

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

**DEPARTMENT:** Development Services Department, Planning Division

**AGENDA DATE:** Introduction: October 21, 2008  
Public Hearing: November 11, 2008

**CONTACT PERSON/PHONE:** Arturo Rubio, 541-4633

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

An Ordinance changing the zoning of Tract 1B, of F.M. Collins Survey No. 209 and Tract 6B of H.F. Fisher Survey No. 293, City of El Paso, El Paso County, Texas from R-4 (Residential) to A-O (Apartment Office), and imposing a condition The penalty is as provided for in Chapter 20.24 of The El Paso City Code. Subject Property: 1300 Murchison Drive. Applicant: Murchison Medical Doctors, LP c/o Hiatt & Associates, ZON08-00063 (District 8).

**BACKGROUND / DISCUSSION:**

**PRIOR COUNCIL ACTION:**

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation  
City Plan Commission (CPC) – Approval Recommendation (5-0)

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

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

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

**DEPARTMENT HEAD:** Victor Q. Torres  
Director, Development Services

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**APPROVED FOR AGENDA:**

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

AN ORDINANCE CHANGING THE ZONING OF TRACT 1B OF F.M. COLLINS SURVEY NO. 209 AND TRACT 6B OF H.F. FISHER SURVEY NO. 293, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-4 (RESIDENTIAL) TO A-O (APARTMENT/OFFICE), AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 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 *Tract 1B of F.M. Collins Survey No. 209 and Tract 6B of H.F. Fisher Survey No. 293, City of El Paso, El Paso County, Texas*, be changed from **R-4 (Residential)** to **A-O (Apartment/Office)**, 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 condition which is 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:

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

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

THE CITY OF EL PASO

\_\_\_\_\_  
John F. Cook  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

APPROVED AS TO CONTENT:

*Philip Elton*  
\_\_\_\_\_  
Mathew S. McElroy, Deputy Director  
Development Services Department  
Planning Division



**JOHN COOK**  
MAYOR

**JOYCE WILSON**  
CITY MANAGER

**VICTOR Q. TORRES**  
DIRECTOR, DEVELOPMENT SERVICES

**MATHEW S. McELROY**  
DEPUTY DIRECTOR, PLANNING

**CITY COUNCIL**

ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
EMMA ACOSTA, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
RACHEL QUINTANA, DISTRICT 5  
EDDIE HOLGUIN, JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**

**MEMORANDUM**

**DATE:** October 13, 2008

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

**FROM:** Arturo Rubio, Planner

**SUBJECT: ZON08-00063**

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The City Plan Commission (CPC), on September 11, 2008, voted **(5-0)** to **approve** the rezoning of subject property from R-4 (Residential) to A-O (Apartment-Office) with a condition.

The CPC found that the 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 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 have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There were no letters or phone calls in support or opposition of rezoning request.

**Attachment:** Staff Report



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

**Case No:** ZON08-00063  
**Application Type:** Rezoning  
**CPC Hearing Date:** September 11, 2008  
**Staff Planner:** Arturo Rubio, 915-541-4633, [rubioax@elpasotexas.gov](mailto:rubioax@elpasotexas.gov)

**Location:** 1300 Murchison  
**Legal Description:** Tract 1B of F.M Collins Survey No. 209 and Tract 6B of H.F. Fisher Survey No. 293, City of El Paso, El Paso County, Texas

**Acreage:** 0.716 acres  
**Rep District:** 8  
**Existing Use:** Vacant  
**Proposed Use:** Medical Office Building  
**Existing Zoning:** R-4 (Residential)  
**Proposed Zoning:** A-O (Apartment-Office)

**Property Owner:** Murchison Medical Doctors, LP  
**Applicant:** Murchison Medical Doctors, LP  
**Representative:** Francis S. Ainsa Jr.

