



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

**Case No:** PZDS14-00024  
**Application Type:** Detailed Site Development Plan Review  
**CPC Hearing Date:** August 18, 2014  
**Staff Planner:** Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov

**Location:** 3650 Joe Battle Boulevard  
**Legal Description:** A portion of Lot 1, Block 1, Tierra De Mi Padre Subdivision, City of El Paso, El Paso County, Texas  
**Acreage:** 1.1441 acres  
**Rep District:** 5  
**Existing Zoning:** C-4/c (Commercial/conditions)  
**Existing Use:** Vacant  
**C/SC/SP/ZBA/LNC:** Conditions: Ordinance No. 15023 dated January 29, 2002 (see Attachment #4)  
**Request:** Detailed Site Plan Review per Ordinance No. 15023 dated January 29, 2002  
**Proposed Use:** Medical Office

**Property Owner:** Jeff Erickson  
**Representative:** Charles Austin

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

**North:** C-4/c (Commercial/conditions) / Day care and retail  
**South:** C-4/c (Commercial/conditions) / Vacant  
**East:** P-R 2 (Planned Residential II) / Single-family dwellings  
**West:** C-4/c (Commercial) / Loop 375 / Joe Battle Boulevard

**PLAN EL PASO DESIGNATION:** G-4, Suburban (Walkable) (East Planning Area)

**NEAREST PARK:** Tierra Del Este #18 Park (3,449 feet)

**NEAREST SCHOOL:** El Dorado High School (4,731 feet)

### **NEIGHBORHOOD ASSOCIATION**

Eastside Civic Association  
Las Tierras Neighborhood Association

### **NEIGHBORHOOD INPUT**

Detailed Site Development Plan Review does not require public notification as per Section 20.04.520, Notice of the El Paso City Code.

### **CASE HISTORY**

On January 29, 2002, the subject property was rezoned from R-3 (Residential) to C-4/c (Commercial/conditions) with the following conditions imposed by Ordinance No. 15023 (Attachment #4):

*1. Prior to the issuance of any building permits, a detailed site development plan shall be reviewed and approved by the City Plan Commission.*

Condition #1 will be satisfied by this detailed site development plan application.

*2. A ten (10) foot landscaped buffer to included evergreen trees placed at 15 feet on center shall be required between the C-4 parcel and the abutting residential parcels.*

Condition #2 has been satisfied as shown on detailed site development plan.

### **APPLICATION DESCRIPTION**

The request is for a detailed site development plan review as required by Ordinance No. 15023 dated January 29, 2002 (see Attachment #4). The detailed site development plan shows a new 12,685 sq. ft. 1-story medical office building, 24 feet in height. The development requires a minimum of 53 parking spaces and the applicant is providing 58 parking spaces and 3 bicycle spaces. The second condition imposed on subject property requires a ten (10) foot landscaped buffer abutting the residential district to the east, which is shown on detailed site development plan as required. Access to the subject property is proposed from Joe Battle Boulevard.

### **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, and complies with the Plan El Paso land use designation G-4, Suburban - walkable in the East Planning Area.

### **ANALYSIS**

20.04.140 When required.

Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

*Note: Detailed Site Development Plan review is required due to a condition imposed on the subject property.*

20.04.150 Procedure.

C. Administrative approval. Detailed site development plans meeting the following conditions shall be reviewed and approved by the zoning administrator:

1. The site is two acres or less in size, and
2. The site plan contains no more than two buildings, and
3. The site plan complies with any zoning conditions and all city code provisions, to include the tables for uses and density and dimensional standards and;
4. The city's department of transportation has no concerns with access or restriction of access to the site; and,
5. The site plan complies with staff recommendations concerning the location of stormwater drainage structures and easements to include onsite ponding areas; the location and arrangement of structures, vehicular and pedestrian ways; open spaces and landscape planted areas. Staff recommendations shall not require that the site plan have landscaping in excess of what is required under the city code or any zoning condition.

If the zoning administrator does not approve an applicant's detailed site development plan, the applicant may appeal the decision to the city plan commission. The applicant must file the appeal with the zoning administrator within fifteen business days from the date of the zoning administrator's decision. The zoning administrator shall place the appeal on the city plan commission agenda to be heard by the commission within thirty business days from the date the appeal was received. The zoning administrator shall include the detailed site plan, the appeal, and a summary of the zoning administrator's reasons for disapproving the detailed site plan.

