City of El Paso – City Plan Commission Staff Report

Case No:	PZDS15-00007
Application Type:	Detailed Site Development Plan Review
CPC Hearing Date:	May 7, 2015
Staff Planner:	Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov
Location:	3359 Fred Wilson Drive
Legal Description:	A replat of all of Lot 1, and a portion of Lots 2, 3, 4, 5, 24, 25, and 26, and a portion of Tract 1, Block 89-A, and a portion of the vacated alley and a portion of the Copia Street right-of-way, First revised plat of Logan Heights Addition, City of El Paso, El Paso County, Texas
Acreage:	1.63
Rep District:	2
Existing Zoning:	C-1/c/sc (Commercial/conditions/special contract) and C-1/c (Commercial/conditions/)
Existing Use:	Vacant
C/SC/SP/ZBA/LNC:	Special Contract: Ordinance No. 5936 dated March 10, 1977 Conditions: Ordinance No. 16918 dated June 17, 2008 Conditions: Ordinance No. 18204 dated July 15, 2014
Request:	Detailed Site Development Plan Review per Ordinance No.5936
Proposed Use:	Medical office
Property Owner:	Integra El Paso, LLC
Representative:	SLI Engineering, Inc.

SURROUNDING ZONING AND LAND USE
North: R-3 (Residential) / Vacant
South: A-2 (Apartment) / Vacant
East: A-2 (Apartment) / Apartment
West: PMD (Planned Mountain Development) / Vacant

PLAN EL PASO DESIGNATION: G-2, Traditional Neighborhood (Walkable) (Central Planning Area)
NEAREST PARK: Logan Park (1,209 feet)
NEAREST SCHOOL: Burnet Elementary (3,328 feet)

NEIGHBORHOOD ASSOCIATION
Logan Heights Neighborhood Association
El Paso Central Business Association

NEIGHBORHOOD INPUT
Detailed Site Development Plan Review does not require public notification as per Section 20.04.520, Notice of the El Paso City Code.

CASE HISTORY
On March 10, 1977, the subject property was rezoned from A-2 (Apartment) to A-O/sc (Apartment/Office/special contract) with the following conditions imposed by Ordinance No. 5936 (Attachment 4):

1. No building permits shall be issued for construction on the property until complete and detailed site development plan and architectural plans of the proposed development have been approved by the City Plan Commission of the City of El Paso.

Condition #1 will be satisfied by this detailed site development plan application.

2. No certificates of occupancy and compliance shall be issued by the City for any buildings constructed on the property until First Party has, at no cost to the City, installed concrete sidewalks along the boundaries of the property adjacent to Fred Wilson Road and Copia Street. Such sidewalks shall be installed in accordance with specifications to be approved by the City Engineer of the City of El Paso and the City Engineer must certify that such sidewalks have been satisfactorily installed before certificates of occupancy and compliance shall be issued.

   Condition #2 will be satisfied once the sidewalk and R.O.W. is dedicated at the platting stage prior to the issuance of building permits.

3. No driveway, curb cut or other means of vehicular ingress and egress shall be permitted between the property and Fred Wilson Road.

   Condition #3 has been satisfied as Resolution approved the amended condition, on June 17, 2007, stated "Vehicular ingress and egress to the property be provided off of Fred Wilson from the vacated location of Copia Street".

On June 17, 2008, the subject property was rezoned from A-O/sc (Apartment/Office/special contract) to C-1/sc/c (Commercial/special contract/conditions and A-2 (Apartment) to C-1/c (Commercial/conditions) with the following conditions imposed by Ordinance No. 16918 (Attachment 5):

1. *The following uses shall not be permitted:*
   a. *Automotive Service Station*
   b. *Commercial Fueling Station*
   c. *Convenience Store*
   d. *Convenience Store with Gas Pumps*

   Condition #1 is not applicable as the proposed use is new medical office.

2. *Vehicular ingress or egress shall be prohibited from Keltner Avenue to the subject property.*

   Condition #2 has been satisfied.

On July 15, 2014, the subject property was rezoned from R-4 (Residential) and A-2 (Apartment) to C-1/c (Commercial/condition) with the following condition imposed by Ordinance No. 18204 (Attachment 6):

That design of the Alabama Street ingress/egress access be reviewed and approved by the City Traffic Engineer prior to the issuance of any permits for any proposed driveway on Alabama Street frontage.

The condition is not applicable as the proposed access is from Fred Wilson Boulevard.

APPLICATION DESCRIPTION

The request is for a detailed site development plan review as required by Ordinance No. 5936 dated March 10, 1977. The detailed site development plan shows a new 7,942 sq. ft. medical office building. The development requires a maximum of 40 parking spaces and the applicant is providing 63 parking spaces and 9 bicycle spaces. One tree for every five spaces in excess of the maximum parking requirement shall be required and shall be placed within the entire parking area to provide for even canopy coverage or along the parkway to create a visual buffer between the parking area and the street as shown on detailed site development plan. The development complies with the minimum landscape area requirements of Title 18.46. Access to the subject property is proposed from Fred Wilson Drive.

PLANNING DIVISION RECOMMENDATION
Pending.

ANALYSIS
20.04.140 When required.

Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

Note: Detailed Site Development Plan review is required due to a condition imposed on the subject property.

20.04.150 Procedure.

C. Administrative approval. Detailed site development plans meeting the following conditions shall be reviewed and approved by the zoning administrator:
   1. The site is two acres or less in size, and
   2. The site plan contains no more than two buildings, and
   3. The site plan complies with any zoning conditions and all city code provisions, to include the tables for uses and density and dimensional standards and;
   4. The city's department of transportation has no concerns with access or restriction of access to the site; and,
   5. The site plan complies with staff recommendations concerning the location of stormwater drainage structures and easements to include onsite ponding areas; the location and arrangement of structures, vehicular and pedestrian ways; open spaces and landscape planted areas. Staff recommendations shall not require that the site plan have landscaping in excess of what is required under the city code or any zoning condition.
   If the zoning administrator does not approve an applicant's detailed sited development plan, the applicant may appeal the decision to the city plan commission. The applicant must file the appeal with the zoning administrator within fifteen business days from the date of the zoning administrator's decision. The zoning administrator shall place the appeal on the city plan commission agenda to be heard by the commission within thirty business days from the date the appeal was received. The zoning administrator shall include the detailed site plan, the appeal, and a summary of the zoning administrator's reasons for disapproving the detailed site plan.

