

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

DEPARTMENT: Planning and Economic Development
AGENDA DATE: Resolution; Consent Item; CCA: August 2, 2011
CONTACT PERSON/PHONE: Geena Maskey, (915) 541-4192, maskeyga@elpasotexas.gov
DISTRICT(S) AFFECTED: 6

SUBJECT:

A Resolution approving a detailed site development plan for a portion of Lot 18, Block 2, Montwood Heights, Unit Four, City of El Paso, El Paso County, Texas, Pursuant to Section 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 12400 Montwood Drive, Property Owner: Oro Partners Ltd., PZDS11-00011(District 6)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – No objection
City Plan Commission (CPC) – Approval Recommendation 5-0

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew, McElroy
Deputy Director, Planning & Economic Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

RESOLUTION

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN, FOR A PORTION OF LOT 18, BLOCK 2, MONTWOOD HEIGHTS UNIT FOUR, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO A ZONING CONDITION IMPOSED BY ORDINANCE NO. 011446. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Oro Partners LTD., (the "Owner") has applied for approval of a detailed site development plan pursuant to a zoning condition, imposed by Ordinance No. 011446 which requires City Plan Commission and City Council approval; 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 on the following described property which is located in a **C-1/c (Commercial/conditions) District:**

A portion of Lot 18, Block 2, Montwood Heights Unit Four, 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.

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/c (Commercial/conditions)** 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/c (Commercial/conditions)** 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 _____, 2011.

THE CITY OF EL PASO

John F. Cook,
Mayor

ATTEST:

Richarda Duffy Momsen,
City Clerk

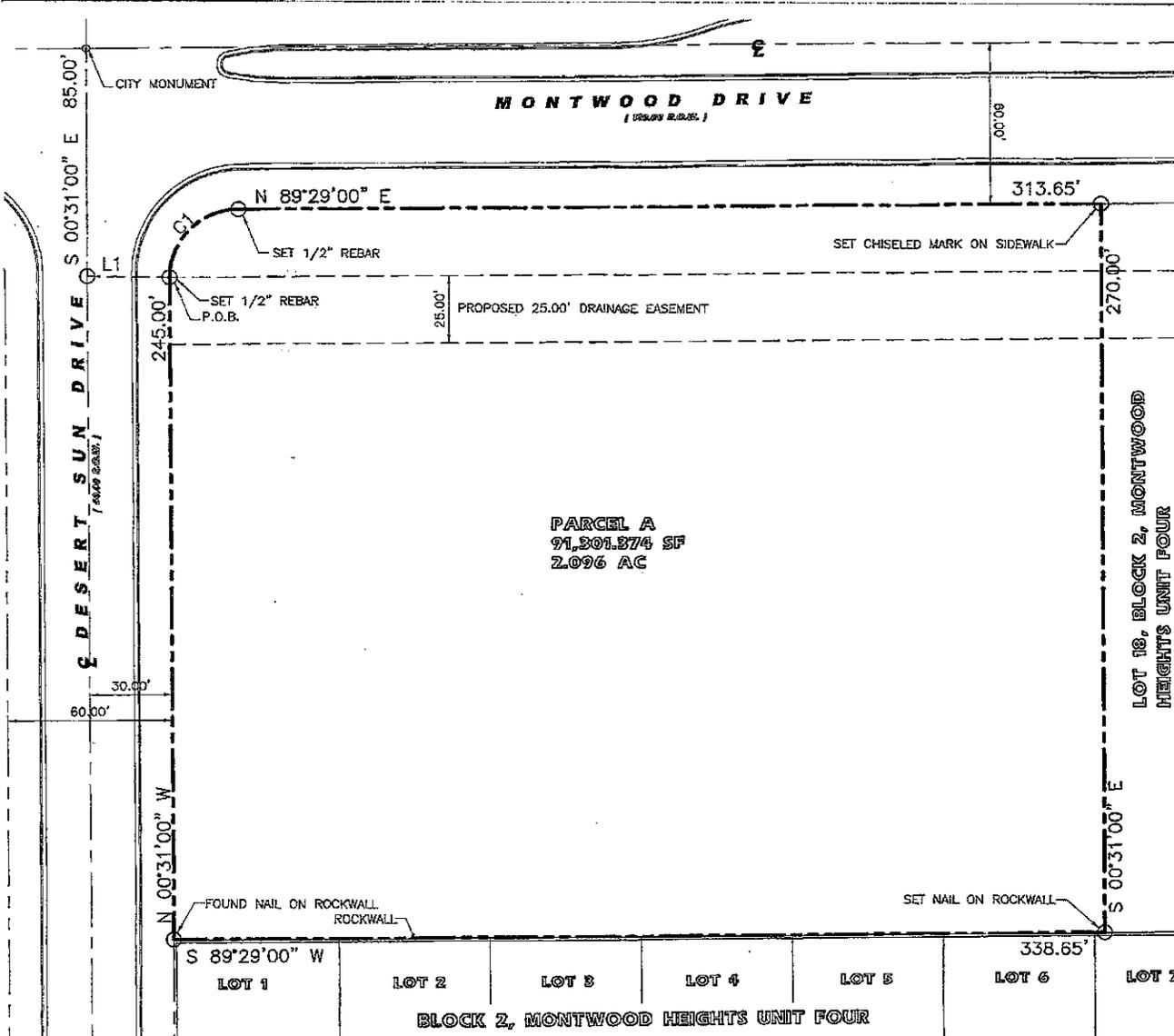
APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Mathew S. McElroy
Deputy Director – Planning and
Economic Development Department