*Note: the detailed site development plan review is not eligible for administrative approval, due to a condition imposed on the subject property.*

- D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.
1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.
  2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
  3. The commission shall consider the following information when approving a proposed detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms to such approval; location of utility rights-of-way and easements and stormwater drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.
  4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.
  5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

*Planning Staff has reviewed the detailed site development plan, and it meets all requirements of 20.04.150, Detailed Site Development Plan, and is recommending approval.*

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

All applications for detailed site plan review shall demonstrate compliance with the following criteria:

G-4, Suburban (Walkable): This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. 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-4 (Commercial) district is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities. Within the central business district, more intensive commercial uses are allowed, the predominant of which are retail trade and service uses, providing less restrictive height and area regulations.

#### **COMMENTS:**

##### **Planning Division – Transportation**

No objections.

General Note:

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

##### **City Development Department – Plan Review**

No objections to proposed detailed site development plan.

Note: Upon submittal for building permits, the project will need to comply with all requirements of the locally adopted building codes, ADA requirements, and local municipal codes.

**City Development Department - Land Development**

No objections.

**Fire Department**

Recommend approval of Site Plan 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**

Sun Metro does not oppose this request; Recommends the construction of sidewalks to permit pedestrian accessibility.

**TXDOT**

Development on 3650 Joe Battle in under review for grading and drainage plan. Will send approval letter once the review process is completed and the grading & drainage approval letter is signed and the driveway permit is executed.

**El Paso Water Utilities**

EPWU-PSB does not object.

EPWU-PSB Comments

Water:

Along the easternmost portion of the subject Property there is an existing eight (8) inch diameter water main. This main is aligned parallel to the boundary line common to the subject Property and the Tierra Del Este Unit 18. This main is located within a 25-foot wide PSB Easement and it is available for service.

Sanitary Sewer:

Along the easternmost portion of the subject Property there is an existing eight (8) inch diameter sanitary sewer main. This main is aligned parallel to the boundary line common to the subject Property and the Tierra Del Este Unit 18. This main is located within the above-described 25-foot wide PSB Easement; this main is available for service.

General

If the Development of this Property requires public water mains and sanitary sewer mains within private Property, additional easements will be required in order to accommodate the water and sanitary sewer mains. The proposed easements shall comply with the EPWU-PSB Easement Policy. Additionally, anchor easements for the proposed public fire hydrants shall have minimum dimensions of 10 feet by 10 feet.

All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy.

Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.

The alignment and location of the proposed EPWU-PSB easement shall enable the placement of water meters outside of the parking areas and minimize the length of services. No vehicular traffic is allowed

over the water meters. EPWU-PSB requires access to the existing and proposed water, sanitary sewer facilities, appurtenances, and meters within easements 24 hours a day, seven (7) days a week.

No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB.