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

**North:** R-4 (Residential), Single-Family dwellings  
**South:** A-2 (Apartment), YWCA, Office, Lamar Elementary School  
**East:** R-4 (Residential), Church, Single-Family dwellings  
**West:** C-1 (Commercial) Convenience Store, Office, Tom Lea Upper Park

**THE PLAN FOR EL PASO DESIGNATION:** Residential (Central Planning Area)

**NEIGHBORHOOD ASSOCIATIONS:** Pubic Notification was sent to the Central El Paso Community Organization and the Golden Hills Neighborhood Association.

**APPLICATION DESCRIPTION:** The applicant is requesting to rezone subject property from R-4 (Residential) to A-O (Apartment-Office). The property is approximately 0.716 acres in size and is vacant. The applicant is requesting to rezone property to A-O (Apartment Office) to allow the extension of medical offices in the same property owned by the applicant. This request will rezone the remainder of the property from R-4 to A-O to match abutting property. The abutting property was rezoned from R-4 (Residential) to A-O (Apartment Office) by Ordinance 9823 dated September 26, 1989 with a condition of a detailed site plan submitted to Mayor and City Council prior to the issuance of any building permits.

**CASE HISTORY:** On September 26, 1989 the property directly to the West of subject property and owned by same applicant was rezoned from R-4 (Residential) to A-O (Apartment Office) with a

condition. The condition is as follows, “Prior to the issuance of any building permits, a detailed site development plan must be reviewed by the Commission and approved by the Mayor and City Council.” This rezoning would expand medical offices on both properties.

**NEIGHBORHOOD INPUT:** Notice of Public Hearing was mailed out to all property owners within 300 feet of subject property. Planning Division did not receive any letters or phone calls in support or opposition of rezoning request.

**DEVELOPMENT COORDINATING COMMITTEE COMMENTS:**

The Development Coordinating Committee provides the following comments:

**Development Services Department - Building Permits and Inspections Division:**

Zoning Review: Medical Office Building permitted on proposed A-O (Apartment Office) District. Site Plan showing two different parcels. Proposal as submitted will not meet side setback and off-street and loading standards. Portion of proposed building encroaching onto adjacent property.

Landscape Review: No comments received.

**Development Services Department - Planning Division:**

Current Planning: The A-O (Apartment Office) district is compatible with surrounding land use and projected land use. The A-O (Apartment Office) district provides the residential neighborhood services without inflicting an adverse impact on the residential densities, architectural design and zoning district regulations.

Land Development: No comments Received

**Engineering Department - Traffic Division:**

No objections to proposed zoning change.

**Fire Department:**

No comments received.

**El Paso Water Utilities:**

EPWU does not object to this request.

**Parks:**

No comments received.

**Sun Metro:**

No comments received.

**School Districts:**

No comments received.

**DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION:**

The DCC (Development Coordinating Committee) recommends **approval** with a condition

*That prior to the issuance of any building permits, a detailed site development plan must be reviewed and approved by the City Plan Commission.*

**PLANNING DIVISION RECOMMENDATION:**

The Planning Division recommends **approval** with a condition:

*That prior to the issuance of any building permits, a detailed site development plan must be reviewed and approved by the City Plan Commission.*

**The Plan for El Paso-City-Wide Land Use Goals:**

Medium Density Residential Districts:

- a. Goal: develop a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.
- b. Goal: provide and enforce standards for providing decent, safe and sanitary housing for all El Pasoans in accordance with federal, state and local regulations.
- c. Goal: provide a wide range of housing types that respond to the needs of all economic segments of the community.
- d. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.

The purpose of the A-O (Apartment Office) district is to promote and preserve residential development within the City associated with a landscape more urban in appearance and permitting a mixture of housing types and certain non-residential uses and support facilities such as medical offices. The A-O district promotes office development which best serves the community needs and complements and serves all other land uses. Goals b and c do not apply to an office development. The A-O district also serves to transition neighborhood commercial to residential development and serves to protect residential uses from incompatible land uses and encroachments.

