

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

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

**AGENDA DATE:** Public Hearing: January 15, 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 4, 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: Remcon Circle.

Applicant: RJLK, L.P., ZON07-00126, (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 4, 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, RJLK, 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 two hotels; 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 two hotels on the following described property which is located in a C-3/sc (Commercial/special contract) District:

*A portion of Lot 2, Block 4, 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.

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-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)

CITY CLERK DEPT.  
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**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 27, 2007

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

**FROM:** Raul Garcia, Planner

**SUBJECT:** **ZON07-00126**

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The City Plan Commission (CPC), on November 15, 2007, voted **5-0** to recommend **APPROVAL** of a detailed site plan for property located at 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.

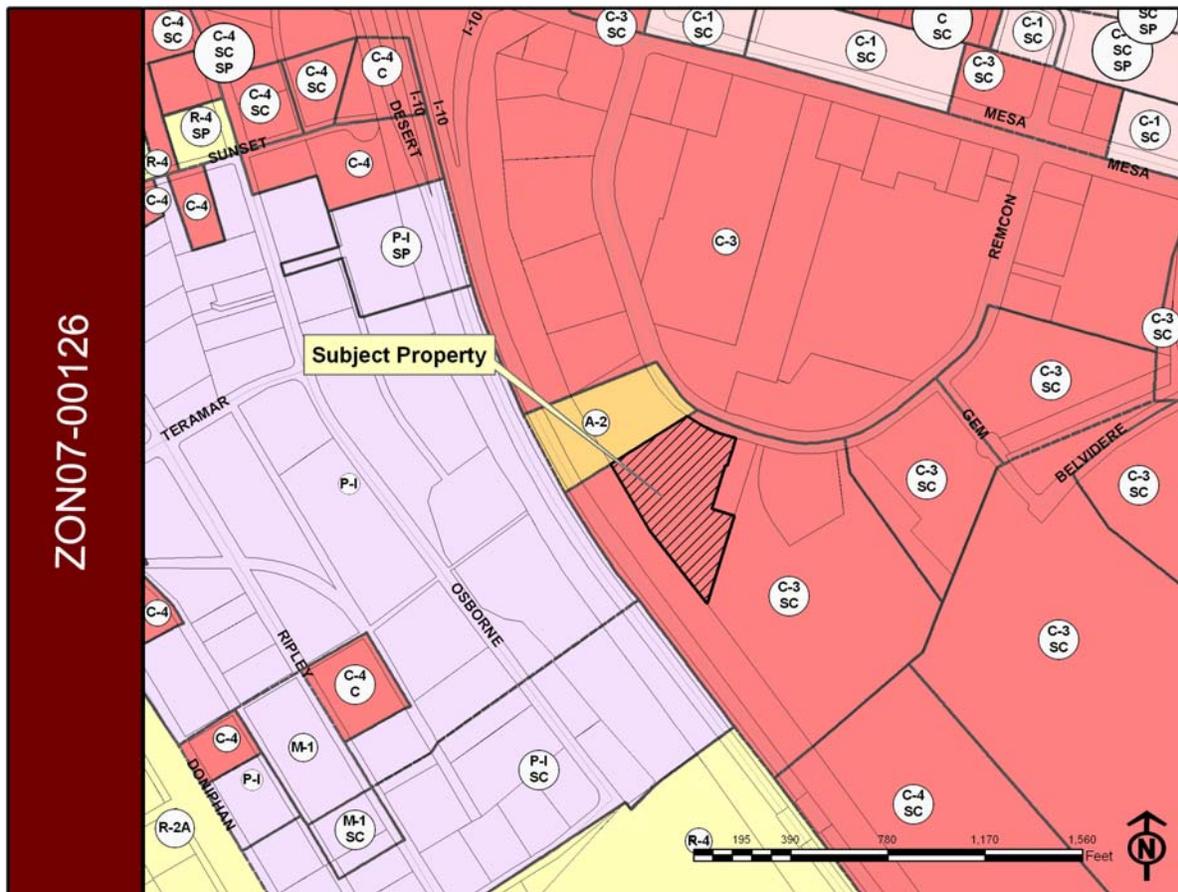
There was no opposition to this request.