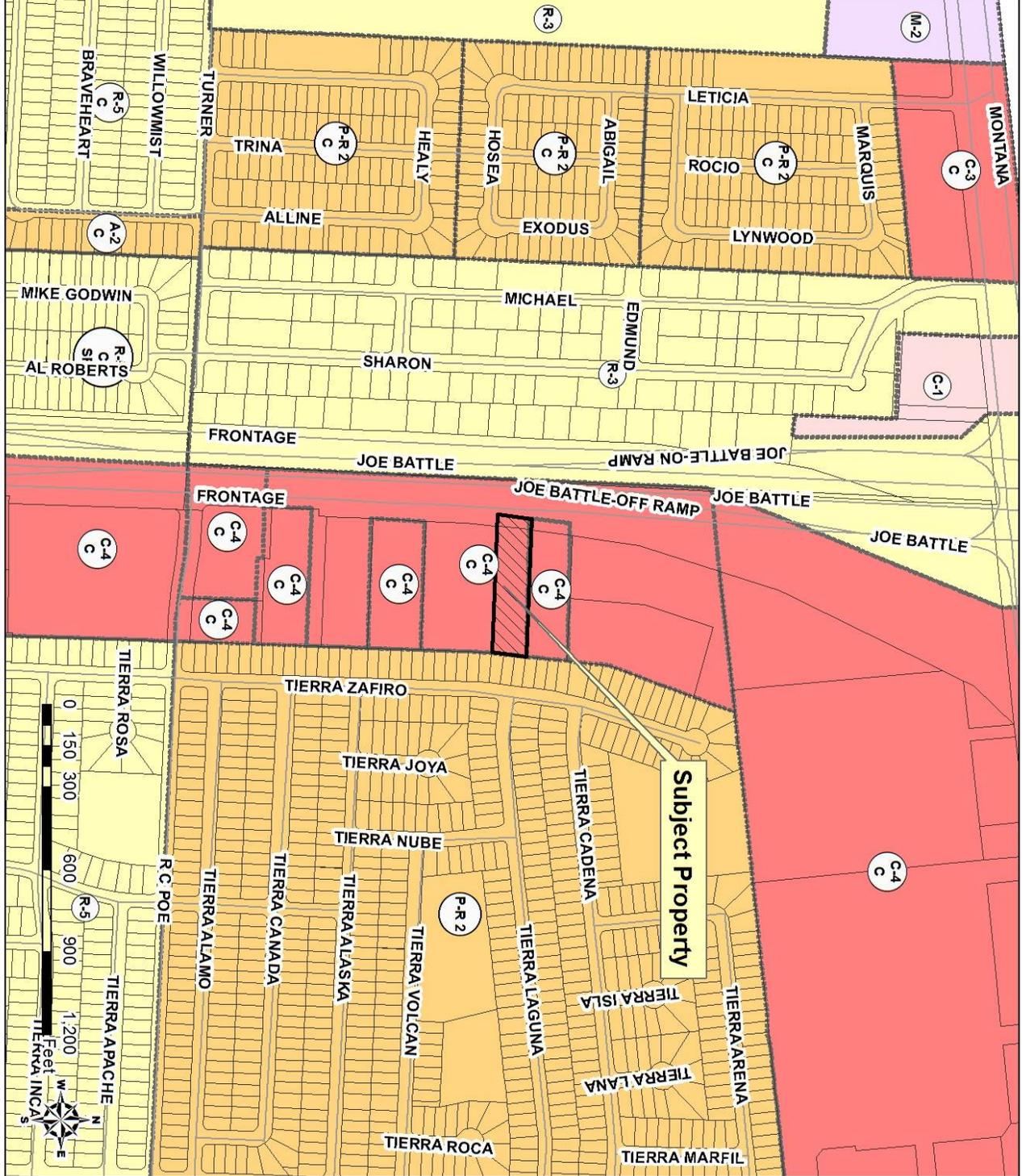
EPWU requires a new service application to initialize design of the water and sanitary sewer main extensions to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