### **CITY PLAN COMMISSION OPTIONS**

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application

- 1 Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for 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 rezoning into conformance with the review criteria in The Plan for 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 rezoning does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

### **Attachments:**

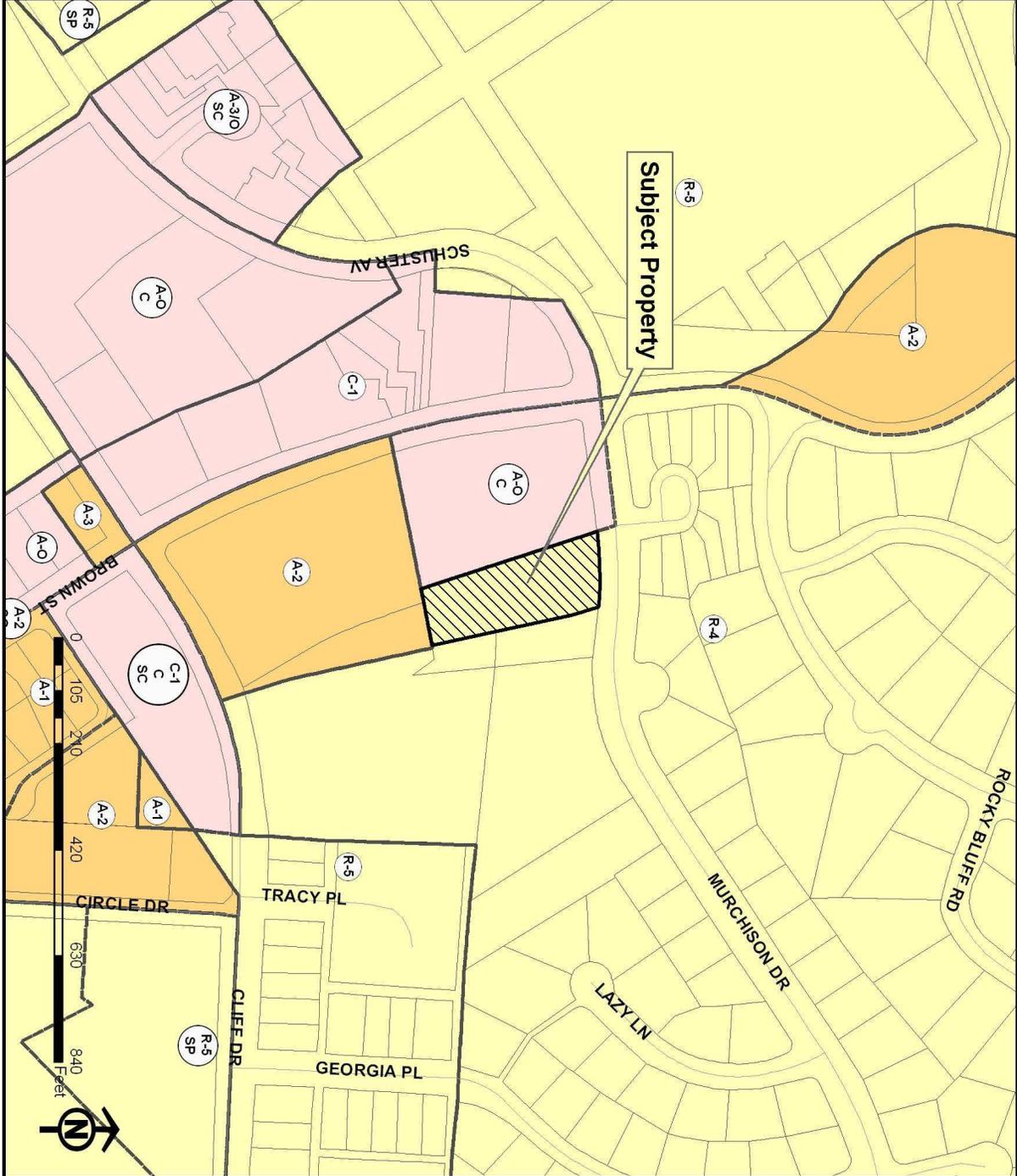
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

