

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Public Hearing: January 8, 2008, Resolution

CONTACT PERSON/PHONE: Raul Garcia, Planner, 541-4935

DISTRICT(S) AFFECTED: 8

SUBJECT:

A resolution approving a Detailed Site Development Plan, for a portion of Lot 2, Block 3, West Ten Development, City of El Paso, El Paso County, Texas, pursuant to a special contract condition imposed by contract dated February 28, 1984. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

Subject Property: 7420 Remcon Circle.

Applicant: Rio Grande MOB, LTD., ZON07-00123, (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 2, BLOCK 3, WEST TEN DEVELOPMENT, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO A SPECIAL CONTRACT CONDITION IMPOSED BY CONTRACT DATED FEBRUARY 28, 1984. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, RIO GRANDE MOB, LTD., (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 three medical office buildings; 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 three medical office buildings on the following described property which is located in a C-3/sc (Commercial/special contract) District:

A portion of Lot 2, Block 3, West Ten Development, 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.

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CITY CLERK DEPT.

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-3/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-3/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:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Kelly Carpenter

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

(Agreement on following page)

07 DEC 27 PM 2:49

CITY CLERK DEPT.

DEVELOPMENT AGREEMENT

By execution hereof, Rio Grande MOB, LTD., ("Applicant"), identified in the Resolution to which this Development Agreement is attached, hereby covenant and agree, to develop the property legally described as *a portion of Lot 2, Block 3, West Ten Development, City of El Paso, El Paso County, Texas (7420 Remcon)*, in accordance with the approved detailed site development plan and in accordance with the standards applicable to the C-3/sc (Commercial/special contract) District located within the City of El Paso.

EXECUTED this 18th day of DECEMBER, 2007.

James E. Jozano MD
Rio Grande MOB, Ltd.

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 18th day of DECEMBER, 2007, by LUCIA MARQUEZ.

My Commission Expires:
05-29-09

Lucia Marquez
Notary Public, State of Texas
Notary's Printed or Typed Name:
LUCIA MARQUEZ



CITY CLERK DEPT.
07 DEC 19 PM 4:32

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 19, 2007
TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager
FROM: Raul Garcia, Planner
SUBJECT: ZON07-00123

The City Plan Commission (CPC), on November 15, 2007, voted **5-0** to recommend **APPROVAL** of a detailed site plan for property located at 7420 Remcon Circle, concurring with Staff's recommendation.

Detailed site plan approval by City Council is a condition imposed on this parcel by special contract dated February 28, 1984.

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-3/sc (Commercial/special contract) zoning district.

