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

**DEPARTMENT:** Planning and Inspections Department, Planning Division **AGENDA DATE:** Consent Agenda: January 8, 2019 **CONTACT PERSON/PHONE:** Philip Etiwe, (915) 212-1553, etiwepf@elpasotexas.gov Jovani Francia, (915) 212-1613, franciajx@elpasotexas.gov **DISTRICT(S) AFFECTED: 8 SUBJECT:** A Resolution approving a Detailed Site Development Plan for a Portion of Lot 1, Block 1, West Ten Development, 7480 Remcon Circle, 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: 7480 Remcon Circle. Property Owners: TDK RE HOLDING 3, LLC. PZDS18-00024 (District 8) **BACKGROUND / DISCUSSION:** On November 1, 2018, the CPC reviewed and recommended approval of the detailed site development plan. **PRIOR COUNCIL ACTION:** There is no prior City Council action on this detailed site development plan application. **AMOUNT AND SOURCE OF FUNDING:** N/A **BOARD / COMMISSION ACTION:** City Plan Commission (CPC) – Approval Recommendation (5-0) **FINANCE:** (if required) N/A **LEGAL:** (if required) N/A **DEPARTMENT HEAD:** Philip Etiwe, Director Planning and Inspection Department APPROVED FOR AGENDA:

DATE:

CITY MANAGER:

#### RESOLUTION

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR A PORTION OF LOT 1, BLOCK 1, WEST TEN DEVELOPMENT, 7480 REMCON CIRCLE, 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.

WHEREAS, TDK RE HOLDINGS 3, LLC, (the "Owner") has applied for approval of a detailed site development plan which requires City Plan Commission and City Council approval. The detailed site development plan is subject to the development standards in the C-3 District regulations and subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and is incorporated herein by reference for all purposes; 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, 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-3 (Commercial) District:

A PORTION OF LOT 1, BLOCK 4, WEST TEN DEVELOPMENT, City of El Paso, El Paso County, Texas.

- 2. 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.
  - 3. 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 District regulations.
  - 4. 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 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.

accordance with the approved detailed site development plan within four (4) years from the date

This approval shall be void if construction on the property is not started in

hereof.	
APPROVED this day of	, 2019.
	THE CITY OF EL PASO
ATTEST:	Dee Margo Mayor
Laura D. Prine City Clerk	
APPROVED AS TO FORM:	APPROVED AS TO CONTENT:
Russell T. Abeln Assistant City Attorney	Philip F. Etiwe, Director Planning and Inspections Department

(Agreement on following page)

#### DEVELOPMENT AGREEMENT

By execution hereof, TDK RE HOLDINGS 3, LLC, ("Owner"), 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-3 District located within the City of El Paso.

TDK RE HOLDINGS 3, LLC

By:

ACKNOWLEDGMENT

THE STATE OF TEXAS

COUNTY OF EL PASO

This instrument is acknowledged before me on this day of November, 2018, by legal capacity on behalf of TDK RE

HOLDINGS 3, LLC.

Notary Public, State of Texas

My Commission Expires:

10-21-72

PRISCILLA JEAN PORRAS Notary Public, State of Texas Comm. Expires 10-21-2022 Notary ID 129999554

### **EXHIBIT 'A'**

A Portion of Lot 1, Block 4, West Ten Development, City of El Paso, El Paso County, Texas April 16, 2018

### METES AND BOUNDS DESCRIPTION Exhibit "A"

FIELD NOTE DESCRIPTION of a Portion of Lot 1, Block 4, West Ten Development, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a the most Southerly corner of Lot 1, Block 4, West Ten Development, same being the easterly right-of-way line of Interstate Highway 10, THENCE, leaving said most southerly corner of Lot 1 and along the westerly boundary line of Lot 1 and the easterly right-of-way line of Interstate Highway 10, North 40°09'55" West, a distance of 356.08 feet to the POINT OF BEGINNING of the herein described parcel;

ofway line of Interstate Highway 10, North 40°09'55" West, a distance of 273.45 feet to a point at the common boundary corner of Lots 1 and 2;

THENCE, leaving said westerly boundary line of Lot 1 and the easterly right-of-way line of Interstate Highway 10 and along the common boundary line of Lots 1 and 2, North 12°44'00" East, a distance of 209.67 feet to a point.

