City of El Paso – City Plan Commission Staff Report
To be deleted

Case No:	PZDS15-00009
Application Type:	Detailed Site Development Plan Review
CPC Hearing Date:	July 9, 2015 (Postponed from June 4, 2015)
Staff Planner:	Anne Antonini, (915) 212-1814, antoniniam@elpasotexas.gov
Location:	9400 Escobar Road
Legal Description:	Lot 1, Block 1, Odelon Place, City of El Paso, El Paso County, Texas
Acreage:	5.57 acres
Rep District:	6
Current Zoning:	M-1/sc (Manufacturing/Special Condition) & C-4 (Commercial)
Existing Use:	Vacant
C/SC/SP/ZBA/LNC:	Special Contract Attached to Ordinance No. 5643, dated November 20, 1975
Request:	Detailed Site Development Plan Review
Proposed Use:	Warehouse
Property Owner:	Wala International Commerce, Inc.
Representative:	Sitework Engineering, LLC.

SURROUNDING ZONING AND LAND USE

North: C-4/ (Commercial) & M-1/sc (Manufacturing/special contract) / Auto Storage
South: R-5/sc/sp (Residential/Special Contract/Special Permit) / Single Family Homes
East: M-1/sc (Manufacturing/Special Contract) / Warehousing and Contractors Yard
West: C-4/c (Commercial/conditions)

PLAN EL PASO DESIGNATION: G-7 Industrial and/or Railyards (Mission Valley Planning Area)
NEAREST PARK: Blackie Chesher (1,255 feet)
NEAREST SCHOOL: Del Valle Elementary (1,294 feet)

NEIGHBORHOOD ASSOCIATION

Mission Valley Civic 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 November 20, 1975, the subject property was rezoned from F-R (Agriculture) to C-4 (Commercial) and conditions were imposed through a special contract as follows (Attachment 5):

1. *No building permit shall be issued for construction on the property until First Party has met the following requirements:*

    a. *Complete and detailed architectural and site development plans of the proposed development on the property must be approved by the City Plan Commission of the City of El Paso;*
    b. *A subdivision plat of the property must be approved by the City Plan Commission of the City of El Paso and filed for record.*

Condition #1.a necessitates the current application before the City Plan Commission. Condition #1.b has been satisfied.

2. *No certificate of occupancy and compliance shall be issued for any building constructed on the property until First Party has, at no cost to the City, constructed a facility for on-site ponding of storm waters on the property. Such facility shall be constructed in accordance with plans and specifications to be approved by the Director of Public Works and the City Engineer of the City of El Paso. No certificates of occupancy shall be issued until the Director of Public Works and the City Engineer have certified that First Party has satisfactorily completed such facility.*

   Condition #2 has been satisfied.

3. *The part of the property described as Parcel 1 in Exhibit "A" and all buildings located thereon shall comply with the following standards:*
   a. *All yards so, may be used for access, service, on-site parking, landscaping or other open use, except that: the ten feet abutting any front or side street shall be landscaped and maintained in an aesthetically attractive manner. This landscaping may be accomplished by the use of greenery, trees, grass, and shrubs, or by the use of such materials as crushed stone, cactus, lava rock, or similar materials.*
   b. *On-site employee parking shall be provided at the rate of one car space for each two employees on the largest shift.*
   c. *On-site loading and customer parking shall be provided as required by Section 25-43 of the El Paso City Code.*
   d. *Boundary screening-a solid masonry wall at least six feet and not more than eight feet in height shall be built along all property lines of that portion of the property which is developed or is being used for manufacturing, business, industrial, or accessory uses, which abut any residential or apartment district, except:*
      i. *Along front property lines;*
      ii. *Where a lower height is required to permit visibility at intersections and driveways;*
      iii. *Alongside street property lines in which case the fence must be located behind the required landscaping.*
   e. *Outdoor storage must be screened from any abutting public street or other abutting property by a solid masonry wall not less than six feet nor more than eight feet in height. This screening must be located behind any required landscaping.*

   Condition #3 does not apply to the subject property.

APPLICATION DESCRIPTION

The detailed site development plan shows a new 44,495 square feet. warehouse building, twenty-eight (28) feet in height, with 5,240 square feet of that building proposed for office use. It also shows a proposed future warehouse, to be developed in a subsequent phase, of 13,910 square feet.

Sixty (60) feet in height is permitted in both the M-1 (Manufacturing) and C-4 (Commercial) Districts.

The development requires a minimum of twenty-three (23) parking spaces and three (3) ADA parking spaces. The applicant is providing twenty-nine (29) parking spaces, to include four (4) ADA parking spaces. The applicant is also providing three (3) bicycle spaces as required.

Access to the subject property is proposed from Escobar Drive. The applicant is providing an eight (8) foot landscaped buffer with two (2) inch caliper trees every thirty feet along its boundary with the residential uses to the south.