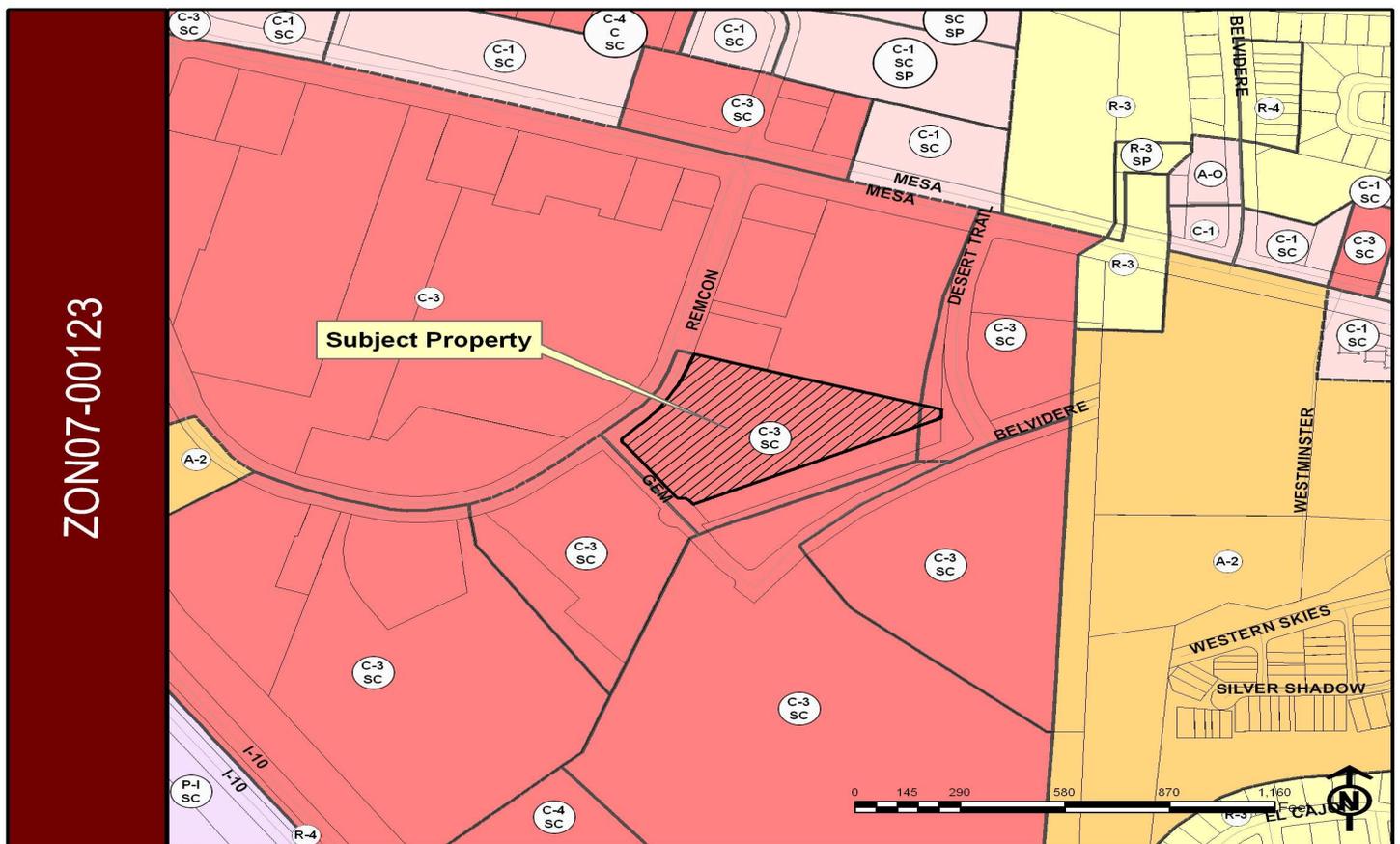
There was no opposition to this request.

Attachment: Staff Report



ZON07-00123

Application Type: Detail Site Development Plan
Property Owner(s): Rio Grande MOB, Ltd.
Applicant(s): same
Representative(s): Carrera Design Consultants
Legal Description: A portion of Lot 2, Block 3, West Ten Development, City of El Paso, El Paso County, Texas
Location: 7420 Remcon Circle
Representative District: 8 **Area:** 6.873 Acres
Present Zoning: C-3/sc (Commercial/special contract)
Present Use: Vacant **Proposed Use:** Office
Public Response
Surrounding Land Uses: **North** - C-3 / Retail Center; **South** - C-3/sc / Office; **East** - C-3/sc / Vacant; **West** - C-3 / Retail
Year 2025 Designation: **Commercial** (West Planning Area)



General Information:

The detailed site plan review is a requirement of the special contract imposed on the subject property, currently zoned C-3/sc (Commercial/special contract). The proposed site plan shows three medical office buildings to be located on the site with access proposed via Remcon Circle and Gem Street; 235 parking spaces are proposed.

Staff Recommendation:

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

The recommendation is based on the following:

The site plan meets all the technical requirements of the El Paso City Code.

The Plan for El Paso City-Wide Land Use Goals recommend 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.”

The Year 2025 Projected General Land Use Map for the **West** Planning Area designates this property for **commercial** land uses.

