

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: June 17, 2008, Resolution, Consent

CONTACT PERSON/PHONE: Arturo Rubio, 541-4633

DISTRICT(S) AFFECTED: 6

SUBJECT:

A Resolution approving a detailed site development plan, for a portion of Lot 1, Block 1, Le Barron Park, , El Paso, El Paso County, Texas, pursuant to a condition imposed by ordinance No. 9084. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 9305 North Loop Drive. Applicants: El Paso Employees Federal Credit Union, ZON08-00023 (District 6)

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 (6-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Victor Q. Torres
for Director, Development Services

for


APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

CITY CLERK DEPT.
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RESOLUTION

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN, FOR A PORTION OF LOT 1, BLOCK 1, LE BARRON PARK, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO A CONDITION IMPOSED BY ORDINANCE NO. 9084. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, El Paso Employees Federal Credit Union, (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 a bank building and storage building; 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 City 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 bank building and storage building on the following described property which is located in a C-1/sc District:

A portion of Lot 1, Block 1, Le Barron Park,, City of El Paso, El Paso County, Texas, as more particularly described by metes and bounds on the attached Exhibit "A" and incorporated herein by reference.

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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-1/sc 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-1/sc 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

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(Agreement on following page)

DEVELOPMENT AGREEMENT

By execution hereof, I, Luis H. De La Cruz, in my legal capacity for El Paso Employees Federal Credit Union, ("Applicant"), identified in the Resolution to which this Development Agreement is attached, hereby covenant and agree, 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-1/sc District located within the City of El Paso.

EXECUTED this 05 day of June, 2008.

EL PASO EMPLOYEES FEDERAL CREDIT UNION

By: [Signature]
Luis H. De La Cruz

ACKNOWLEDGMENT

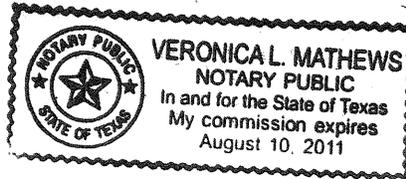
THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 05 day of June, 2008, by **Luis H. De La Cruz**, in his legal capacity on behalf of **El Paso Employees Federal Credit Union**.

[Signature]
Notary Public, State of Texas

My Commission Expires:

8-10-2011



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CITY CLERK DEPT.

Red

DORADO ENGINEERING, INC.

2717 E. Yandell El Paso, Texas 79903 (915) 562-0002 Fax (915) 562-7743

Lower Valley Branch

El Paso Employees Federal Credit Union

Portion of Lot 1, Block 1, Le Barron Addition

EXHIBIT "A"

Metes and Bounds description of a parcel being a portion of Lot 1, Block 1, Le Barron Addition, City of El Paso, County of El Paso, Texas.

From an existing city monument located at the centerline point of curvature (p.c.) of Burgundy Drive, said existing monument being one hundred ninety two and twenty two hundredths (192.22) feet South 50° 30' 00" West from the intersection of North Loop Road and Burgundy Drive; Thence North 39° 39' 40" West across Burgundy Drive a distance of forty five and no hundredths (45.00) feet for a point on the Westerly Right-of-Way line of Burgundy Drive, said point also being the Point of Beginning;

Thence South 50° 30' 00" West along the Westerly Right-of Way of Burgundy Drive a distance of one hundred fifty six and twenty one hundredths (156.21) feet for a corner at the intersection of the Westerly Right-of-Way of Burgundy Drive and the Northerly Right-of-Way of North Loop Road;

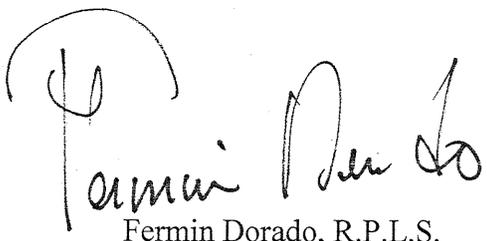
Thence North 47° 49' 00" West along the Northerly Right-of-Way line of North Loop Road, a distance of six hundred twenty seven and ninety five hundredths (627.95) feet to the common Southerly corner of Lot 1, Block 1, Le Barron Park Addition and Lot 20, Block 10, Le Barron Park Replat "C";