**Attachment:** Staff Report



ZON07-00126

**Application Type:** Detailed Site Development Plan  
**Property Owner(s):** RJKL, L.P.  
**Representative(s):** Roe Engineering, L.C.  
**Legal Description:** A portion of Lot 2, Block 4, West Ten Development, City of El Paso, El Paso County, Texas  
**Location:** Remcon Circle  
**Representative District:** 8 **Area:** 4.9384 acres  
**Zoning:** C-3/sc (Commercial/special contract)  
**Present Use:** Vacant  
**Public Response:** None  
**Surrounding Land Uses:** **North** -C-3 ; **South** - C-3/sc; **East** – C-3/sp; **West**- A-2  
**Year 2025 Designation:** **Commercial** (Northwest Planning Area)



**General Information:**

A detailed site development 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 two hotel structures with a total of 210 parking spaces. Primary access is proposed via Remcon Circle.

**Staff Recommendation:**

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

The recommendation is based on the following:

- The detailed site plan meets all technical requirements of the El Paso City Code.
- **The Plan for El Paso** City-Wide Land Use Goals recommends that El Paso “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.”
- **The Year 2025 Projected General Land Use Map** for the Northwest Planning Area designates this property for **Commercial** land uses.

**Findings:**

The City Plan 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 - Building Permits and Inspections Division:**

Zoning Review: Hotels permitted on proposed C-3 Commercial District. Meets lot area, off-street parking and loading standards. Need to show building elevation height dimensions to determine compliance with district's yard standards.

*(Applicant has provided elevations, BP&I representative voted to approve at DCC.)*

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:**

**Fire Apparatus Access Roads shall have an unobstructed width of 26 feet in the immediate vicinity of any building or portion of building more than 30 feet in height.**

*(Applicant has addressed this issue, Fire representative voted to approve at DCC.)*

**El Paso Water Utilities:**

EPWU does not object to this request.

