

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: March 27, 2007
Public Hearing: April 17, 2007

CONTACT PERSON/PHONE: Melissa Granado, 541-4730

DISTRICT(S) AFFECTED: 7

SUBJECT:

An Ordinance changing the zoning of Lots 6-9, Block 7, Eastwood Section 1, City of El Paso, El Paso County, Texas from R-3 (Residential) to C-1 (Commercial), and imposing conditions. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 7922, 7918, 7914 Boxwood Circle and 7900 Bois D' Arc Drive. Applicant: El Paso Healthcare System, LTD. ZON06-00138 (District 7)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (6-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: R. Alan Schubert

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOTS 6-9, BLOCK 7, EASTWOOD SECTION 1, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-1 (COMMERCIAL), AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO CITY CODE.

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

That the zoning of *Lots 6-9, Block 7, Eastwood Section 1, City of El Paso, El Paso County, Texas*, be changed from **R-3 (Residential)** to **C-1/c (Commercial/conditions)**, within the meaning of the zoning ordinance, 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 conditions which are necessitated by and attributable to the increased density 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:

"Access to the property shall only be permitted from Caper Street; all retail uses shall be prohibited; and all automotive uses shall be prohibited."

PASSED AND APPROVED this _____ day of _____, 2007.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Kimberly Forsyth, Senior Planner
Development Services Department

CITY CLERK DEPT.
07 MAR 19 AM 10:48

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT
DIRECTOR, DEVELOPMENT SERVICES

KELLY CARPENTER, AICP
DEPUTY DIRECTOR, PLANNING



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN, JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

DEVELOPMENT SERVICES
PLANNING DIVISION

MEMORANDUM

DATE: March 19, 2007

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Melissa Granado, Planner

SUBJECT: ZON06-00138

The City Plan Commission (CPC), on March 1, 2007, voted **6-0** to recommend **APPROVAL** of rezoning the subject property from R-3 (Residential) to C-1/c (Commercial/conditions), concurring with Staff's recommendation, and imposing a condition.

The CPC found that this rezoning is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this 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 effects of the rezoning will have no effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

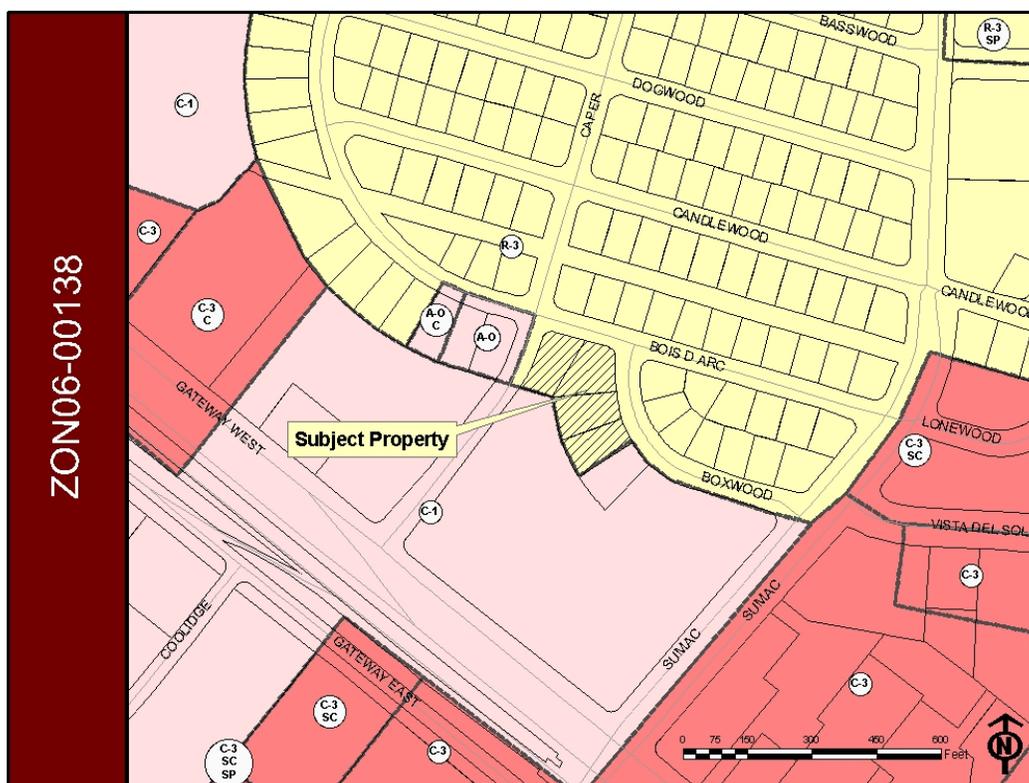
There was no opposition to this request.