There is a ten (10) foot utility easement running through the center of the subject property for its entire length, containing regularly-spaced utility poles and lines. The location of the proposed warehouse building shown on the Detailed Site Plan encroaches on this easement.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **DENIAL** of the detailed site development. An amending plat needs to be filed that vacates the (10) foot utility easement and relocates it to the boundary of the subject property. Until that occurs, the Detailed Site Plan does not meet all necessary criteria for approval. Specifically, it fails to meet Section 20.04.150 (D) (3), "The commission shall consider the following information when approving a proposed detailed site development plan: the location of utility rights-of-way and easements…"

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 or special contract 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 sited 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 because the subject property is more than 2 acres in size which requires review by City Plan Commission, and also because of the special contract provision imposed by Ordinance 5643.

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-7 Industrial and/or Railyards: This sector applies to industrial parks, large free-standing industrial uses, refineries, non-military airfields, trucking terminals, and mines, all on large tracts in areas dominated by vehicles. This sector is essential to El Paso's economy; however, when an industrial use becomes obsolete, there can be potential for mixed-use redevelopment of the site. This sector also includes the existing rail yards which could be redeveloped as mixed-use communities if the rail yards were moved out of town.

The purpose of the C-4 (Commercial) district is to serve the entire City to permit heavy commercial uses characterized by automotive and light warehousing. The C-4 (Commercial) district provides a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities.

The purpose of the M-1 (Manufacturing) district is provide for light-intensity industries involving manufacturing, assembling, distribution and warehousing while supporting commercial uses and to preserve a light industrial nature particularly with regard to noise, smoke, odors, dust, vibrations and other noxious conditions.

COMMENTS:

Planning and Inspections Department - Planning Division - Transportation

No objections to detailed site development plan.

Texas Department of Transportation

Not on state roadways.

Planning and Inspections Department – Plan Review

No objections to proposed DSDP, at the time of submittal for building permits the project will need to comply with all requirements of the IBC, TAS and local municipal code, landscaper review.

Planning and Inspections Department – Landscaping Division

No comments received.

Planning and Inspections Department – Land Development
No objections.

Fire Department
Recommended approval.

Sun Metro
Sun Metro does not oppose this request. Recommends the construction of sidewalks.

El Paso Water Utilities
The El Paso Water Utilities – Public Service Board (EPWU) does not object to this request.

EPWU-PSB Comments:

Water:
1. There is an existing 12-inch diameter water main that extends along Escobar Dr. located approximately 10 feet north of the street centerline. This main is available for service.
2. Previous water pressure readings from fire hydrant #10277 located at 9385 Escobar Dr. have yielded a static pressure of 100 pounds per square inch, a residual pressure of 90 pounds per square inch and a discharge of 1174 gallons per minute.
3. 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 Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device. The Developer shall include in the sale of contract documents that the lot/home buyer shall acquire ownership of the above-described water pressure regulating devices to be located at the discharge side of the water meters.

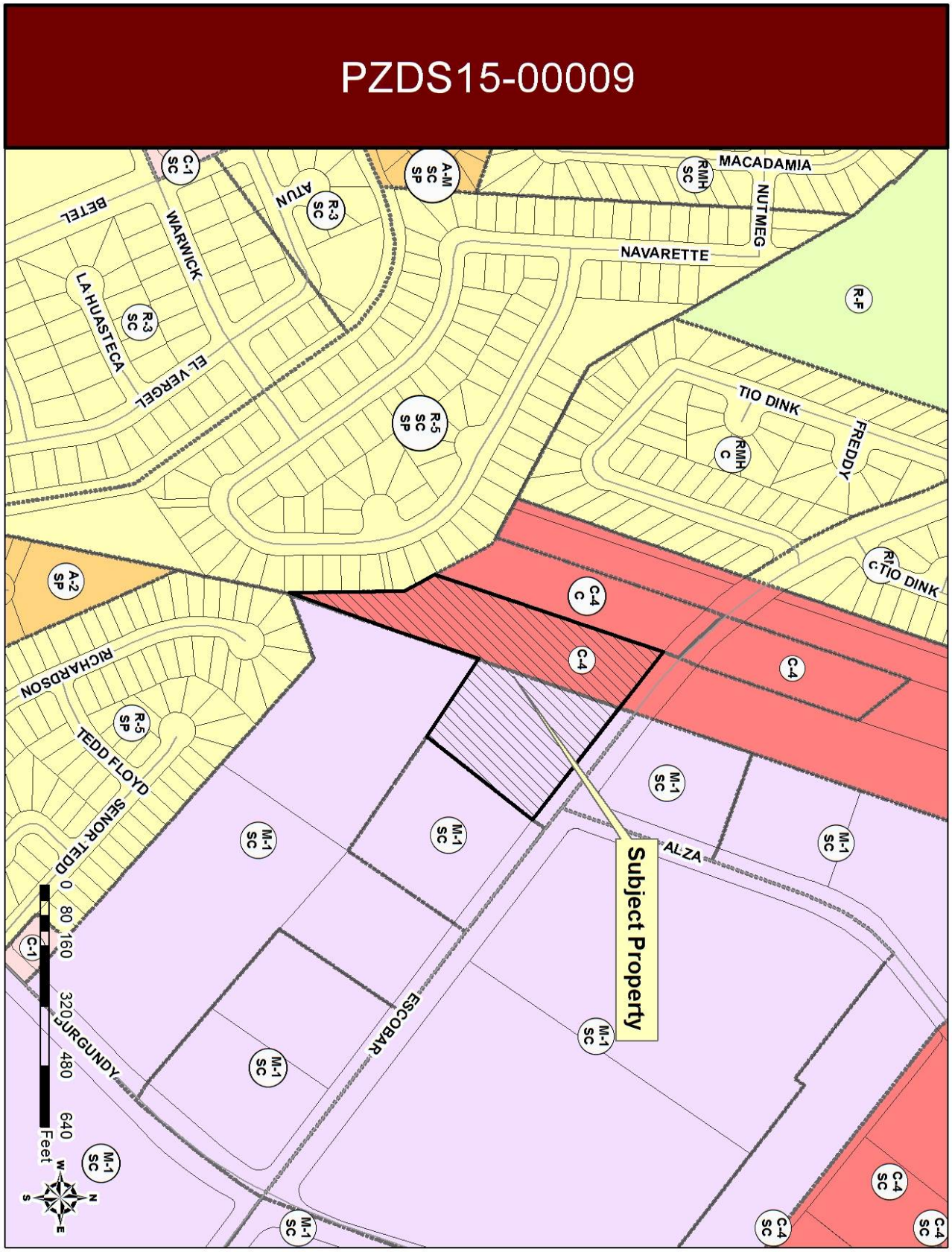
Sanitary Sewer:
1. There is an existing 12-inch / 8-inch diameter sanitary sewer main that extends along Escobar Dr. located along the street centerline. The 12-inch diameter sanitary sewer main is approximately 8 feet in depth. The 8-inch diameter sanitary sewer main is approximately 7 feet in depth. This main in This main is available for service
2. EPWU requires a new service application 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 with street names and addresses; (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.

