



City of El Paso – City Plan Commission Staff Report

Case No: PZST13-00013
Application Type: Special Permit
CPC Hearing Date: July 25, 2013
Staff Planner: Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

Location: 9641 North Loop Road
Legal Description: A portion of Tract 2A, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas
Acreage: 4.37 acres
Rep District: 6
Zoning: A-2/sc (Apartment/special contract)
Existing Use: Agriculture
Request: Special Permit to allow for a Skilled Nursing Facility in A-2 (Apartment) zone district
Proposed Use: Skilled Nursing Facility

Property Owner: Ben L. Ivey, LTD
Applicant: Smithers Merchant Builders LP
Representative: Roe Engineering, L.C.

SURROUNDING ZONING AND LAND USE

North: A-2/sc (Apartment/special contract) / Agriculture
South: A-2/sc (Apartment/special contract) / Agriculture
East: A-2/sc (Apartment/special contract) / Agriculture
West: A-2/sc (Apartment/special contract) / Agriculture

THE PLAN FOR EL PASO DESIGNATION: O-3, Agriculture

NEAREST PARK: Feather Lake Park (3,211 Feet)

NEAREST SCHOOL: Del Valle High School (4,792 Feet)

NEIGHBORHOOD ASSOCIATIONS

There are no registered neighborhood association in the area.

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on July 9, 2013. The Planning Division has not received any letters or phone calls in support or opposition of the special permit request.

HISTORY CASE

On May 1, 1979, City Council approved of the rezoning the subject property from R-F (Ranch and Farm) to A-2 (Apartment) and placed special contract conditions by Ordinance No. 6567. (See attachment 5, page 8-19). On June 13, 2013, City Plan Commission approved the related Subdivision Ranchos Del Rey Unit One on a major preliminary.

APPLICATION DESCRIPTION

The applicant is requesting a special permit and detailed site development plan approval for the construction of a skilled nursing facility. The detailed site development plan shows a 41,556 square-foot skilled nursing facility. The plan proposed 92 parking spaces and 4 bicycle parking spaces. The proposed skilled nursing

facility use requirements of the A-2 (Apartment) zone district are satisfied through the special permit and detailed site development plan. Access to the subject property is proposed from Camino Del Rey Drive.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit and detailed site development plan review request for Infill Development, as it complies with 20.04.320 special permit and 20.04.150 detailed site development plan.

Plan El Paso-Future Land Use Map Designation

All applications for special permit shall demonstrate compliance with the following criteria:

O-3 Agriculture: Active farmland in the Rio Grande Valley. Changes to City codes and policies may limit plat and utility approvals beyond the City limits in a coordinated effort to protect significant portions of farmland.

The purpose of the A-2 (Apartment) district is to promote and preserve residential development within the city associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities.

COMMENTS:

City Development Department – Planning Division - Transportation

No objections.

City Development Department – Plan Review

No objections.

City Development Department - Landscaping Division

Approved as presented as landscaping plan.

City Development Department - Land Development

No objections.

Note:

Grading plan and permit shall be required.*

Storm Water Pollution Prevention Plan and/or permit required.*

Drainage plans must be approved by the City Development Department, Land Development Section.*

* This requirement will be applied at the time of development.

Fire Department

Recommend APPROVAL of Detailed Site Plan Application as presented.

NOTE

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.

Police Department

No objections.

Sun Metro

Sun Metro does not oppose this request.

El Paso Water Utilities

We have reviewed the subdivision referenced above and provide the following comments:

1. EPWU does not object to this request.

EPWU-PSB Comments

Water:

2. There is an existing 8-inch diameter water main along Camino Del Rey Dr. that extends east of the Mesa Drain. An 8-inch diameter water main extension will be required from the existing stub out on Camino Del Rey Dr. and Mesa Drain along the proposed extension of Camino Del Rey Dr. to the proposed development. The Owner/Developer is responsible for the water main extension costs.