THENCE, leaving said common boundary line of Lots 1 and 2, South 76°51'08" East, a distance of 39.38 feet to a point;

THENCE, South 40°09'55" East, a distance of 368.34 feet to point;

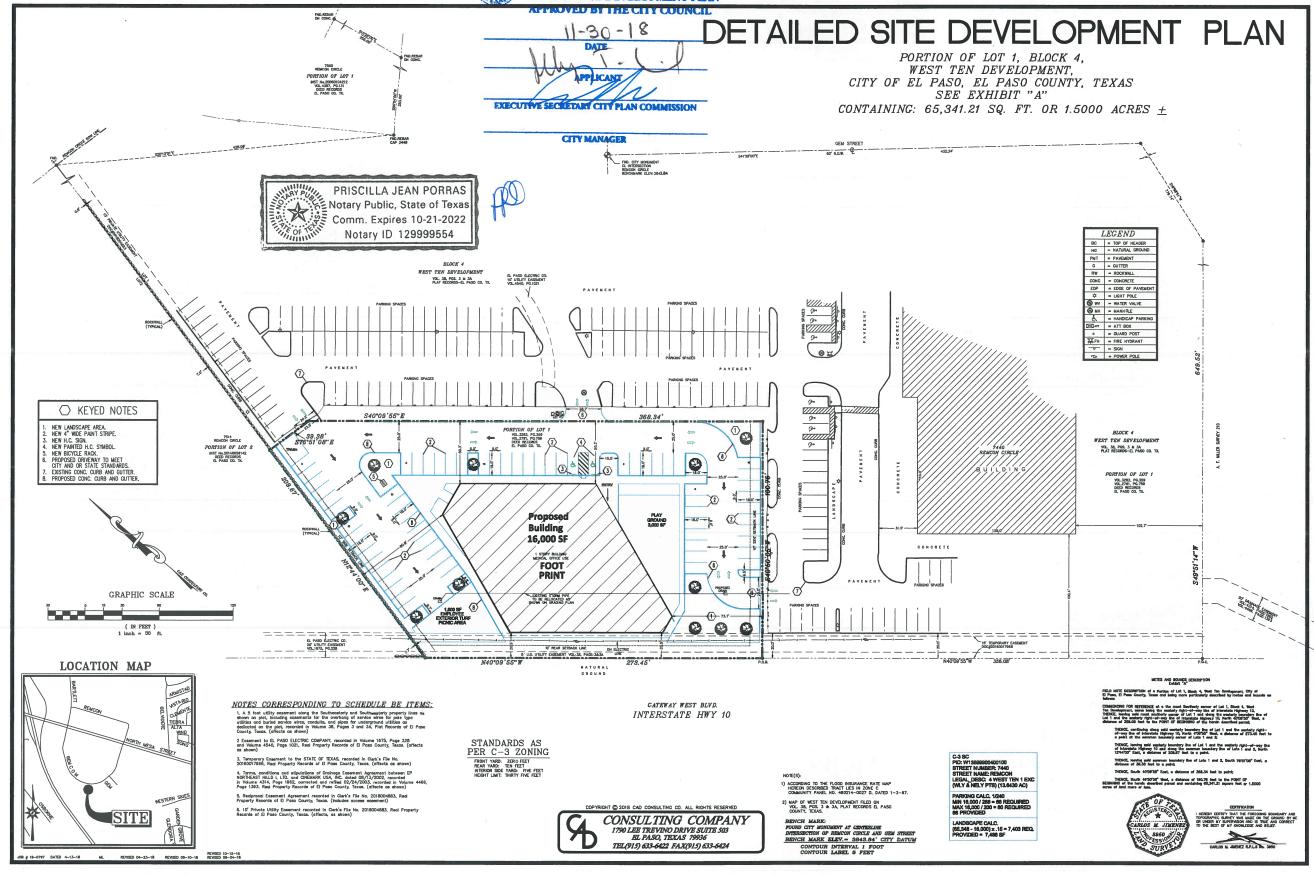
THENCE, South 49°50'05" West, a distance of 190.76 feet to the POINT OF BEGINNING of the herein described parcel and containing 65,341.21 square feet or 1.5000 acres of land more or less.