Note: the detailed site development plan review is not eligible for administrative approval, due to a condition imposed on the subject property which requires review by City Plan Commission.

D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.
   1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.
   2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
   3. The commission shall consider the following information when approving a proposed detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms

to such approval; location of utility rights-of-way and easements and stormwater drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.

4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.
5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

Planning Staff has reviewed the detailed site development plan, and it meets all requirements of 20.04.150, Detailed Site Development Plan, and is recommending approval.

Plan El Paso- Future Land Use Map Designation
All applications for detailed site plan review shall demonstrate compliance with the following criteria:

G-2 – Traditional Neighborhood (Walkable): This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly faced streets; schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.

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.

COMMENTS:

Planning and Inspections Department - Planning Division - Transportation
Pending.

El Paso Department of Transportation
Pending.

Planning and Inspections Department – Plan Review
Pending.

Planning and Inspections Department – Landscaping Division
Pending.

Planning and Inspections Department – Land Development
No objections.

Fire Department
Recommended approval.

Sun Metro
Sun Metro does not oppose this request. Rt. 36 & 41 provide services along Fred Wilson and Byron. 3 bus stops are within 0.15 miles from subject property.

El Paso Water Utilities
Pending.

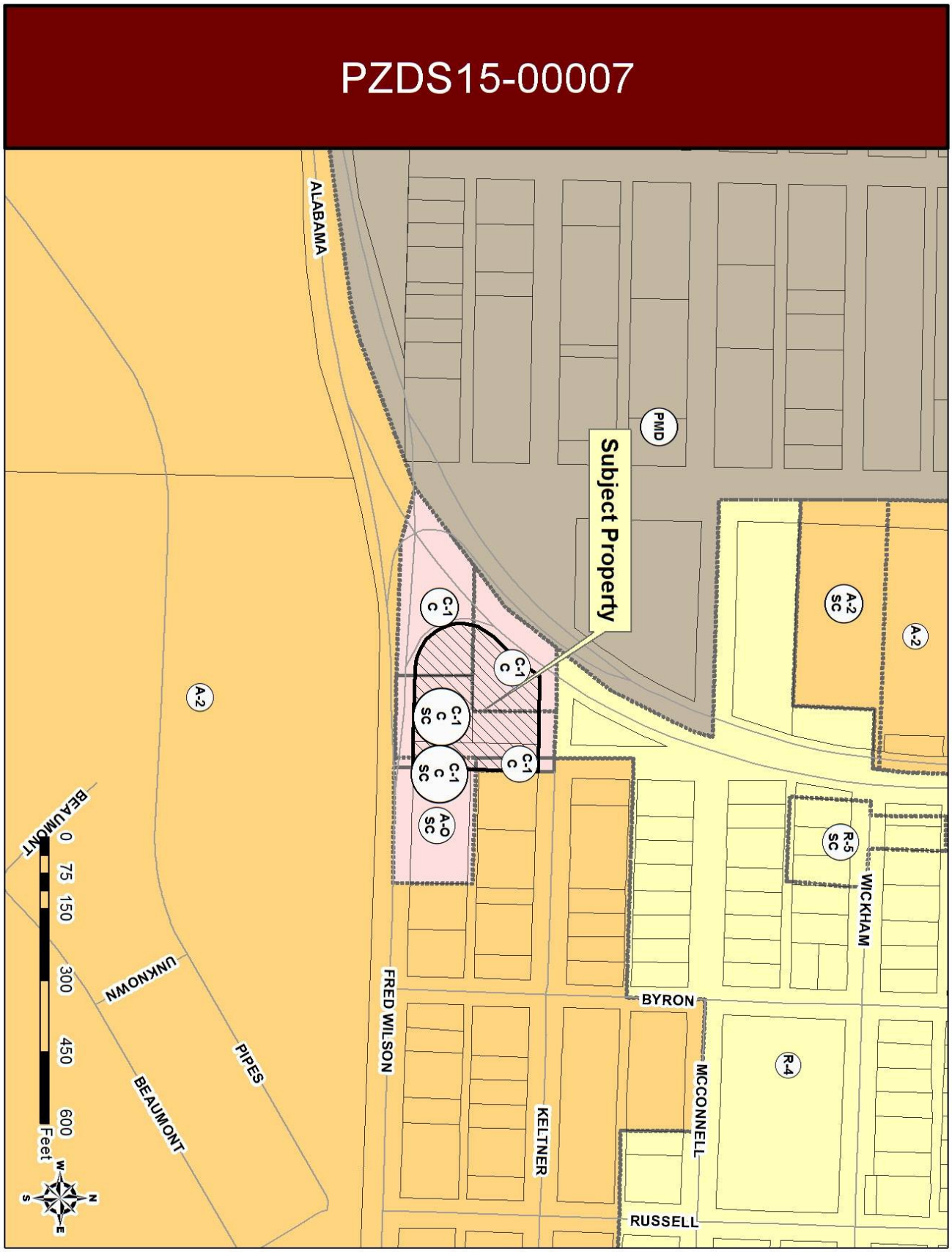
El Paso Water Utilities - Stormwater Division
We have no objection to the proposal of the above site. We are pleased to see the owner is proposing to retain some of the stormwater run-off; any use of recessed landscaping, water harvesting, or the use of

porous pavement is always welcome.