Sanitary Sewer:

3. There is an existing 8-inch diameter sewer main along Camino Del Rey Dr. that extends to the west side of the Mesa Drain. This main is available for service. A sanitary sewer main extension will be required to extend along the proposed extension of Camino Del Rey Dr. to the proposed development. The Owner/Developer is responsible for the water main extension costs.

4. There is an existing 48-inch diameter sanitary sewer interceptor located approximately 20-feet west into the Mesa Drain right-of-way from its eastern boundary line. No direct service connections are allowed to this sanitary sewer main as per the El Paso Water Utilities – Public Service Board Rules and Regulations. A sanitary sewer main extension to the nearest manhole will be required to provide service from this 48-inch diameter sanitary sewer main. The Owner/Developer is responsible for the sanitary sewer extension costs.

General

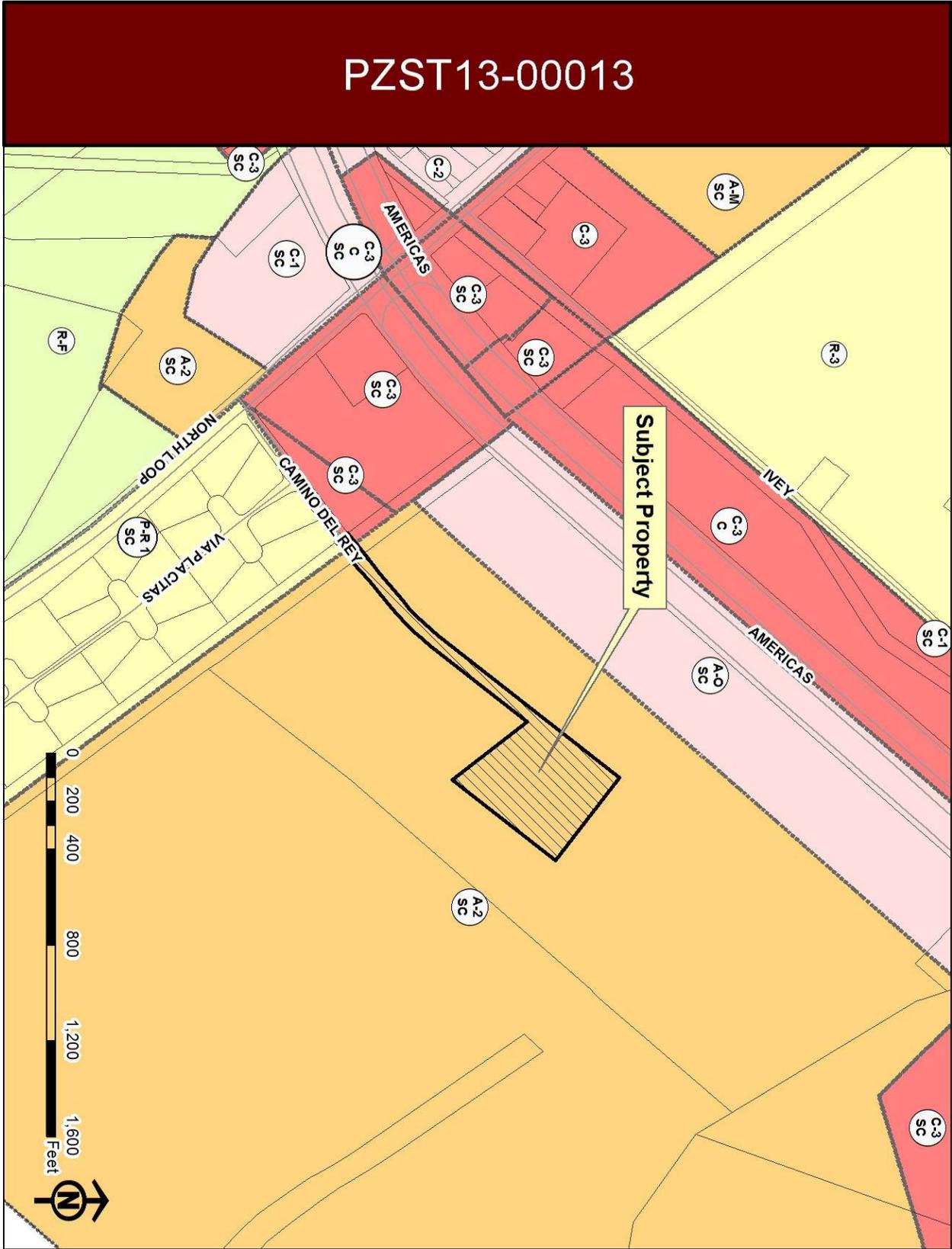
5. Mesa Drain is an El Paso County Water Improvement District No. 1 facility. Permits for installation of sanitary sewer main and manholes within the right of way are required. Owner/Developer is responsible for permit, survey and consideration fees.