C-3/sc (Commercial/special contract) zoning permits medical offices.

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 C-3/sc (Commercial/special contract) zoning district.

Development Services Department - Building Permits and Inspections Division:

Zoning Review: Medical Offices permitted in C-3/sc zoning. Meets lot size and yard standards. Adequate parking spaces provided.

Landscape Review: No comments received.

Development Services Department - Planning Division:

Current Planning: Recommends approval.

The site plan meets all code requirements.

Engineering Department - Traffic Division:

1. Proposed driveway at Gem Street shall be relocated further south.

2. Proposed sign location shall not interfere with visibility of exiting vehicles on driveway at Remcon.

(Applicant has addressed comments and moved driveway at Gem Street further south. Traffic has reviewed revised site plan and voted to approve at DCC).

Fire Department:

No comments received.

EI Paso Water Utilities:

EPWU does not object to this request.

Aerial



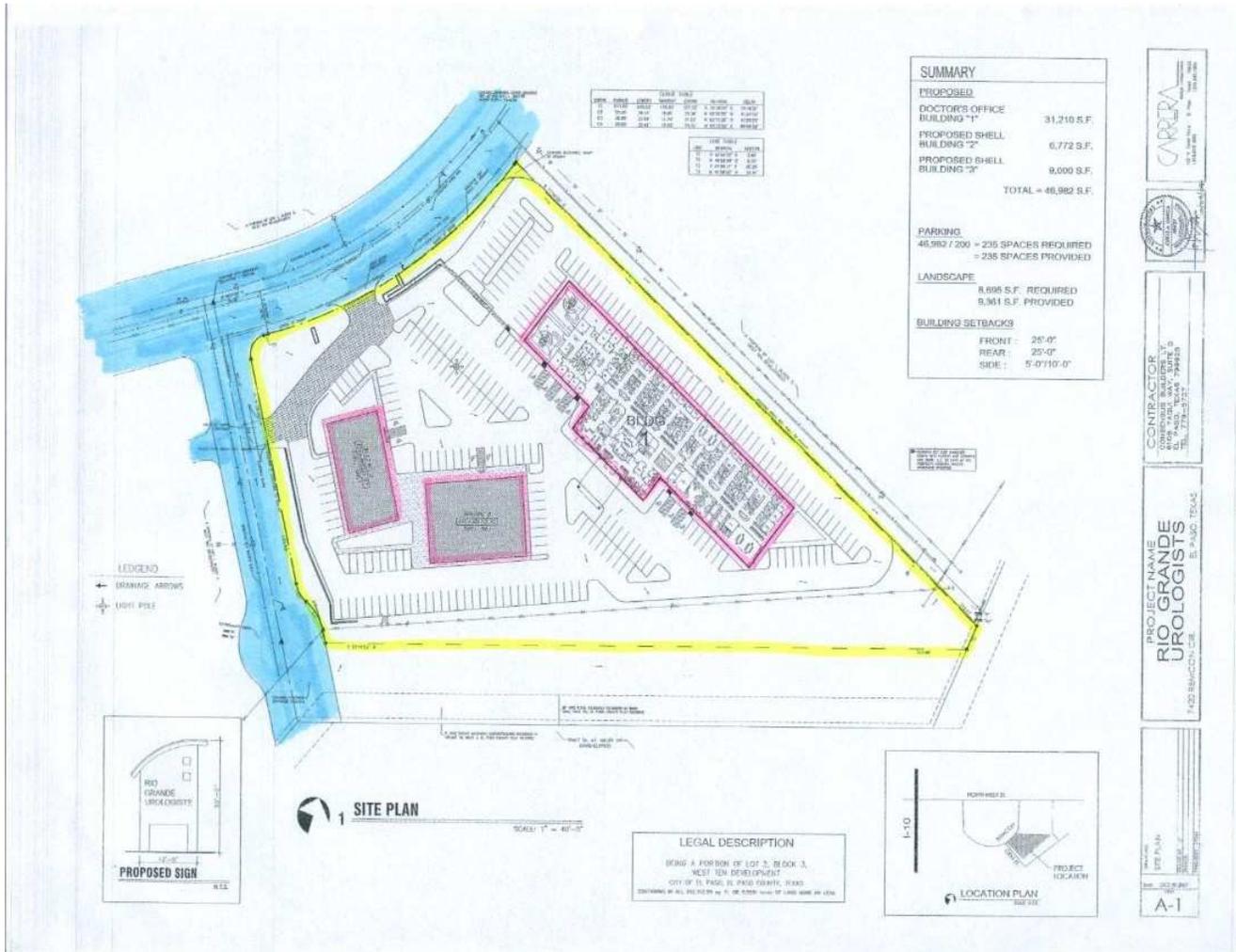
List of Attachments:

Attachment 1: Detailed Site Development Plan

Attachment 2: Special Contract

Attachment 3: Application

ATTACHMENT 1: Site Plan



ATTACHMENT 2: Special Contract

CONTRACT

THIS CONTRACT, made this 28th day of February, 1984, by and between R.E. MCKEE, INC., First Party, and the CITY OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning Lot 2, Block 3 and Lots 1 and 2, Block 4, West Ten Development, City and County of El Paso, Texas. To remove certain objections to such rezoning, First Party covenants that if the property is rezoned to C-3 (Commercial) District within the meaning of the zoning ordinance of the City of El Paso, a detailed site development plan shall have to be approved by the Commission and City Council prior to the issuance of any building permits.

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.

WITNESS THE FOLLOWING SIGNATURES AND SEALS.

R. E. MCKEE, INC.
First Party

By [Signature]
Title [Signature]

ATTEST:

Secretary

THE CITY OF EL PASO
Second Party

By [Signature]
Mayor

ATTEST:

[Signature]
City Clerk

*10 WEEKS
for city
council.
APPLICATION*

83-4918
MAR 2 - 1984
DEPARTMENT
OF PLANNING

Ord. # 7982 (2-28-84)

ATTACHMENT 3: Application



**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): Rio Grande MOB, Ltd.
ADDRESS: 125 W. Hague Rd. ZIP CODE: 79902 PHONE: 532-3738
E-MAIL ADDRESS: _____ FAX: 532-5909

REPRESENTATIVE(S): CARRERA DESIGN CO.
ADDRESS: 132 W. REDD RD ZIP CODE: 79932 PHONE: 845 1800
E-MAIL ADDRESS: carreradesig@stgglobal.net FAX: 845 1805

2. PARCEL ONE INFORMATION

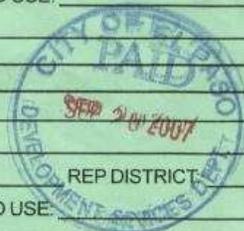
PROPERTY IDENTIFICATION NUMBER: W138 999 0030 4900
LEGAL DESCRIPTION: Lot 2, Block 3, West Ten Development
STREET ADDRESS OR LOCATION: 7420 Ramon REP DISTRICT: 8
ACREAGE: 5.5 PRESENT ZONING: C3SC PROPOSED LAND USE: OFFICES
REASON FOR REQUEST: NEED SITE DEV. PER SPECIAL CONTRACTS.

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):
By: Rio Grande MOB Management, LLC, General Partner
 Printed Name: By: Javier Lozano, Manager Signature: [Signature]
 Printed Name: Javier Lozano MD Signature: [Signature]
 Printed Name: _____ Signature: [Signature]

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

****OFFICE USE ONLY****

ZON07-00123 RECEIVED DATE: 9/20/07 APPLICATION FEE: \$ 440.00
DCC REVIEW DATE: 10/17/2007 (8:30 am, Conference Room, 2nd Floor, City Hall Building)
CPC REVIEW DATE: 11/15/2007 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
ACCEPTED BY: A.C.

Revised 9/2005