Stormwater:
1. Provide protection to the subdivision from all offsite stormwater runoff that may have an adverse impact on any improvements.
2. The developer shall be responsible for the additional stormwater runoff generated by the proposed subdivision, and must ensure that the historic runoff volume, peak and duration are maintained.

Provide an acceptable stormwater management plan in accordance with Section 19.19.030 of the current subdivision ordinance.

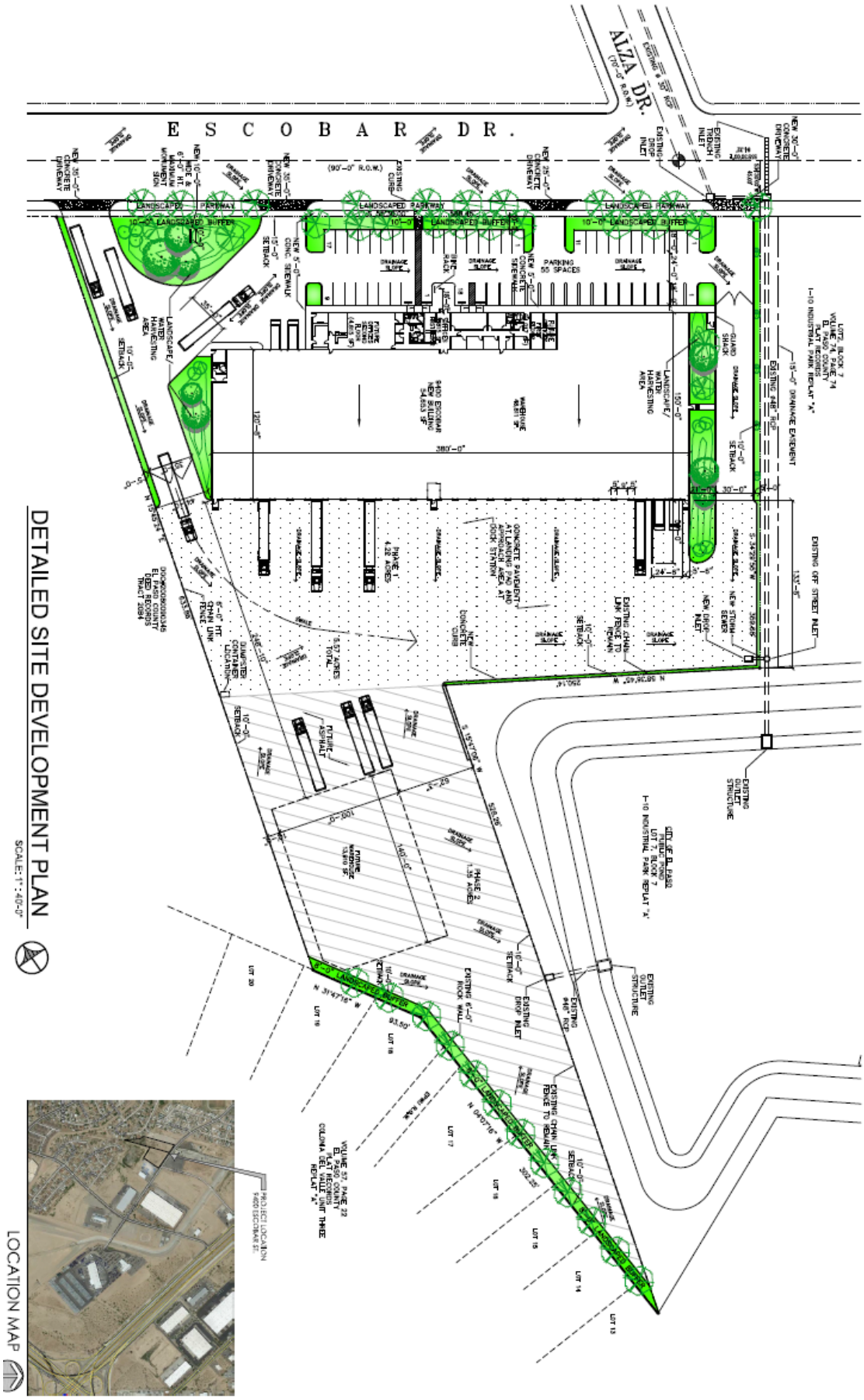
Attachments
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Ordinance No. 5643 dated December 15, 1975