6. EPWU requires a new service application 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 with street names and addresses; (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 Development Plan
4. Elevations
5. Ordinance No. 6567, dated May 1, 1979

ATTACHMENT 1: ZONING MAP



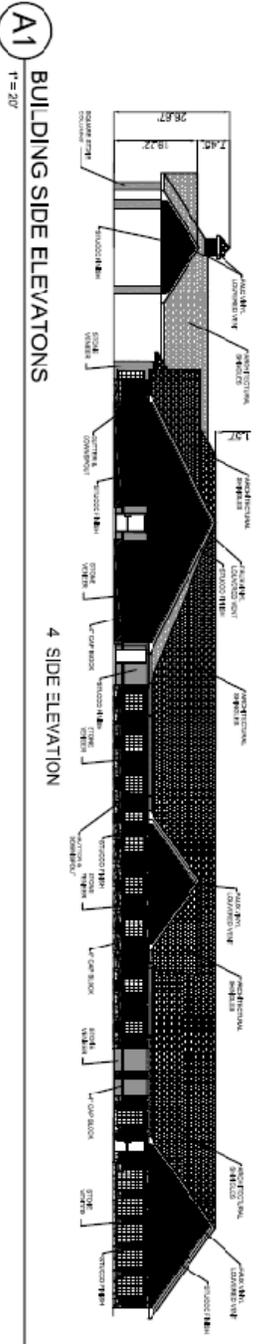
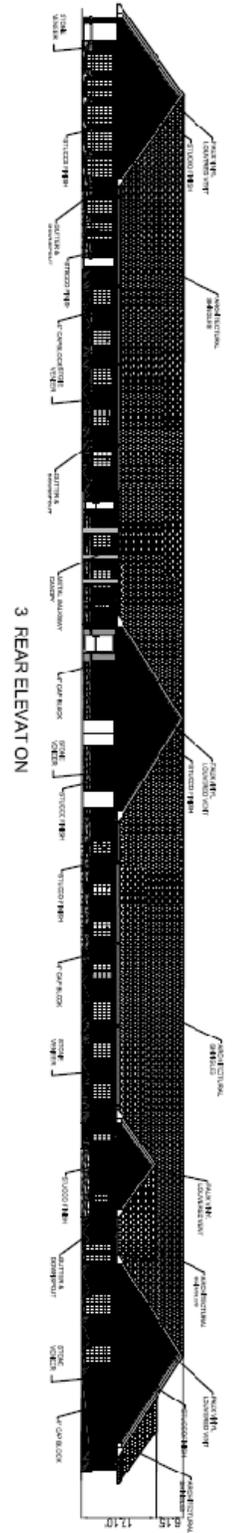
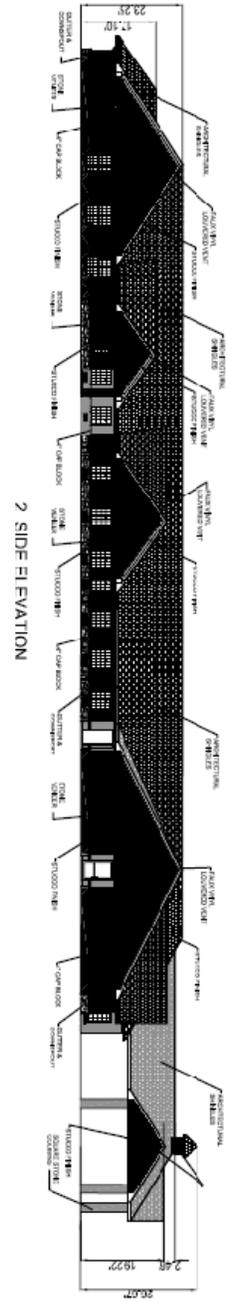
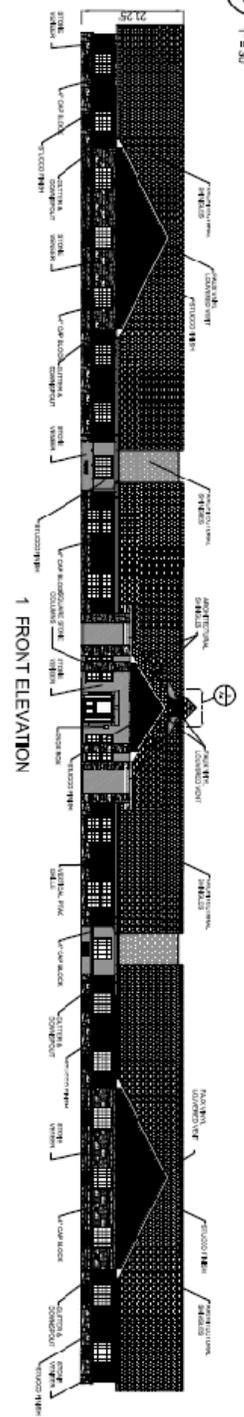
ATTACHMENT 2: AERIAL MAP

