

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Public Hearing: January 2, 2008

CONTACT PERSON/PHONE: Esther Guerrero, Planner, 541-4720

DISTRICT(S) AFFECTED: 8

SUBJECT:

A resolution approving a Detailed Site Development Plan, for a portion of Lot 4, Block 3, Sunland Business Center, City of El Paso, El Paso County, Texas, pursuant to a special contract condition imposed by contract dated January 28, 1985. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: North of Doniphan Park Circle, South of Interstate 10. Applicant: Sunland Business Center Partners, LP, ZON07-00134, (District 8)

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 5-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Kelly Carpenter

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

RESOLUTION

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN, FOR A PORTION OF LOT 4, BLOCK 3, SUNLAND BUSINESS CENTER, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO A SPECIAL CONTRACT CONDITION IMPOSED BY CONTRACT DATED JANUARY 28, 1985. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, SUNLAND BUSINESS CENTER PARTNERS, L.P., (the "Applicant") has applied for approval of a detailed site development plan pursuant to a special contract condition, to permit the construction and development of a bus maintenance facility; and

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

WHEREAS, the City Plan Commission has approved and herein recommends Council 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 requirements imposed by a special contract condition, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of bus maintenance facility on the following described property which is located in a C-4/sc (Commercial/special contract) District:

A portion of Lot 4, Block 3, Sunland Business Center, City of El Paso, El Paso County, Texas.

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

CITY CLERK DEPT.
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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 C-4/sc (Commercial/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 C-4/sc (Commercial/special contract) District. 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 _____ day of _____, 2008.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

[Signature]

for Kelly Carpenter, AICP, Deputy Director
Development Services Department -
Planning Division

CITY CLERK DEPT.
07 DEC 17 PM 4:19

(Agreement on following page)

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
RACHEL QUINTANA., DISTRICT 5
EDDIE HOLGUIN, JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

DEVELOPMENT SERVICES
PLANNING DIVISION
MEMORANDUM

DATE: December 13, 2007

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

FROM: Esther Guerrero, Planner

SUBJECT: ZON07-00134

The City Plan Commission (CPC), on November 15, 2007, voted **5-0** to recommend **APPROVAL** of a detailed site plan for property located North of Doniphan Park Circle and south of Interstate 10, concurring with Staff's recommendation.

Detailed site plan approval by City Council is a condition imposed on this parcel by special contract dated January 28, 1985.

The CPC found that this detailed site plan satisfies the City's minimum requirements necessary to protect the public health, safety, and general welfare of the community. The CPC also determined that the detailed site plan complies with all ordained development standards of the C-4/sc (Commercial/special contract) zoning district.

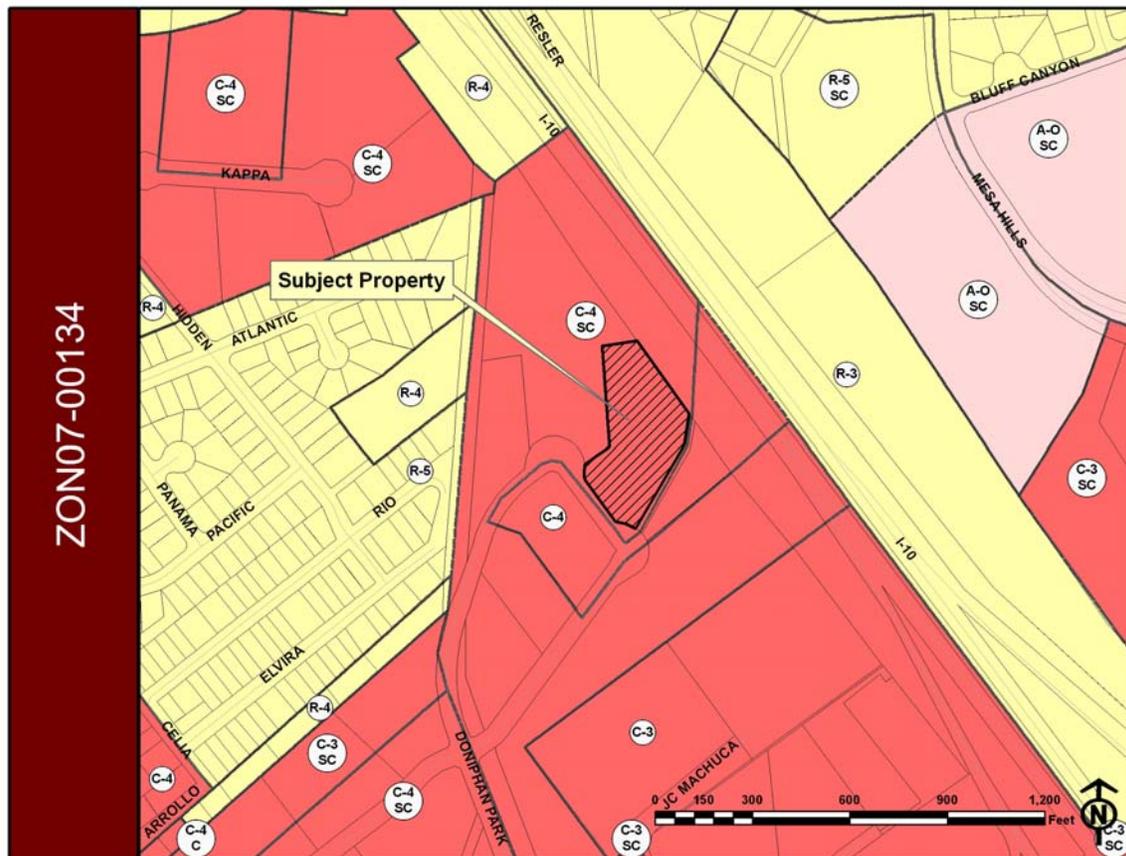
There was no opposition to this request.