Attachments

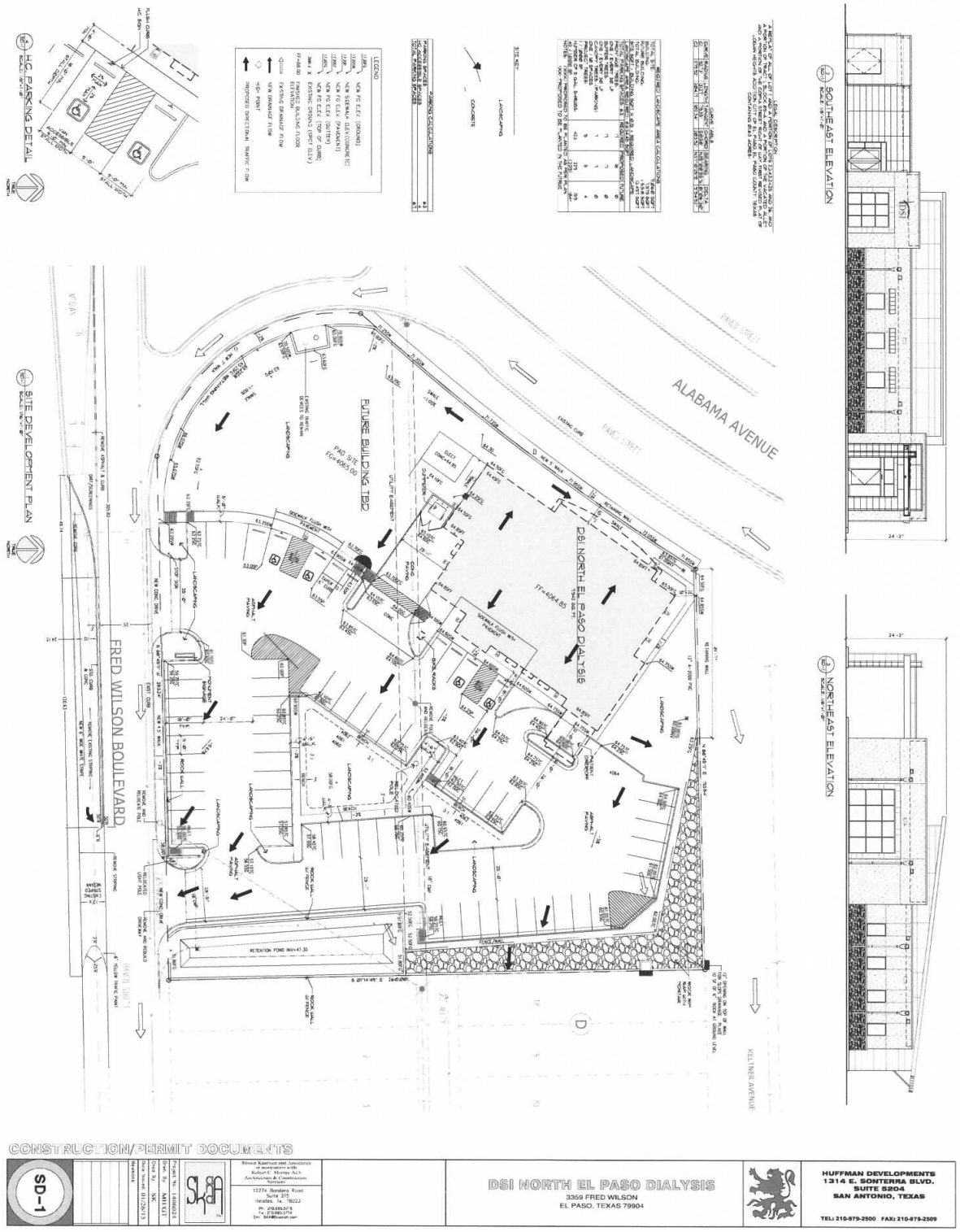
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Ordinance No. 5936 dated March 10, 1977 and Resolution dated June, 17, 2008
5. Ordinance No. 16918 dated June 17, 2008
6. Ordinance No. 18204 dated July 15, 2014

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP

ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: SPECIAL CONTRACT: ORDINANCE NO. 5936 DATED MARCH 10, 1977 AND RESOLUTION DATED JUNE 17, 2008

5936

AN ORDINANCE CHANGING THE ZONING OF
A PORTION OF TRACT 1, BLOCK 89A,
LOGAN HEIGHTS, THE PENALTY BEING AS
PROVIDED IN SECTION 25-10 OF THE
EL PASO CITY CODE

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

That the zoning of the east 73.5 feet of the north 140 feet of Tract 1, Block 89A, Logan Heights Addition in the City of El Paso be changed to A-O (apartment-professional) within the meaning of the Zoning Ordinance, and the zoning map of the City be revised accordingly.

PASSED AND APPROVED this 10th day of March, 1977.

Mayor Pro-Tem

ATTEST:

City Clerk

City Clerk

See Revised Ord. 5981 Dated 4-21-77

5936

CONTRACT

This contract, made this 2nd day of March, 1977, by and between BILL WALKER, doing business under the assumed name of BILL WALKER REALTY, First Party, and the CITY OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning of the easterly 73.5 feet of the northerly 140 feet of Tract 1, Block 89A, Logan Heights Addition, and the southerly 120 feet of Tract 1, Block 89A, Logan Heights Addition, all in the City of El Paso, El Paso County, Texas. In order to remove certain objections to such rezoning, First Party covenants that if the property is rezoned to A-O (apartment-office) 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. No building permits shall be issued for construction on the property until complete and detailed site development and architectural plans of the proposed development have been approved by the City Plan Commission of the City of El Paso.

2. No certificates of occupancy and compliance shall be issued by the City for any buildings constructed on the property until First Party has, at no cost to the City, installed concrete sidewalks along the boundaries of the property adjacent to Fred Wilson Road and Copia Street. Such sidewalks shall be installed in accordance with specifications to be approved by the City Engineer of the City of El Paso and the City Engineer must certify that such sidewalks have been satisfactorily installed before certificates of occupancy and compliance shall be issued.

3. No driveway, curb cut or other means of vehicular ingress and egress shall be permitted between the property and Fred Wilson Road.

This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Party and his successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody

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 seal:

Bill Walker

THE CITY OF EL PASO

By _____
Mayor Pro-Tem

ATTEST:

_____
City Clerk

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared BILL WALKER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and official seal this 2nd day of March, 1977.