ATTACHMENT 1: ZONING MAP

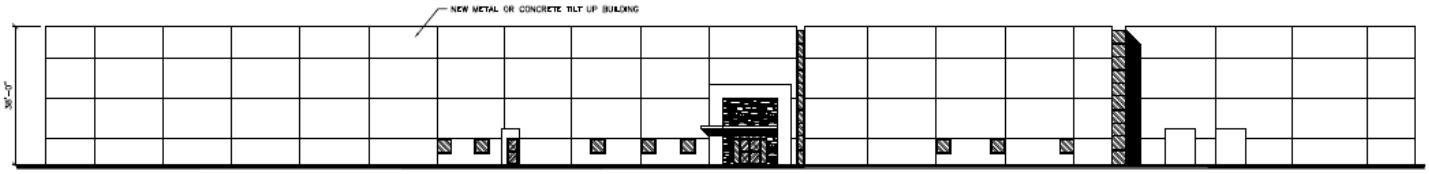


ATTACHMENT 2: AERIAL MAP

ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: ELEVATIONS



PROPOSED BUILDING FRONT ELEVATION

SCALE: 1/16" = 1'-0"

ATTACHMENT 5: ORDINANCE NO. 5643 DATED NOVEMBER 20, 1975

AN ORDINANCE CHANGING THE ZONING
OF TRACT 21A, BLOCK 55, YSLETA
GRANT, THE PENALTY BEING AS PRO-
VIDED 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 Tract 21A, Block 55, Ysleta Grant, as more particularly described below by metes and bounds, be changed as indicated within the meaning of the Zoning Ordinance and the zoning map of the City be revised accordingly:

Parcel No. One, from F-R to C-4

Being the description of 24.51 acres of land out of Tract 21-A, Block 55, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at the northwesterly corner of said Tract 21-A, also being the northeasterly corner of Tract 21-C of said Block 55;

Thence South 41° 31' 00" East a distance of 2295.28 feet to the northeasterly corner of said Tract 21-A;

Thence South 15° 57' 00"West a distance of 185.00 feet along the easterly boundary line of said Tract 21-A to a point;

Thence North 74° 03' 00" West a distance of 395.00 feet to a point;

Thence North 15° 57' 00" East a distance of 30.17 feet to a point;

Thence North 65° 30' 00" West a distance of 181.47 feet to a point;

Thence North 55° 30' 00" West a distance of 950.00 feet to a point;

Thence North 74° 03' 00" West a distance of 150.00 feet to a point;

Thence North 15° 57' 00" East a distance of 400.00 feet to a point;

Thence North 74° 03' 00" West a distance of 310.00 feet to a point on the boundary line between said Tracts 21-A and 21-C;

Thence North 15° 57' 00" East a distance of 660.00 feet along the boundary line between said Tracts 21-A and 21-C to the point of beginning.

Parcel No. Two, from F-R to M-1

Being the description of 109.17 acres of land out of Tract 21-A, Block 55, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at a point on the boundary line between Tracts 21-A

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared J. D. ABRAMS, Trustee and Managing Venturer of I-10 JOINT VENTURE, a partnership, 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 partnership, and that he executed the said as the act of such partnership for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and official seal this 31st day of October, 1975.

Bert M McCurry
Notary Public, El Paso County, Texas.

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared _____, President of K. & D. DEVELOPMENT & CONSTRUCTION COMPANY, 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 10th day of November, 1975.

Notary Public, El Paso County, Texas.