Aerial

ZON07-00126



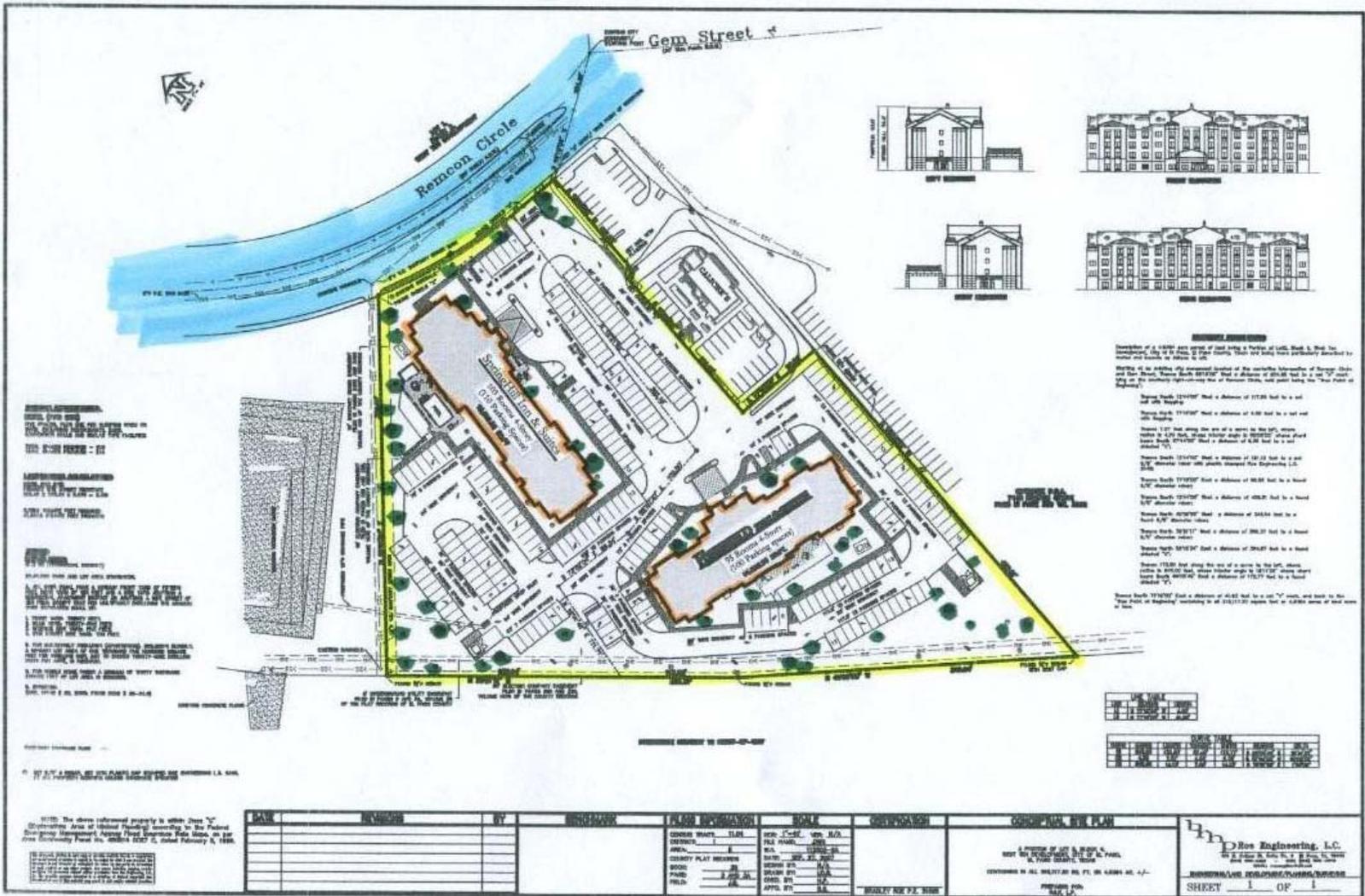
**List of Attachments:**

Attachment 1: Detailed Site Development Plan

Attachment 2: Special Contract

Attachment 3: Application

# ATTACHMENT 1: Detailed Site Development Plan



**ATTACHMENT 2: Special Contract**

CONTRACT

THIS CONTRACT, made this 28<sup>th</sup> 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

Title

*[Handwritten signature]*

ATTEST:

Secretary

THE CITY OF EL PASO

Second Party

By

Mayor

*[Handwritten signature]*

ATTEST:

City Clerk

*[Handwritten signature]*

*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): RJLK, L.P.  
ADDRESS: 725 S. Mesa Hills Dr. Bldg 1, Ste 1 ZIP CODE: 79912 PHONE: 915-587-8310  
E-MAIL ADDRESS: \_\_\_\_\_ FAX: 915-587-8311

REPRESENTATIVE(S): Roe Engineering, L.C.  
ADDRESS: 601 N. Cotton, Ste. 6 ZIP CODE: 79902 PHONE: 915-533-1418  
E-MAIL ADDRESS: roeeng@swbell.net FAX: 915-533-4972

**2. PARCEL ONE INFORMATION**

PROPERTY IDENTIFICATION NUMBER: W13899900407500  
LEGAL DESCRIPTION: A portion of Lot 2, Block 4, West Ten Development  
STREET ADDRESS OR LOCATION: \_\_\_\_\_ REP DISTRICT: 8  
ACREAGE: 4.9384 PRESENT ZONING: C-3 SC PROPOSED LAND USE: Hotel site  
REASON FOR REQUEST: Special contract

**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: RJLK, L.P. 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 of paper.

**\*\*OFFICE USE ONLY\*\***  
ZON 07-00126 RECEIVED DATE: 9/27/07 APPLICATION FEE: \$ 385-  
DCC REVIEW DATE: 10/17/07 (8:30 am, Conference Room, 2<sup>nd</sup> Floor, City Hall Building)  
CPC REVIEW DATE: 11/15/07 (1:30 pm, City Council Chambers, 2<sup>nd</sup> Floor, City Hall Building)  
ACCEPTED BY: [Signature]

Revised 5/2006