_____
Notary Public, in and for El Paso County, Texas.

JOSEPHINE E. BOOTH, Notary Public
in and for El Paso County, Texas
My commission expires [illegible] 1, 19 77

-2-

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared E. H. Baeza Mayor Pro-Tem of the City of El Paso, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that he had executed the same for the purposes and consideration and in the capacity therein expressed, and as the act and deed of the City of El Paso.

Given under my hand and official seal this 10th day of March, 1977.

Angela C. Guillen
Notary Public in and for El Paso County, Texas.

ANGELA C. GUILLEN, Notary Public
In and for [illegible]
My Commission [illegible] 27

RESOLUTION

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

That the Mayor be authorized to sign a contract with BILL WALKER d/b/a BILL WALKER REALTY, placing certain restrictions on property rezoned by Ordinance No. 5936.

ADOPTED this 10th day of March, 1977.

Mayor Pro-Tem

ATTEST:

City Clerk

City Clerk

MAR 10 1977

DEPT. OF LAND

13F

CITY CLERK DEPT.
08 MAY 12 PM 5:06

RESOLUTION

A RESOLUTION AMENDING A CONDITION ON PROPERTY BY CONTRACT DATED MARCH 2, 1977, WHICH IMPOSED CONDITIONS ON THE FOLLOWING PROPERTY:

PARCEL 1: A PORTION OF TRACT 1, BLOCK 89A, LOGAN HEIGHTS ADDITION AND A PART OF THE ADJACENT VACATED PORTION OF COPIA STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND;

PARCEL 2: A PORTION OF VACATED COPIA STREET ADJACENT TO BLOCK D, LOGAN HEIGHTS ADDITION AND A PART OF THE ADJACENT VACATED PORTION OF COPIA STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, the zoning of the property described as follows was changed by City Council on March 2, 1977:

Parcel 1: A portion of Tract 1, Block 89A, Logan Heights Addition and a part of the adjacent vacated portion of Copia Street, City of El Paso, El Paso County, Texas, and:

Parcel 2: A portion of vacated Copia Street adjacent to Block D, Logan Heights Addition and a part of the adjacent vacated portion of Copia Street, City of El Paso, El Paso County, Texas; and,

WHEREAS, the rezoning was subject to the property owner entering into a contract with the city and such contract imposed the following zoning condition:

3. No driveway, curb cut or other means of vehicular ingress and egress shall be permitted between the property and Fred Wilson Road.

WHEREAS, placement of such condition was necessitated by and attributable to the increased intensity of use generated by the change of zoning; and,

WHEREAS, this condition has been satisfied; and,

WHEREAS, the owner (applicant) submitted an application requesting the amendment of the above condition on the above described property to state, "*Vehicular ingress and egress to the property be provided off of Fred Wilson from the vacated location of Copia Street*"; and,

WHEREAS, a public hearing regarding amendment of condition was held before the City Plan Commission, and the Commission recommended approval of the amendment; and,

WHEREAS, the City Council of the City of El Paso has determined that the amending of the above condition will protect the best interest, health, safety and welfare of the public in general.

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

1. That zoning condition prohibiting a driveway, curb cut or other means of vehicular ingress and egress between the property and Fred Wilson Road imposed by Contract dated March 2, 1977 be amended on the portion of land identified as follows:

   Parcel 1: A portion of Tract 1, Block 89A, Logan Heights Addition and a part of the adjacent vacated portion of Copia Street, City of El Paso, El Paso County, Texas, as identified as Exhibit "A"*; and,*

   Parcel 2: A portion of vacated Copia Street adjacent to Block D, Logan Heights Addition, City of El Paso, El Paso County, Texas, as identified as Exhibit "B"

2. Except as herein amended, Contract dated March 2, 1977 shall remain in full force and effect.

PASSED AND APPROVED this 17th **day of** June**, 2008.**

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

CITY CLERK DEPT.
08 MAY 12 PM 5:06

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

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

Land - Mark Professional Surveying Inc.

ico and Arizona"

Exhibit "A"

METES AND BOUNDS DESCRIPTION

A PORTION OF TRACT 1, BLOCK 89A, LOGAN HEIGHTS ADDITION, AND A PART OF THAT PORTION OF COPIA STREET AS VACATED BY CITY ORDINANCE NO. 016615 DATED MAY 1, 2007, ZONED A-0 SC, EL PASO, EL PASO COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for reference at an existing city monument at the intersection of Keltner Avenue (70' R.O.W.) and Byron Street (57' R.O.W.); **THENCE,** South 90°00'00" West with the centerline of said Keltner Avenue a distance of 453.50 feet to a point; **THENCE,** leaving said centerline, South 00°00'00" West a distance of 35.00 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set at the point of intersection of the south right of way line of said Keltner Avenue and the East right of way line of said Vacated portion of Copia Street (70' R.O.W.); **THENCE,** North 90°00'00" West a distance of 35.00 feet to a corner of and the **POINT OF BEGINNING** for the following parcel description:

THENCE, South 00°00'00" West a distance of 130.00 feet to a corner of this parcel;

THENCE, North 90°00'00" East a distance of 35.00 feet to point lying in the east right of way line of said vacated portion of Copia Street and a corner of this parcel;

THENCE, South 00°00'00" West with the east right of way line of said Vacated portion of Copia Street a distance of 130.00 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set in the north right of way line of Fred Wilson Avenue (68' R.O.W.) for a corner of this parcel;

THENCE, South 90°00'00" West with said north right of way line of Fred Wilson Avenue a distance of 217.00 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set for a corner of this parcel;

THENCE, leaving said north right of way line, North 00°00'00" East a distance of 120.00 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set for a corner of this parcel;

THENCE, North 90°00'00" East a distance of 73.50 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set for a corner of this parcel;

THENCE, North 00°00'00" East a distance of 165.00 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set in the south right of way line of an existing 20.00 feet wide alley for a corner of this parcel;

THENCE, North 90°00'00" East with said south right of way line a distance of 73.50 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set for a corner of this parcel;

THENCE, South 00°00'00" West a distance of 25.00 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set for a corner of this parcel;

THENCE, North 90°00'00" East with the north line of said vacated portion of Copia Street a distance of 35.00 feet to the TRUE **POINT OF BEGINNING.**

Containing 0.9967 Acres (43,418 Square Feet) more or less.