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared E. H. Baeza, Mayor Pro-Tem 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 20 day of November, 1975.

Angela C. Guillen
Notary Public, ElPaso County, Texas.

ANGELA C. GUILLEN, Notary Public
In and for the County of El Paso, Texas
My Commission Expires [illegible] 19[illegible]

and 21-C, Block 55, Ysleta Grant, said point bears South 15° 57'00" West a distance of 660.00 feet from the northerly common corner of said Tracts 21-A and 21-C;

Thence South 74°03'00" East a distance of 310.00 feet to a point;

Thence South 15°57'00" West a distance of 400.00 feet to a point;

Thence South 74°03'00" East a distance of 150.00 feet to a point;

Thence South 55°30'00" East a distance of 950.00 feet to a point;

Thence South 65°30'00" East a distance of 181.47 feet to a point;

Thence South 15°57'00" West a distance of 30.17 feet to a point;

Thence South 74°03'00" East a distance of 395.00 feet to a point on the easterly boundary line of said Tract 21-A;

Thence South 15°57'00" West a distance of 2932.90 feet along the easterly boundary line of said Tract 21-A to the southeasterly corner of said Tract 21-A;

Thence along the southerly boundary line of said Tract 21-A the following courses:

North 49"10'00" West a distance of 980.10 feet to a point;
North 42°03'00" East a distance of 464.60 feet to a point;
North 51°33'00" West a distance of 1197.70 feet to a point;
South 66°52'00" West a distance of 185.43 feet to the southerly common corner of Tracts 21-A and 21-B of said Block 55;

Thence North 15°57'00" East a distance of 2521.27 feet along the westerly boundary line of said Tract 21-A and the easterly boundary line of said Tracts 21-B and 21-C the point of beginning.

PASSED AND APPROVED this 20 day of November, 1975.

Mayor

ATTEST:

City Clerk

City Clerk

ify that the zoning map has been revised t
t the amendment of ordinance #5643
Date 12-15-75

CONTRACT

This contract, made this 31 day of October, 1975, by and between I-10 JOINT VENTURE, First Party, K. & D. DEVELOPMENT & CONSTRUCTION COMPANY, INC., a corporation, Second Party, and the CITY OF EL PASO, Third Party, witnesseth:

Application has been made to the City of El Paso for rezoning of Tract 21A, Block 55, Ysleta Grant in the City of El Paso, El Paso County, Texas, such property being more particularly described in Ordinance No. 5643 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. I-10 Joint Venture owns the property and is composed of J. D. Abrams, R. M. Dye, Jerry Williams, C. F. Opel, Inc., Landmark Development Company and K. & D. Development & Construction Company, Inc. J. D. Abrams is authorized by the Joint Venture to sign on its behalf as Trustee and Managing Venturer.

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

1. No building permit shall be issued for construction on the property until First Party has met the following requirements:

(a) Complete and detailed architectural and site development plans of the proposed development on the property must be approved by the City Plan Commission of the City of El Paso;

(b) A subdivision plat of the property must be approved by the City Plan Commission of the City of El Paso and filed for record.

2. No certificates of occupancy and compliance shall be issued for any buildings constructed on the property until First Party has, at no cost to the City, constructed a facility

for on-site ponding of storm waters on the property. Such facility shall be constructed in accordance with plans and specifications to be approved by the Director of Public Works and the City Engineer of the City of El Paso. No certificates of occupancy and compliance shall be issued until the Director of Public Works and the City Engineer have certified that First Party has satisfactorily completed such facility.

3. The part of the property described as Parcel 1 in Exhibit "A" and all buildings located thereon shall comply with the following standards:

(a) All yards so, may be used for access, service, on-site parking, landscaping or other open use, except that: the ten feet abutting any front or side street shall be landscaped and maintained in an aesthetically attractive manner. This landscaping may be accomplished by the use of greenery, trees, grass, and shrubs, or by the use of such materials as crushed stone, cactus, lava rock, or similar materials.

(b) On-site employee parking shall be provided at the rate of one car space for each two employees on the largest shift.

(c) On-site loading and customer parking shall be provided as required by Section 25-43 of the El Paso City Code.

(d) Boundary screening-a solid masonry wall at least six feet and not more than eight feet in height shall be built along all property lines of that portion of the property which is developed or is being used for manufacturing, business, industrial, or accessory uses, which abut any residential or apartment district, except:

(1) along front property lines;

(2) where a lower height is required to permit visibility at intersections and driveways;

(3) along side street property lines in which case the fence must be located behind the required landscaping.

(e) Outdoor storage must be screened from any abutting public street or other abutting property by a solid masonry wall not less than six feet nor more than eight feet in height. This screening must be located behind any required landscaping.

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 express 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.

Second Party consents to this contract both as a member of I-10 Joint Venture and as the owner and holder of recorded liens on the property.

