

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Resolution, Consent Agenda, September 30, 2008

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 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. Subject Property: 12400 Montwood Drive. Applicants: George R. Dipp and George M. Dipp, ZON08-00020 (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 (7-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Victor Q. Torres
Director, Development Services

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 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.

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 _____, 2008.

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
Development Services Department
Planning Division

(Agreement on following page)

DEVELOPMENT AGREEMENT

By execution hereof, I, George M Dipp, in my legal capacity for **ORO PARTNERS LTD.**, ("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/c (Commercial/conditions)** District located within the City of El Paso.

CITY CLERK DEPT.
08 SEP 17 AM 8:54

EXECUTED this 16th day of September, 2008.

ORO PARTNERS LTD.

By: [Signature]

ACKNOWLEDGMENT

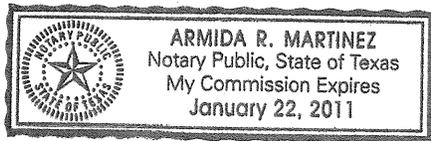
THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 14th day of September, 2008, by George M. Dipp, in his legal capacity on behalf of **Oro Partners LTD.**

Armida R. Martinez
Notary Public, State of Texas

My Commission Expires:

January 22, 2011



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;

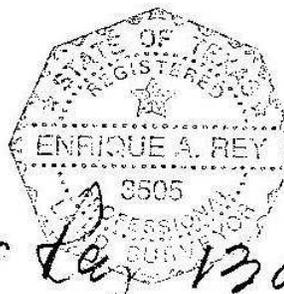
THENCE, NORTH 89 29' 00" EAST ALONG THE SOUTHERLY RIGHT-OF WAY LINE OF MONTWOOD DRIVE, A DISTANCE OF 313.65 FEET TO A POINT FOR A CORNER;

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.



Enrique A. Rey 13 Aug 08

Enrique A. Rey
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION TEXAS No. 3505



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

VICTOR Q. TORRES
DIRECTOR, DEVELOPMENT SERVICES

MATHEW S. MCELROY
DEPUTY DIRECTOR, PLANNING

CITY COUNCIL

ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
EMMA ACOSTA, 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: September 22, 2008

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

FROM: Arturo Rubio, Planner

SUBJECT: ZON08-00020

The City Plan Commission (CPC), on August 28, 2008, voted 7-0 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 were no letters or phone calls in support or opposition of this request.

Attachment: Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: ZON08-00020
Application Type: Detailed Site Development Plan Review
CPC Hearing Date: August 28, 2008
Staff Planner: Arturo Rubio, 915-541-4633, rubioax@elpasotexas.gov

Location: 12400 Montwood Drive
Legal Description: A portion of Lot 18, Block 2, Montwood Heights, Unit 4, City of El Paso, El Paso County, Texas

Acreage: 2.0959 acres
Rep District: 6
Existing Use: Vacant
Existing Zoning: C-1/c (Commercial/conditions)

Property Owner: Oro Partners LTD
Applicant: Oro Partners LTD
Representative: George R. Dipp and George M. Dipp

SURROUNDING ZONING AND LAND USE

North: R-3A/sc (Residential/special condition), Single-Family residential dwelling

South: R-3A (Residential), Single-Family residential dwelling

East: C-1/c (Commercial/condition), Vacant

West: C-1/c (Commercial/condition), Vacant

THE PLAN FOR EL PASO DESIGNATION: Residential/Commercial (East Planning Area)

NEIGHBORHOOD ASSOCIATIONS: Not required to notify per the El Paso City Code.

APPLICATION DESCRIPTION

The detailed site development plan review is a requirement of a condition placed by Ordinance, 011446 approved June 22, 1993. The applicant is proposing two office buildings, a 4,050 squared feet and a 24,200 squared foot structure. The applicant is not requesting to remove conditions. Access is proposed via Montwood Drive and Desert Sun Drive. The conditions imposed by Ordinance are as follows:

1. Prior to the issuance of any building permits the applicant 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 2 ½ stories or 35' whichever is greater.
3. Provide a 10' wide strip of landscaping along Montwood Drive.

All applicable conditions are being met by applicant.

Required Density and Dimensional Standards:

The existing C-1/c (Commercial/conditins) district requirements for office development are as follows: no minimum lot area, width or depth. Minimum front yard set back 20', minimum rear yard set back 10', no cumulative set back, no side setback abutting commercial district and 10' side set back abutting residential districts. The maximum elevation requirement on the C-1 district is 35'.