LAND-MARK PROFESSIONAL SURVEYING, INC.

Kenneth R. Kindle, R.P.L.S.
Texas Reg. No. 5710
Job # 07-03-25024
February 12, 2008

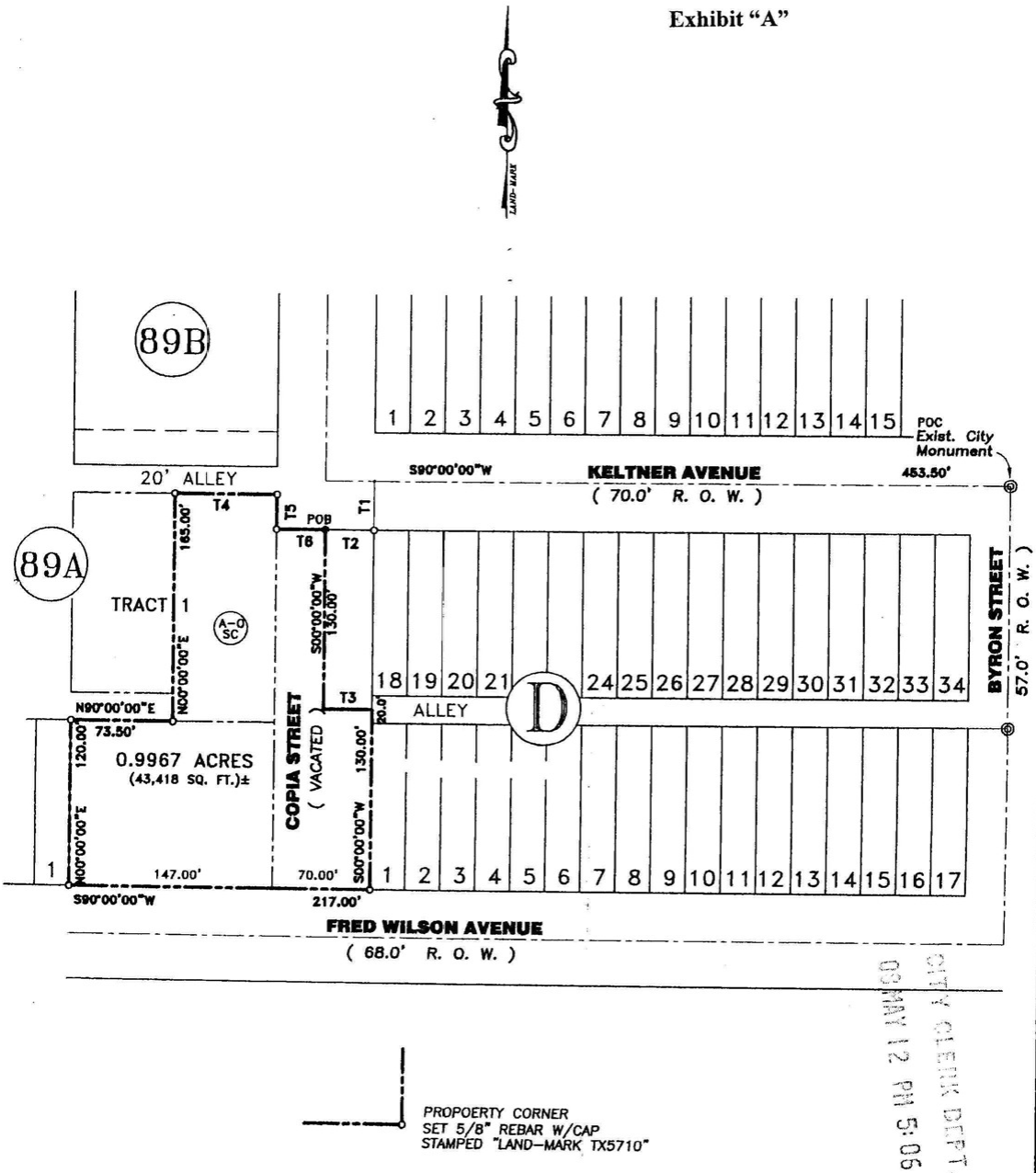
STATE OF TEXAS REGISTERED KENNETH R. KINDLE 5710 PROFESSIONAL LAND SURVEYOR

CITY CLERK DEPT.
08 MAY 12 PM 5:06

1420 Bessemer • El Paso, Texas 79936
Tel. (915) 598-1300 • Fax (915) 598-1221 • E-mail address: Larry@Land-Marksurvey.com

FLOOD CERTIFICATE: ACCORDING TO FLOOD INSURANCE RATE MAP, COMMUNITY–PANEL NUMBER 480214 0029B, EFFECTIVE DATE: OCTOBER 15, 1982 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THIS PARCEL LIES WITHIN A ZONE DESIGNATION OF "C" ,WHICH INDICATES THAT THIS PARCEL DOES NOT LIE WITHIN A FLOOD HAZARD AREA.

Exhibit "A"



PROPOERTY CORNER
SET 5/8" REBAR W/CAP
STAMPED "LAND–MARK TX5710"

CITY CLERK DEPT.
03 MAY 12 PM 5:06

IMPORTANT!

LINE	DIRECTION	DISTANCE
T1	S00°00'00"W	35.00'
T2	N90°00'00"W	35.00'

Land - Mark Professional Surveying Inc.