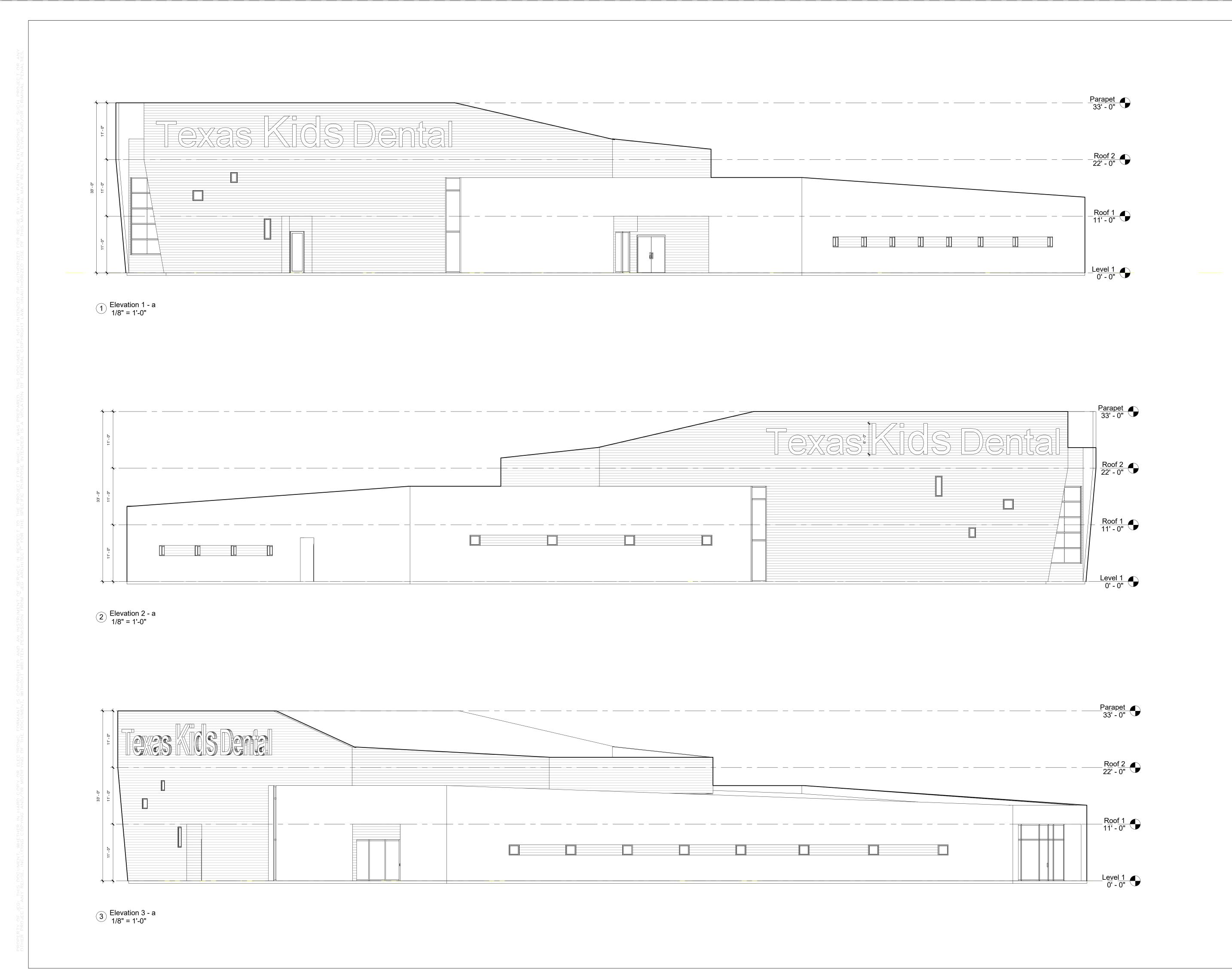
CAD Consulting Co. 1790 Lee Trevino Drive. Suite 503 El Paso, Texas 79936 (915) 633-6422 I:\M&B\2018\18-0797.wpd



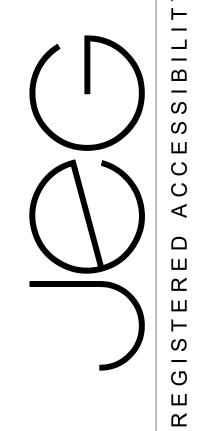
(Exhibit 'B' on following page)







DRIVE DRIVE 19902 915.532.2875 (t) 915.990.2270 (f)