Attachment: Staff Report



ZON06-00138

Application Type: Rezoning
Property Owner(s): El Paso Healthcare System, LTD
Representative(s): Carl Daniel
Legal Description: Lots 6-9, Block 7, Eastwood Section 1, City of El Paso, El Paso County, Texas
Location: 7922, 7918, 7914 Boxwood Circle, 7900 Bois D' Arc Drive
Representative District: 7
Area: 1.14 acres
Present Zoning: R-3 (Residential)
Present Use: Partially vacant and partially single-family dwellings
Proposed Zoning: C-1 (Commerical)
Recognized Neighborhood Associations Contacted: Eastside Civic Association
Public Response: None
Surrounding Land Uses: **North:** R-3 / Single-family dwellings, **South:** C-1 / Del Sol Medical Center, **East:** R-3 / Single-family dwellings, **West:** A-O / Offices
Year 2025 Designation: **Commercial** (East Planning Area)



General Information

The applicant requests a rezoning from R-3 (Residential) to C-1 (Commercial). The site plan proposes a surface parking lot on a portion of the site and future development on the remainder of the site. Access is proposed via Caper Street.

Staff Recommendation

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this request for rezoning from R-3 (Residential) to C-1 (Commercial) with the following conditions:

1. Access will be restricted to Caper Street.
2. All retail uses shall be prohibited.

The recommendation is based on the following:

- **The Plan for El Paso City-Wide Land Use Goals** recommends that El Paso “provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.”
- **The Year 2025 Projected General Land Use Map** for the East Planning Area designates this property for **Commercial** land uses.
- **C-1 (Commercial) zoning** permits a surface parking lot and **is compatible** with adjacent development.

Findings

The Commission must determine the following:

1. Will C- I (Commercial) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will a surface parking lot be compatible with adjacent land uses?
3. What is the relation of the proposed change to the City's Comprehensive Plan?
4. What effects will the rezoning have on the natural environment, social and economic conditions, and property values in the vicinity and in the City as a whole?

Development Services Department - Building Permits and Inspections Division Comments

Zoning Review: No objection to proposed surface parking lot. Meets minimum A.D.A. requirements.

Landscape Review: Landscape required for this project. No landscape calculations provided to show this project will meet code.

Development Services Department - Planning Division Comments

Current Planning: Planning recommends approval of a rezoning to C-1 (Commercial). The proposed zoning is in conformance with the 2025 Projected Land Use for the area, which designates this area for commercial use. The proposed use is compatible with surrounding development.

Land Development: No comments received.

Engineering Department - Traffic Division Comments

No traffic issues with the proposed zoning change.

NOTE: Driveway shall comply with Subdivision Improvement Design Standards, Commercial Driveways 6-8.

Fire Department Comments

No comments received.