:o and Arizona"

Exhibit "B"

METES AND BOUNDS DESCRIPTION

A PART OF THE VACATED PORTION OF COPIA STREET VACATED BY CITY ORDINANCE NO. 016615 DATED MAY 1, 2007, ADJACENT TO BLOCK D, LOGAN HEIGHTS ADDITION, ZONED A-2, EL PASO, EL PASO COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for reference at an existing city monument at the intersection of Keltner Avenue (70' R.O.W.) and Byron Street (57' R.O.W.); **THENCE,** South 90°00'00" West with the centerline of said Keltner Avenue a distance of 453.50 feet to a point; **THENCE,** leaving said centerline, South 00°00'00" West a distance of 35.00 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set at the point of intersection of the south right of way line of said Keltner Avenue and the East right of way line of said Vacated portion of Copia Street (70' R.O.W.) for a corner of this herein described parcel of land and the **POINT OF BEGINNING** for the following parcel description:

THENCE, South 00°00'00" West with the east right of way line of said Vacated portion of Copia Street a distance of 130.00 feet to a corner of this parcel;

THENCE, South 90°00'00" West a distance of 35.00 feet to a corner of this parcel;

THENCE, North 00°00'00" West a distance of 130.00 feet to a corner of this parcel;

THENCE, North 90°00'00" East a distance of 35.00 feet to the TRUE **POINT OF BEGINNING.**

Containing 0.1045 Acres (4,550 Square Feet) more or less.

LAND-MARK PROFESSIONAL SURVEYING, INC.

Kenneth R. Kindle, R.P.L.S.
Texas Reg. No. 5710
Job # 07-03-25024
February 12, 2008

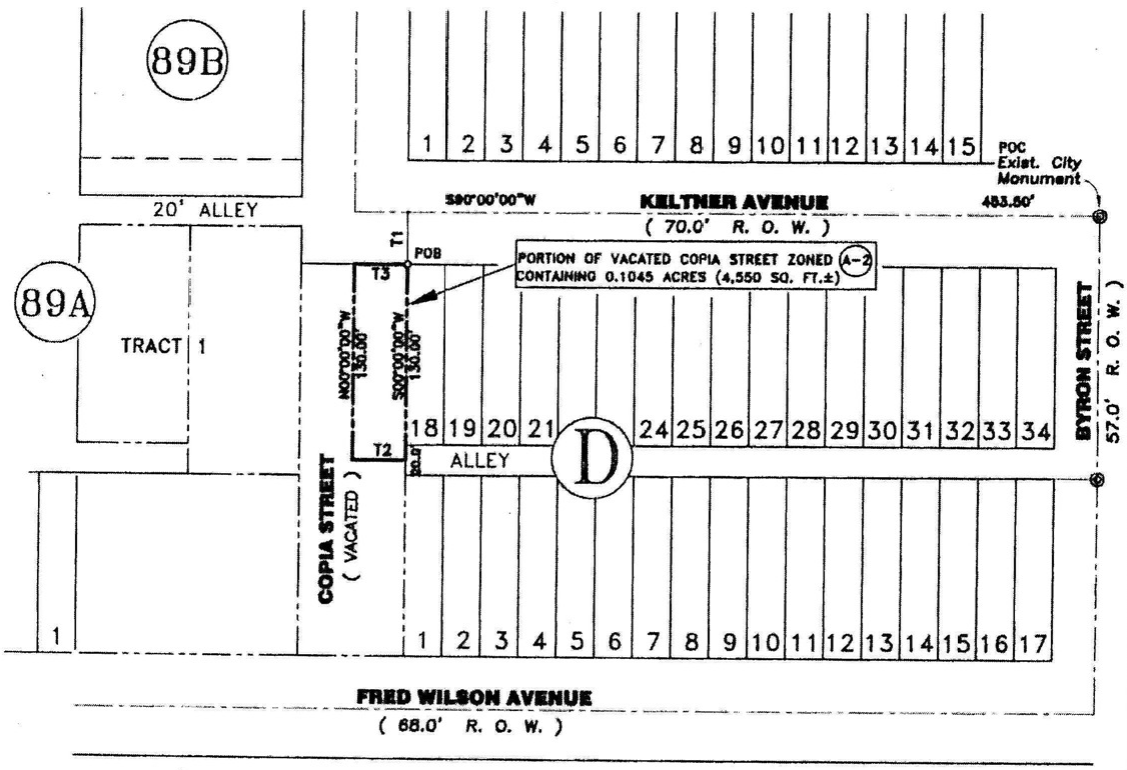
STATE OF TEXAS
REGISTERED
KENNETH R KINDLE
5710
PROFESSIONAL
LAND SURVEYOR

CITY CLERK DEPT.
08 MAY 12 PM 5:06

1420 Bessemer • El Paso, Texas 79936
Tel. (915) 598-1300 • Fax (915) 598-1221 • E-mail address: Larry@Land-Marksurvey.com

FLOOD CERTIFICATE: ACCORDING TO FLOOD INSURANCE RATE MAP, COMMUNITY–PANEL NUMBER 480214 0029B, EFFECTIVE DATE: OCTOBER 15, 1982 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THIS PARCEL LIES WITHIN A ZONE DESIGNATION OF "C" ,WHICH INDICATES THAT THIS PARCEL DOES NOT LIE WITHIN A FLOOD HAZARD AREA.

Exhibit "B"



PROPOERTY CORNER
SET 5/8" REBAR W/CAP
STAMPED "LAND–MARK TX5710"