(Agreement on following page)



LEGAL DESCRIPTION : AREA
 BEING A PORTION OF LOT 18, BLOCK 2 MONTWOOD HEIGHTS UNIT FOUR, IN THE CITY OF EL PASO, EL PASO COUNTY, TEXAS. 2.09598 AC (91,301.374 SQ. FT.) MORE OR LESS.

**PARCEL A
 Legal Description:**

BEING A PORTION OF LOT 18, BLOCK 2, MONTWOOD HEIGHTS UNIT FOUR, IN THE CITY OF EL PASO, EL PASO COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A CITY MONUMENT LOCATED AT THE CENTERLINE INTERSECTION OF MONTWOOD DRIVE AND DESERT SUN DRIVE; THENCE, ALONG THE CENTERLINE OF DESERT SUN DRIVE SOUTH 00 31' 00" EAST A DISTANCE OF 85.00 FEET TO A POINT; THENCE NORTH 89 29' 00" EAST A DISTANCE OF 30.00 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF DESERT SUN DRIVE, SAID POINT ALSO BEING "THE TRUE POINT OF BEGINNING" OF THIS DESCRIPTION.

THENCE, ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE OF DESERT SUN DRIVE 39.27 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, WHOSE RADIUS IS 25.00 FEET, WHOSE INTERIOR ANGLE IS 90 00' 00", AND A CHORD BEARING NORTH 44 29' 00" EAST, A DISTANCE OF 35.36 FEET TO A POINT FOR A CORNER;

THENCE, NORTH 89 29' 00" EAST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF MONTWOOD DRIVE, A DISTANCE OF 313.65 FEET TO A POINT FOR A CORNER;

THENCE, SOUTH 00 31' 00" EAST, A DISTANCE OF 270.00 FEET TO A POINT FOR A CORNER;

THENCE, SOUTH 89 29' 00" WEST, A DISTANCE OF 338.65 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF DESERT SUN DRIVE;

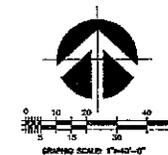
THENCE, NORTH 00 31' 00" WEST, ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE OF DESERT SUN DRIVE, A DISTANCE OF 245.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

SAID PARCEL OF LAND CONTAINING 2.09598 ACRES (91,301.374 SQ. FT.) OF LAND MORE OR LESS.

| CURVE | RADIUS | LENGTH | DELTA | CHORD | BEARING |
|-------|--------|--------|-----------|-------|-------------|
| C1 | 25.00' | 39.27' | 90°00'00" | 35.36 | N44°29'00"E |

| LINE TABLE | | |
|------------|--------|-------------|
| LINE | LENGTH | BEARING |
| L1 | 30.00' | N89°29'00"E |

REY ENGINEERING
ENRIQUE A. REY
 CONSULTING ENGINEERING - SURVEYING - LAND PLANNING
 3548 SOB MITCHELL DR., EL PASO, TX. 79906
 TEL. (915) 801-6424
 CELL. (915) 309-1889



CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY WAS PERFORMED UNDER MY SUPERVISION, THAT NO ENCROACHMENTS EXIST ON THE PROPERTY EXCEPT AS SHOWN, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Enrique A. Rey 13 June 2011
 ENRIQUE A. REY
 REGISTERED PROFESSIONAL LAND SURVEYOR
 REGISTRATION No. TEXAS No. 3505
 ENRIQUE A. REY & ROB MITCHELL DR.
 3505 SOB MITCHELL DR., EL PASO, TEXAS 79906
 TEL. (915) 591-6424 / (915) 309-1889
 DATE 13 June 2011

DATE SURVEYED DATED JUNE 11, 2011

Civil & Structural Engineering Consultants
PLAZA ENGINEERING
 710 North St. Vrain Street
 El Paso, Texas 79902
 (915) 839-8794
 (915) 839-8907 Fax
 plazaengineering@yahoo.com
 P.O. Box 1008
 Loveland, Colorado 80539
 (970) 227-0015
 (970) 263-8553 Fax

LEGEND

| | |
|---------------|-----------|
| DESCRIPTION | EXISTING |
| CENTERLINE | ————— |
| EASEMENT LINE | - - - - - |
| PROPERTY LINE | ————— |

BOUNDARY SURVEY
 SCALE: 1"=40'-0"

MEMORANDUM

DATE: July 25, 2011

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

FROM: Geena Maskey, Planner

SUBJECT: PZDS11-00011

The City Plan Commission (CPC), on July 14, 2011, voted 5-0 to recommend **APPROVAL** of detailed site development plan for subject property.

The CPC found that the detailed site development plan is in conformance with the Plan for El Paso. The CPC also determined that the 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 detailed site development plan will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

Attachment: Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZDS11-00011
Application Type: Detailed Site Development Plan Review
CPC Hearing Date: July 14, 2011
Staff Planner: Geena Maskey, (915) 541-4192, maskeyga@elpasotexas.gov
Location: 12400 Montwood Drive
Legal Description: A Portion of Lot 18, Block 2, Montwood Heights Unit Four, City of El Paso, El Paso County, Texas
Acreage: 2.095 acres
Rep District: 6
Zoning: C-1/c (Commercial/condition)
Existing Use: Office
Request: Detailed Site Development Plan Review per Ordinance No. 011446
Proposed Use: Credit Union
Property Owner: Oro Partners Ltd.
Representative: George R. Dipp

SURROUNDING ZONING AND LAND USE

North: R-3A/sc (Residential/special contract) / Single family dwellings
South: R-3A (Residential) / Single family dwelling
East: C-1/c (Commercial/condition) / Commercial
West: C-1/c (Commercial/condition) / Commercial

Plan for El Paso Designation: Commercial/Residential (East Planning Area)

Nearest Park: Proposed Park (2,975 Feet)

Nearest School: Lujan Chavez Elementary (5,290 Feet)

NEIGHBORHOOD INPUT

Notice of the public hearing is not required on detailed site development plan per El Paso City Code, 20.04.520 *Notice*.

APPLICATION DESCRIPTION

The applicant is requesting a detailed site development plan review as required by a special contract imposed by Ordinance No. 11446, Condition No. 1, dated June 22, 1993, (see Attachment 5, page 9). The detailed site development plan shows two existing buildings, a 23,654 square-foot office building (Building 2), and a 4,050 square-foot building (Building 1) for a proposed credit union.

There is an approved detailed site development plan (ZON08-00020) dated September 30, 2008 (see Attachment 6, page 10-11) for the subject property. The proposed change to the original site plan includes removal of 9 parking spaces, the addition of landscape area, and two ATM drive aisles for a new credit union in Building 1. The total site requires 79 parking spaces and 4 bicycle spaces. The applicant is providing 74 parking spaces and 5 bicycle spaces. The site lacks 5 parking spaces; however, a 10% administrative parking reduction has been approved for the site. Access is from Montwood Drive and Desert Sun Drive.

The following condition was imposed by Ordinance No. 011446:

Prior to the issuance of building permits, the applicants must submit for review and approval by the City Plan Commission and the Mayor and City Council a detailed site development plan of the property...

This detailed site development plan complies with all the applicable conditions imposed by the Ordinance No. 0011446.

