

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

DEPARTMENT: Development Services Department – Planning Division

AGENDA DATE: May 13, 2008, Consent

CONTACT PERSON/PHONE: Christina Valles, 541-4930

DISTRICT(S) AFFECTED: District 6

SUBJECT:

~~Discussion and Action on a~~ Resolution approving a detailed site development plan, for portions of Lot 9 and 10, Stevens Subdivision No. 1, City of El Paso, El Paso County, Texas, pursuant to a condition imposed by Ordinance No. 008699. The penalty is as provided for in chapter 20.24 of the El Paso Municipal Code. Subject Property: 9521 Socorro Road. Applicant: El Paso County. ZON08-00026 (District 6)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

BOARD / COMMISSION ACTION:

Development Coordinating Committee – Approval Recommendation
City Plan Commission – Approval Recommendation

CITY CLERK DEPT.
MAY - 2 PM 3:48

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

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: P Adauto
Patricia D. Adauto, Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

CITY CLERK DEPT.

08 MAY -2 PM 3:48

RESOLUTION

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN, FOR PORTIONS OF LOT 9 AND 10, STEVENS SUBDIVISION NO. 1, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO A CONDITION IMPOSED BY ORDINANCE NO. 008699. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, The County of El Paso, (the "Applicant") has applied for approval of a detailed site development plan pursuant to a zoning condition which requires City Plan Commission and City Council approval, to permit the construction and development of offices; 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 City Council finds that the detailed site development plan meets all applicable requirements of the El Paso Municipal Code.

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

1. Pursuant to requirements imposed by a zoning condition, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of a retail shopping center on the following described property which is located in a **C-3/H/sc (Commercial/Historic/special contract)** and **C-3/sc (Commercial/special contract) District:**

Portions of Lot 9 and 10, Stevens Subdivision No. 1, City of El Paso, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached Exhibit "A";

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 "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 **C-3/H/sc (Commercial/Historic/special contract)** and **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/H/sc (Commercial/Historic/special contract)** and **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:

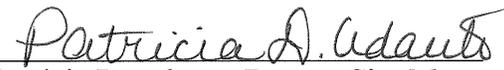
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:



Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:



Patricia D. Adauto, Deputy City Manager
Development & Infrastructure Services

(Agreement on following page)

CITY CLERK DEPT.
09 MAY -2 PM 3:48

DEVELOPMENT AGREEMENT

CITY CLERK DEPT.

08 MAY -2 PM 3:48

By execution hereof, I, Anthony Cobos, in my legal capacity for **The County of El Paso**. ("Applicant"), identified in the above Resolution, hereby covenant and agree, on behalf of **The County of El Paso**, to develop the above described property in accordance with the approved Detailed Site Development Plan and in accordance with the standards applicable to the **C-3/H/sc (Commercial/Historic/special contract)** and **C-3/sc (Commercial/special contract)** District located within the City of El Paso.

EXECUTED this 28th day of April, 2008.

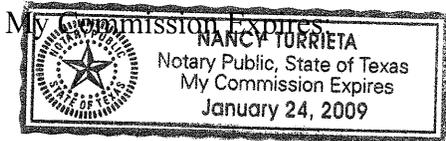
Anthony Cobos, County Judge.
Name/Title

[Signature]
Signature

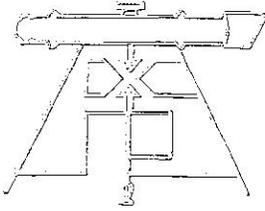
ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 28th day of April, 2008, by Anthony Cobos, in his legal capacity on behalf of **The County of El Paso**.



[Signature]
Notary Public, State of Texas
Notary's Printed or Typed Name:
Nancy Turrieta



Frank X. Spencer, P.E., R.P.L.S.

Frank X. Spencer & Associates, Inc.