Thence North 53° 00' 00" East along the common line of Lot 1, Block 1, Le Barron Park Addition and Lots 18,19, and 20, Block 10, Le Barron Park Replat "C", a distance of two hundred sixty and fifty five hundredths (260.55) feet to the Northwesterly corner of the property being described;

Thence South 39° 35' 00" East along the Northerly line of the property being described a distance of six hundred ten and five hundredths (610.05) feet for a corner on the Westerly Right-of-Way line of Burgundy Drive;

Thence along an arc of a curve to the right along the Westerly Right-of-Way line of Burgundy Drive a distance of fourteen and sixteen hundredths (14.16) feet, said curve having a central angle of 00° 39' 33", a radius of one thousand four hundred fifty and thirty six hundredths (1450.36) feet, whose chord bears South 50° 46' 47" West with a chord distance of fourteen and sixteen hundredths (14.16) feet to the Point of Beginning.

Said parcel of land contains 132,372.00 square feet or 3.037 acres of land more or less.


Fermin Dorado, R.P.L.S.



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February 22, 2008



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

VICTOR Q. TORRES
DIRECTOR, DEVELOPMENT SERVICES

VACANT
DEPUTY DIRECTOR, PLANNING

CITY COUNCIL

ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
VACANT, 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: June 9, 2008

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

FROM: Arturo Rubio, Planner

SUBJECT: ZON08-00023

The City Plan Commission (CPC), on June 5, 2008, voted 6-0 to recommend APPROVAL of detailed site development plan.

The CPC found that the detailed site development plan is in conformance with all applicable requirements of the El Paso City Code, The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this detailed site development plan protects the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the effects of the detailed site development plan will have no effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

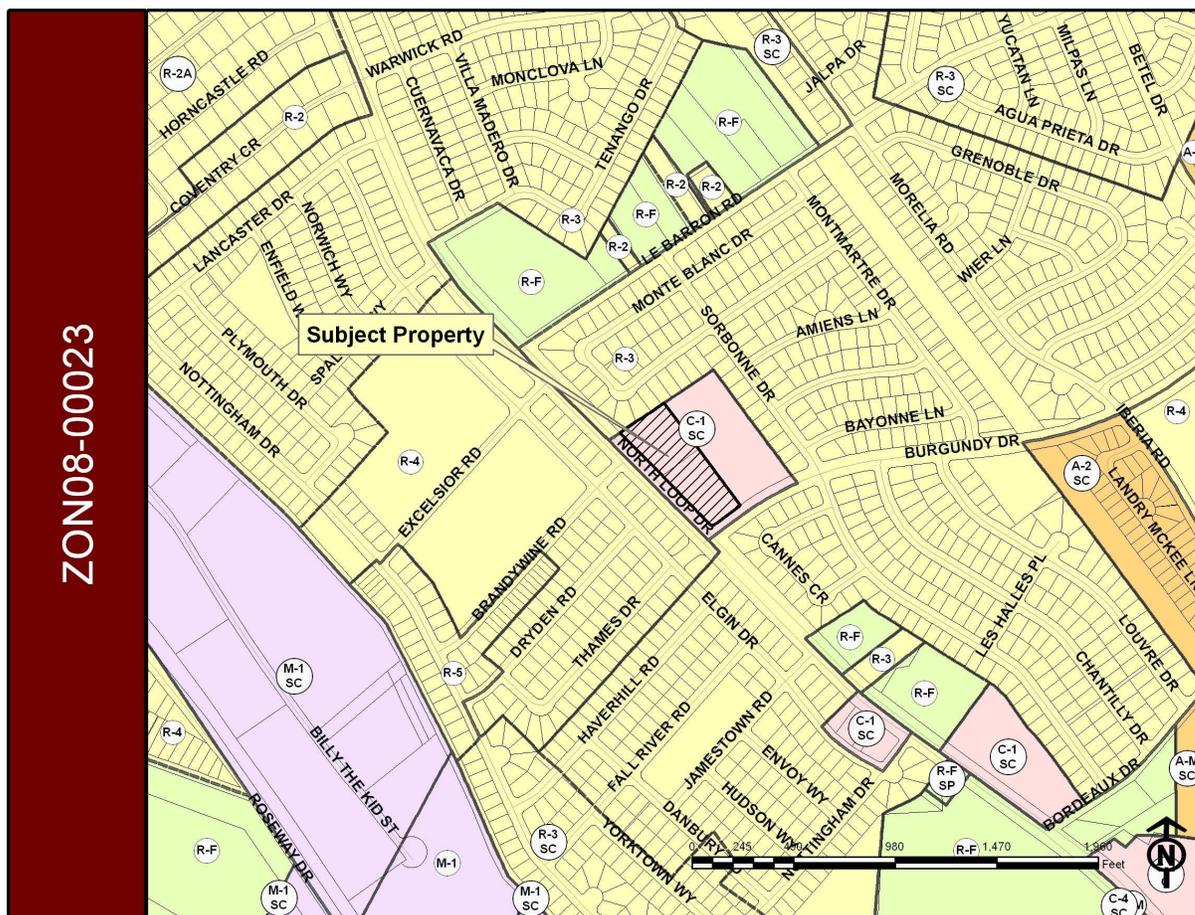
There was no opposition to the detailed site development plan.