PLANNING AND ECONOMIC DEVELOPMENT-PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **Approval** of the detailed site development plan. The detailed site development plan meets all the requirements of 20.04.150 of the El Paso City Code and the conditions imposed by Ordinance No. 011446.

The Plan for El Paso – City - Wide Land Use Goals

All applications for detailed site development plan shall demonstrate compliance with the following criteria:

- a. Goal: 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.
- b. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.

The purpose of the C-1(Commercial) district is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood convenience goods and services that serve day-to-day needs. The regulations of the districts will permit location of business and professional offices and retail category uses within adjacent residential areas of medium and high densities.

Development Coordinating Committee Review

The DCC reviewed and discussed the application for detailed site development plan review and offered no objections to the Planning Staff’s recommendation for **Approval**.

Engineering – Construction Management Division-Plan Review

No objections to the detailed site plan.

Engineering – Land Development

1. The Subdivision is within Flood Zone C– “Areas determined to be outside the 0.2% annual chance floodplain.” – Panel # 480214 0043B, dated October 15, 1982.

Department of Transportation

No objections to the detailed site plan.

Note:

- 1. All existing/proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations and Current City of El Paso Design Standards for Construction.
- 2. Recommend wheel stops on all parking spaces adjacent to pedestrian walkways.

Fire Department

No objections to the detailed site plan.

El Paso Water Utilities

1. EPWU-PSB does not object to this request.

Water:

2. There is an existing 24-inch diameter water main along the northern half of Montwood Drive. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

3. There is an existing 12-inch diameter water main along Desert Sun Drive. Also, there is an existing 8-inch diameter water main along the southern half of Montwood Drive.

4. A backflow prevention assembly is required at the discharge side of each water meter. The Owner shall be responsible for the operation and maintenance of the backflow prevention assembly.

Sewer:

5. There is an existing 15-inch diameter sanitary sewer main along the southern half of Montwood Drive from Sun Fire Boulevard to Desert Sun Drive. There is also an existing 8-inch diameter sanitary sewer main along Desert Sun Drive.

General:

6. EPWU records indicate active water and sewer services for the property with 12400 Montwood Drive as the service address.

7. Application for additional water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the detailed site plan application:

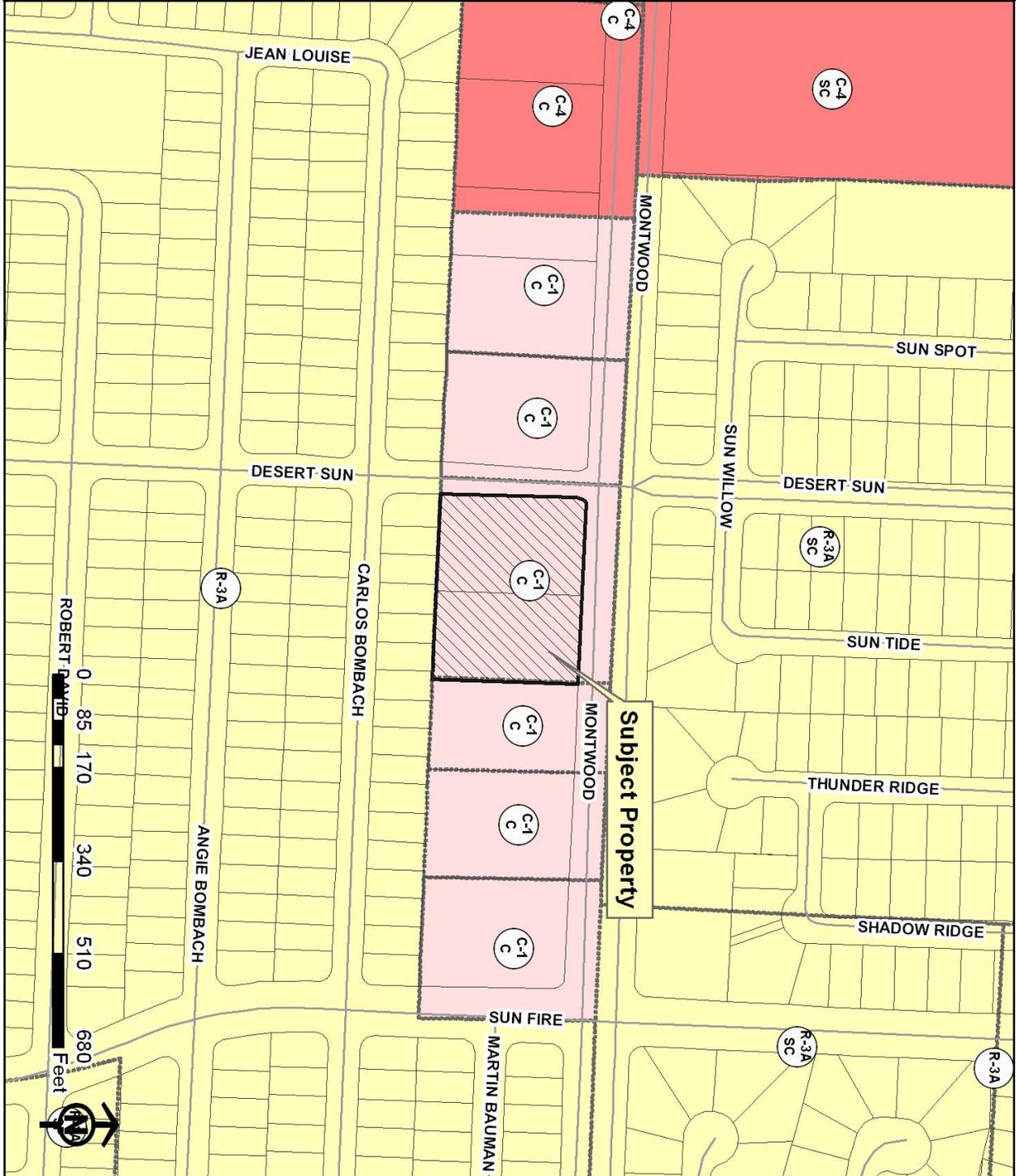
1. Recommend approval of the application finding that the detailed site development plan is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the detailed site development plan into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the detailed site development plan does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Ordinance No. 011446
6. Resolution: Detailed Site Development Plan No. ZON08-00020