Consulting Civil Engineers & Surveyors
1133 Montana * El Paso, Texas 79902

(915) 533-4600
FAX (915) 533-4673
e-mail: elpaso@fxsa.com

METES AND BOUNDS DESCRIPTION

A 6.674 ACRES (290,699 S.F.) OF LAND BEING PORTIONS LOTS 9, AND 10, STEVENS SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a found ½" rebar at the intersection of the southerly right-of-way Loop 375, also known as Avenue of Americas (370-foot right-of-way, State department of highways and Public Transportation Control Number 2552-3&4 Sheet No. 4) and the southwesterly right-of-way the Franklin Canal (80ft right-of-way described October 4, 1912, Book 203, Page 455, Deed Records, El Paso County, Texas); from which a county monument at the centerline intersection of Ingelwood Road and U.S. Highway 80 (Alameda Avenue, right-of-way varies) bears South 40°45'18" West, a distance of 1612.91 feet; **Thence**, along the southerly line of Loop 375 South 59°44'00" West, a distance of 641.40 feet to a point, **Thence**, South 32°53'00" East, a distance of 304.65 feet to a 5/8" rebar with aluminum cap marked "FXSA RPLS 2198" set on the southeast corner of a certain parcel of land described January 19, 1988, in Book 1883, Page 1762, Deed Records, El Paso County, Texas, and for the **POINT OF BEGINNING** of this description;

THENCE, South 32°53'00" East, a distance of 568.72 feet, to a 5/8" rebar with aluminum cap marked "FXSA RPLS 2198" set on the northerly right-of-way of the Middle Drain (120-foot wide, described April 7, 1969, in Book 247, Page 379, corrected April 10, 1975, in Book 592, Page 1179, Deed Records, El Paso County, Texas);

THENCE, South 74°42'00" West, along said northerly right-of-way, a distance of 269.10 feet, to a set 5/8" rebar with aluminum cap marked "FXSA RPLS 2198";

THENCE, South 66°06'00" West, continuing along said northerly right-of-way, a distance of 384.01 feet, to a 5/8" rebar with aluminum cap marked "FXSA RPLS 2198" set on the easterly right-of-way of Ysleta Socorro Road (right-of-way varies, described June 10, 1986, in Book 1711, Page 1398, Deed Records, El Paso County, Texas);

THENCE, North 28°31'00" West, along said easterly right-of-way, a distance of 390.57 feet, to a ½" rebar found at the southwesterly corner of that certain parcel of land described December 20, 1990, in Book 2253, Page 1858, refilled December 20, 1990, in Book 2256, Page 1052, Deed Records, El Paso County, Texas;

THENCE, North 59°44'00" East, along the southerly boundary line of said parcel, a distance of 299.27 feet, to a 5/8" rebar with aluminum cap marked "FXSA RPLS 2198";

THENCE, North 30°16'00" West, a distance of 65.66 feet, to a 5/8" rebar with aluminum cap marked "FXSA RPLS 2198" set southwesterly corner of a certain parcel of land described January 19, 1988, in Book 1883, Page 1762, Deed Records, El Paso County, Texas;

THENCE, North 59°44'00" East, along the southerly line of said parcel, a distance of 304.45 feet, to the POINT OF BEGINNING, containing 6.674 Acres (290,699 S.F.) of land, more or less.

Frank X. Spencer & Associates, Inc.



Charles Gutierrez, RPLS
Texas License No. 5572

Date: 03/26/07 03/26/07

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

PATRICIA D. ADAUTO
DEPUTY CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
VACANT, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN, JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

DEVELOPMENT SERVICES PLANNING DIVISION

MEMORANDUM

DATE: April 28, 2008

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

FROM: Christina Valles, AICP, Lead Planner

SUBJECT: ZON08-00026:
LOCATION: 9521 Socorro Road (District 6)

The City Plan Commission (CPC), on April 24, 2008, voted to recommend **APPROVAL** of this detailed site development plan for the proposed County of El Paso Ysleta Office Annex , concurring with Staff's recommendation.

The CPC found that this detailed site development plan satisfies the City's the minimum requirements necessary to protect the best interest, health, safety and welfare of the community. The CPC also determined that the proposed development complies with all ordained development standards of the C-3 (Commercial) zoning district and that the proposed use is in conformance with The Plan for El Paso, the Year 2025 Projected General Land Use Map and the proposed use is compatible with adjacent land uses.