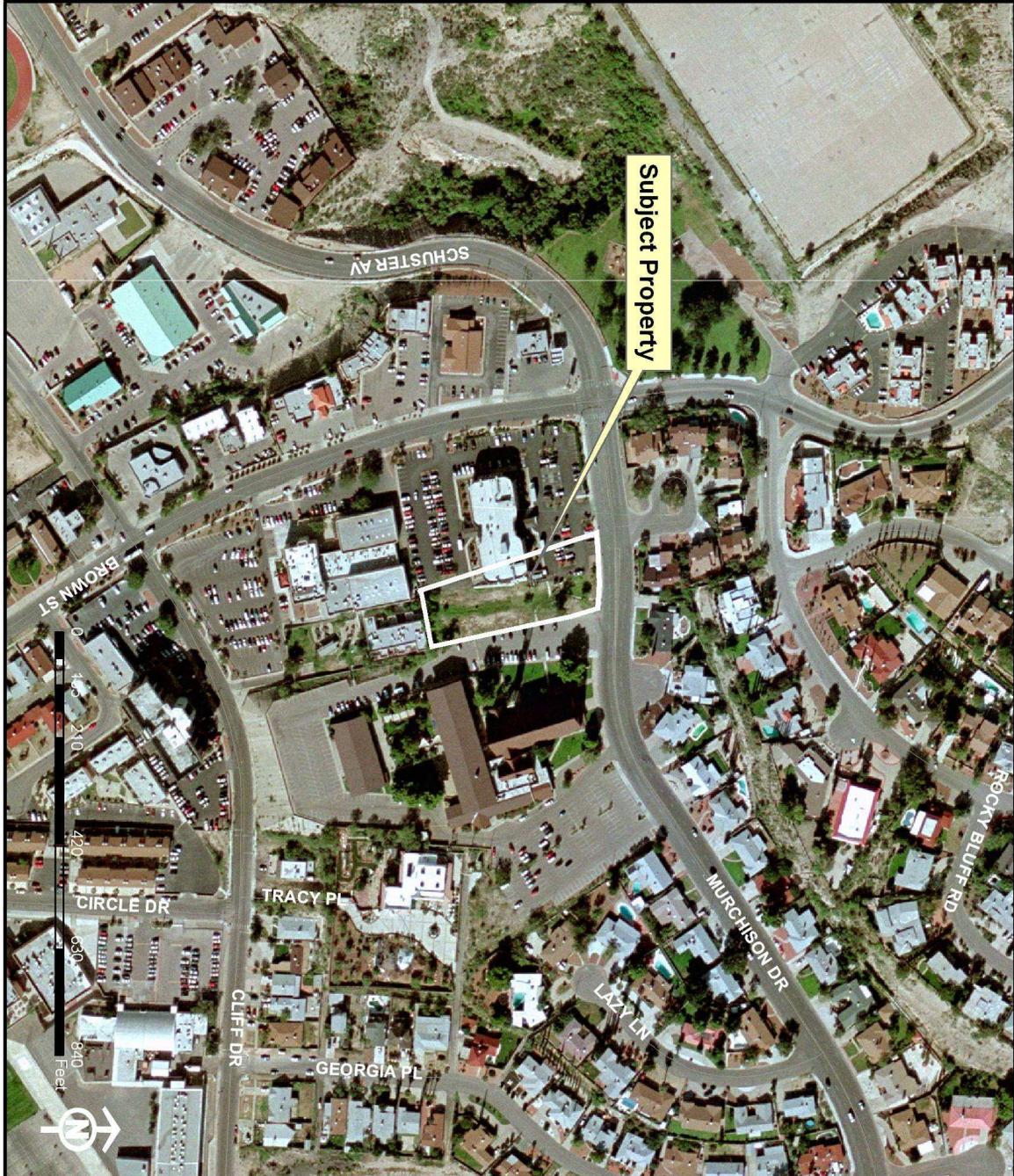
Attachment 1: Zoning Map

ZON08-00063



Attachment 2: Aerial

ZON08-00063



# Attachment 3: Conceptual Site Plan