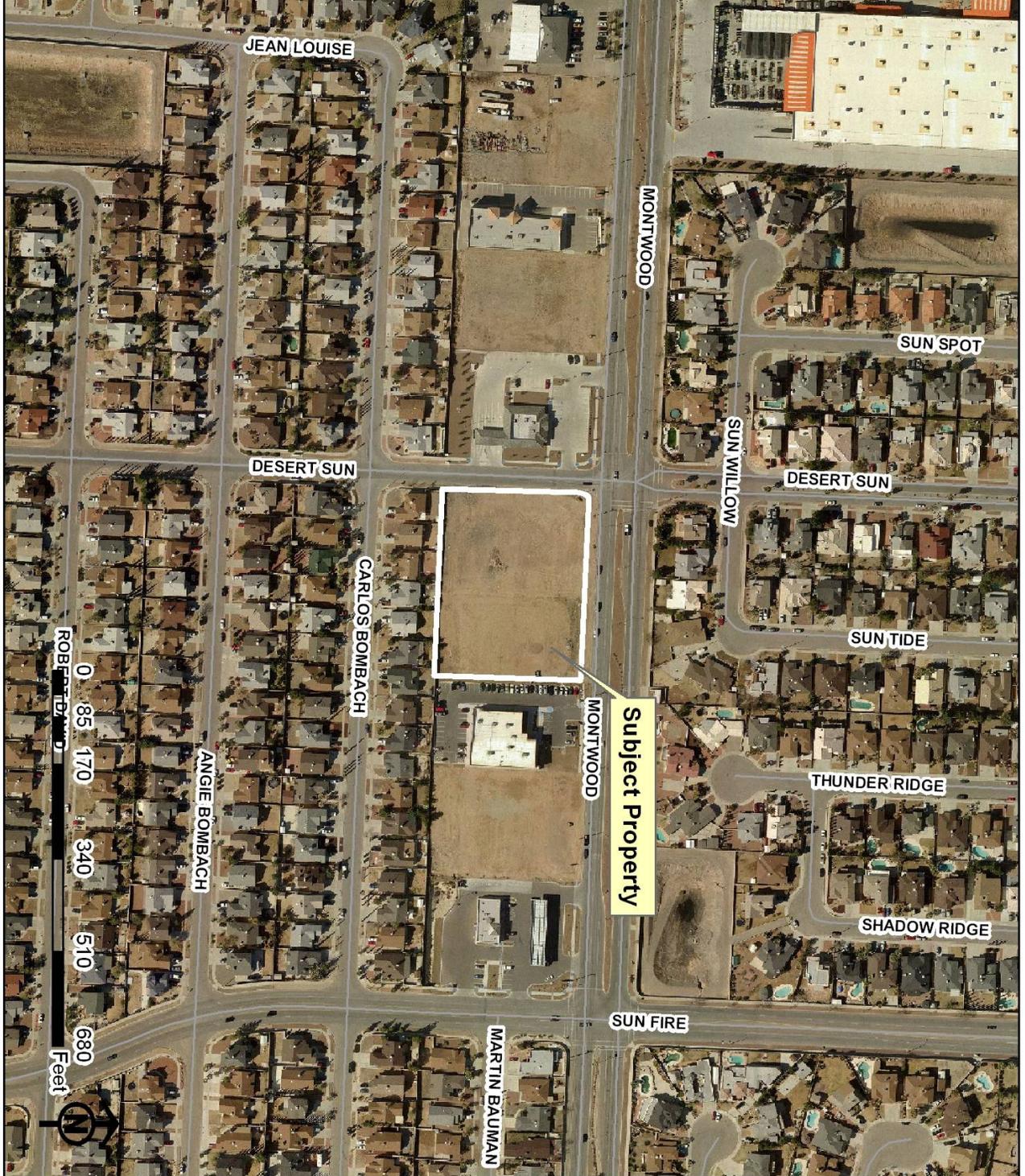
ATTACHMENT 1: ZONING MAP

PZDS11-00011

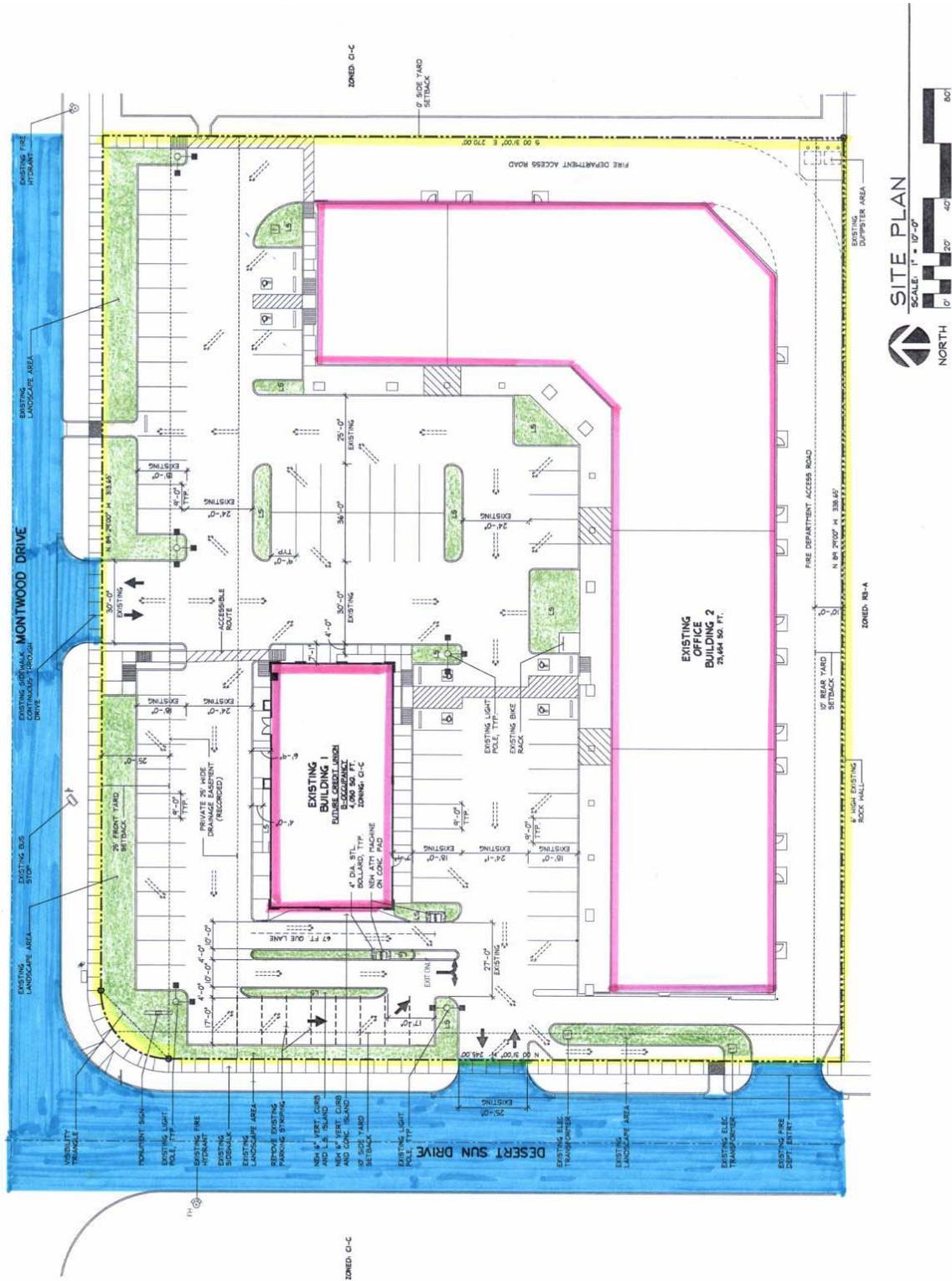


ATTACHMENT 2: AERIAL MAP

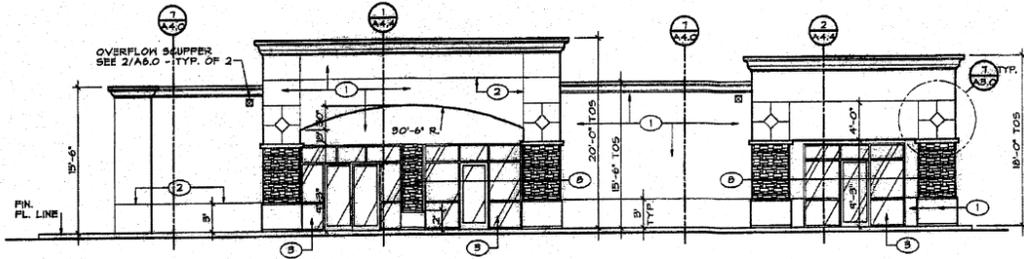
PZDS11-00011



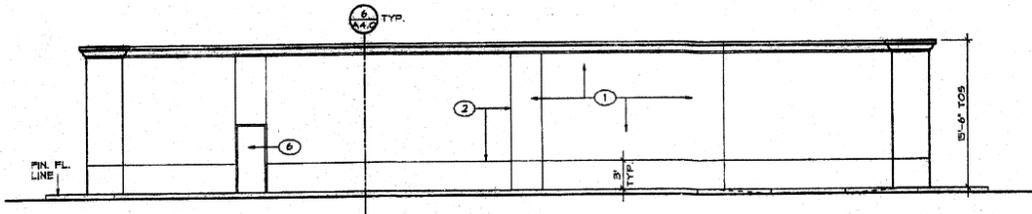
ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



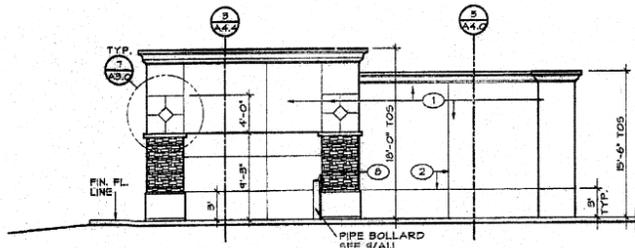
ATTACHMENT 4: ELEVATIONS