Density and Dimensional Standards Provided:

Total building area is 28,250 squared feet office buildings. Front set back, 62' and 77', rear set back 23' and 28', sides 23' and 15' abutting side street. The highest elevation shown is 27' 6".

Parking required:

Required 1 parking per 400' of gross floor area. With a total of 28,200 squared feet of gross floor area total parking rquired is 71 and applicant is providing 84 spaces. The bicycle parking required is 3 and 5% of excess parking required. Four parking spaces are required and four are provided.

Landscape Required:

The applicant is required to provide 6, 848 square feet of landscape area. Applicant is providing 9,000 squared feet to include 13' strips along Montwood Drive per condition placed by Ordinance 011446. Landscaping plan to show detail shall be required prior to the issuance of building permits.

NEIGHBORHOOD INPUT

Notice of the public hearing not required on detailed site development plan.

The Plan for El Paso –City-wide Land Use Goals:

Detailed Site Development Plan For Neighborhood Commercial

- a. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.
- b. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.
- c. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character.

The proposed development in the neighborhood commercial district will allow development that will serve the needs of surrounding residential neighborhoods by providing a location for business and professional offices uses within adjacent residential areas of medium and high densities.

The proposed development conforms to all applicable zoning and detailed site development plan regulations in the C-1/c district and will serve to protect the overall character architectural integrity and economic vitality and livability of the neighborhoods. The detailed site development plan ensures that the requirements of the location arrangement of structures, utility rights of way and easements, storm water drainage, vehicular and

pedestrian ways, on-site parking, location of open spaces, landscaped areas and the size and design of exterior signs are met.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee provides the following comments:
The DCC recommends approval of detailed site development plan.

Development Services - Building Permits and Inspections Division:

Zoning Review: No objection to the proposed Detailed Site Development. Landscaping: No comments received. Proposed office buildings permitted on C-1 (Commercial) District. Meets minimum yard, off-street parking and loading requirements. Shall need to provide a six foot high masonry screening wall along property lines abutting the residential district. No objection to the proposed detailed site development plan.

Development Services - Planning Division:

Current Planning: Recommends approval; request meets the minimum requirements of the detailed site development plan section 20.04.150 of the City of El Paso Ordinance.

Land Development:

Landscape calculations provided will meet code but project lacks plant material as per 18.46.

Engineering Department, Traffic Division:

No objections to proposed detailed site plan.

Fire Department:

ZON08-00020-Site Plan does not adversely affect the Fire Department.

El Paso Water Utilities:

EPWU does not object to this request.

Parks:

No comments received.

Sun Metro:

No comments received.

School Districts:

No comments received.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application

- 1 Recommend approval of the application finding that the rezoning 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 rezoning 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 rezoning 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:

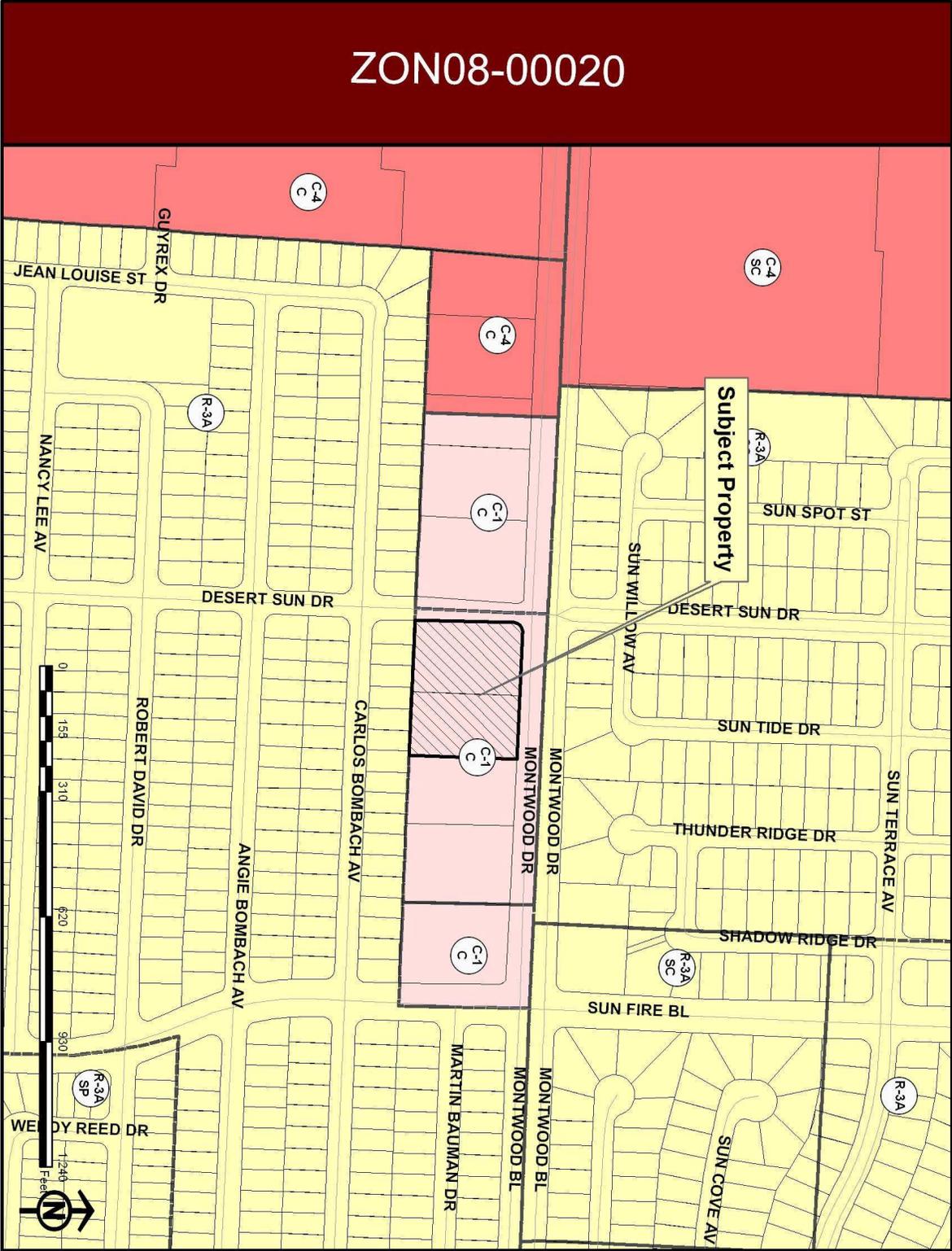
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Detailed Site Development Plan

