



City of El Paso – City Plan Commission Staff Report

Case No: PZDS14-00014
Application Type: Detailed Site Development Plan Review
CPC Hearing Date: June 5, 2014
Staff Planner: Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov
Location: 4360 Doniphan Drive
Legal Description: Lot 5 and a portion of Lot 4, Block 3, Keystone Business Park, City of El Paso, El Paso County, Texas
Acreage: 2.60 acres
Rep District: 8
Current Zoning: C-4/sc (Commercial/special contract)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: Yes; Condition (see attachment 5)
Request: Detailed Site Development Plan Review
Property Owner: Mentis REEP, LLC
Representative: Sitework Engineering, LLC

SURROUNDING ZONING AND LAND USE

North: C-4/sc (Commercial/special contract) / Vacant
South: C-4/sc (Commercial/special contract) / Keystone Heritage Park
East: R-4 (Residential) / Retention Pond
West: R-2A (Residential) / Single Family Dwellings

PLAN EL PASO DESIGNATION: G-7 Industrial and/or Railyard (Northwest Planning Area)
NEAREST PARK: Keystone Heritage Wetlands (Immediately Adjacent)
NEAREST SCHOOL: Zach White Elementary (6,230)

NEIGHBORHOOD ASSOCIATIONS

Upper Valley Improvement Association
Upper Mesa Hills Neighborhood Association
Coronado Neighborhood Association
Upper Valley Neighborhood Association
Save the Valley

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.

APPLICATION BACKGROUND

On February 17, 1987, City Council rezoned the subject property from R-4 (Residential) to C-4 (Commercial) and imposed conditions by a special contract attached to Ordinance No. 8929 (see Attachment 5). These conditions include platting, setback requirements, ROW dedications, a prohibition on billboards, vehicle ingress and egress restrictions, and the approval of a detailed site plan by the City Council prior to the issuance of building permits. Except for the detailed site plan review, all these conditions have been satisfied or are not applicable.

APPLICATION DESCRIPTION

The request is for a Detailed Site Development Plan Review as required by Ordinance No. 8929 (see Attachment #5). The detailed site development plan shows a new 19,855 sq. ft. one-story rehabilitation clinic, with both inpatient and outpatient facilities. The development requires a minimum of 42 parking spaces; the applicant is providing 46 parking spaces and 3 bicycle spaces. Access to the subject property is

proposed from Doniphan Drive.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the detailed site development plan request as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan.

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.

A 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 site 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.

The Detailed Site Development Plan review is not eligible for administrative approval as the special contract condition requires review and approval by the City Plan Commission and City Council.

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, which meets the requirements, 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-7 – Industrial: This sector applies to industrial parks, large free-standing industrial uses, refineries, non-military airfields, trucking terminals, and mines, all on large tracts in areas dominated by vehicles. This sector is essential to El Paso’s economy; however, when an industrial use becomes obsolete, there can be potential for mixed-use redevelopment of the site. This sector also includes the existing rail yards which could be redeveloped as mixed-use communities if the rail yards were moved out of town.

The purpose of the C-4 (Commercial) district is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities.

COMMENTS:

Planning Division – Transportation

Recommend Approval.

General Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

City Development Department – City Development & Permitting

Recommended approval.

City Development Department - Land Development

No objections.

Fire Department

Recommend “Approval w/ conditions” of “Detailed Site Plan Application” as presented. In accordance with the requirements of the Zoning Code Section 20.04.160 Content of application the Fire Planning Division has reviewed the submitted “Detailed Site Plan for the following: Elevations, Perspective of the building, Dimensions, square footage and height of all structures, Number of dwelling units in Multi-family structures, and Driveways as applicable to following sections of the fire code; Sections 503 and Appendix D Fire Apparatus Access Roads, Section 903 Automatic Sprinkler Systems, Section 905 Standpipe Systems. “When required as per section 905.3.1, 905.4 and 905.5 all fire protections system plans shall be submitted separately to Fire Plan Review for further requirements and comments”. The Fire Planning Division has reviewed the submitted “Detailed Site Plan Application” as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES Comply within the zoning regulations. Conditions that shall be reflected in the revisions; 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096

mm), 503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. 503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times. D103.6.1 Roads 20 to 26 feet in width. Fire apparatus access roads 20 to 26 feet wide (6096 to 7925 mm) shall be posted on both sides as a fire lane.