PZST13-00013



ATTACHMENT 4: ELEVATIONS

B1 SITE PLAN
1" = 30'



A1 BUILDING SIDE ELEVATIONS
1" = 20'

ATTACHMENT 5: ORDINANCE NO. 6567, DATED MAY 1, 1979

6567

AN ORDINANCE CHANGING THE ZONING OF TRACTS 1A AND 2, O. A. DANIELSON SURVEY #314; PORTION OF TRACT 1B1, O. A. DANIELSON SURVEY #314 AND PORTION OF TRACT 3B, BLOCK 56, YSLETA GRANT; LOT 1, BLOCK 1, A & M ADDITION; PORTION OF LOTS 1 AND 2, BLOCK 2, A & M ADDITION, AND PORTION OF TRACTS 2B AND 2C, BLOCK 1, YSLETA GRANT; PORTION OF LOTS 1 AND 2, BLOCK 2, A & M ADDITION AND PORTION OF TRACTS 1A AND 2A, BLOCK 1, AND TRACT 1B, BLOCK 2, YSLETA GRANT; PORTION OF TRACTS 2A, 2B, AND 2C, BLOCK 1, YSLETA GRANT; PORTION OF TRACT 2A, BLOCK 1, YSLETA GRANT; PORTION OF TRACTS 1A AND 2A, BLOCK 1, AND ALL OF TRACTS 4A AND 5, BLOCK 2, YSLETA GRANT; PORTION OF TRACT 2A, BLOCK 1, YSLETA GRANT; TRACTS 7B AND 8F, BLOCK 2, YSLETA GRANT, 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 Tracts 1A and 2, O. A. Danielson Survey #314; a portion of Tract 1B1, O. A. Danielson Survey #314 and a portion of Tract 3B, Block 56, Ysleta Grant; Lot 1, Block 1, A & M Addition; portion of Lots 1 and 2, Block 2, A & M Addition, and a portion of Tracts 2B and 2C, Block 1, Ysleta Grant; portion of Lots 1 and 2, Block 2, A & M Addition and a portion of Tracts 1A and 2A, Block 1, and Tract 1B, Block 2, Ysleta Grant; portion of Tracts 2A, 2B and 2C, Block 1, Ysleta Grant; portion of Tract 2A, Block 1, Ysleta Grant; portion of Tracts 1A and 2A, Block 1, and all of Tracts 4A and 5, Block 2, Ysleta Grant; a portion of Tract 2A, Block 1, Ysleta Grant; Tracts 7B and 8F, Block 2, Ysleta Grant, as more particularly described below, be changed to A-2 (Apartment), A-O (Apartment Professional Office), C-3 (Commercial) and C-4 (Commercial) within the meaning of the zoning ordinance, and the zoning map of the City of El Paso be revised accordingly.