ARCHITECT



SUNLAND / MACHUCA RETAIL SHELL

7440 Remcon Cir, El Paso, TX 79912

PROJECT # DATE

03022018 6.28.18

REVISIONS

SHEET TITLE

SHEET NUMBER

EXTERIOR ELEVATIONS

**A3.0** 

### MEMORANDUM

**DATE:** December 18, 2018

**TO:** The Honorable Mayor and City Council

Tommy Gonzalez, City Manager

**FROM:** Jovani Francia, Planner

SUBJECT: PZDS18-00024

The City Plan Commission (CPC) on November 1, 2018, voted 5-0 to recommend **approval** of the detailed site development plan as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan to permit the construction of a new medical office.

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

The Planning Division has not received any communication in support or opposition to the detailed site development plan.

**Property Owner** TDK RE HOLDINGS, LLC

**Representative** CAD Consulting Co.

**Attachments:** Staff Report

### 7480 Remcon Circle

City of El Paso — City Plan Commission — 11/1/2018 (REVISED)

PZDS18-00024 Detailed Site Plan



**OWNER:** TDK RE Holdings 3, LLC

**REPRESENTATIVE:** CAD Consulting, Inc.

LOCATION: 7480 Remcon Circle DISTRICT: 8

**LEGAL DESCRIPTION:**Being a portion of Lot 1, Block 4, West Ten Development, City of El Paso,

El Paso County, Texas

**EXISTING ZONING:** C-3/sc (Commercial/special contract)

**REQUEST:** Detailed Site Development Plan Review as per Ordinance No. 7982,

dated February 28, 1984 (see attachment #6).

**RELATED APPLICATIONS:** N/A

**PUBLIC INPUT**None received; Notices are not required per Section 20.04.520 Notice.

**STAFF RECOMMENDATION:** Approval (see pages 2—4 for basis for recommendation)

**SUMMARY OF REQUEST:** The applicant has submitted a Detailed Site Development Plan application for the property located 7480 Remcon Circle as required by a condition imposed by Ordinance No. 007982, dated February 28, 1984, to be reviewed and approved by City Plan Commission and City Council. The development site plan proposes a 16,000 sq. ft. building to allow for a medical office. This detailed site development site plan also includes a 1,600 sq. ft. exterior employee picnic area and a 3,000 sq. ft. exterior playground. Access to the subject property is from Remcon Circle.

**SUMMARY OF RECOMMENDATION:** The Planning Division recommends **APPROVAL** of the detailed site development plan as it meets all the requirements of Section 20.10.360 and Section 20.04.150, Detailed Site Development Plan. The proposed development is consistent with the surrounding commercial development. The proposed development is compliant with the G-4 Suburban (walkable) land use designation of Plan El Paso in the Northwest Planning Area.





#### **DESCRIPTION OF REQUEST**

The applicant has submitted a Detailed Site Development Plan application for the property located 7480 Remcon Circle as required by a condition imposed by Ordinance No. 7982, dated February 28, 1984, to be reviewed and approved by City Plan Commission and City Council. The parcel is currently vacant. The development proposes a 16,000 sq. ft. building to allow for a medical office. The development requires a minimum of 56 parking spaces of which the proposed development has accommodates 66 parking spaces to include 4 bicycle spaces. The development is also in compliance with Title 18 of the Landscaping Ordinance. Access to the subject property is from Remcon Circle.

#### RELATION OF PROPOSED CHANGE TO THE CITY'S COMPREHENSIVE PLAN

	I
CONSISTENCY WITH PLAN EL PASO	DOES IT COMPLY?
G-4 – Suburban: This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.	Yes, through the proposed development site plan the property owner is introducing a new commercial use for an under developed parcel.
ZONING DISTRICT	DOES IT COMPLY?
C-3/sc (Commercial/special contract):  Commercial uses intended to serve the entire City to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the district will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.	Yes, the proposed development is proposing a new medical office and the use is permissible in the C-3/sc (Commercial/special contract) district.
POLICY	DOES IT COMPLY?
The design of new neighborhoods and additions to existing neighborhoods should strive for a balance of housing, jobs, shopping, recreation, and civic uses to avoid unnecessary travel and reduce infrastructure and public services costs.	Yes, the applicant is the proposing the redevelopment of a vacant site. The parcel has potential to introduce new uses, new employment, and a variety of activities.

**SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING:** The lot is 1.5 acres. The proposed development site proposes a 16,000 sq. ft. building to allow for a medical office. Upon the development of the site, all other dimensional standards are being met as required under the C-3 (Commercial) zoning district.

**CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:** The intent of the Zoning Ordinance is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the districts will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

**ADEQUACY OF PUBLIC FACILITIES AND SERVICES:** There is an existing 8 inch diameter water main that extends along Remcon Circle, approximately 53 feet west of Gem Street, which yields a static pressure of 125 pounds psi, a residual pressure of 110 psi, and a discharge of 1, 635 gallons per minute.

There is an existing 8 inch diameter sanitary sewer main that extends along Remcon Circle, approximately 40 feet north of and parallel to the northern right-of-way line. This line is available for service. Service is to be provided at the Remcon right-of-way.

**EFFECT UPON THE NATURAL ENVIRONMENT:** Subject property does not involve greenfield/ environmentally sensitive land or arroyo disturbance.

**COMMENT FROM THE PUBLIC:** None received; Notices are not required per Section 20.04.520 Notice.

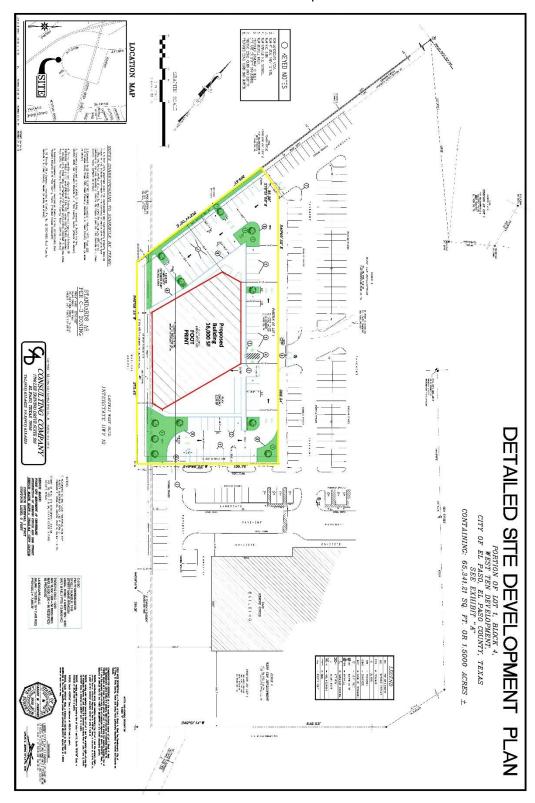
**STAFF COMMENTS:** No objections to proposed DSP. No reviewing departments had any negative comments. Applicant is responsible for obtaining all applicable permits and approvals prior to any construction or change in occupancy.

**OTHER APPLICABLE FACTORS:** Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

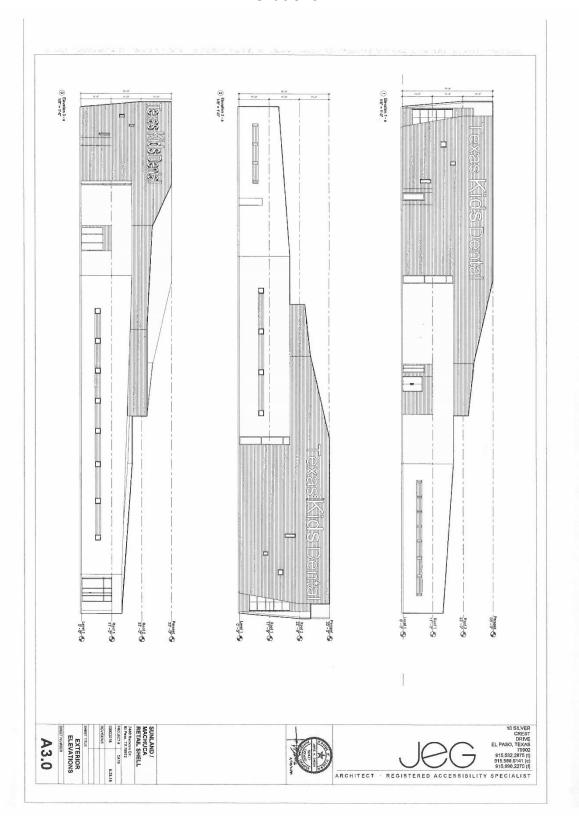
#### **ATTACHMENTS:**

- 1. Detailed Site Development Plan
- 2. Elevations
- 3. Zoning Map
- 4. Future Land Use Map
- 5. Ordinance No. 7982, dated February 28, 1984
- 6. Department Comments