El Paso Water Utilities

Recommend Approval.

We have reviewed the zoning change request described above and provides the following comments:

Within the westernmost portion of the existing 25-foot wide PSB Easement there are existing water and sanitary sewer mains. The mains are described in the following paragraphs under their respective sections. The El Paso Water Utilities – Public Service Board (EPWU-PSB) respectfully requests the Owner/Developer comply with the following items:

EPWU-PSB needs an un-obstructed area within the westernmost portion of the PSB Easement in order to enable the placement of the new water services for this Property.

EPWU-PSB requests for this portion of the Easement to be improved to allow the access and operation of EPWU maintenance vehicles.

EPWU-PSB requires access to the water, sanitary sewer facilities, appurtenances, and meters within easements 24 hours a day, seven (7) days a week.

EPWU-PSB Comments

Water:

1. From the intersection of Doniphan Drive and Osborne Drive, immediately north of Doniphan Drive there is an existing eight (8) inch diameter water main that extends towards the east. This main dead-ends at approximately 30 feet east of the boundary line common to both Lot 4 and 5, Keystone Business Park subdivision. This main is located within a twenty-five (25) foot wide PSB Easement. Service is available from this main.
2. Previous water pressure readings from fire hydrant number 10036 located along Doniphan Drive at approximately 1,208 feet east of Osborne Drive have yielded a static pressure of 84 pounds per square inch, a residual pressure of 78 pounds per square inch and a discharge of 1,034 gallons per minute. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:

1. From the intersection of Doniphan Drive and Osborne Drive, immediately north of Doniphan Drive there is an existing eight (8) inch diameter sanitary sewer main that extends towards the east. This main dead-ends at approximately 20 feet east of the boundary line common to both Lot 4 and 5, Keystone Business Park subdivision. This main is located within the above described twenty-five (25) foot wide PSB Easement. Service is available from this main.

General:

1. Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property

damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.