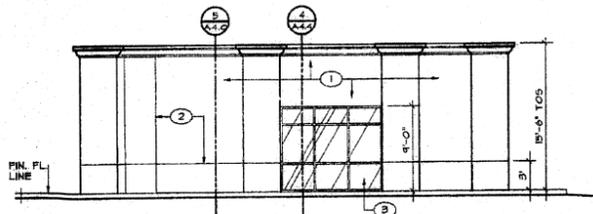
1 BUILDING 1 - NORTH ELEVATION



3 BUILDING 1 - SOUTH ELEVATION



2 BUILDING 1 - WEST ELEVATION



4 BUILDING 1 - EAST ELEVATION

ATTACHMENT 5: ORDINANCE NO. 011446

ORDINANCE NO. 011446

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 3, SECTION 4, BLOCK 79, TSP 3, T&P RAILWAY CO. SURVEYS, AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of A PORTION OF TRACT 3, SECTION 4, BLOCK 79, TSP 3, T&P RAILWAY CO. SURVEYS, as more particularly described by metes and bounds in the attached Exhibit "A", be changed from R-3 (Residential), to R-3A (Residential-Parcel 5), C-4 (Commercial-Parcels 1&2), A-O (Apartment/Office-Parcel 4) and C-1 (Commercial-Parcel 3) within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; and