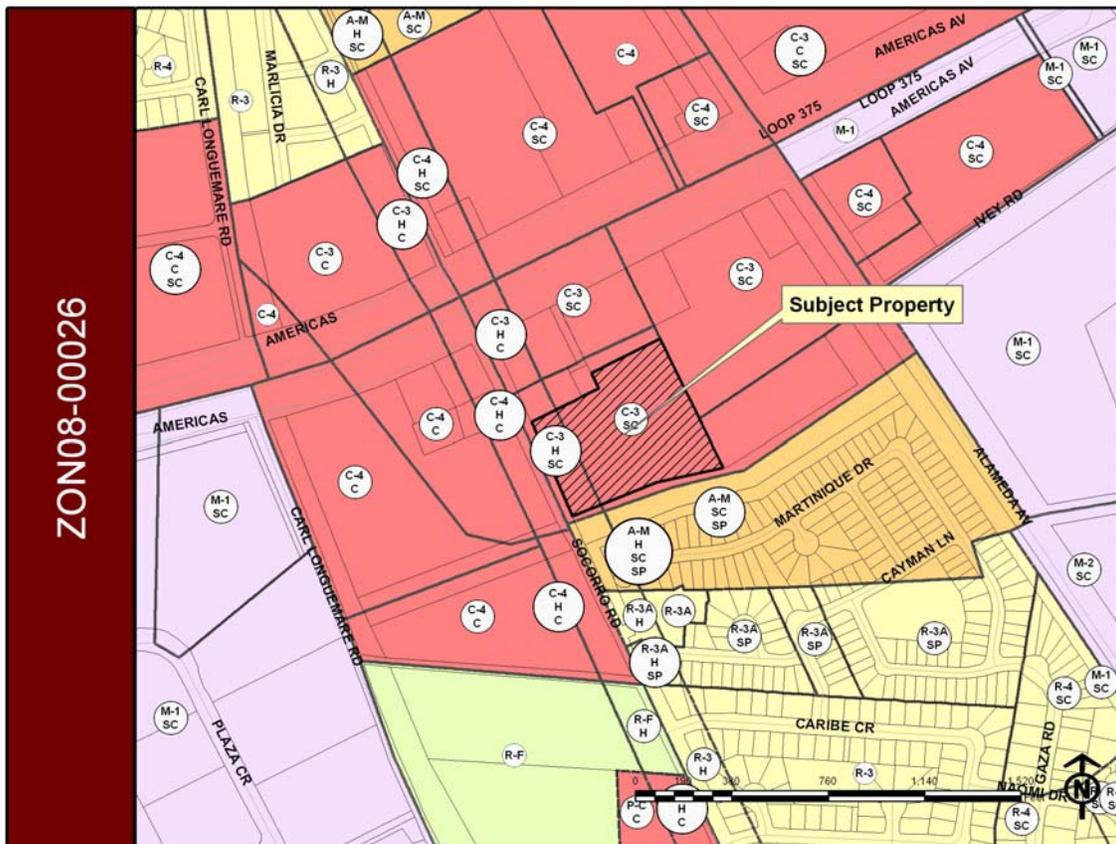
There was **NO OPPOSITION** to this request.

Attachment: CPC staff report



ZON08-00026

Application Type: Detailed Site Development Plan Review
Property Owner(s): County of El Paso
Applicant(s): same
Representative(s): Robert Rivera, P.E.
Legal Description: Portions of Lot 9 and 10, Stevens Subdivision No. 1, City of El Paso, El Paso County, Texas
Location: 9521 Socorro Road
Representative District: # 6
Area: 6.674 Acres
Present Zoning: C-3/sc (Commercial/special contract); C-3/H/sc (Commercial/Historic/special contract)
Present Use: vacant
Proposed Use: County Government Offices
Surrounding Land Uses: **North** – C-3/sc, C-3/H/sc / Commercial ; **South** – AM/sc/sp, AM/h/sc/sp / Single-family Residential; **East** – C-3/sc / Vacant; **West**- C-4/h/c Socorro Road, Commercial
Year 2025 Designation: **Commercial & Residential** (Lower Valley Planning Area)



General Information:

The site plan was submitted in order to permit the County of El Paso Ysleta Annex Offices. Site plan review is required because per a special contract imposed by Ordinance 008699 on June 10, 1986. The subject property is currently zoned C-3/H/sc (Commercial/Historic/special contract). The site is currently vacant and is 6.64599 acres in size. The proposed site plan shows the proposed County of El Paso Offices to be located on the site. Access is proposed via Loop 375; 133 parking spaces are provided. The conditions imposed on the subject property are as follows:

1. *At the time the rezoning change is approved by the City Council, First Party must dedicate thirty-five (35) feet of right-of-way through Lot 8, Stevens Subdivision No. 1 for the widening of Americas Avenue, and five (5) feet of additional right-of-way for the widening of Socorro Road.*
2. *Prior to the issuance of any building permits, a detailed site development plan must be approved by the City Plan Commission and the City Council.*

The first condition does not apply to the subject property as it is not adjacent to America's Avenue. The second condition will be satisfied by this application.