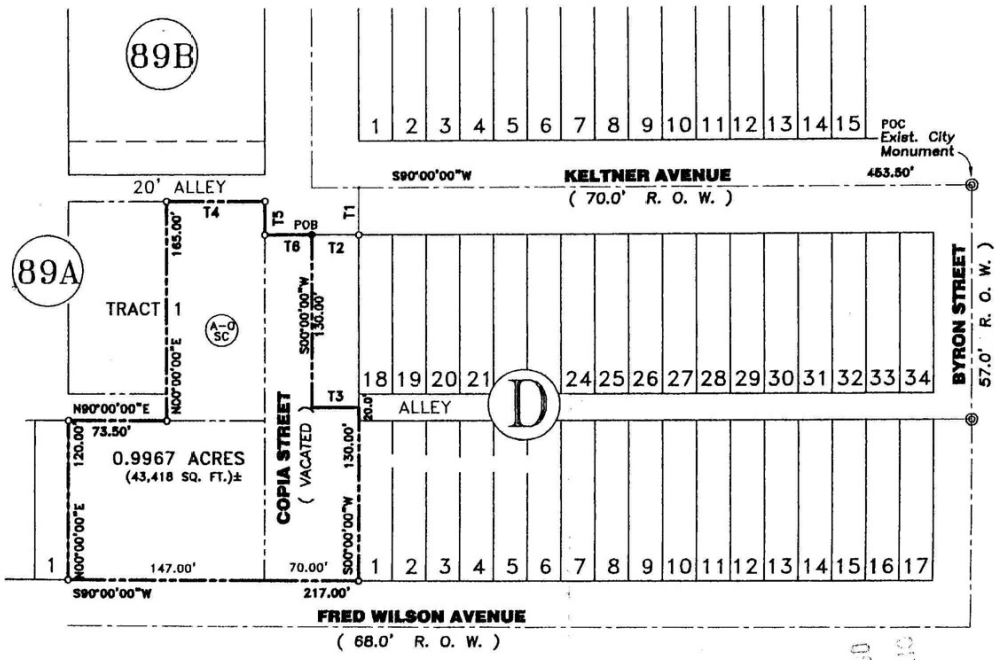
CITY CLERK DE
08 MAY 12 PM 5:

IMPORTANT!
This is a lawful copy only if afixed with original signature and embossed

LINE	DIRECTION	DISTANCE
T1	S00°00'00"W	35.00'
T2	S90°00'00"W	35.00'

FLOOD CERTIFICATE: ACCORDING TO FLOOD INSURANCE RATE MAP, COMMUNITY–PANEL NUMBER 480214 0029B, EFFECTIVE DATE: OCTOBER 15, 1982 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THIS PARCEL LIES WITHIN A ZONE DESIGNATION OF "C", WHICH INDICATES THAT THIS PARCEL DOES NOT LIE WITHIN A FLOOD HAZARD AREA.

Exhibit "A"



PROPOERTY CORNER
SET 5/8" REBAR W/CAP
STAMPED "LAND–MARK TX5710"

CITY CLERK DEPT.
09 MAY 12 PM 5:06

LINE	DIRECTION	DISTANCE
T1	S00°00'00"W	35.00'
T2	N90°00'00"W	35.00'
T3	N90°00'00"E	35.00'
T4	N90°00'00"E	73.50'
T5	S00°00'00"W	25.00'
T6	N90°00'00"E	35.00'

IMPORTANT!
This is a lawful copy only if afixed with original signature and embossed with "Registered Professional Land Surveyor" seal.

© 2006 All Rights Reserved

I hereby certify that the foregoing boundary and improvement survey was made by me or under my supervision and that there are no encroachments except as shown. Only platted easements are shown.

Kenneth R. Kindle, R.P.L.S.
Texas 5710

Plat

SHOWING

A PORTION OF TRACT 1, BLOCK 89A, LOGAN HEIGHTS ADDITION AND A PART OF THE ADJACENT VACATED PORTION OF COPIA STREET, ZONED A–O SC, EL PASO, EL PASO COUNTY, TEXAS.

Metes & Bounds Attached
Plat Reference: Vol./Bk. 12, Page 37.

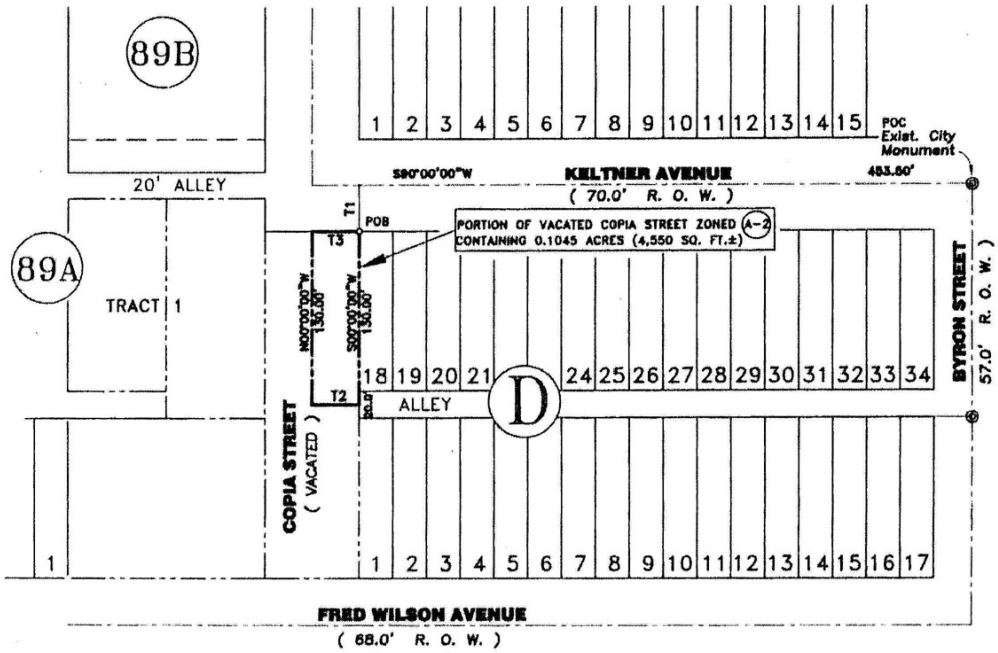
Job No. 08–03–25024C | Scale: 1" = 100' | Date: FEBRUARY 12, 2008.

Land–Mark Professional Surveying, Inc.
1420 Bessemer Drive, Suite 'A'
El Paso, Texas 79936
(915) 598–1300
email:Bob@Land–marksurvey.com
"Serving Texas, New Mexico and Arizona"

Parcel 1

FLOOD CERTIFICATE: ACCORDING TO FLOOD INSURANCE RATE MAP, COMMUNITY–PANEL NUMBER 480214 0029B, EFFECTIVE DATE: OCTOBER 15, 1982 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THIS PARCEL LIES WITHIN A ZONE DESIGNATION OF "C", WHICH INDICATES THAT THIS PARCEL DOES NOT LIE WITHIN A FLOOD HAZARD AREA.