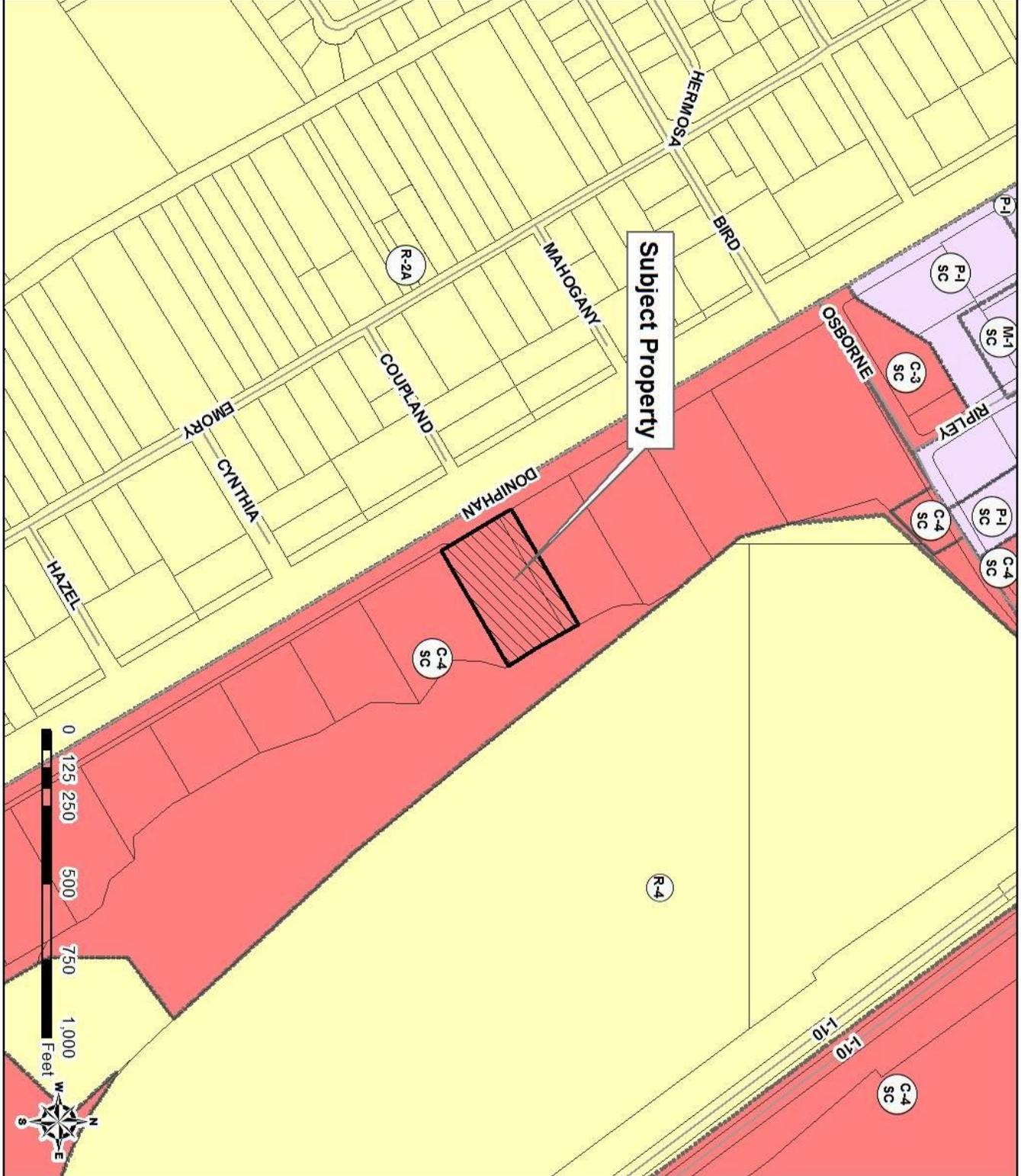
2. No vehicular traffic is allowed over the water meters. EPWU-PSB requires access to the existing/proposed water, sanitary sewer facilities, appurtenances, and meters within the easement 24 hours a day, seven (7) days a week.
3. No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB.
4. The PSB easement shall be improved to allow the operation of EPWU maintenance vehicles.
5. Use of low maintenance easement surface improvements is required. The Owner of the property is responsible for maintenance of the easement surface; surface maintenance is not the responsibility of EPWU-PSB.
6. EPWU-PSB requests the Developer to refrain from constructing rock walls or any structure that will interfere with the access to the PSB easements.
7. EPWU requires a new service application to initialize design of the water and sanitary sewer main extensions to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner 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.

Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Plan
4. Elevations
5. Ordinance No. 8929

