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

AGENDA DATE: January 2, 2024
PUBLIC HEARING DATE: January 30, 2024

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553

Saul J. G. Pina, (915) 212-1612

DISTRICT(S) AFFECTED: District 2

STRATEGIC GOAL: #3 Promote the Visual Image of El Paso

SUBGOAL: 3.2 Set one standard for infrastructure across the city

SUBJECT:

An Ordinance granting Special Permit No. PZST23-00013, to allow for an adult day care center on the property described as a portion of Block 52, Government Hill Addition, 4115 Trowbridge Drive, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.260 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.

The proposed special permit meets the intent of the Future Land Use designation for the property and is in accordance with *Plan El Paso*, the City's Comprehensive Plan.

Subject Property: 4115 Trowbridge Drive Applicant: Jireh Shiloh, LLC, PZST23-00013

BACKGROUND / DISCUSSION:

The applicant is requesting a special permit to allow for an adult day care center on the subject property. City Plan Commission recommended 5-0 to approve the proposed special permit on November 16, 2023. As of December 12, 2023, the Planning Division received two (2) calls of inquiry but no communication in support or opposition to the special permit request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division

SECONDARY DEPARTMENT: N/A

DEPARTMENT H	- - -	AUTHORIZATION************************************
	Philip E	iwe

ORDINANCE	NO.

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST23-00013, TO ALLOW FOR AN ADULT DAY CARE CENTER ON THE PROPERTY DESCRIBED AS A PORTION OF BLOCK 52, GOVERNMENT HILL ADDITION, 4115 TROWBRIDGE DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.260 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Jirch Shiloh, LLC, has applied for a Special Permit under Section 20.04.260 of the El Paso City Code to allow for an adult day care and,

WHEREAS, a report was made by the City Plan Commission and a public hearing was held regarding such application; and,

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit 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 Section 20.04.320 of the El Paso City Code.

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

- 1. That the property described as follows, is in a A-O (Apartment/Office) District: A portion of Block 52, Government Hill Addition, 4115 Trowbridge Drive, City of El Paso, El Paso County, Texas; and,
- 2. That the City Council hereby grants a Special Permit under Section 20.04.320 of the El Paso City Code to allow for an adult day care on the property described in Paragraph 1 of this Ordinance; and,
- 3. That this Special Permit is issued subject to the development standards in the A-O (Apartment/Office) District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as **Exhibit "A"** and is incorporated herein by reference for all purposes; and,
- 4. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, Special Permit No. PZST23-00013, shall be subject to termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.24 and any other legal or equitable remedy; and,

General Special Use Permit

shall sign an Agreement incorporating the requirements of this l be signed and filed with the Zoning Administrator and the an Commission before building permits are issued.
y of
THE CITY OF EL PASO
Oscar Leeser Mayor
APPROVED AS TO CONTENT:
Philip Tiwe
Philip Tiwe Philip F. Etiwe, Director Planning & Inspections Department

