paso, a copy of which is attached hereto, marked Exhibit "A" and
made a part hereof by reference.

In order to remove certain objections to such rezoning, First Party
covenants that if the property is rezoned as indicated in the attached ordi-
nance, it shall be subject to the following restrictions, conditions and cove-
nants:

1) No building permits shall be issued for construction on the prop-
erty until site development and architectural plans of the proposed develop-
ment thereon have been reviewed and approved by the City Plan Commission
of the City of El Paso.

2) Not more than 14 apartment units per acre shall be permitted on
the property.

3) Prior to the issuance of certificates of occupancy and compliance
for any buildings constructed on the property, a six foot high solid masonry
screening wall shall be erected along the southerly and easterly boundaries
of the property.

This agreement is a restriction, condition and covenant running with
the land and a charge and servitude thereon, and shall bind First Party and
its successors in title. Any future conveyance of the land shall contain this
restriction, condition and covenant and shall embody this agreement by ex-
press reference.

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby.

WITNESS the following signatures and seals:

DALE BELLAMAH LAND CO., INC.,
a corporation

by *D. E. Boyle*
President

ATTEST:

Gene L. Deily
Secretary

THE CITY OF EL PASO
by *Don Henry*
Mayor

ATTEST:

[Signature]
City Clerk

THE STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

Before me, the undersigned authority, on this day personally appeared D. E. BOYLE, President of DALE BELLAMAH LAND CO., INC., a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that the same was the act of said corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and official seal this 14th day of January, 1975.

My Commission Expires
June 26, 1977

Betha C. Vigil
Notary Public, Bernalillo County,
New Mexico.

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared Fred Harvey, Mayor _____ of the City of El Paso, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that he had executed the same for the purposes and consideration and in the capacity therein expressed, and as the act and deed of the City of El Paso.

Given under my hand and official seal this 30 day of January
1976

Angela C. Smith
Notary Public, El Paso County, Texas.
ANGELA C. SMITH, Notary Public
in and for the County of El Paso, Texas
My Commission Expires June 1, 1976

74-3877

8446 5.7.12
AN ORDINANCE CHANGING THE ZONING
OF A PORTION OF TRACTS 200 AND 201,
SOUTH PARKLAND ADDITION, THE PEN-
ALTY BEING AS PROVIDED IN SECTION
25-10 OF THE EL PASO CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of the following described portion of Tracts 200 and
201, South Parkland Addition in the City of El Paso be changed as indicated
within the meaning of the Zoning Ordinance, and the zoning map of the City
be revised accordingly:

PARCEL 1

A-2 Zoning

Beginning at a point of intersection of the east boundary line of Tract 201,
South Parkland Addition in El Paso County, Texas and the south right of way
line of Trans-Mountain Road;

Thence South $1^{\circ} 08' 45''$ East, along said east boundary of said
Tract 201, being common with the west boundary line of Block
26, Dale Bellamah Subdivision, Unit Eight, in said El Paso
County, a distance of 543.12 feet to its intersection with the
north boundary line of Block 26, Dale Bellamah Subdivision
Unit 7;

Thence South $89^{\circ} 58' 48''$ West a distance of 614.77 feet along
said north boundary line to its intersection with the east right of
way line of McCombs Road;

Thence North $1^{\circ} 11'$ West along said east right of way line a
distance of 260.06 feet;

Thence North $88^{\circ} 49'$ East a distance of 244.65 feet to the P. C.
of a curve to the left;

Thence northeasterly along said curve to the left an arc distance
of 180.64 feet, curve having a radius of 115.00 feet, a central
angle of $90^{\circ} 00'$, and a long chord bearing North $43^{\circ} 49'$ East a
distance of 162.63 feet;

Thence North $1^{\circ} 11'$ West a distance of 145.00 feet to a point on
said south right of way line; *OF TRANSMOUNTAIN RD.*

Thence North $86^{\circ} 26' 41''$ East along said south right of way line *OR T.R.*
a distance of 255.57 feet to the point of beginning, containing
5.378 acres of land, more or less, and lying within Tracts 200
and 201 of said South Parkland Addition.

*3446
5.7.12*

-1-

74-3877

add 2

C-1 Zoning

Beginning at the point of intersection of the east boundary line of Tract 200 of the South Parkland Addition in El Paso County, Texas with the south right of way line of Trans-Mountain Road;

Thence North 86° 26' 41" East along said south right of way line a distance of 74.71 feet;

Thence South 1° 11' East a distance of 145.00 feet to the P. C. of a curve to the right;

Thence southwesterly along said curve to the right an arc distance of 180.64 feet; curve having a radius of 115.00 feet, a central angle of 90° 00', and a long chord bearing South 43° 49' West a distance of 162.63 feet;

Thence South 88° 49' West a distance of 244.65 feet to a point on the east right of way line of McCombs Road;

Thence North 1° 11' West along said east right of way line a distance of 123.81 feet;

Thence North 45° 33' 36" East a distance of 185.15 feet to a point on said south right of way line;

Thence North 86° 26' 41" East along said south right of way line a distance of 150.29 feet to the point of beginning, containing 1.832 acres of land, more or less, and lying within Tracts 200 and 201 of said South Parkland Addition.

PASSED AND APPROVED this 17 day of December

1974.