A portion of the subject property is located within the Mission Trail Historic District. The Historic Landmark Commission (HLC) approved the proposed design at the January 7, 2008 HLC meeting.

Staff Recommendation:

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

The recommendation is based on the following:

The detailed site plan meets all minimum requirements of the El Paso Municipal 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 **East** Planning Area designates this property for **Commercial** and **Residential** land uses.

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

Development Services Department - Building Permits and Inspections Division:

Zoning Review: Governmental uses permitted on C-3/H (Commercial/Historic) District. Meets minimum yard, off-street parking and loading district's standards. No objection to proposed Site Development Plan.

Development Services Department - Planning Division:

Current Planning: Recommend approval.

Engineering Department - Traffic Division:

No objections.

Fire Department:

No comments received.

El Paso Water Utilities:

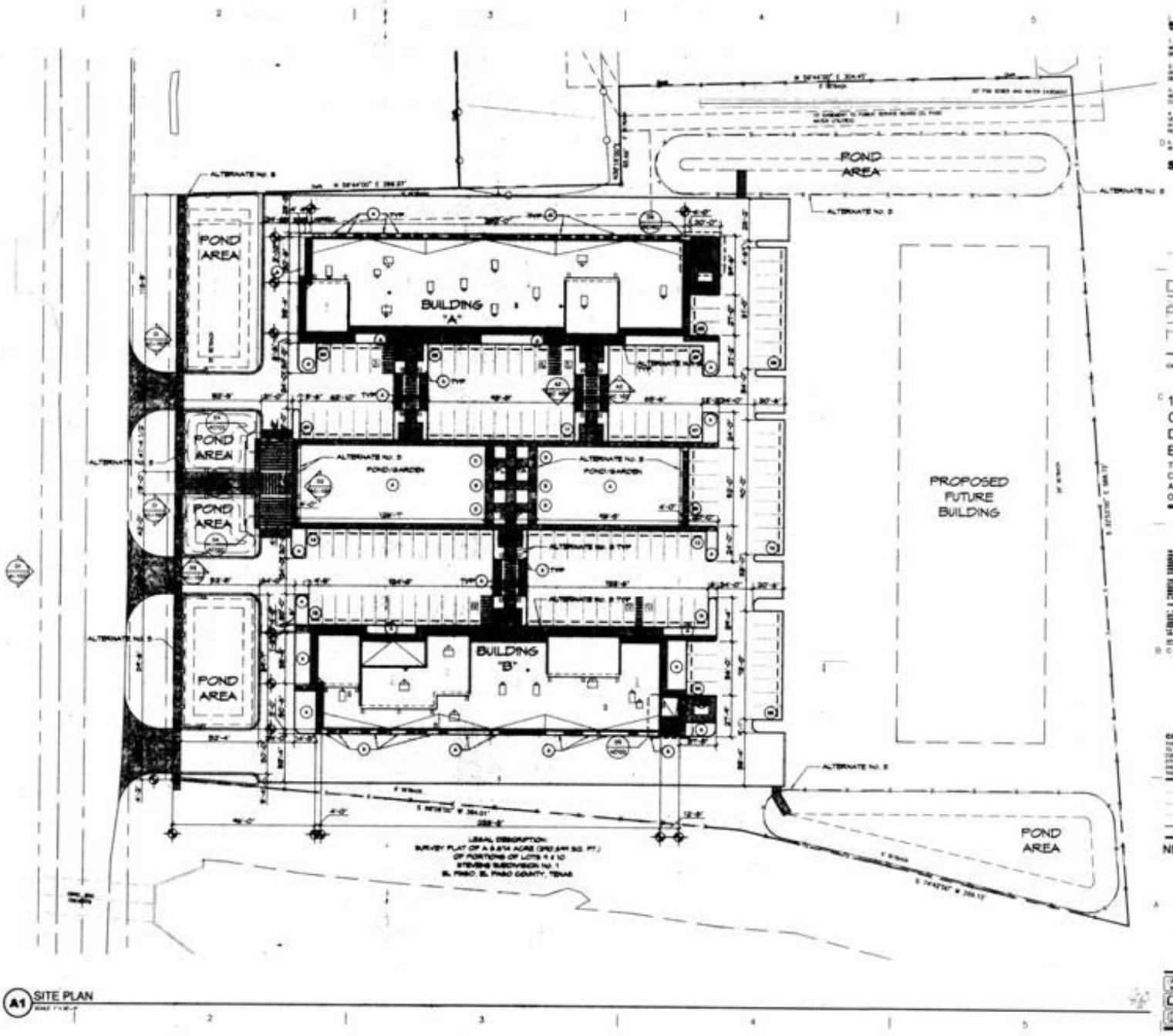
1. EPWU-PSB does not object to this request.
2. During the site improvement work, the Owner/Developer shall safeguard all existing sewer mains and appurtenant structures along the easements within the subject property. The Owner is responsible for setting appurtenant structures to final grade.
3. EPWU-PSB requires access to the sanitary sewer mains located within the easements 24 hours a day, seven (7) days a week.