Attachment: Staff Report



ZON07-00134

Detailed Site Plan: ZON07-00134
Property Owner(s): Sunland Business Center Partners, LP
Representative(s): Matt M. Blaugrund
Legal Description: A portion of Lot 4, Block 3, Sunland Business Center, City of El Paso, El Paso County, Texas
Location: North of Doniphan Park Circle and South of Interstate 10
Representative District: 8 **Area:** 2.803 acres
Present Zoning: C-4/sc (Commercial/special contract)
Present Use: Vacant
Public Response: None
Surrounding Land Uses: **North:** C-4/sc / Commercial, I-10; **South:** C-4/sc / Commercial; **East:** C-4, C-4/sc / vacant; **West:** C-4 / Commercial
Year 2025 Designation: Residential (Northwest Planning Area)



General Information

Detailed site plan review is a requirement of special contract dated January 28, 1985. The site plan proposes a bus maintenance facility to include an office; training room (1,100 sq. ft.); garage area; and open wash bay (4,250 sq. ft.) with access proposed via Doniphan Park Circle.

Staff Recommendation

The Development Coordinating Committee (DCC) recommends **APPROVAL** of this detailed site development plan.

Staff recommendation is based on the following:

- Detailed site plan **meets minimum requirements** for detailed site plan review.
- **The Plan for El Paso City-Wide Land Use Goals** recommends that El Paso “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential Infrastructure is available to serve the development.”

Findings

The Commission must determine the following:

1. Does the detailed site development plan satisfy the City's minimum requirements necessary to protect the public health, safety, and general welfare of the community?
2. Does the proposed development comply with all ordained development standards of the M-1 (Light Manufacturing/special contract) zoning district?

Development Services - Building Permits and Inspections Division

Zoning Review: No comments received.

Landscaping: No comments received.

Development Services-Planning Division

Current Planning: Recommends approval of the detailed site plan.

Land Development: No comments received.

Engineering Department-Traffic Division

No apparent traffic concerns.

Fire Department

No comments received.

El Paso Water Utilities

EPWU does not object to this request.