WITNESS the following signatures and seals:

I-10 JOINT VENTURE

By _____
J.D. Abrams, Trustee and
Managing Venturer

K. & D. DEVELOPMENT & CONSTRUCTION COMPANY, INC., a corporation

By _____
President

ATTEST:

_____
Secretary

THE CITY OF EL PASO

By _____
Mayor Pro Tem

ATTEST:

_____
City Clerk

RESOLUTION

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

That the Mayor be authorized to sign a contract with I-10 JOINT VENTURE, et al., placing certain restrictions on property rezoned by Ordinance No. 5643.

ADOPTED this 20 day of November, 1975.

Mayor

ATTEST:

City Clerk

City Clerk

NOV 21 1975

DEPT. OF PLANNING

DATE: 08/20/01

TO: MAPPING SECTION

RETURN TO: Juan Gonzalez

ORDINANCE #:

ORDINANCE DATE: 8/14/01

CASE #: DP-01015

CONDITIONS: YES

METES & BOUNDS: ~~NO~~ YES

RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01015, FOR A PORTION OF LOT 1, BLOCK 11, I-10 INDUSTRIAL PARK, REPLAT "A", EL PASO, EL PASO COUNTY, TEXAS, (1050 BURGUNDY DRIVE), PURSUANT TO CONTRACT CONDITION.

WHEREAS, **Southwestern Bell Telephone Company** (the "Applicant") has applied for approval of a detailed site development plan pursuant to the Contract entered into on November 20, 1975, related to Ordinance No. 005643, by and between the City and I-10 Joint Venture and K. D. Development & Construction Company, Inc. to permit the construction and installation of a communications equipment hut; and

WHEREAS, a report was made by the staff to 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 detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

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

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant to permit the construction and installation of a communications equipment hut on the following described property which is located in an **M-1/sc (Manufacturing/special contract)** District:

A portion of Lot 1, Block 11, I-10 INDUSTRIAL PARK, REPLAT "A", El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A"; and municipally known and numbered as 1050 Burgundy Drive.

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto as Exhibit "B" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **M-1/sc (Manufacturing/special contract)** District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **M-1/sc (Manufacturing/special contract)** District regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

ADOPTED this 14th day of August, 2001.

THE CITY OF EL PASO

Raymond C. Caballero
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Carolyn J. Celum
Assistant City Attorney

APPROVED AS TO CONTENT:

Verónica Rosales, Zoning Coordinator
Dept. of Planning, Research & Development

(Agreement on following page)

DEVELOPMENT AGREEMENT

By execution hereof, **SOUTHWESTERN BELL TELEPHONE COMPANY**, the Applicant identified in the Resolution to which this Development Agreement is attached, hereby covenants and agrees to develop the property legally described as *a portion of Lot 1, Block 11, I-10 INDUSTRIAL PARK, REPLAT "A", El Paso, El Paso County, Texas,* as more particularly described by metes and bounds in the attached and incorporated Exhibit "A", in accordance with the approved detailed site development plan attached hereto as Exhibit "B" and incorporated herein by reference, and in accordance with the standards applicable to the **M-1/sc (Manufacturing/special contract)** District located within the City of El Paso.

EXECUTED this 24TH day of July, 2001.

SOUTHWESTERN BELL TELEPHONE COMPANY

By: Ron Duscha

Ron Duscha, Manager - Design & Construction

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 24th day of July, 2001, by RON DUSCHA as Manager - Design & Construction, on behalf of **SOUTHWESTERN BELL TELEPHONE COMPANY,** as Applicant.

My Commission Expires:

LINDA C. GRIEGO
NOTARY PUBLIC
STATE OF TEXAS
My commission expires 11-27-2004

Notary Public, State of Texas
Notary's Printed or Typed Name:
Linda C. Griego

EASEMENT DESCRIPTION
900 Square Feet

Being the description of the Southwestern Bell Easement located in Lot 1, Block 11, I-10 Industrial Park, Replat "A" (recorded in volume 75, page 38, plat records), City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the city monument at the intersection of Burgundy Drive and Betel Drive and the city monument at the intersection of said Burgundy Drive and Calais Drive bears, South 56°59'41" East, 1088.24 feet;

THENCE, North 29°29'33" East, a distance of 1340.48 feet to the centerline of said Burgundy Drive;

THENCE, leaving said centerline, South 49°10'00" East, a distance of 50.23 feet to a set ½ inch rebar at the most Westerly corner of said Lot 1 and **POINT OF BEGINNING** for the herein described Easement;

THENCE, along the Northwesterly line of said Lot 1, North 42°03'00" East, a distance of 30.00 feet to a found ½ inch rebar at the most Northerly corner of said Easement;

THENCE, leaving said Northwesterly line, South 49°11'33" East, a distance of 30.00 feet to a set ½ inch rebar;

THENCE, South 42°03'00" West, a distance of 30.00 feet to a found ½ inch rebar in the South line of said Lot 1;

THENCE, along said South line, North 49°10'00" West, a distance of 30.00 feet of the **POINT OF BEGINNING** and containing 900 square feet of land.