ATTACHMENT 1: ZONING MAP

PZDS14-00014

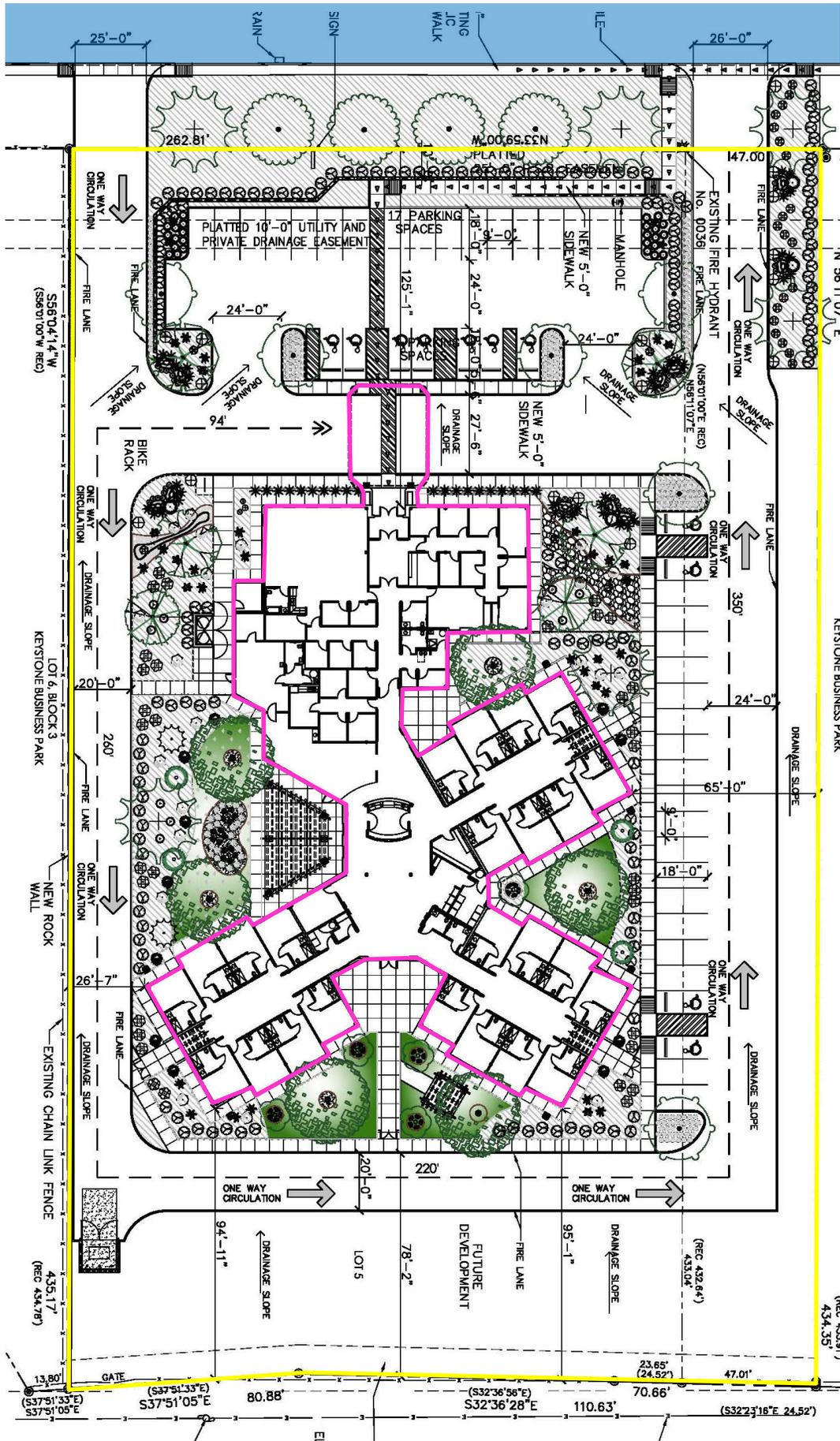


ATTACHMENT 2: AERIAL MAP

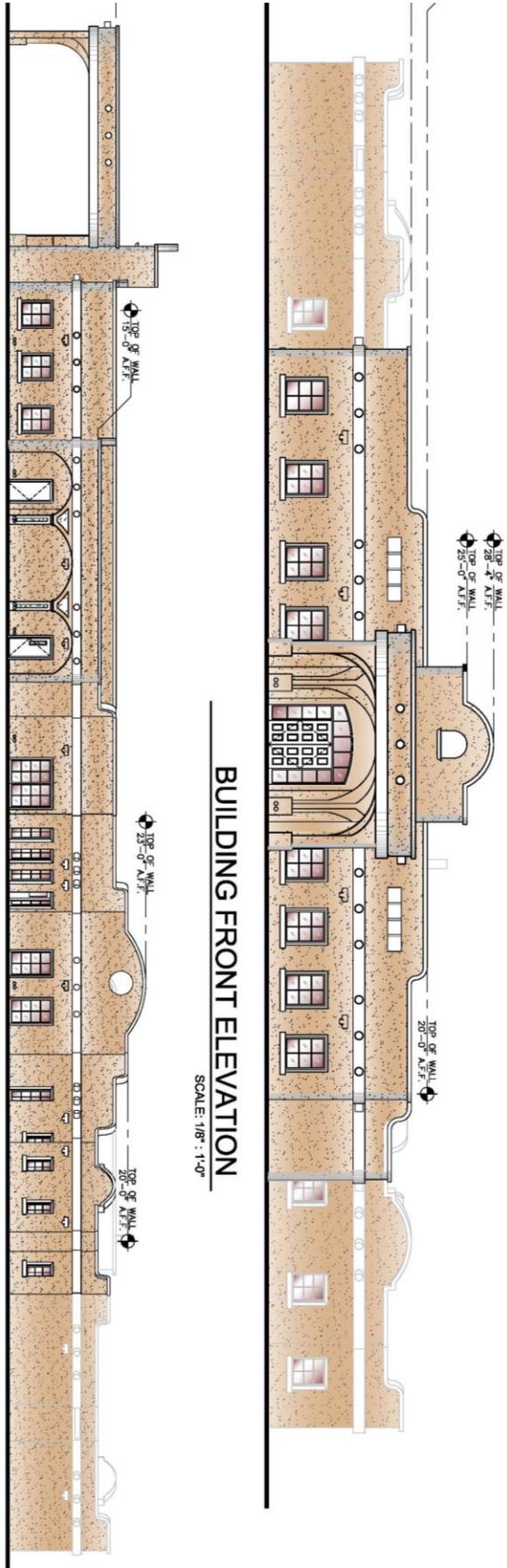
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ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: ELEVATIONS



BUILDING FRONT ELEVATION

SCALE: 1/8" = 1'-0"

BUILDING SIDE ELEVATION

SCALE: 3/32" = 1'-0"

ATTACHMENT 5: ORDINANCE NO. 8929

008929

AN ORDINANCE CHANGING THE ZONING OF
A PORTION OF A.F. MILLER
SURVEY NO. 210 AND 213; C.A. ENGELSFREUND
SURVEY NO. 112; B.B.B. & C. RAILROAD
SURVEY NO. 154; G.L. WILSON SURVEY NO. 91
AND S.A. MAVERICK SURVEY NO. 174
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 A.F. Miller Survey No. 210 and 213; C.A. Engelsfreund Survey No. 112; B.B.B. & C. Railroad Survey No. 154; G.L. Wilson Survey No. 91 and S.A. Maverick Survey No. 174, as more particularly described by metes and bounds in the attached Exhibit "A", be changed from R-4 (Residential) to C-4 (Commercial) within the meaning of the zoning ordinance, subject to a special contract placing certain restrictions, conditions and covenants on the property, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this 17th day of February, 1987.