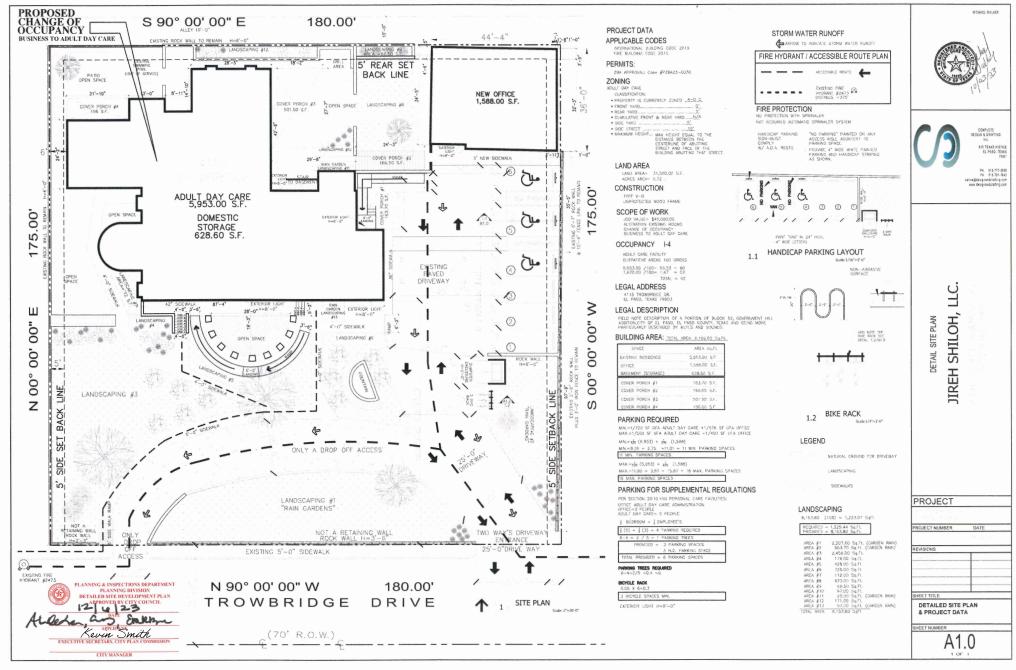
AGREEMENT

Jirch Shiloh, LLC, the Applicant 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 A-O
(Apartment/Office) District regulations, and subject to all other requirements set forth in
this Ordinance.
EXECUTED this day of learning, 2023.
Jireh Shiloh, LLC
(Signature) ENA RIGODA
Alicia Deleon/Managing Member, Gerardo Huerta/Managing (Name/Title) Eva Barrera Managing Member
ACKNOWLEDGMENT
THE STATE OF TEXAS
COUNTY OF EL PASO)
This instrument is acknowledged before me on this day of Roman, 2023, by Alicia Manuferato Huntur ha Rayera for Jireh Shiloh, LLC as Applicant.
GERARDO MANUEL AMAYA Notary Public, State of Texas Signature
Notary in #13346496 Signature

My Commission Expires:

12/10/2020



4115 Trowbridge

City Plan Commission — November 16, 2023 REVISED

CASE NUMBER: PZST23-00013

CASE MANAGER: Saul J. G. Pina, (915) 212-1612, PinaSJ@elpasotexas.gov

PROPERTY OWNER: Jireh Shiloh, LLC **REPRESENTATIVE:** Vanessa Duran

LOCATION: 4115 Trowbridge Dr. (District 2)

PROPERTY AREA: 0.72 acres

REQUEST: Special Permit and Detailed Site Development Plan approval to

allow for the use of adult day care center in the A-O

(Apartment/Office) zone district

RELATED APPLICATIONS: PZBA23-00030 - 4115 Trowbridge Dr. None received as of November 9, 2023

SUMMARY OF REQUEST: The applicant is requesting a special permit and detailed site development plan approval for the use of adult day care center in the A-O (Apartment/Office) zone district.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the special permit and detailed site development plan requests for the use of adult day care center. The proposed development meets all the requirements of El Paso City Code Section 20.04.320 – Special Permit and Section 20.04.150 – Detailed Site Development Plan. Furthermore, the proposed development is in accordance with both the G-2 Traditional Neighborhood Future Land Use Designation and *Plan El Paso*, the City's adopted Comprehensive Plan.

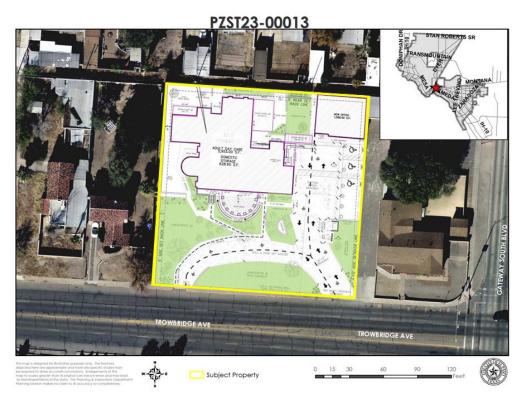


Figure A. Detailed Site Development Plan Superimposed on Aerial Imagery.

DESCRIPTION OF REQUEST: The applicant is requesting review and approval of a special permit and detailed site development plan for the proposed use of adult day care center on the subject property in the A-O (Apartment/Office) zone district. The detailed site development plan shows an existing 8,169 square foot building comprising of the following: a 5,953 square-foot adult day care facility, a 1,588 square-foot office, and a 628.60 square-foot domestic storage facility. The existing building has a maximum height of twenty (20) feet. The integrated facility will provide six (6) vehicular parking spaces and three (3) bicycle parking spaces to accommodate patrons and personnel. Pedestrian and vehicular access to the subject property is provided from Trowbridge Drive. The detailed site development plan demonstrates compliance with all applicable standards per the El Paso City Code.