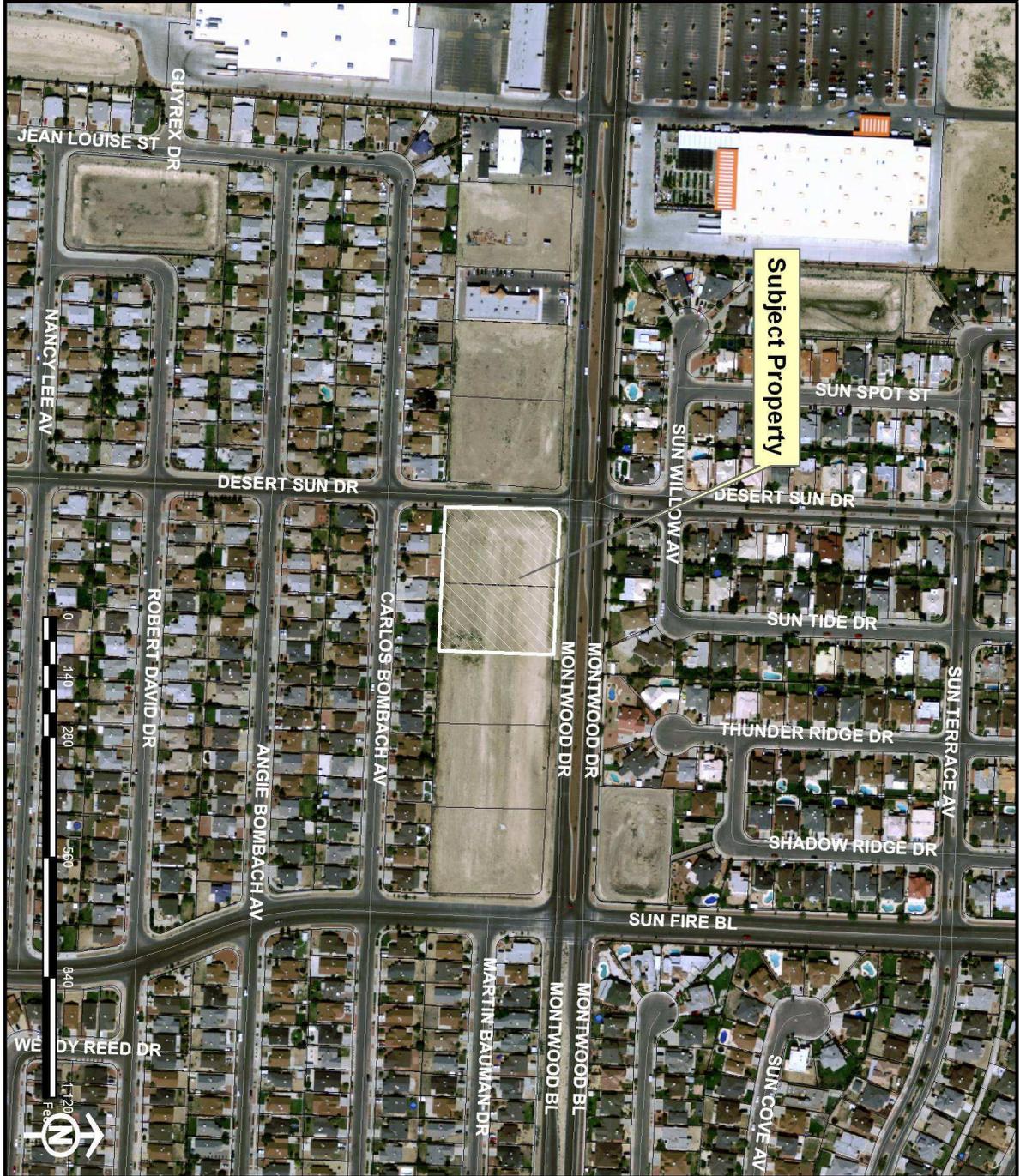
Attachment 4: Typical Side Elevations

Attachment 1: Zoning Map

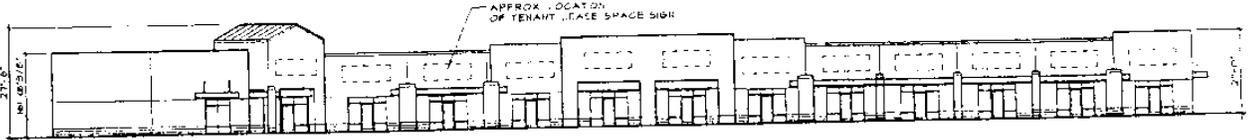


Attachment 2: Aerial Map

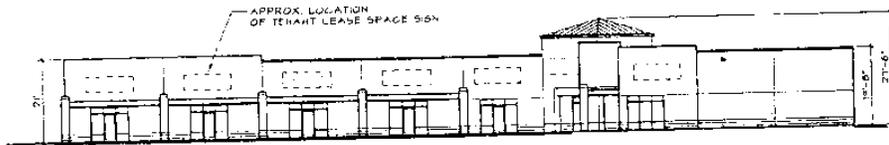
ZON08-00020



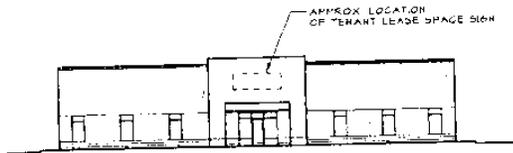
Attachment 4: Typical Side Elevations



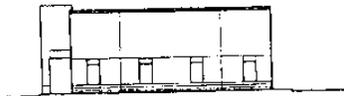
③ BUILDING 2 - MONTWOOD DRIVE ELEVATION
1" = 20'-0"



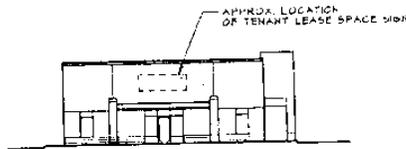
③ BUILDING 2 - DESERT SUN DRIVE ELEVATION
1" = 20'-0"



③ BUILDING 1 - MONTWOOD DRIVE ELEVATION
1" = 20'-0"



④ BUILDING 1 - DESERT SUN DRIVE ELEVATION
1" = 20'-0"



⑤ BUILDING 1 - EAST ELEVATION
1" = 20'-0"