Jonathan W. Payne
Mayor

Carole Hunter
City Clerk

APPROVED AS TO FORM:

Ricardo Sandoval
Assistant City Attorney

...that the zoning map has been revised to
...the amendment of ordinance # 8929
Royally Date 4-10-87

APPROVED AS TO CONTENT:

Roy Gilman
Planning Department

...THE FOLLOWING ZONING MAP
4-10-87 U.D.
4-10-87 Bldg. Inspection
4-11-87
4-10-87 CONTROL
Royally

ZNG5:86-5228

008929
Contract (2-17-87)

86-5228
RECEIVED
FEB 9 - 1987
PLANNING DEPARTMENT

ATTACHMENT 5: ORDINANCE NO. 8929 (CONTINUED)

Portion A.F. MILLER SURVEY NOS. 210 & 213
And
Portion C.A. ENGELSFREUND SURVEY NO. 112
And
Portion B.B.B. & C. RAILROAD SURVEY NO. 154
And
Portion G.L. WILSON SURVEY NO. 91
And
Portion S.A. MAVERICK SURVEY NO. 174

El Paso, Texas

February 6, 1987

PARCEL NO. 7

Beginning at a point on the south boundary line of the C.A. Engelsfreund Survey No. 112; point being the southeast corner of the J.F. Driscoll Survey No. 372, City of El Paso, El Paso County, Texas:

Thence North along the east boundary of said J.F. Driscoll Survey No. 372 a distance of 428.78 feet:

Thence North $88^{\circ}-23'-28''$ East a distance of 161.12 feet:

Thence North $01^{\circ}-00'-10''$ West a distance of 185.51 feet to a point on the southwesterly right-of-way line of U.S. Interstate Highway No. 10:

Thence South $40^{\circ}-06'-02''$ East along said southwesterly right-of-way line a distance of 340.17 feet to a point on the westerly right-of-way line of an El Paso Natural Gas Company right-of-way:

Thence South $47^{\circ}-56'-58''$ West a distance of 78.56 feet to the northwest corner of said El Paso Natural Gas Company right-of-way:

Thence South $40^{\circ}-06'-02''$ East along the northwesterly right-of-way line of said El Paso Natural Gas Company right-of-way a distance of 400.00 feet:

Thence South along the westerly right-of-way line of said El Paso Natural Gas Company right-of-way line a distance of 117.10 feet:

Thence South $64^{\circ}-19'-00''$ West a distance of 987.40 feet:

Thence North $42^{\circ}-08'-15''$ West a distance of 270.00 feet:

Thence South $56^{\circ}-01'-00''$ West a distance of 571.17 feet:

1

EXHIBIT "A"

86-5228

ATTACHMENT 5: ORDINANCE NO. 8929 (CONTINUED)

Thence South 33°-59'-00" East a distance of 178.36 feet:

Thence South 64°-19'-00" West a distance of 472.69 feet to a point on the easterly right-of-way line of Doniphan Drive:

Thence North 33°-59'-00" West along said easterly right-of-way line a distance of 4456.35 feet to its intersection with the southerly right-of-way line of Osborne Drive:

Thence North 56°-01'-00" East along said southerly right-of-way line a distance of 863.21 feet:

Thence continuing along said southerly right-of-way line North 49°-53'-58" East a distance of 625.67 feet:

Thence South 42°-21'-41" West a distance of 124.77 feet:

Thence South 41°-15'-15" West a distance of 790.80 feet:

Thence South 17°-53'-15" East a distance of 434.25 feet:

Thence South 42°-33'-17" East a distance of 222.45 feet:

Thence South 41°-09'-20" East a distance of 1364.70 feet:

Thence South 44°-50'-18" East a distance of 851.76 feet:

Thence South 56°-01'-00" West a distance of 209.03 feet:

Thence South 03°-43'-42" East a distance of 260.77 feet:

Thence South 33°-59'-00" East a distance of 304.62 feet:

Thence North 45°-36'-00" East a distance of 431.28 feet:

Thence North 44°-24'-00" West a distance of 371.29 feet to the P.C. of a curve to the left:

Thence southeasterly along said curve to the left an arc distance of 1025.04 feet to a point on the west boundary line of J.F. Driscoll Survey No. 372; curve having a radius of 988.03 feet, a central angle of 59°-26'-32" and a long chord bearing of South 72°-31'-00" East a distance of 979.69 feet:

Thence South along said west boundary line a distance of 311.60 feet to the southwest corner of said J.F. Driscoll Survey No. 372:

Thence East along the south boundary line of said J.F. Driscoll Survey No. 372 a distance of 417.50 feet to the point of beginning.

ATTACHMENT 5: ORDINANCE NO. 8929 (CONTINUED)

Described parcel lies within said A.F. Miller Survey Nos. 210 & 213, C.A. Engelsfreund Survey No. 112, B.B.B. & C. Railroad Survey No. 154, G.L. Wilson Survey No. 91 and S.A. Maverick Survey No. 174 and contains 3912830.26 square feet equal to 89.826 acres.



ATTACHMENT 5: ORDINANCE NO. 8929 (CONTINUED)

RESOLUTION

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

That the Mayor be authorized to sign a contract between the CITY OF EL PASO and TEXAS COMMERCE BANK - EL PASO, NA, INDEPENDENT EXECUTOR AND TRUSTEE UNDER THE WILL OF MARY WHITE BOYKIN, DECEASED, placing certain restrictions, conditions and covenants on the property being rezoned by Ordinance No. 008929, more particularly described as a portion of A.F. Miller Survey No. 210 and 213; C.A. Engelsfreund Survey No. 112; B.B.B. & C. Railroad Survey No. 154; G.L. Wilson Survey No. 91 and S.A. Maverick Survey No. 174.