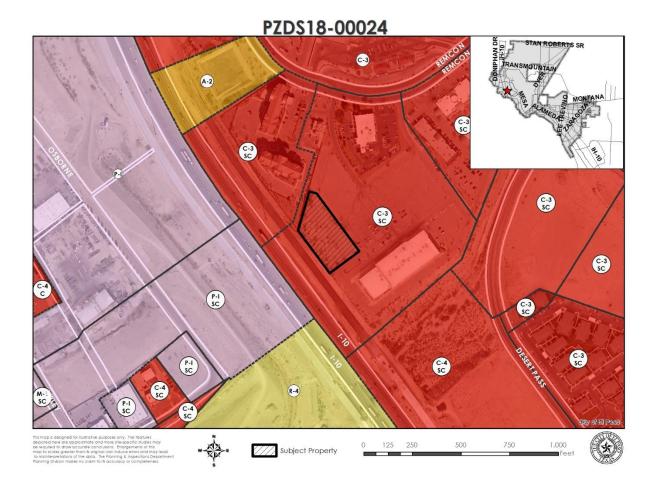
## Detailed Site Development Plan



### Elevations



**Zoning Map** 



Future Land Use Map

PZDS18-00024

G1, Reserve

G2, Suburban (Walkabla)

G3, Reserve

G4, Suburban (Walkabla)

G3, Reserve

G3, Suburban (Walkabla)

G3, Reserve

G4, Suburban (Walkabla)

Subject Property

G1, Reserve

G2, Suburban (Walkabla)

Subject Property

G3, Suburban (Walkabla)

Subject Property

G1, Reserve

G3, Suburban (Walkabla)

Subject Property

G4, Suburban (Walkabla)

Subject Property

G5, Suburban (Walkabla)

Subject Property

G6, Suburban (Walkabla)

Subject Property

G7, Suburban (Walkabla)

Ordinance No. 7982

#### CONTRACT

THIS CONTRACT, made this 28th day of february 1984, by and between R.E. MCKEE, INC., First Party, and the CITY OF FL. 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

ATTEST:

Secretary

DEPARTMENT OF PLANNING

(7982 (2-28-84)



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

That the Mayor be authorized to sign a contract with R. E. MCKEE, INC. placing certain restrictions, conditions and covenants on the property being rezoned by Ordinance No. 007982.

May of searcher by Popers

ADOPTED this 28th day of February , 1984.

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APPROVED AS TO FORM:

Assistant City Atterney

MAR 2 - 1984

DEPARTMENT OF PLANNING



AN ORDINANCE CHANGING THE ZONING OF LOT 2, BLOCK 3, AND LOTS 1 AND 2, BLOCK 4, WEST TEN DEVELOPMENT, THE PENALTY BEING AS PROVIDED IN SECTION 25-96 OF THE EL PASO CITY CODE

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

That the zoning of Lot 2, Block 3, and Lots 1 and 2, Block 4, West Ten Development, be changed to C-3 (Commercial) District within the meaning of the zoning ordinance and the zoning map of the City be revised accordingly.

PASSED AND APPROVED this 25th day of Asharing

ATTEST:

APPROVED AS TO FORM:

Absistant City Attorney

Planning, Research and Development

reflect the amendment of ordinance # 7982

Republic Repub

CERTIFY THAT THE FOLLOWING ZONING MASS

3-9-84 CONTROL

Auspertion Kformiles,

83-4918 MAR 2-1984 DEPARTMENT

trect 4/28/84

	APPROVED AS TO CONTENT:	APPROVED AS TO FORM:
	The Children	Chronon Collen - Jamey
( 	Planning, Research and Development	Assistant City Attorney 0
	THE STATE OF TEXAS )	
	COUNTY OF EL PASO )	
	of Jeliuary, 1984, b	Ploria Donyalez  Notary Public, State of Texas
	J	Aloria Donyalez
	My Commission Expires:	modaly Public, Scale opigias
	10/21/87	
	10/21/8/	
	THE STATE OF TEXAS )	
	COUNTY OF EL PASO	
	This instrument was acknown of February, 1984 of the City of (El Faso.	ledged before me on this $28^{72}$ day, by JONATHAN W. ROGERS, as Mayor
		Aloria Loxualez  Notary Public, State of Texas
	My Commission Expires:	Notary Public, State of Texas
	10/21/97	

MAR 2 - 1984

DEPARTMENT OF PLANNING

### **Department Comments**

#### <u>Planning and Inspections Department - Planning Division</u>

No objections to the detailed development site plan.