Frederic Henry
Mayor

ATTEST:

W. R. ...

City Clerk

City Clerk

I CERTIFY THAT THE FOLLOWING ZONING MAPS HAVE BEEN REVISED:
2-5-75 COUNTER
2-5-75 ORIGINAL
2-5-75 CONTROL
2-5-75 CONTROL
Inspection
[Signature]

5446

I certify that the zoning map has been revised to reflect the amendment of ordinance 5446
By [Signature] Date 2-10-75

74-3877

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a partial release of restrictions on property in portions of Tracts 200 and 201 of South Parkland Addition, City and County of El Paso, which were placed on the property by contract dated January 14, 1975 between the City and Dale Bellamah Land Co., Inc.

PASSED AND APPROVED this 6th day of July, 1982.

ATTEST:

W. H. [Signature]
City Clerk

[Signature]
Mayor

APPROVED AS TO FORM:

[Signature]
Assistant City Attorney

*Ord # 5446
dated 12/12/74*

74-3877
JUL 13 1982
CITY OF EL PASO

Block 2

C-1 Zoning

Beginning at the point of intersection of the east boundary line of Tract 200 of the South Parkland Addition in El Paso County, Texas with the south right of way line of Trans-Mountain Road;

Thence North 86° 26' 41" East along said south right of way line a distance of 74.71 feet;

Thence South 1° 11' East a distance of 145.00 feet to the P. C. of a curve to the right;

Thence southwesterly along said curve to the right an arc distance of 180.64 feet; curve having a radius of 115.00 feet, a central angle of 90° 00', and a long chord bearing South 43° 49' West a distance of 162.63 feet;

Thence South 88° 49' West a distance of 244.65 feet to a point on the east right of way line of McCombs Road;

Thence North 1° 11' West along said east right of way line a distance of 123.81 feet;

Thence North 45° 33' 36" East a distance of 185.15 feet to a point on said south right of way line;

Thence North 86° 26' 41" East along said south right of way line a distance of 150.29 feet to the point of beginning, containing 1.832 acres of land, more or less, and lying within Tracts 200 and 201 of said South Parkland Addition.

PASSED AND APPROVED this 12 day of December

1974.

[Signature]

Mayor

ATTEST:

[Signature]

City Clerk

I CERTIFY THAT THE FOLLOWING ZONING MAPS HAVE BEEN REVISIED:
COUNTER 74
ORIGINAL 75
CONTROL 76

I certify that the zoning map has been revised to reflect the amendment of ordinance 7514
By [Signature] Date 12-12-74

74-3877

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

PARTIAL RELEASE OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

On January 14, 1975, Dale Bellamah Land Co., Inc. and the City of El Paso entered a contract placing certain restrictions on property in portions of Tracts 200 and 201 of the South Parkland Addition, City of El Paso, El Paso County, Texas, to which reference is hereby made for a more complete description of the property. The contract is recorded in Book 574, page 127 of the Deed Records of El Paso County, Texas.

Paragraph 2 of the contract restricts the number of apartment units permitted on the property to 14.

Paragraph 3 requires that prior to the issuance of certificates of occupancy and compliance for any buildings constructed on the property, a six-foot high solid masonry screening wall be erected along the southerly and easterly boundaries of the property.

Dale Bellamah Land Co., Inc. has requested a release of the above restrictions, and the City Council, on recommendation of the City Plan Commission has so authorized.

The City Council of the City of El Paso therefore releases paragraphs 2 and 3 of said contract. This partial release does not affect any other provision of the above described contract, which shall remain in full force and effect.

WITNESS the following signatures and seal this 6th day of July, 1982:

THE CITY OF EL PASO

ATTEST:

W. K. Craig
City Clerk

By J. W. Rozen
Mayor

APPROVED AS TO FORM:

San Juan
Assistant City Attorney

I certify that the zoning map has been revised to reflect the amendment of ~~the~~ ^{CONTROL} ~~map~~ ^{RESOLUTION & PARTIAL RELEASE} ~~dated~~ ^{Dated} 7-1-82
R. Gonzalez Date 8-17-82

74-3877

Ord. # 5446
dated 12/12/74

CONTRACT

This contract, made this 14 day of January, 1975,
by and between DALE BELLAMAH LAND CO., INC., a corporation, First
Party, and the CITY OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning of por-
tions of Tracts 200 and 201 of the South Parkland Addition in the City of El
Paso, El Paso County, Texas, such property being more particularly de-
scribed in Ordinance No. 5446, now pending before the City Council of the
City of El Paso, a copy of which is attached hereto, marked Exhibit "A" and
made a part hereof by reference.

In order to remove certain objections to such rezoning, First Party
covenants that if the property is rezoned as indicated in the attached ordi-
nance, it shall be subject to the following restrictions, conditions and cove-
nants:

1) No building permits shall be issued for construction on the prop-
erty until site development and architectural plans of the proposed develop-
ment thereon have been reviewed and approved by the City Plan Commission
of the City of El Paso.

2) Not more than 14 apartment units per acre shall be permitted on
the property.

3) Prior to the issuance of certificates of occupancy and compliance
for any buildings constructed on the property, a six foot high solid masonry
screening wall shall be erected along the southerly and easterly boundaries
of the property.

This agreement is a restriction, condition and covenant running with
the land and a charge and servitude thereon, and shall bind First Party and
its successors in title. Any future conveyance of the land shall contain this
restriction, condition and covenant and shall embody this agreement by ex-
press reference.