El Paso Water Utilities Comments

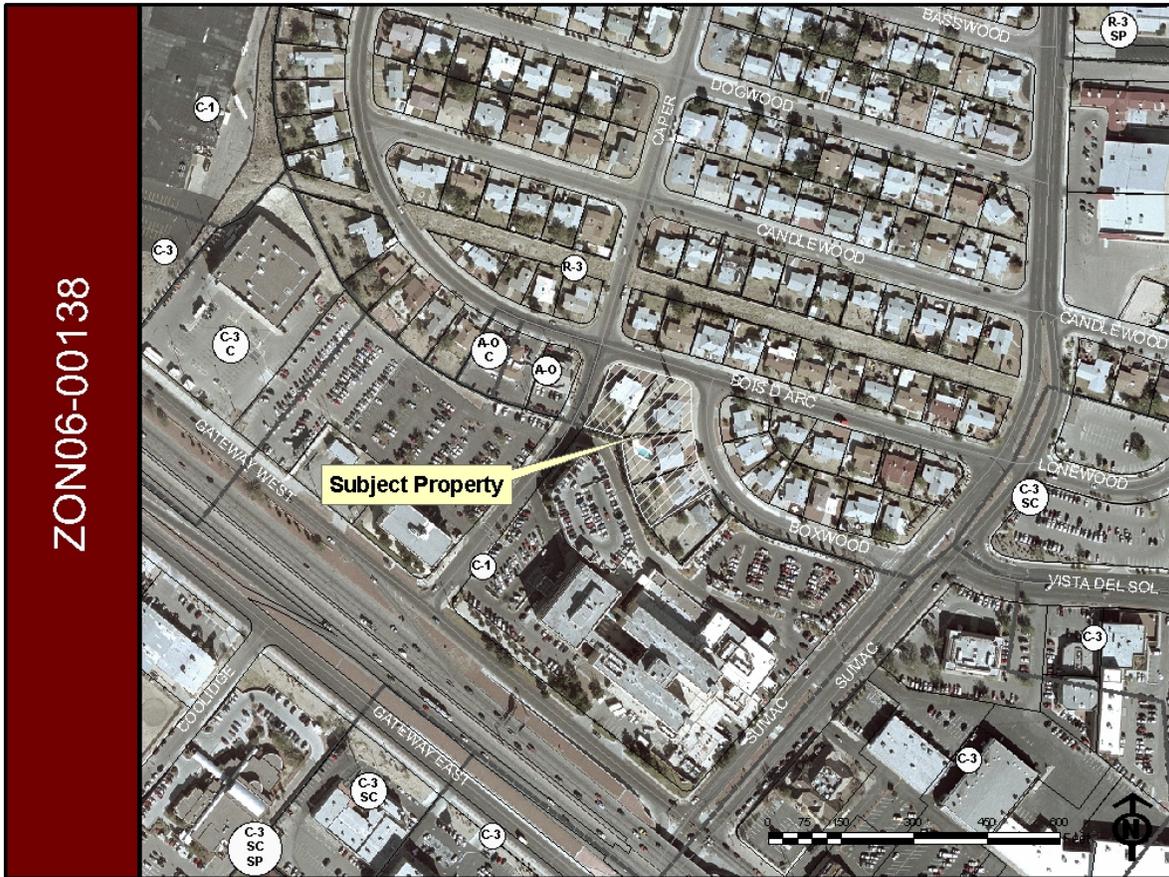
General: Existing water and sanitary sewer mains are located along the public rights-of-way of Caper Street, Bois D' Arc Street and Boxwood Street and are available for service. Application for water and sanitary sewer services should be made 6-8 weeks prior to any construction to ensure water for construction work. A site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance are required at the time of application. The certificate-of-compliance can be obtained on the 5th floor at City Hall. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

EPWU does not object to this request.