ADOPTED this 17th day of February, 1987.

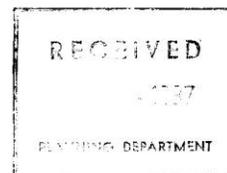
Jonathan W. Payne
Mayor

ATTEST
Carole Hunter
City Clerk

APPROVED AS TO FORM:

Ricardo Montano
Assistant City Attorney

ZNG5:86-5228



ATTACHMENT 5: ORDINANCE NO. 8929 (CONTINUED)

all and singular the rights and appurtenances thereto in anywise belonging, unto the said City of El Paso and its assigns, forever; and the Grantors do hereby bind themselves, their heirs, executors, administrators, successors and assigns to warrant and forever defend all and singular and said premises unto the said City of El Paso and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under us but not otherwise.

WITNESS the following signatures this 31 day of March, 1987.

PROPERTY OWNER:
TEXAS COMMERCE BANK - EL PASO,
NA, INDEPENDENT EXECUTOR AND
TRUSTEE UNDER THE WILL OF
MARY WHITE BOYKIN, DECEASED

By William C. Geyer
Title Sen Vice Pres

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 31 day of March, 1987, by WILLIAM C. GEYER as representative on behalf of TEXAS COMMERCE BANK - EL PASO, NA, INDEPENDENT EXECUTOR AND TRUSTEE UNDER THE WILL OF MARY WHITE BOYKIN, DECEASED.

Joseph N. Sayklay
Notary Public, State of Texas

My Commission Expires:
JOSEPH N. SAYKLAY, Notary Public
For the State of Texas
My Commission Expires 6-1-88

ZNG5:86-5228

ATTACHMENT 5: ORDINANCE NO. 8929 (CONTINUED)

39459

11/21 Part 04

THE STATE OF TEXAS)
)
COUNTY OF EL PASO) CONTRACT

THIS CONTRACT, made this 17th day of February, 1987, by and between TEXAS COMMERCE BANK - EL PASO, NA, INDEPENDENT EXECUTOR AND TRUSTEE UNDER THE WILL OF MARY WHITE BOYKIN, DECEASED, First Party, and the CITY OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning of a portion of A.F. Miller Survey No. 210 and 213; C.A. Engelsfreund, Survey No. 112; B.B.B. & C. Railroad Survey No. 154; G.L. Wilson Survey No. 91 and S.A. Maverick Survey No. 174, City and County of El Paso, Texas, which is more particularly described by metes and bounds in the attached Exhibit "A" which is made a part hereof by reference. To remove certain objections to such rezoning, First Party covenants that if the property is rezoned from R-4 (Residential) to C-4 (Commercial) 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. Prior to the issuance of any building permits, a subdivision plat must be approved by the City Plan Commission and filed of record with the County Clerk.
2. No building(s) shall be constructed closer than fifty (50) feet to the southerly property line adjacent to St. Judes Church and the Pacific Park Subdivision.
3. At the time the rezoning request is approved by the Mayor and City Council, the property owner shall dedicate twenty (20) feet of right-of-way for the widening of Doniphan Drive.
4. An additional twenty (20) foot wide special building setback line shall be established adjacent to the twenty (20) feet of right-of-way being dedicated in Condition No. 3 of this contract. No building(s) or structures(s) shall be constructed within the special building setback line, except that surplus off-street parking shall be allowed.
5. The property shall not be used for any type of residential purposes.
6. There shall be no vehicular ingress and egress from this property to Hidden Way.
7. Within two (2) years from the date of this contract, either upon written demand by the City of El Paso or upon demand of the property owner, the property owner shall sell to the City a 2.87 acre parcel of land adjacent to the existing Northwest Corral at a price that is mutually agreed upon by both parties.

(2-1-1-1)

AUG 6 1987
87-522-8
PLANNING DEPARTMENT

1750 0579

ATTACHMENT 5: ORDINANCE NO. 8929 (CONTINUED)

the property owner shall be released from this requirement of the contract.