**Attachments**

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Ordinance No. 15023

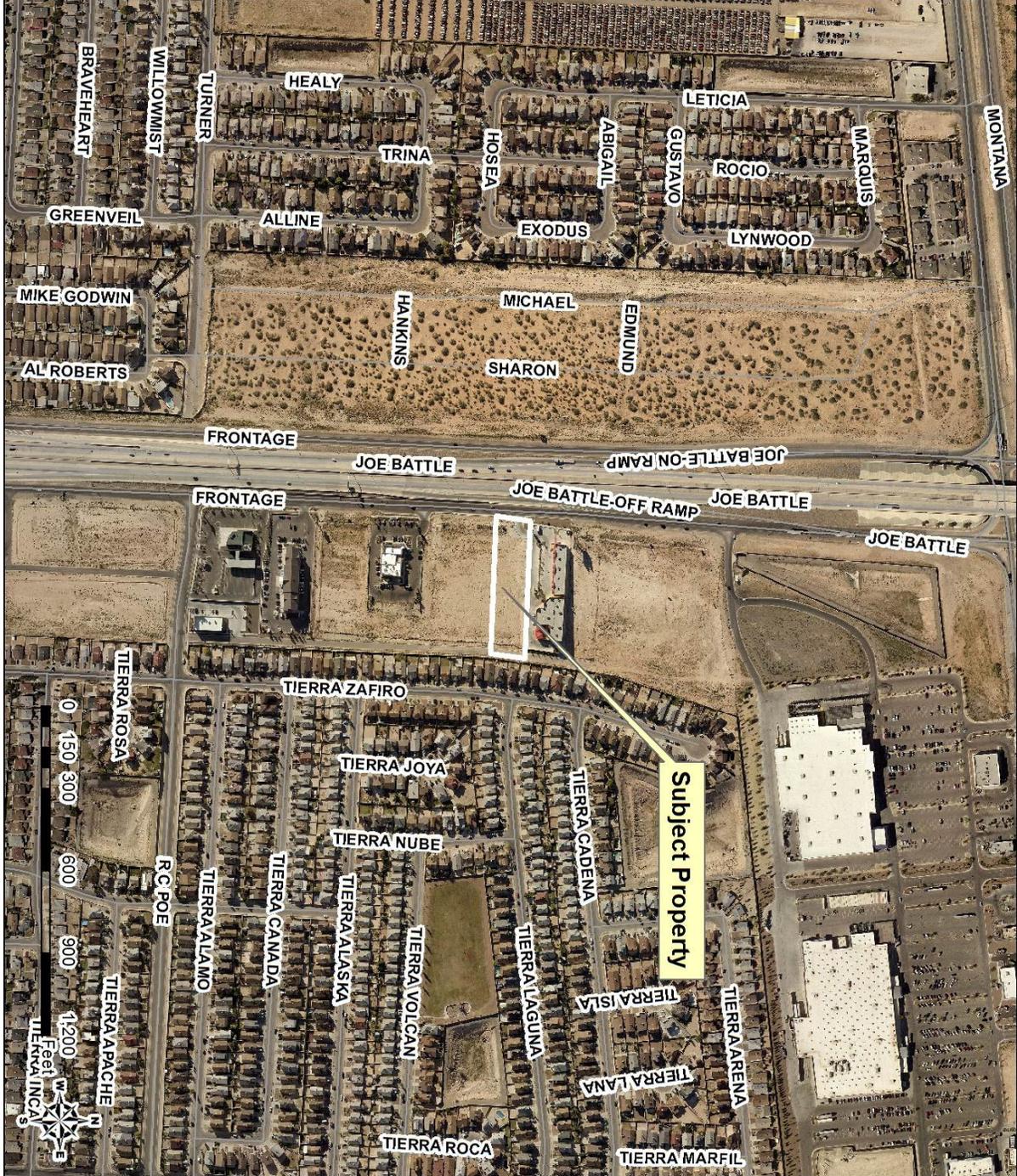
ATTACHMENT 1: ZONING MAP

PZDS14-00024



**ATTACHMENT 2: AERIAL MAP**

**PZDS14-00024**





**ATTACHMENT 4: ORDINANCE NO. 15023**

ORDINANCE NO. 15023

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF SECTION 33 AND ALL OF TRACTS 1 AND 1A, SECTION 40, BLOCK 79, TOWNSHIP 2, TEXAS & PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (EAST OF LOOP 375 AND SOUTH OF MONTANA AVENUE) AS FOLLOWS: PARCEL 1, FROM R-3 (RESIDENTIAL) TO C-4/C (COMMERCIAL/CONDITIONS); PARCEL 2, FROM R-3 (RESIDENTIAL) TO PR-II (PLANNED RESIDENTIAL); PARCEL 3, FROM R-3 (RESIDENTIAL) TO R-5 (RESIDENTIAL); PARCEL 4, FROM R-3 (RESIDENTIAL) TO C-3/C (COMMERCIAL/CONDITIONS); AND PARCEL 5, FROM R-3 (RESIDENTIAL) TO R-3A (RESIDENTIAL), AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.

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

That the zoning of a portion of Section 33 and all of Tracts 1 and 1A, Section 40, Block 79, Township 2, TEXAS & PACIFIC RAILROAD COMPANY SURVEYS, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached Exhibit "A", be changed as follows:

Parcel 1(144.587 Acres):	from R-3 (Residential) to C-4/c (Commercial/conditions)
Parcel 2 (121.717 Acres):	from R-3 (Residential) to PR-II (Planned Residential)
Parcel 3 (247.900 Acres):	from R-3 (Residential) to R-5 (Residential)
Parcel 4 (26.063 Acres):	from R-3 (Residential) to C-3/c (Commercial/conditions)
Parcel 5 (280.682 Acres):	from R-3 (Residential) to R-3A (Residential)

within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; and

That Parcel 1 and Parcel 4 be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning from R-3 (Residential) in order to protect the health, safety and welfare of adjacent property owners and the residents of this city:

Parcel 1

1. Prior to the issuance of any building permits, a detailed site development plan shall be reviewed and approved by the City Plan Commission.
2. A ten (10) foot landscaped buffer to include evergreen trees placed at 15 feet on center shall be required between the C-4 parcel and the abutting residential parcels.