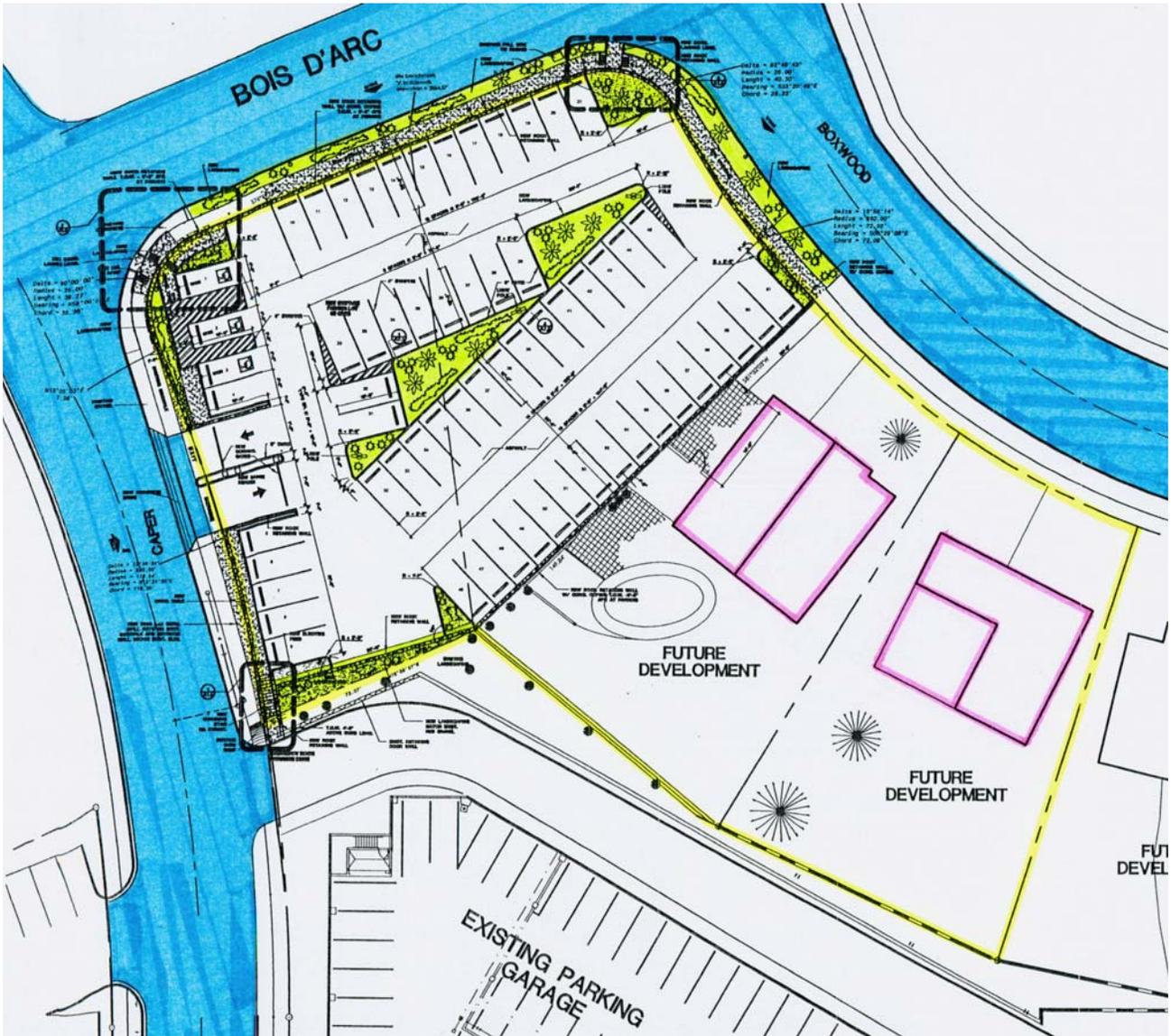
List of Attachments

Attachment 1: Site Plan

Attachment 2: Application



Attachment 1: Site Plan



Attachment 2: Application



**REZONING APPLICATION
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

City of El Paso, Texas
2 Civic Center Plaza
El Paso, TX 79901-1196
915-541-4024

1. CONTACT INFORMATION

PROPERTY OWNER(S): EL PASO HEALTHCARE SYSTEM LTD 90 CPAC
 ADDRESS: P.O. BOX 92129 SOUTHLAKE TX ZIP CODE: 760920102 PHONE: 595-9222
 E-MAIL ADDRESS: EDWARD.ZUKAUSKAS@HCAHEALTHCARE.COM FAX: 595-9222

REPRESENTATIVE(S): CARL DANIEL
 ADDRESS: _____ ZIP CODE: _____ PHONE: _____
 E-MAIL ADDRESS: _____ FAX: _____

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: E207-999-0070-5600
 LEGAL DESCRIPTION: LOT 6 BLOCK 7 EASTWOOD SECTION 1
 STREET ADDRESS OR LOCATION: 7922 BOXWOOD REP DISTRICT: 7
 ACREAGE: 0.2755 PRESENT ZONING: R-3 PRESENT LAND USE: HOME
 PROPOSED ZONING: C-1 PROPOSED LAND USE: SURFACE PARKING LOT