Parcel 1 from R-3 (Residential) to C-4 (Commercial)

116.872 acres of land consisting of Tracts 1A and 2, O. A. Danielson Survey No. 314, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

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MAY 2 - 1979
DEPARTMENT
OF PLANNING

Beginning at the most northerly common corner of O. A. Danielson Surveys No. 314 and 315;

THENCE along the westerly boundary of said Survey No. 315, South 00°33'11" East a distance of 1111.95 feet to the TRUE POINT OF BEGINNING of this description;

THENCE continuing along the westerly boundary of said Survey No. 315, South 00°33'11" East a distance of 1968.34 feet to a point on the northeasterly right-of-way line of Interstate 10;

THENCE along the northeasterly right-of-way line of Interstate 10 the following seven courses:

South 87°03'22" West a distance of 378.44 feet,
North 68°35'33" West a distance of 867.18 feet,
North 44°01'40" West a distance of 1354.19 feet,
North 45°48'09" East a distance of 49.84 feet,
North 44°00'33" West a distance of 719.56 feet,
North 42°49'14" West a distance of 469.81 feet,
North 41°36'00" West a distance of 1603.87 feet to its intersection with the north boundary of said Survey No. 314;

THENCE along the north boundary of said Survey No. 314 North 89°59'59" East a distance of 2141.48 feet to a point;

THENCE along the southwesterly property line of Tract 1D, O. A. Danielson Survey No. 314, South 43°58'53" East a distance of 1559.57 feet to the TRUE POINT OF BEGINNING.

FR & R. 3

Parcel 3, from C-1 (Commercial) to C-1 (Commercial)

47.789 acres of land consisting of a portion of Tract 1B1, O. A. Danielson Survey No. 314 and a portion of Tract 1B, Block 56, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at a point on the northeasterly boundary of the Ysleta Grant for the most easterly common corner of Tracts 3A and 3B of said Block 56;

THENCE along the common boundary between said Survey No. 314 and Block 56, Ysleta Grant, South 41°36'00" East a distance of 960.67 feet to the TRUE POINT OF BEGINNING of this description;

THENCE along the westerly right-of-way line of the intersection of Interstate 10 and Americas Avenue, South 02°43'41" East a distance of 556.66 feet to a point;

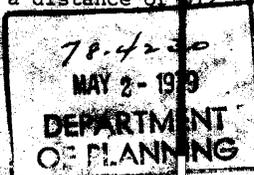
THENCE along the northwesterly right-of-way line of the Americas Avenue, the following four courses:

South 17°33'01" West a distance of 64.18 feet,
South 36°09'29" West a distance of 399.37 feet,
South 38°09'35" West a distance of 400.14 feet,
South 38°10'05" West a distance of 1503.10 feet to a point;

THENCE North 06°49'55" West a distance of 512.00 feet to a point;

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THENCE North 37°42'05" East a distance of 213.16 feet to a point;

THENCE North 16°05'02" East a distance of 258.72 feet to a point;

THENCE North 15°59'23" East a distance of 491.10 feet to a point on the southwesterly right-of-way line of Interstate 10;

THENCE South 44°42'25" East a distance of 701.24 feet to a point;

THENCE continuing along the southwesterly right-of-way line of Interstate 10, South 33°09'58" East a distance of 147.30 feet to a point;

THENCE along the westerly right-of-way line of the intersection of Interstate 10 and Americas Avenue South 02°43'41" East a distance of 270.88 feet to the TRUE POINT OF BEGINNING.