That the property be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning from R-3 (Residential) to R-3A (Residential), C-4 (Commercial), A-O (Apartment/Office) and C-1 (Commercial) in order to protect the health, safety and welfare of adjacent property owners and the residents of this city:

Parcels 1 & 2

1. Prior to issuance of building permits, the applicants must submit for review and approval by the City Plan Commission and the Mayor and City Council a detailed site development plan of the property. Such site plans should also include a landscaping plan, to show how the area adjacent to the residential uses can be buffered.

ORDINANCE NO. 011446 PAGE 1 OF 3

93-5787

ORDINANCE NO. 011446

AN ORDINANCE CHANGING THE ZONING OF A

- 2. Provide a 15' strip of landscaping adjacent to Joe Battle Blvd. (Loop 375) and Montwood Dr.

Parcels 2,3&4

- 1. Prior to issuance of any building permits the applicants must submit for review and approval by the City Plan Commission and the Mayor and City Council, a detailed site development plan of the property.
- 2. Limiting the height of any structure to not more than 2½ stories or 35' whichever is greater.
- 3. Provide a 10' wide strip of landscaping along Montwood Dr.

These conditions run with the land, are a charge and servitude thereon, and bind the current property owner and any successors in title. The City may enforce these conditions by injunction, by rescission of the zoning which is made appropriate as a result of these conditions, or by any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above conditions in its discretion without the consent of any third person who may be benefitted thereby, and without affecting the validity of this ordinance.

PASSED AND APPROVED this 22nd day of June, 1993.

I certify that the zoning map has been revised to reflect the amendment of ordinance #011446 by [Signature] Date 8-4-93

THE CITY OF EL PASO

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk

I CERTIFY THAT THE FOLLOWING ZONING MAPS

HAVE BEEN REVISED: i.p.
8-4-93 COUNTER
8-4-93 ORIGINAL
8-4-93 Bldg. Inspection
8-4-93 CONT. [Signature]

ORDINANCE NO. 011446 PAGE 2 OF 3

ATTACHMENT 6: RESOLUTION - Detailed Site Development Plan No. ZON08-00020

RESOLUTION

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN, FOR A PORTION OF LOT 18, BLOCK 2, MONTWOOD HEIGHTS UNIT 4, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO A CONDITION IMPOSED BY ORDINANCE NO. 011446. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Oro Partners LTD., (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 two 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 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 two office buildings on the following described property which is located in a C-1/c (Commercial/conditions) District:

A portion of Lot 18, Block 2, Montwood Heights Unit 4, 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.

CITY CLERK DEPT.
SEP 17 AM 8:54

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.

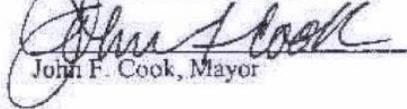
2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C-1/c (Commercial/conditions) District regulations.

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/c (Commercial/conditions) 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.

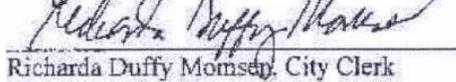
4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

ADOPTED this 30th day of September, 2008.

THE CITY OF EL PASO


John F. Cook, Mayor

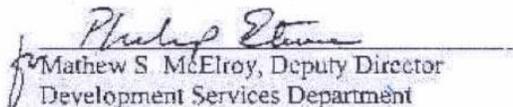
ATTEST


Richarda Duffy Mornsey, City Clerk

APPROVED AS TO FORM:


Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:


Mathew S. McElroy, Deputy Director
Development Services Department
Planning Division

CITY CLERK DEPT.
08 SEP 17 AM 8:54

(Agreement on following page)

2

Detailed Site Development Plan No. ZON08-00020

Doc #42402/Planning/Detailed Site Plan/Reso/LCUE