Attachment: Staff Report



ZON07-00023

Application Type: Detailed Site Development Plan
Property Owners: El Paso Employees Federal Credit Union
Representative: Luis H. De La Cruz
Legal Description: A portion of Lot 1, Block 1, Le Barron Park, City of El Paso, El Paso County, Texas
Location: 9305 North Loop Drive
Representative District: 6 **Area:** 3.037 acres
Zoning: C-1/sc (Commercial/special contract)
Present Use: Vacant
Public Response: None
Surrounding Land Uses: **North:** R-3, single-family residential; **South:** R-3, single-family residential; **East:** C-1/sc apartments, R-3 single-family residential **West:** R-4, single-family residential
Year 2025 Designation: **Residential** (Mission Valley Planning Area)



General Information:

The Detailed Site Development Plan review is a requirement of a condition placed by a special contract imposed by Ordinance 9084, approved July 7, 1987. The applicant is proposing a 5,453 squared foot bank building and a 1,600 squared foot storage building. Required set backs for the C-1/sc (Commercial/special contract) zoning district are: front 20', rear 10' and side 10' abutting residential districts or side street. The detailed site development plan shows the following set backs: front 90', rear 55' 1.3", and sides 170' and 182' 1.5". A total of 36 parking spaces are required and applicant is providing 74 spaces. The highest elevation point on proposed structures is a 34' dome and code requirement is 35' maximum. Access is proposed via North Loop Drive and Burgundy Drive. The conditions imposed by the special contract are as follows:

1. No building shall be located closer than forty feet (40') to any adjacent residential lot in Block 1c, Lebaron Park Subdivision.
2. Prior to the issuance of any building permits, a detailed site plan must be approved by the City Plan Commission and the Mayor and City Council.
3. Upon demand by the City, the property owner shall dedicate sixteen (16') feet of additional right-of-way for the widening of North Loop Drive.
4. If the property is developed for apartments, the density shall be restricted to 24.89 dwelling units per acre.
5. All outside lighting fixtures must be shielded so that minimum glare extends to adjacent property lines, all in accordance with requirements of the Director of the Department of Traffic and Transportation.
6. The property shall not be used for a bar or on-premises consumption of alcoholic beverages except in conjunction with a restaurant, nor as an adult book store, adult motion picture theatre, nude live entertainment club or amusement game complex.

All applicable conditions to include 1, 2, 3, 5 and 6 are being met.

The detailed site development plan (ZON08-00023) was approved on May 22, 2008; however there are landscape requirements that were not met in the original site plan. Planning is requesting the case be reconsidered to allow applicant to make revisions to the detailed site development plan to include landscape requirements on undeveloped frontage of property. Building Permits and Inspections Department, Landscape Section found that landscape is required along the frontage of the undeveloped areas (See Landscape comments).