#### Planning and Inspections Department – Building Permitting & Landscape

No objections.

At the time of submittal for building permits the project will need comply with all the applicable provisions of the IBC, TAS and local municipal code.

#### El Paso County Water Improvement District #1

EPCWID#1 has no comments on this item due to the subdivision not being within its boundaries.

#### El Paso Electric Company

Applicant to contact El Paso Electric Distribution (915)351-4224 to verify distance between proposed building and existing overhead powerlines.

#### El Paso Water Utilities – Engineering

We have received the subdivision and provide the following comments:

El Paso Water (EPWater) does not object to this request.

#### <u>Water</u>

There is an existing 8-inch diameter water main that extends along Remcon Circle, approximately 53-feet west of Gem Street have yielded a static pressure of 125 pounds psi, a residual pressure of 110 psi, and a discharge of 1,635 gallons per minute. The owner should, for his own protection and at his own expense, install a pressure regulator, strainer and relief valve at the discharge site of each water meter to be set at a pressure desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

#### Sanitary Sewer

There is an existing 8-inch diameter sanitary sewer main that extends along Remcon Circle, approximately 40-feeth north of and parallel to the northern right-of-way line. This line is available for service. Service are to be provided at the Remcon right-of-way.

#### General

EPWater requires a new service application for additional services to the subject property. New service applications are available at 1154 Hawkins, 3rd Floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance with the current EPWater Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and offsite extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

#### El Paso Water Utilities – Stormwater

We have reviewed the property described above and provide the following comments:

- 1: EPWater requires retention of all developed stormwater runoff within this lot. Please show and label the proposed pond location. Any proposed ponding area shall have enough capacity to hold the developed runoff for a designed 100-year storm event.
- 2: EPWater Stormwater Engineering recommends using principles of low impact and green infrastructure development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff and to mitigate adverse downstream drainage conditions.
- 3: The developer shall be responsible for the additional stormwater runoff generated by the proposed property, and must ensure that the historic runoff volume, peak and duration are maintainted.

# Fire Department No objections.

<u>Sun Metro</u> No objections.

 $\begin{tabular}{ll} \hline \textbf{TXDOT} \\ \hline \textbf{Please provide grading and drainage plans to TxDOT for review and comments.} \\ \hline \end{tabular}$ 



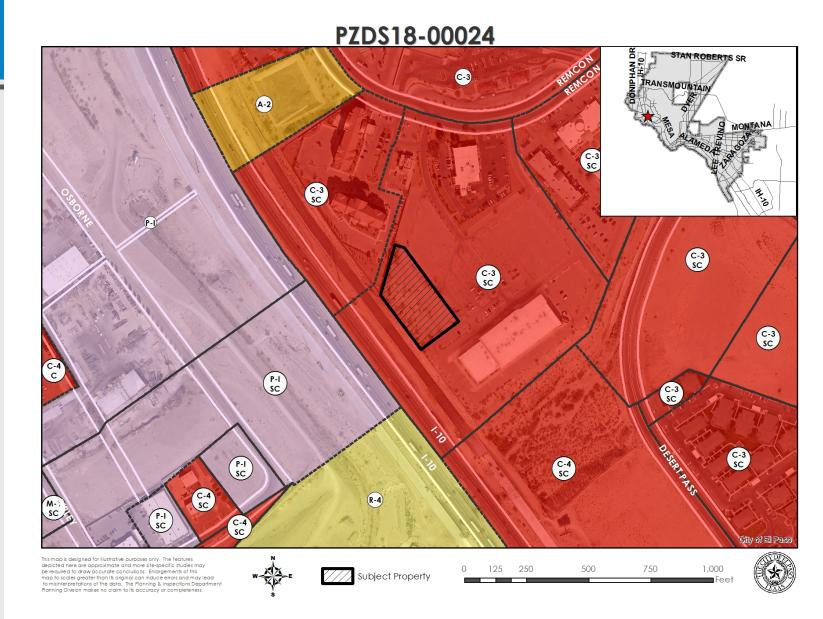
## Recommendation/Public Input

- Planning Division recommendation: Approval
- **CPC Vote:** Approval Recommendation (5-0)
- Public Input: The Planning Division has not received any phone calls or letters in support or opposition to the detailed site development plan. Notices are not required as per Section 20.04.520 Notice.