List of Attachments

Attachment 1: Aerial

Attachment 2: Site Plan

Attachment 3: Elevations

Attachment 4: Contract Dated January 28, 1985

Attachment 5: Application

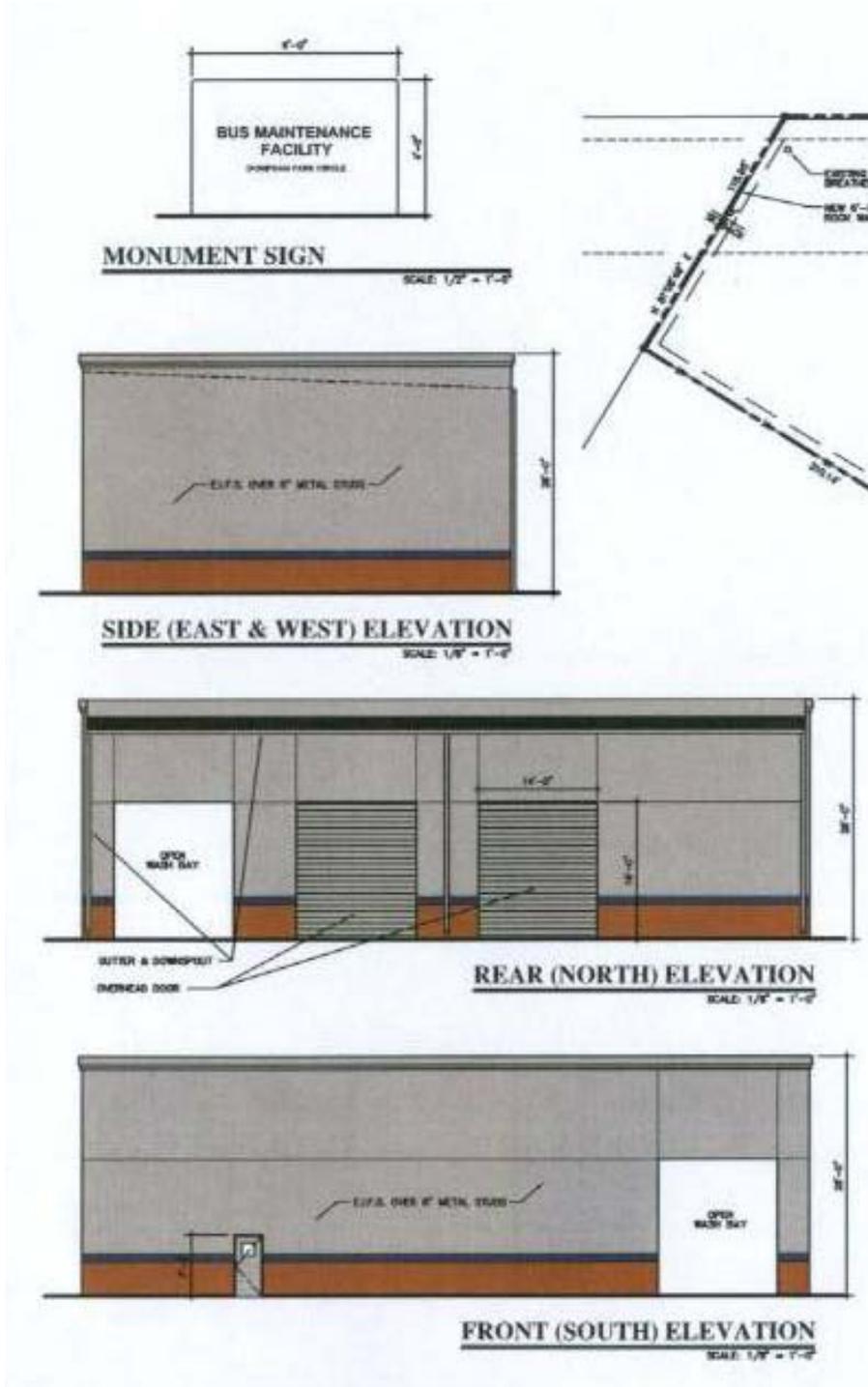
Attachment 1: Aerial



Attachment 2: Site Plan



Attachment 3: Elevations



Attachment 4: Contract Dated January 28, 1985

54524

#151-25.00

THE STATE OF TEXAS)
COUNTY OF EL PASO)

CONTRACT

THIS CONTRACT, made this 25th day of January, 1985, by and between SUNLAND PARK I-10 JOINT VENTURE, John R. Schatzman & Co., Managing Venturer, First Party, FIRST FINANCIAL CORPORATION, Second Party, and the CITY OF EL PASO, Third Party, witnesseth:

Application has been made to the City of El Paso for rezoning a portion of Tracts 167 and 16M, and all of Tract 16M1, A. F. Miller Survey 213; all of Tract 4E and a portion of Tracts 4A, 4J and 4L, T. F. White Survey 3, and a portion of Tract 3, Sunland Commercial District, City and County of El Paso, Texas, which are more particularly described by notes and bounds in the attached Exhibit "A" through "D" which are made a part hereof by reference.

To remove certain objections to such rezoning, First Parties covenant that if the property is rezoned in the following manner:

Parcel 1 (27.011 acres) - from R-4 (Residential) to C-4 (Commercial).

Parcel 2 (6.31 acres) - from R-4 to C-3 (Commercial)

Parcel 3 (9.64 acres) - from R-4 to C-4 (Commercial)

Parcel 4 (5.96 acres) - from R-4 to C-3 (Commercial)

within the meaning of the zoning ordinance of the City of El Paso, it shall be subject to the following restrictions, conditions and covenants:

- 1) Prior to issuance of any building permits for Parcels 1 and 2, a detailed site plan must be approved by the Commission and the Mayor and City Council.
- 2) Prior to the issuance of any building permits, a subdivision plat must be filed of record for Parcels 1, 2 and 3.
- 3) Prior to the issuance of certificates of occupancy, a subdivision plat must be filed of record for Parcel 4.
- 4) Prior to the issuance of certificates of occupancy for Parcel 4, the property owners must construct an additional south bound lane within the existing right-of-way width of Sunland Park Drive.