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 development plan **meets** all minimum requirements under 20.04.150 of the El Paso City Code.
- **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.”

- **The Year 2025 Projected General Land Use Map** for the Mission Valley Planning Area designates this property for **Residential** land uses.
- **The C-1/sc (Commercial/special contract) zoning** district allows for the development of a bank and is compatible with adjacent 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 C-1/sc zoning district?

Development Services Department - Building Permits and Inspections Division:

Zoning Review: Proposed banking facility on C-1/sc (Commercial/special contract) district, meets minimum yard, off-street parking and loading district's standards. Property owner shall be required to provide a six foot high masonry screening wall along property line abutting the commercial district.

Landscape Review:

To Whom It May Concern,

I understand that this project went before the Planning Commission and under the zoning case I approved it because the parcel had enough landscaping area to meet the new ordinance. The landscape ordinance is no longer in 20 and is now 18.46. The project is not addressing the landscape as per the code and lacks plant material based on the parcel calculations of .075 %. Even if this is two separate parcels it needs landscaping based on the second building and we will have problems with the setbacks of that drive-through canopy. 18.46.040 state that this ordinance will not annul any restrictive covenants or agreements or other requirements imposed on the property but the more stringent requirement shall apply. In this case landscaping is the more stringent. If we want to include a full landscape review in the zoning cases that will be fine but we don't, we only ask for the calculations which again did pass as proposed.

I have instructed the landscape designer weeks ago of the situation before he came before you yesterday. They need to address the entire frontage.

Thank you,

Development Services Department - Planning Division:

Current Planning: Recommends approval of detailed site development plan; the request meets all minimum requirements of the detailed site development plan Ordinance 20.04.150.

Land Development: No Comments Received.

Engineering Department - Traffic Division:

Location of sign complies with 20.12 - not in visibility triangle.

Fire Department:

No comments received.

El Paso Water Utilities:

EPWU does not object to this request.

Parks:

No comments received.

Sun Metro:

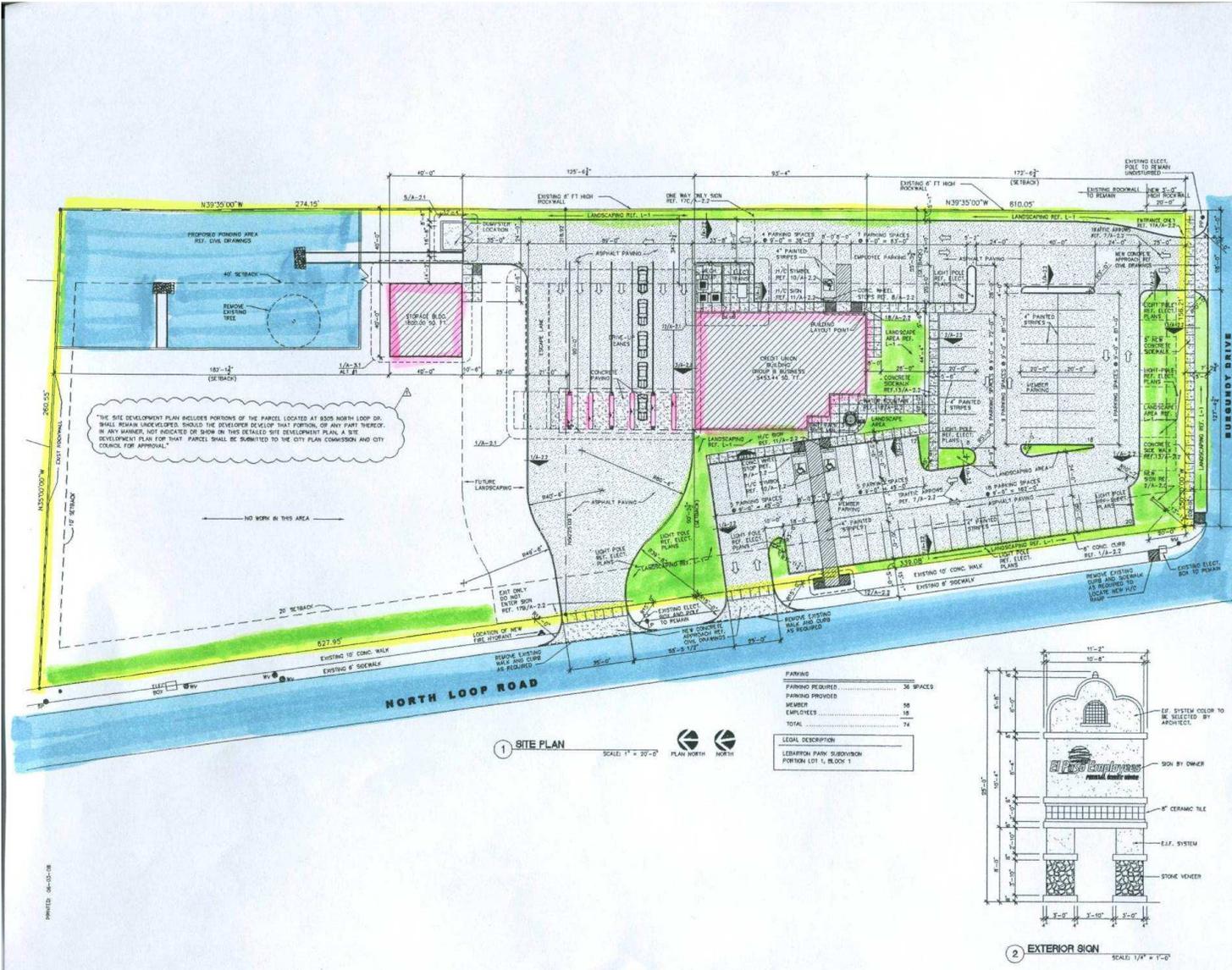
No comments received.