PREVIOUS CASE HISTORY: The following history is applicable to this case:

On August 7, 2023, the Zoning Board of Adjustment granted approval with a condition for the rear and side encroachment of a garage structure to be converted as office. The condition is the following:

That the garage structure be modified to comply with zoning and building code requirements prior to the issuance of building permits.

Note: This condition is satisfied as the applicant will modify the structure to comply with zoning requirements.

Ordinance No. 9671, dated March 28, 1989, approved a rezoning from R-4 (Residential) to A-O (Apartment/Office). The following applicable conditions read as follows:

1) That the property may be used as a single-family residence, and as professional offices, but shall not be used as medical offices.

Note: Condition No. 1 is satisfied through this request. Treatment and diagnosis will not be provided onsite.

2) That only one (1) business sign, not exceeding thirty (30) square feet in size shall be permitted on the property.

Note: Condition No. 2 is satisfied through this request. Review and approval of a separate permit will be required.

COMPLIANCE WITH SPECIAL PERMIT REQUIREMENTS (El Paso City Code 20.04.320.D)			
Criteria	Does the Request Comply?		
1. The proposed development complies, except to the extent waived, varied or modified pursuant to the provisions of this title, with all of the standards and conditions applicable in the zoning district in which it is proposed to be located.	Yes. The detailed site development plan demonstrates compliance with all other applicable standards per the El Paso City Code. The Zoning Board of Adjustment granted approval with a condition to permit the rear and side encroachment of the existing garage structure to be used as office.		
2. Furthers <i>Plan El Paso</i> and applicable neighborhood plans or policies.	Yes. The request complies with the recommendations of <i>Plan El Paso</i> and the G-2, Traditional Neighborhood Land Use designation. The proposed development will integrate with commercial development along Gateway South and Montana Avenue and surrounding residential development.		
3. Adequately served by and will not impose an undue burden upon public improvements.	Yes. The subject property fronts Trowbridge Drive, a minor arterial, as classified on the City of El Paso's Major Thoroughfare Plan (MTP), and is appropriate for commercial business and traffic. This roadway connects		

COMPLIANCE WITH SPECIAL PERMIT REQUIREMENTS (El Paso City Code 20.04.320.D)			
	with Gateway South and will serve as a pathway for the adult day care and other commercial facilities in the area.		
4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.	Yes. No impact is anticipated from the approval of the proposed special permit and detailed site development plan. The proposed development will adhere to zoning requirements and will not impose a risk to neighboring properties.		
5. The design of the proposed development mitigates substantial environmental problems.	Yes. Subject property does not involve greenfield/ environmentally sensitive land or arroyo disturbance.		
6. The proposed development provides adequate landscaping and/or screening where needed.	Yes. The proposed adult day care facility will provide low impact designed landscaping through the use of rain gardens for water harvesting. In addition, the proposed facility will provide adequate screening between residential areas through the surrounding 6-foot rock wall that is already existing.		
7. The proposed development is compatible with adjacent structures and uses.	Yes. The proposed adult day care facility is compatible with less intensive non-residential uses and other residential structures. The principal building will maintain its façade and be converted for the use of adult day care.		
8. The proposed development is not materially detrimental to the property adjacent to the site.	Yes. The proposed adult day care facility will maintain the existing building façade and will be modified to comply with setback requirements.		

COMPLIANCE WITH PLAN EL PASO GOALS & POLICIES - When evaluating whether a proposed special permit is in accordance with *Plan El Paso*, consider the following factors:

Criteria Does the Request Comply?

Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:

G-2, Traditional Neighborhood: This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly faced streets; schools, parks, and small shops are integrated with residential areas. This sector is wellsuited for use of the Smart Code as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.

Yes, the proposed adult day care facility meets the intent of the G-2, Traditional Neighborhood Future Land Use designation. The proposed facility will integrate with residential areas and provide commercial activity previously not available.

COMPLIANCE WITH *PLAN EL PASO* GOALS & POLICIES – When evaluating whether a proposed special permit is in accordance with *Plan El Paso*, consider the following factors:

Compatibility with Surroundings: The proposed use is compatible with those surrounding the site:

A-O (Apartment/Office) District: The purpose of this districts 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. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low-density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities.