This description was prepared form a survey made on the ground on February 12, 2001.

PREPARED BY:
Cutts Land Surveying, Inc.
El Paso, Texas
July 2, 2001
Job No. 010701

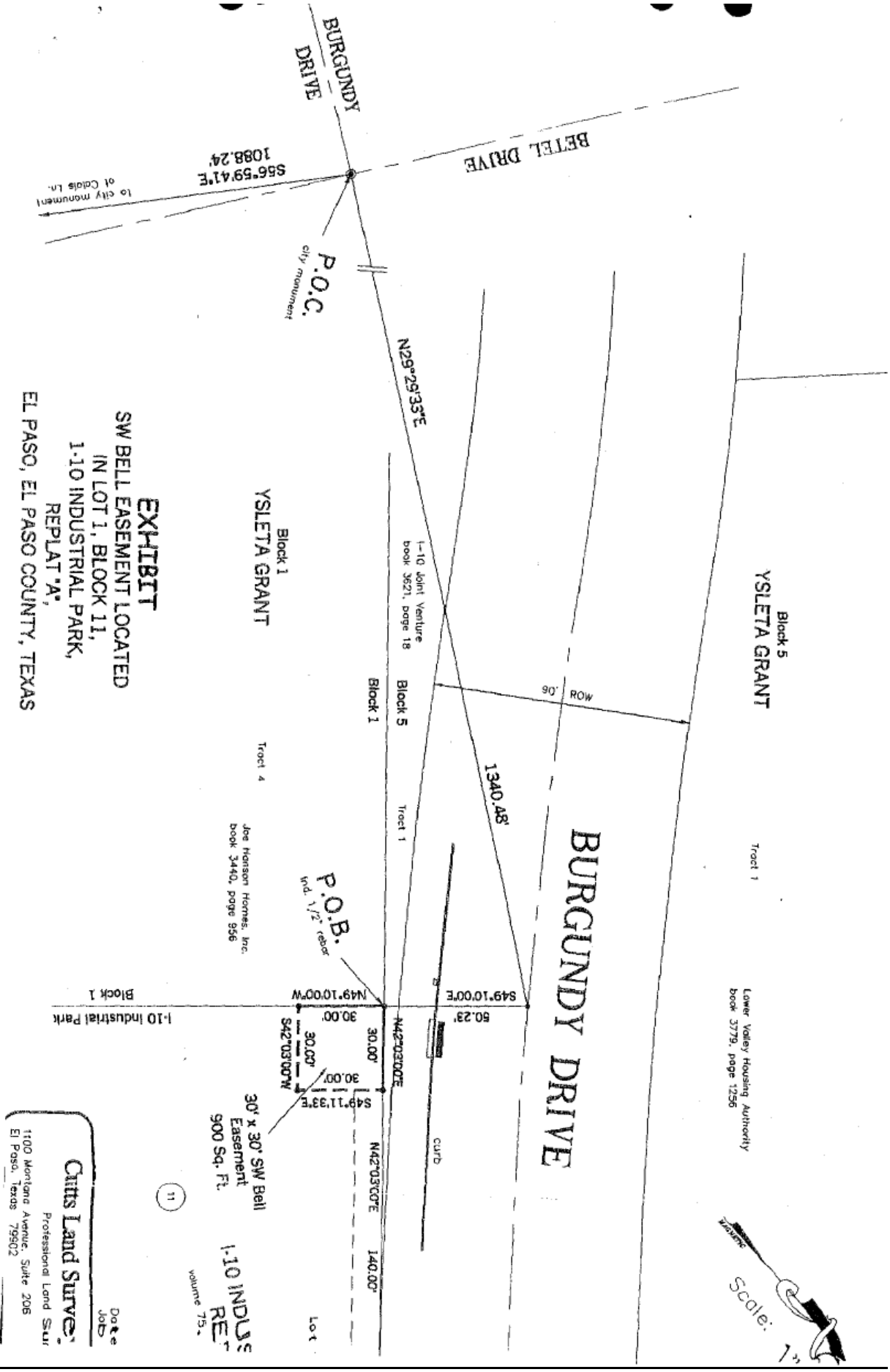
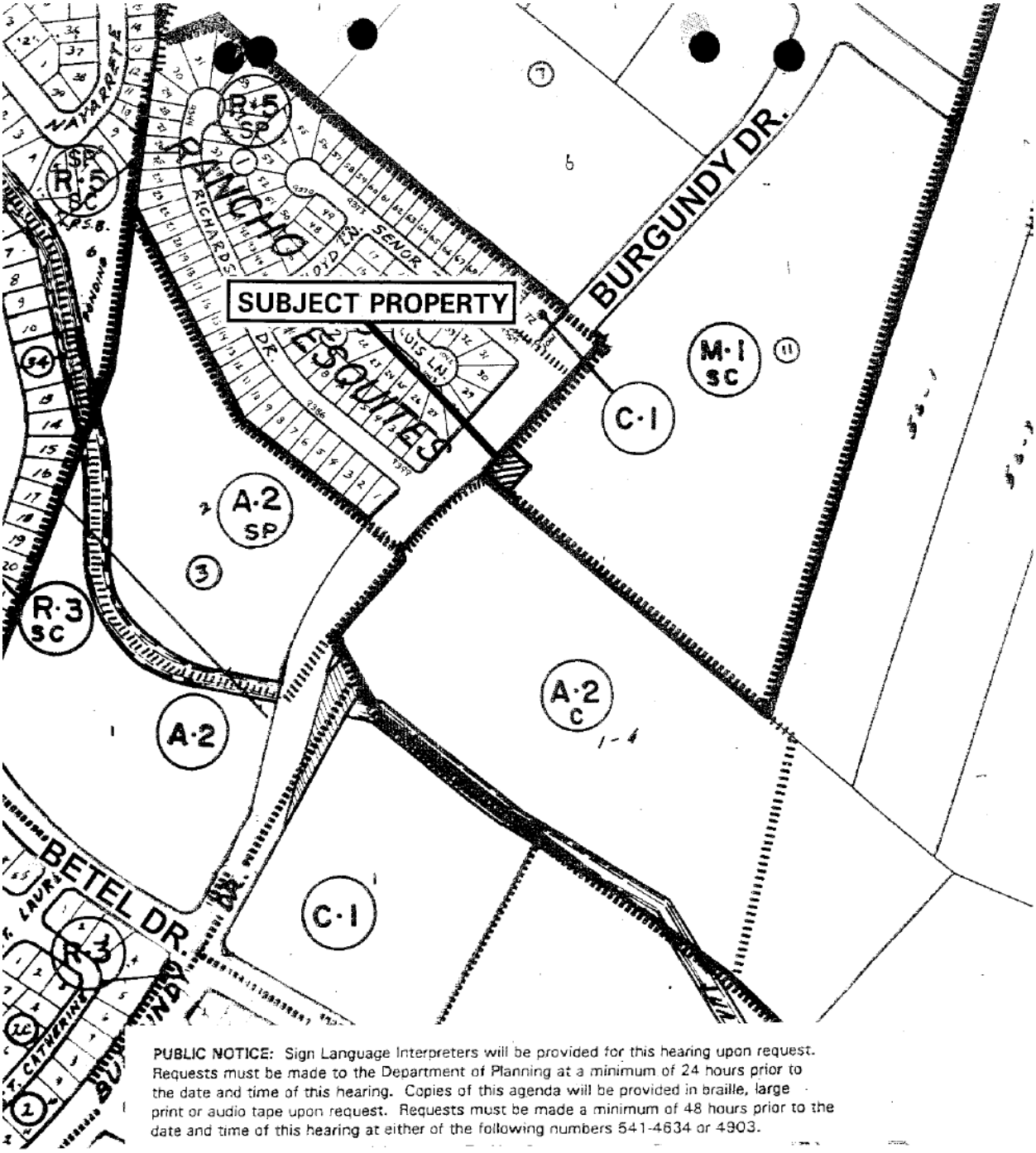