CJC:pmc#80799/ZON/PLA1Y6

15023

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1/4/02

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

Zoning Case No. ZC-01061

Parcel 4 - the following C-3 uses are prohibited:

1. Automobile, light truck, bus, motorcycle & boat sales, storage, rental and service
2. Hotels, motels or motor lodge
3. Transportation terminal
4. Trailer, mobile home, travel trailer & recreational vehicle sales, display & repair
5. Travel trailer & mobile home parks

These conditions run with the land, are a charge and servitude thereon, and bind the current property owner and any successors in title. The City may enforce these conditions by injunction, by rescission of the zoning which is made appropriate as a result of these conditions, or by any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above conditions in its discretion without the consent of any third person who may be benefited thereby, and without affecting the validity of this ordinance.

**PASSED AND APPROVED** this 29<sup>th</sup> day of **January, 2002.**

THE CITY OF EL PASO



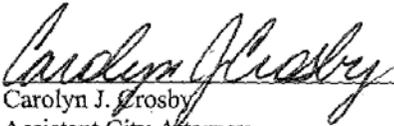
Raymond C. Caballero  
Mayor

ATTEST:



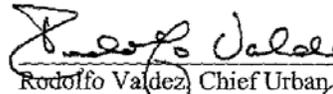
Carole Hunter  
City Clerk

APPROVED AS TO FORM:



Carolyn J. Grosby  
Assistant City Attorney

APPROVED AS TO CONTENT:

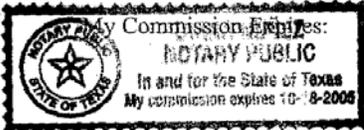


Rodolfo Valdez, Chief Urban Planner  
Dept. of Planning, Research & Development

**Acknowledgment**

THE STATE OF TEXAS     }  
  }  
COUNTY OF EL PASO     }

This instrument is acknowledged before me on this 4<sup>th</sup> day of February, 2002 by RAYMOND C. CABALLERO as Mayor of THE CITY OF EL PASO.



Diana Nunez  
Notary Public, State of Texas  
Notary's Printed or Typed Name:  
Diana Nunez

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1/4/02

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

Zoning Case No. ZC-01061

Being a portion of Tract 1, Section 33, Block 79, Township 2,  
And a portion of Tract 1, Section 40, Block 79, Township 2,  
Texas & Pacific Railway Company Surveys  
City of El Paso, El Paso County, Texas  
Prepared for: Foster Schwartz Development Corporation  
October 1, 2001

**EXHIBIT "A"**

**METES AND BOUNDS DESCRIPTION**

Parcel 1

Description of a portion of Tract 1, Section 33, Block 79, Township 2, and a portion of Tract 1, Section 40, Block 79, Township 2, Texas & Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for Reference at a found City of El Paso geodetic disk in concrete marked east 20 for the common corners of Sections 40, 41, 44 and 45, Block 79, Township 2, Texas & Pacific Railway Company Surveys, Thence along the common boundary line of Sections 40 and 45, South  $89^{\circ}56'52''$  East a distance of 146.51 feet to a point on the easterly right of way line of Joe Battle Blvd. (Loop 375) for the "TRUE POINT OF BEGINNING"

Thence along said right of way line the following 12 courses;

1. North  $00^{\circ}30'06''$  West a distance of 1620.57 feet to a point;
2. North  $01^{\circ}23'54''$  East a distance of 1377.99 feet to a point;
3. North  $46^{\circ}29'01''$  East a distance of 102.61 feet to a point;
4. North  $00^{\circ}30'06''$  West a distance of 120.00 feet to a point;
5. North  $47^{\circ}29'13''$  West a distance of 102.61 feet to a point;
6. North  $02^{\circ}24'06''$  West a distance of 1377.99 feet to a point;
7. North  $00^{\circ}30'06''$  West a distance of 601.29 feet to a point;
8. North  $00^{\circ}31'27''$  West a distance of 1140.50 feet to a point;
9. North  $04^{\circ}53'42''$  East a distance of 543.54 feet to a point;
10. North  $15^{\circ}49'53''$  East a distance of 544.17 feet to a point;
11. North  $21^{\circ}17'09''$  East a distance of 798.31 feet to a point;
12. North  $51^{\circ}19'53''$  East a distance of 173.11 feet to a point on the southerly right of way line of Montana Avenue (U.S. Highway No. 62);

15020

CONDE, INC.  
ENGINEERING / LAND SURVEYING / PLANNING  
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

*20-0161*