- 8. No billboards will be allowed on the property.
- 9. Prior to the issuance of any building permits, the property owner shall submit a site plan to be approved by the City Plan Commission and City Council.

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 amend or release the above restrictions, conditions and covenants in its direction without the consent of any third person who may be benefited thereby, and without affecting the validity, or necessitating the amendment of, the ordinance passed by the City Council embodying this change of zoning and subject to this contract.

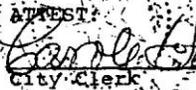
WITNESS THE FOLLOWING SIGNATURES AND SEALS:

ATTEST:

 Secretary

FIRST PARTY:
TEXAS COMMERCE BANK - EL PASO

By William C. Lynn
Title Senior Vice President

ATTEST:

 City Clerk

SECOND PARTY:
CITY OF EL PASO

By [Signature]
Mayor

APPROVED AS TO CONTENT:
[Signature]
Planning Department

APPROVED AS TO FORM:
[Signature]
Assistant City Attorney

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 31 day of March, 1987, by William C. Lynn as Senior Vice President, for TEXAS COMMERCE BANK - EL PASO.

My Commission Expires:
Michelle M. Ford, Notary Public
El Paso, Texas 11/14/89

[Signature]
Notary Public, State of Texas

1759 6580

ATTACHMENT 5: ORDINANCE NO. 8929 (CONTINUED)

HP [Signature] 4-7-87

	TO	DATE
<input type="checkbox"/>	ZONING/LAND DEVELOPMENT SECTION	
<input checked="" type="checkbox"/>	MAPPING SECTION <i>Paul / Lucas</i>	<i>4-7-87</i>
<input type="checkbox"/>	MPO SECTION	
<input type="checkbox"/>	SPECIAL PERMIT/SITE DEVELOPMENT PLAN	
<input type="checkbox"/>	DIRECTOR	
<input type="checkbox"/>	SUBDIVISION COORDINATOR	
<input type="checkbox"/>	STREET NAMES and HOUSE NUMBERS COORDINATOR	

REPRODUCE:

RETURN TO: *B*

BY (date): _____

ORDINANCE NO. *8928*

DATE: *2/17/87*

CONTRACT: *attached*

DATE: *2/17/87*

CASE NO. *86-5226*

NOTES:

Special Warranty Deed (attached) 3/3/87

ATTACHMENT 5: ORDINANCE NO. 8929 (CONTINUED)

008928

AN ORDINANCE CHANGING THE ZONING OF
A PORTION OF TRACT 12A, A.F. MILLER
SURVEY NO. 210,
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 12A, A.F. Miller Survey No. 210, as more particularly described by metes and bounds in the attached Exhibits "A", "B", "C" and "D", be changed from R-4 (Residential) to C-3 (Commercial) (Parcel No. 1 - 2.486 acres), C-3 (Commercial) (Parcel No. 2 - 4.221 acres), C-4 (Commercial) (Parcel No. 3 - 1.459 acres), C-4 (Commercial) (Parcel No. 4 - 1.416 acres) within the meaning of the zoning ordinance, subject to a special contract placing certain restrictions, conditions and covenants on the property, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this 19th day of February, 1987.

Jonathan W. Rojas
Mayer

ATTEST:
Carole Hunter
City Clerk

I CERTIFY THAT THE FOLLOWING ZONING MAPS
HAVE BEEN REVISED: LD
4-8-87 COUNTER
4-8-87 ORIGINAL
4-8-87 City Inspection
4-8-87 CONTROL
R. Gonzalez

APPROVED AS TO FORM:
Ricardo Sandoval
Assistant City Attorney

APPROVED AS TO CONTENT:
[Signature]
Planning Department

ZNG5:86-5226

I certify that the zoning map has been revised to reflect the amendment of ordinance # 8929 Date 4-8-87
R. Gonzalez

86-5226
RECEIVED
APR 9 - 1987
PLANNING DEPARTMENT

Contract (2-17-87)
008928 Rec'd. (3-3-87)