List of Attachments

- Attachment 1: Site Plan
- Attachment 2: Landscape Plan
- Attachment 3: Elevations
- Attachment 4: Contract
- Attachment 5: Application

Attachment 1: Site Plan



Attachment 4: Contract

THE STATE OF TEXAS)
COUNTY OF EL PASO)

CONTRACT

THIS CONTRACT, made this 10th day of June, 1986, by and between PASO REAL PROPERTIES, INC., First Party, TEXAS COMMERCE BANK, 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 Tract 8, Stevens Subdivision No. 1, and all of Lots 1-41, Tract 1, and all of Lots 1-14, Tract 2, El Rincon Subdivision, City and County of El Paso, Texas, which are more particularly described by metes and bounds in the attached Exhibit "A" which is made a part hereof by reference.

To remove certain objections to such rezoning, First Party covenants that if the property is rezoned from A-M (Apartment/Mobile Home) and RMH (Residential Mobile Home) to C-3 (Commercial) District 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. At the time the rezoning change is approved by the City Council, First Party must dedicate thirty-five (35) feet of right-of-way through Lot 8, Stevens Subdivision No. 1 for the widening of Americas Avenue, and five (5) feet of additional right-of-way for the widening of Socorro Road.
2. Prior to the issuance of any building permits, a detailed site development plan must be approved by the City Plan Commission and the City Council.

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 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.

ORD # 8699

90-5571

Attachment 5: 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): County of El Paso
 ADDRESS: 500 E. San Antonio St. ZIP CODE: 79901 PHONE: 915-546-2000
 APPLICANT(S): County of El Paso
 ADDRESS: 500 E. San Antonio St. ZIP CODE: 79901 PHONE: 915-546-2000
 REPRESENTATIVE(S): Robert Rivera, P.E.
 ADDRESS: 500 E. San Antonio St. ZIP CODE: 79901 PHONE: 915-546-2015
 E-MAIL ADDRESS: r.rivera@epcounty.com FAX: 915-546-8194

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: CE0773 / S64199900104107
 LEGAL DESCRIPTION: Please See Attached
 STREET ADDRESS OR LOCATION: 9521 Socorro Road 79927 REP DISTRICT: 6
 ACREAGE: ~~11.945~~ 6.646 PRESENT ZONING: C3 PRESENT LAND USE: Vacant
 REASON FOR REQUEST: Site Plan Review; Special Contract

3. PARCEL TWO INFORMATION

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

4. PARCEL THREE INFORMATION

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

5. ADDITIONAL INFORMATION

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
 Printed Name: Robert Rivera, P.E. Signature: [Signature]
 Printed Name: _____ Signature: _____
 Printed Name: _____ Signature: _____

Note: Signatures are required for all owners of record for the property proposed for detailed site plan review. Attach additional signatures on a separate sheet of paper.

****OFFICE USE ONLY****

ZON 08-00026 RECEIVED DATE: 4/1/08 APPLICATION FEE: \$ 460.00
 DCC REVIEW DATE: 05/07/08 (8:30 am, Conference Room, 2nd Floor, City Hall Building)
 CPC REVIEW DATE: 04/05/08 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
 ACCEPTED BY: [Signature]

Revised 4/2007