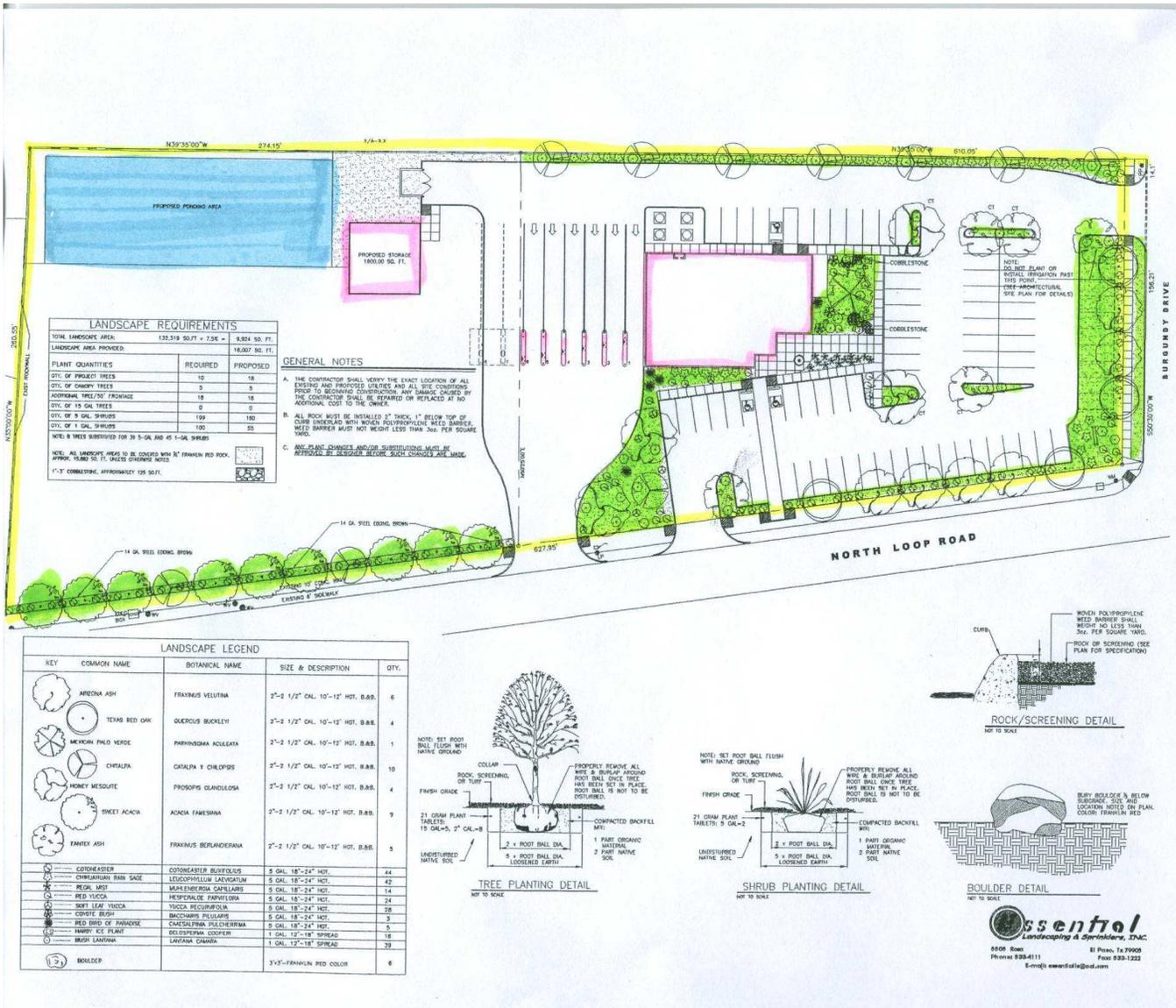
List of Attachments:

- Attachment 1: Detailed Site Development Plan
- Attachment 2: Landscape Plan
- Attachment 3: Side Elevations
- Attachment 4: Application

Attachment 1: Detailed Site Development Plan



Attachment 2: Landscape Plan



Attachment 4: 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): El Paso Employees Fed. Credit Union - CEO Ray Botteri
 ADDRESS: 8840 Gazelle Cir ZIP CODE: 79925 PHONE: 913-5866
 E-MAIL ADDRESS: _____ FAX: _____

REPRESENTATIVE(S): Luis H. De la Cruz
 ADDRESS: _____ ZIP CODE: 79921 PHONE: _____
 E-MAIL ADDRESS: 0 FAX: 590-9920

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: L-217-999-0010-0200
 LEGAL DESCRIPTION: Being a portion of lot 1, Block 1, Le Barron Park Subdivision
 STREET ADDRESS OR LOCATION: 9305 North Loop Dr. REP DISTRICT: 6
 ACREAGE: 1.50 Ac ± PRESENT ZONING: C-1 PROPOSED LAND USE: same
 REASON FOR REQUEST: New Building El Paso Emp. Fed. Credit Union

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: L-217-999-0010-0100
 LEGAL DESCRIPTION: Being a portion of lot 1, Block 1, Le Barron Park Subdivision
 STREET ADDRESS OR LOCATION: 9305 North Loop Dr. REP DISTRICT: 6
 ACREAGE: 1.539 Ac ± PRESENT ZONING: C-1 PROPOSED LAND USE: same
 REASON FOR REQUEST: New Building - El Paso Emp. Fed. Credit Union

4. PARCEL THREE INFORMATION

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

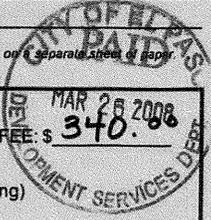
5. ADDITIONAL INFORMATION

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
 Printed Name: Ray Botteri - CEO. 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 08-00023 RECEIVED DATE: 3/25/08 APPLICATION FEE: \$ 340.
 DCC REVIEW DATE: 4/23/08 (8:30 am, Conference Room, 2nd Floor, City Hall Building)
 CPC REVIEW DATE: 5/22/08 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
 ACCEPTED BY: Melissa Kellum



CITY CLERK DEPT.
09:11-9 PM 11:11