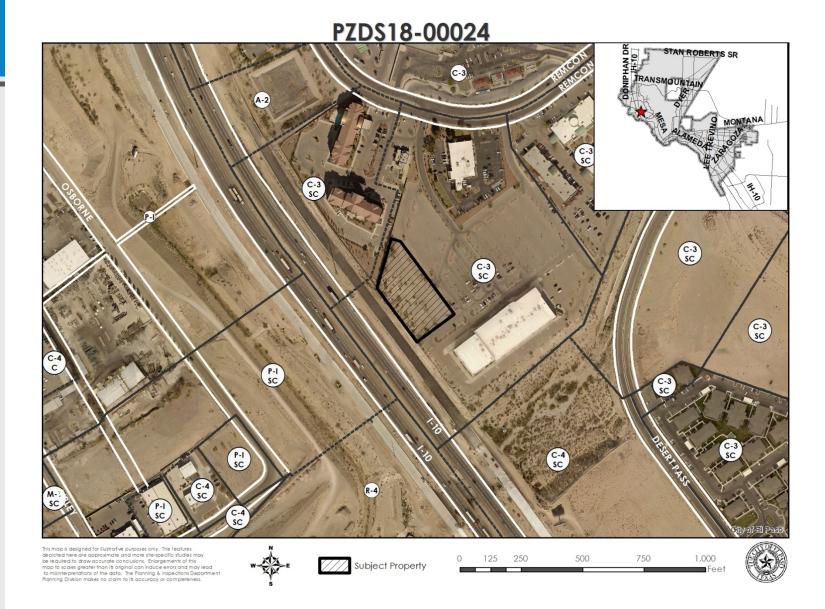
Strategic Goal #3 Promote the Visual Image of El Paso

- 3.1 Provide business friendly permitting and inspection processes
  - 3.2 Improve the visual impression of the community







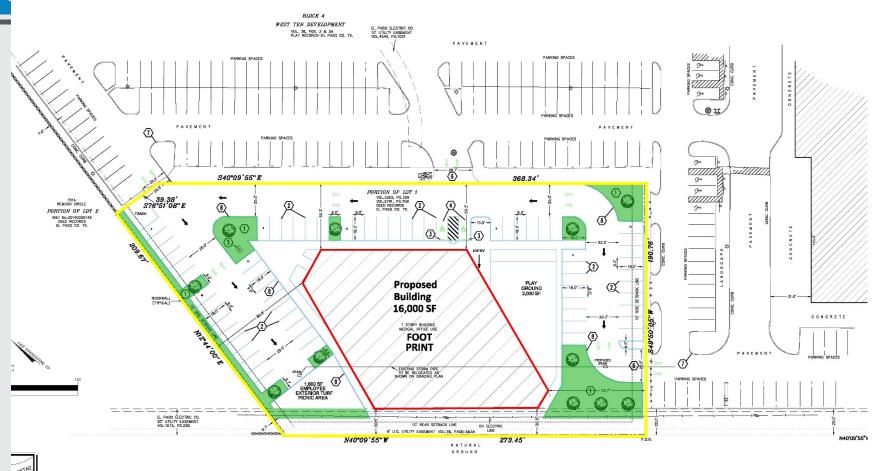




ASTARIO.

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NOTES CORRESPONDING TO SCHEDULE BE ITEMS:

1. A 5 foot utility cosment dong the Southeasterly and Southwesterly property lines as shown on plot, including ocements for the overhong of service wires for pole type utilities and burned service wires, conduits, and places for underground utilities as deleted on the plot, recorded in Yolume 38, Pages 3 and 3A, Plot Records and Electronic Country, Texas, (effects as shown)

2 Easement to EL PASO ELECTRIC COMPANY, recorded in Volume 1675, Page 228 and Volume 4540, Page 1021, Red Pagenty Records of El Page County Taylor (inflate)

GATEWAY WEST BLVD. INTERSTATE HWY 10

STANDARDS AS

















g Services"



"Delivering Outstanding Services"