This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Parties and their successors in title. Any future conveyance of the land shall contain this restriction,

1640-0133

condition and covenant and shall embody this agreement by express reference.

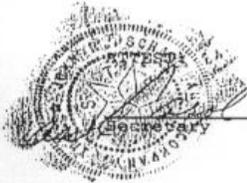
The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby, and without affecting the validity, or necessitating the amendment of, the ordinance passed by the City Council embodying this change of zoning and subject to this contract.

Second Party is the owner and holder of a recorded lien on the property and consents to this contract.

WITNESS THE FOLLOWING SIGNATURES AND SEALS.

First Party
SUNLAND PARK I-10 JOINT VENTURE
John R. Schatzman & Co., Managing
Venturer

By *J.R. Schatzman*
Title _____


Paul M. [unclear]
Secretary

ATTEST:

Dot [unclear]
Secretary

FIRST FINANCIAL CORPORATION
Second Party

By *[unclear]*
Title C.E.O.

THE CITY OF EL PASO
Third Party

By *[unclear]*
Mayor

ATTEST 
[unclear]
City Clerk

APPROVED AS TO CONTENT:

[unclear]
Planning Department

APPROVED AS TO FORM:

[unclear]
Assistant City Attorney

1640-0134

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 24th day
of January, 1986, by John R. Schatzman
representative for SUNLAND PARK I-10 JOINT VENTURE, John R.
Schatzman & Co., Managing Venturer.



My Commission Expires:

2/86

Carol M. [Signature]
Notary Public, State of Texas

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 21st day
of January, 1986, by TERY H. O'Donnell,
representative of FIRST FINANCIAL CORPORATION.



My Commission Expires:

89

Claudia Whelan
Notary Public, State of Texas

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 26th day
of January, 1986, by JONATHAN ROGERS, AS Mayor
of the City of El Paso.

Billie Jean Brockman
Notary Public, State of Texas



My Commission Expires:

6/30/88

1640-0135

Attachment 5: Application

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CODE 130

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130

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DETAILED SITE DEVELOPMENT PLAN 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): SUNLAND BUSINESS CENTER PARTNERS, L.P.
 ADDRESS: 6500 MONTANA ZIP CODE: 79925 PHONE: 779-6500
 E-MAIL ADDRESS: U FAX: 779-6509

REPRESENTATIVE(S): MATT M BLAUGRUND, BROKER TRUSTEE

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: 0400
PZ 5832-999-0030-0450
 LEGAL DESCRIPTION: Part of Lot 4 Block 3 SUNLAND BUSINESS CENTER
 STREET ADDRESS OR LOCATION: 4057 CONIPHAN PARK OFFICE REP DISTRICT: 8
 ACREAGE: 2.803 PRESENT ZONING: C-3/PC PROPOSED LAND USE: OFFICE/WAREHOUSE
 REASON FOR REQUEST: BUILD A BUILDING Business facility

3. PARCEL TWO INFORMATION

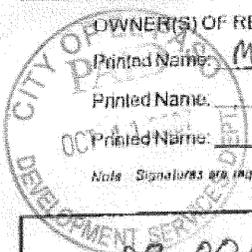
PROPERTY IDENTIFICATION NUMBER: _____
 LEGAL DESCRIPTION: _____
 STREET ADDRESS OR LOCATION: _____ REP DISTRICT: _____
 ACREAGE: _____ PRESENT ZONING: _____ PROPOSED LAND USE: _____
 REASON FOR REQUEST: _____

4. PARCEL THREE INFORMATION

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

5. ADDITIONAL INFORMATION

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
 Printed Name: MATT M. BLAUGRUND, BROKER TRUSTEE Signature: [Signature]
 Printed Name: _____ Signature: _____
 Printed Name: _____ Signature: _____



Note: Signatures are required for all owners of record for the property proposed for special permit. Attach additional signatures on a separate sheet if proper.

****OFFICE USE ONLY****

ZON 07-00134 RECEIVED DATE: 9/14/07 APPLICATION FEE: \$ 330-
 DCC REVIEW DATE: 10/17/07 (8:30 am, Conference Room, 2nd Floor, City Hall Building)
 CPC REVIEW DATE: 11/15/07 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
 ACCEPTED BY: [Signature]

07 DEC 13 PM 12:19
CITY CLERK DEPT.