EXHIBIT
SW BELL EASEMENT LOCATED
IN LOT 1, BLOCK 11,
I-10 INDUSTRIAL PARK,
REPLAT 'A',
EL PASO, EL PASO COUNTY, TEXAS
BURGUNDY DRIVE
BETEL DRIVE
Block 5
YSLETA GRANT
Tract 1
Lower Valley Housing Authority
book 3779, page 1256
90' ROW
1340.48'
BURGUNDY DRIVE
curb
Block 1
YSLETA GRANT
Tract 4
Joe Hanson Homes, Inc.
book 3440, page 956
I-10 Joint Venture
book 3621, page 18
Block 5
Tract 1
Block 1
N29°29'33"E
P.O.C.
city monument
to city monument
at Calais Ln.
S66°59'41"E
1088.24'
P.O.B.
ind. 1/2" rebar
S49°10'00"E
50.23'
N42°03'00"E
30.00'
N42°03'00"E
140.00'
N49°10'00"W
30.00'
S42°03'00"W
30.00'
S49°11'33"E
30.00'
30' x 30' SW Bell
Easement
900 Sq. Ft.
Block 1
I-10 Industrial Park
Lot
I-10 INDUS
RE
volume 75
11
Scale:
Citts Land Surve
Professional Land Sur
1100 Montana Avenue, Suite 206
El Paso, Texas 79902
Date
Job



PUBLIC NOTICE: Sign Language Interpreters will be provided for this hearing upon request. Requests must be made to the Department of Planning at a minimum of 24 hours prior to the date and time of this hearing. Copies of this agenda will be provided in braille, large print or audio tape upon request. Requests must be made a minimum of 48 hours prior to the date and time of this hearing at either of the following numbers 541-4634 or 4903.

↑	SCALE	GENERAL LOCATION MAP	CASE NUMBER
NORTH	NOT TO SCALE		DP-01015