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: E207-999-0070-6700
 LEGAL DESCRIPTION: LOT 7 BLOCK 7 EASTWOOD SECTION 1
 STREET ADDRESS OR LOCATION: 7918 BOXWOOD REP DISTRICT: 7
 ACREAGE: 0.275 PRESENT ZONING: R-3 PRESENT LAND USE: HOME
 PROPOSED ZONING: C-1 PROPOSED LAND USE: SURFACE PARKING LOT

4. PARCEL THREE INFORMATION • PARCEL FOUR ATTACHED

PROPERTY IDENTIFICATION NUMBER: E207-999-0070-7800
 LEGAL DESCRIPTION: LOT 8 BLOCK 7 EASTWOOD SECTION 1
 STREET ADDRESS OR LOCATION: 7914 BOXWOOD REP DISTRICT: 7
 ACREAGE: 0.2955 PRESENT ZONING: R-3 PRESENT LAND USE: VACANT
 PROPOSED ZONING: C-1 PROPOSED LAND USE: SURFACE PARKING LOT

5. ADDITIONAL INFORMATION

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
 Printed Name: Douglas Matney Signature: [Signature]
 Printed Name: _____ Signature: _____
 Printed Name: _____ Signature: _____

Note: Signatures are required for all owners of record for the property proposed for rezoning. Attach additional signatures on a separate sheet of paper.

****OFFICE USE ONLY****

ZON 06-00138 RECEIVED DATE 01/05/07 APPLICATION FEE: \$ 770.00 PAID 715.00
 DCC REVIEW DATE 01/31/07 (8:30 am, Conference Room, 2nd Floor, City Hall Building)
 CPC REVIEW DATE 02/15/07 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
 ACCEPTED BY: [Signature] Total \$ 770.00 PAID 15-07

Revised 9/2006



**REZONING APPLICATION
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

City of El Paso, Texas
2 Civic Center Plaza
El Paso, TX 79901-1196
915-541-4024

1. CONTACT INFORMATION

PROPERTY OWNER(S): EL PASO HEALTHCARE SYSTEM LLC 40 CPAC
 ADDRESS: P.O. BOX 92129 SOUTHLAKE TX ZIP CODE: 760920102 PHONE: 595-9222
 E-MAIL ADDRESS: EDWARD.ZUKAUSKAS@HCA HEALTHCARE.COM FAX: 595-9710

REPRESENTATIVE(S): CARL DANIEL
 ADDRESS: _____ ZIP CODE: _____ PHONE: _____
 E-MAIL ADDRESS: _____ FAX: _____
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2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: E 207-999-0070-8900
 LEGAL DESCRIPTION: LOT 9 BLOCK 7 EASTWOOD SECTION 1
 STREET ADDRESS OR LOCATION: 7900 BOIS D'ARC REP DISTRICT: 7
 ACREAGE: 0.2947 PRESENT ZONING: R-3 PRESENT LAND USE: VACANT
 PROPOSED ZONING: C-1 PROPOSED LAND USE: SURFACE PAVING LOT

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: _____
 LEGAL DESCRIPTION: _____
 STREET ADDRESS OR LOCATION: _____ REP DISTRICT: _____
 ACREAGE: _____ PRESENT ZONING: _____ PRESENT LAND USE: _____
 PROPOSED ZONING: _____ PROPOSED LAND USE: _____

4. PARCEL THREE INFORMATION

PROPERTY IDENTIFICATION NUMBER: _____
 LEGAL DESCRIPTION: _____
 STREET ADDRESS OR LOCATION: _____ REP DISTRICT: _____
 ACREAGE: _____ PRESENT ZONING: _____ PRESENT LAND USE: _____
 PROPOSED ZONING: _____ PROPOSED LAND USE: _____

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****OFFICE USE ONLY****

ZON _____ RECEIVED DATE: ___/___/___ APPLICATION FEE: \$ _____
 DCC REVIEW DATE: ___/___/___ (8:30 am, Conference Room, 2nd Floor, City Hall Building)
 CPC REVIEW DATE: ___/___/___ (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
 ACCEPTED BY: _____

Revised 9/2006