Yes. The subject property is located in an A-O (Apartment/Office) zoning district but is in close proximity to US-54 Patriot Freeway. The location of the proposed adult day care facility is suitable for intermediate traffic and non-residential uses.

THE PROPOSED PROJECT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:

Plans: Any historic district or other special designations that may be applicable. Any adopted small area plans, including land-use maps in those plans.

The proposed adult day care facility is not located within a historic district or special designation area.

Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.

The proposed facility is not anticipated to pose any adverse effects on the community.

Natural Environment: Anticipated effects on the natural environment.

The subject property does not involve greenfield/environmentally sensitive land or arroyo disturbance.

Stability: Whether the area is stable or in transition.

The area is stable, with no rezoning in the area within the last 10 years.

Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.

Existing zoning will not be changed. Due to the location of the proposed facility and the use of adult day care center, a special permit is required per city code.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property fronts Trowbridge Drive, a street designated as a minor arterial on the City of El Paso's Major Thoroughfare Plan (MTP) and is adequate for connecting intermediate traffic with other commercial and residential areas. Pedestrian access will be provided by a proposed five (5) foot sidewalk. In addition, vehicular access will be available only through the eastern side of the property as the access driveway located on the western side of the property will be used as a drop off zone. No bus stops are available on the area.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No adverse comments from reviewing departments.

PUBLIC COMMENT: The subject property lies within El Paso Central Business Association, Sunrise Civic Group, and Five Points Development Association, all of which were notified of the request. Notices were sent to property owners within 300 feet of the subject property on November 3, 2023. As of November 15, 2023, the Planning Division received two (2) calls of inquiry but no communication in support or opposition to the special permit and detailed site development plan request.

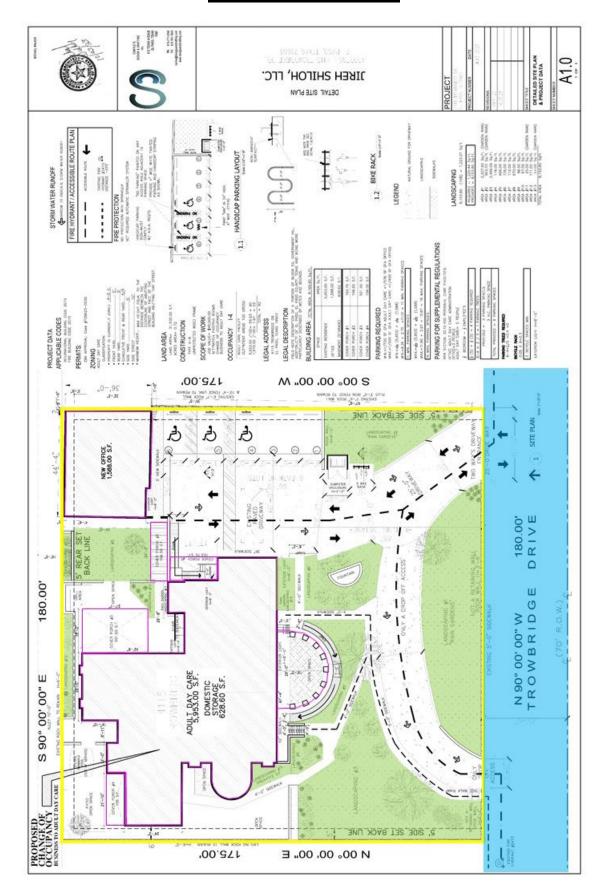
CITY PLAN COMMISSION OPTIONS:

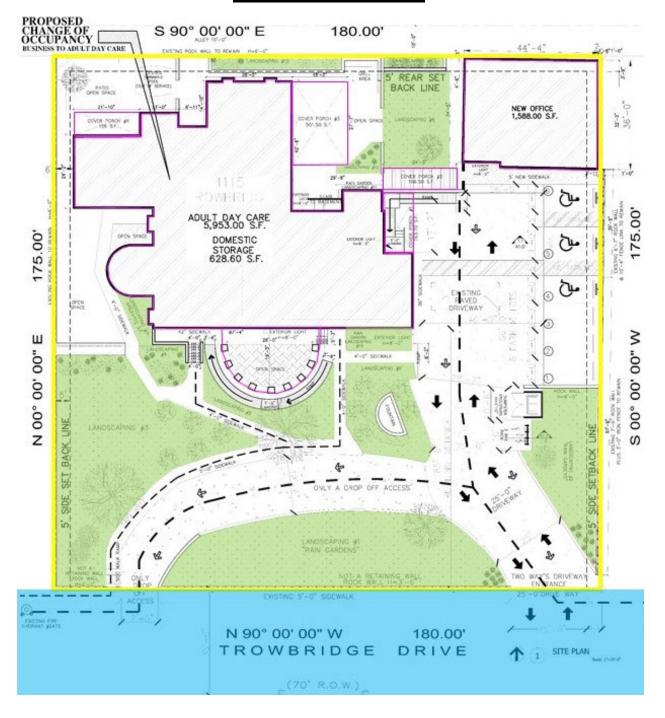
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