Exhibit "B"



PROPOERTY CORNER
SET 5/8" REBAR W/CAP
STAMPED "LAND–MARK TX5710"

CITY CLERK BE
08 MAY 12 PM 5:

LINE	DIRECTION	DISTANCE
T1	S00°00'00"W	35.00'
T2	S90°00'00"W	35.00'
T3	N90°00'00"E	35.00'

IMPORTANT!
This is a lawful copy only if afixed with original signature and embossed with "Registered Professional Land Surveyor" seal.

© 2006 All Rights Reserved

I hereby certify that the foregoing boundary and improvement survey was made by me or under my supervision and that there are no encroachments except as shown. Only platted easements are shown.

Kenneth R. Kindle, R.P.L.S.
Texas 5710

Plat

SHOWING
A PORTION OF VACATED COPIA STREET
ADJACENT TO BLOCK D,
LOGAN HEIGHTS ADDITION
ZONED A–2, EL PASO,
EL PASO COUNTY, TEXAS.

Metes & Bounds Attached
Plat Reference: Vol./Bk. 12, Page 37.

Job No. 08–03–25024B | Scale 1" = 100' | Date: FEBRUARY 12, 2008

Land–Mark Professional Surveying, Inc.
1420 Bessemer Drive, Suite 'A'
El Paso, Texas 79936
(915) 598–1300
email:Bob@Land–marksurvey.com
"Serving Texas, New Mexico and Arizona"

Parcel 2

ATTACHMENT 5: CONDITIONS: ORDINANCE NO. 16918 DATED JUNE 17, 2008

Doc 20080052764 13 G 15/7

ORDINANCE NO. 016918

AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY DESCRIBED AS:

PARCEL 1: A PORTION OF TRACT 1, BLOCK 89A, LOGAN HEIGHTS ADDITION AND A PART OF THE ADJACENT VACATED PORTION OF COPIA STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM A-O/SC (APARTMENT/OFFICE/SPECIAL CONTRACT) TO C-1/SC/C (COMMERCIAL/SPECIAL CONTRACT/CONDITION);

PARCEL 2: A PORTION OF VACATED COPIA STREET ADJACENT TO BLOCK D, LOGAN HEIGHTS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM A-2 (APARTMENT) TO C-1/C (COMMERCIAL/CONDITION); AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

That the zoning of the following property be changed as described below within the meaning of the zoning ordinance and that the zoning map of the City of El Paso be revised accordingly:

Parcel 1: A *portion of Tract 1, Block 89A, Logan Heights Addition and a part of the adjacent vacated portion of Copia Street, City of El Paso, El Paso County Texas,* and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from **A-O/sc (Apartment/Office special contract)** to **C-1/sc/c (Commercial/special contract/condition)**; and,

Parcel 2: A *portion of vacated Copia Street adjacent to Block D, Logan Heights Addition, City of El Paso, El Paso County, Texas*, and as more particularly described by metes and bounds on the attached Exhibit "B", incorporated by reference, be changed from **A-2 (Apartment)** to **C-1/c (Commercial/condition)**; and,

Further, that the property described above be subject to the following conditions which are necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

1. *The following uses shall not be permitted.*
   - *Automotive Service Station*
   - *Commercial Fueling Station*
   - *Convenience Store*
   - *Convenience Store with Gas Pumps*

RECEIVED JUL 0 9 2008 CITY OF EL PASO DEVELOPMENT SERVICES DEPARTMENT

POOR QUALITY ORIGINAL BEST AVAILABLE IMAGE

Doc #39047/Planning/Ord/ZON08-00005/LCUE

ORDINANCE NO. 016918

Zoning Case No: ZON08-00005

2. *Vehicular ingress or egress shall be prohibited from Keltner Avenue to the subject property.*

PASSED AND APPROVED this 17th **day of** June **, 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 Services Department

POOR QUALITY ORIGINAL
BEST AVAILABLE IMAGE

CITY CLERK DEPT.
08 MAY 12 PM 5:04

Doc #39047/Planning/Ord/ZON08-00005/LCUE

ORDINANCE NO. 016918

Zoning Case No: ZON08-00005

ATTACHMENT 6: CONDITIONS: ORDINANCE NO. 18204 DATED JULY 15, 2014

Doc# 20140046514

8.2
151/4

CITY CLERK DEPT.
2014 JUN 19 PM 2:16

ORDINANCE NO. 018204

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOTS 1, 2, 3, 4, 5, 24, 25, 26, A PORTION OF TRACT 1 AND A PORTION OF A 20 FOOT ALLEY (VACATED), BLOCK 89A, LOGAN HEIGHTS ADDITION, 5312 ALABAMA STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) AND A-2 (APARTMENT) TO C-1 (COMMERCIAL), AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning of *a portion of Lots 1, 2, 3, 4, 5, 24, 25, 26, a portion of Tract 1 and a portion of a 20 foot alley (vacated), Block 89A, Logan Heights Addition, 5312 Alabama Street, City of El Paso, El Paso County, Texas,* and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from **R-4 (Residential) and A-2 (Apartment)** to **C-1 (Commercial)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following condition which is necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

> *"That Design of the Alabama Street ingress / egress access be reviewed and approved by the City Traffic Engineer prior to the issuance of any permits for any proposed driveway on Alabama Street frontage."*

The penalties for violating the standards imposed through this rezoning ordinance are found in Chapter 20.24 of the El Paso City Code.

PASSED AND APPROVED this 15th **day of** July, **2014.**

ORDINANCE NO. 018204

Zoning Case No: PZRZ14-00014

#294933/14-1007-1064/5312 Alabama Street Rezoning Ordinance
KMN

CITY CLERK DEPT.
2014 JUN 12 AM 8:02

THE CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Karla M. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy, Director
City Development Department

ORDINANCE NO. _____

Zoning Case No: PZRZ14-00014

#294933/14-1007-1064/5312 Alabama Street Rezoning Ordinance
KMN