- 1. **Recommend Approval** of the special permit 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. (Staff Recommendation)
- 2. **Recommend Approval of the special permit 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 special permit 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.

- 1. Zoning Map
- 2. Detailed Site Plan
- 3. Detailed Site Plan (Enlarged)
- 4. Elevations
- 5. Department Comments
- 6. Neighborhood Notification Boundary Map

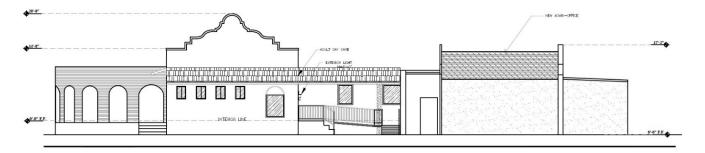




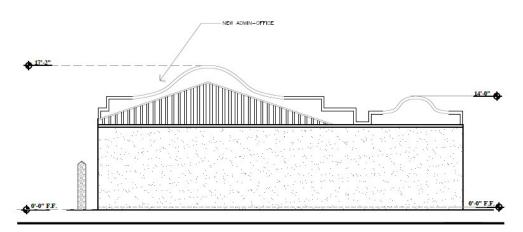




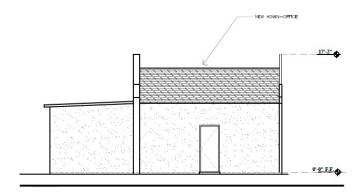
Front elevation. Maximum height of 20 feet.



Right elevation. Maximum height of 20 feet.



Rear elevation. Maximum height of 17 feet.



Left side elevation. Maximum height of 17 feet.

Planning and Inspections Department - Planning Division

Staff recommends approval with a condition of the special permit and detailed site development plan per Section 20.04.320 – Special Permit, and Section 20.04.150 – Detailed Site Development Plan.

Note: For approval, the access driveway located west of the property shall be used as a pick-up/drop-off zone and shall not be used for parking.

<u>Planning and Inspections Department – Plan Review & Landscaping Division</u>

No objections to the proposed special permit. At the time of submittal for building permits, the project will need to comply with all applicable municipal and building code requirements.

<u>Planning and Inspections Department – Land Development</u>

Recommend approval:

- 1. Commercial driveways must be between 25-35 feet wide.
- 2. Five-foot minimum separation between driveways is required. There appears to be encroachment conflict with neighboring driveway to the East of this lot (potential safety issue).
- 3. Verify if driveway is one direction with entrance and exit signage or both entrances are two directional.
- 4. Show existing stormwater drainage flow patterns.

Note: Previous comments addressed.

Fire Department

Recommend approval: No adverse comments.

Police Department

No comments received.

Environment Services

No comments received.

Streets and Maintenance Department

No objections to special permit.

Sun Metro

No comments received.

El Paso Water

EPWater does not object to this request.

Water:

There is an existing 4-inch diameter water main extending along an alley north of Trowbridge Dr. This water main is available for service.

EPWater records indicate an active 1-inch water meter serving the subject property. The service address for this meter is 4115 Trowbridge Dr.

Previous water pressure readings from fire hydrant # 02473 located at the southeast corner of the intersection of Trowbridge Dr. and Boone St. have yielded a static pressure of 126 pounds per square inch, a residual pressure of 106 pounds per square inch, and a discharge flow of 1210 gallons per minute. 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.

Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main extending along the alley north of Trowbridge Dr. This main is located approximately 10-feet south of the northern right-of-way line. This main is available for service.

General:

EPWater requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. 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 appurtenance

Stormwater:

No comments received.

Texas Department of Transportation

No comments received.

911 District

No comments received.

El Paso County Water Improvement District No. 1

No comments received.