Parcel 5, from F-R (Farm Ranch) to C-3 (Commercial)

Lot 1, Block 1, A & M Addition, City of El Paso, El Paso County, Texas containing 7.862 acres.

Parcel 6A from F-R (Farm Ranch) to C-3 (Commercial)

Being the description of 47.375 acres of land consisting of a portion of Lot 1 and Lot 2, Block 2, A & M Addition and a portion of Tract 2B and 2C, Block 1, Yaleta Grant, City of El Paso, El Paso County, Texas and being more particularly described by notes and bounds as follows:

Beginning at a point, said point being the intersection of the easterly right-of-way line of Americas Avenue with the curb return of the southerly right-of-way line of A & M Circle;

THENCE along said southerly right-of-way line 31.42 feet along the arc of a curve to the right and having a radius of 20.00 feet, a central angle of 90°00'00" and a chord which bears North 83°06'15" East a distance of 28.28 feet to a point;

THENCE the following two courses along said right-of-way line;

South 51°53'45" East a distance of 597.36 feet

to a point for a curve;

35.52 feet along the arc of a curve to the right

having a radius of 30.00 feet, a central angle

of 67°50'45", and a chord which bears South 17°

58'23" East a distance of 23.48 feet to a point

lying on the westerly right-of-way line of Research

Drive,

THENCE the following three courses along said right-of-way line;

South 15°57'00" West a distance of 211.83 feet

to a point for a curve;

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307.16 feet along the arc of a curve to the left, having a radius of 445.00 feet, a central angle of 39°32'54" and a chord which bears South 03°49'27" East a distance of 301.10 feet to a point; South 23°35'54" East a distance of 688.80 feet to a point;

THENCE South 66°24'06" West a distance of 1220.59 feet to a point;

THENCE North 51°53'45" West a distance of 954.09 feet to a point lying on the easterly right-of-way line of Americas Avenue;

THENCE North 38°06'15" East along said right-of-way line a distance of 1820.15 feet to the POINT OF BEGINNING.

Parcels 6B and (7B), from F-1 (Farm Ranch) to A-2 (Apartment)

290.929 acres of land, consisting of a portion of Lot 1 and 2, Block 2, A & M Addition, a portion of Tract 1A and Tract 2A, Block 1, and Tract 1B, Block 2, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at the common corner of Block 1 and 56, Ysleta Grant with Block 5 of the Socorro Grant;

THENCE South 37°46'16" West along the common line of Block 1, Ysleta Grant with Block 5, Socorro Grant a distance of 3330.36 feet to a point lying on the northerly right-of-way line of the Mesa Drain;

THENCE North 39°44'00" West along said right-of-way line a distance of 3397.05 feet to a point;

THENCE North 38°06'15" East a distance of 2987.70 feet to a point;

THENCE South 51°53'45" East a distance of 547.17 feet to a point;

THENCE North 66°24'06" East a distance of 1220.59 feet to a point lying on the southerly right-of-way line of Research Drive;

THENCE South 23°35'54" East along said right-of-way line a distance of 1594.29 feet to a point;

THENCE North 66°24'06" East a distance of 45.00 feet to a point lying on the centerline of said Research Drive;

THENCE South 49°36'56" East a distance of 720.64 feet to a point;

THENCE South 15°57'00" West a distance of 496.74 feet to a point;

THENCE South 70°57'00" West a distance of 289.17 feet to the POINT OF BEGINNING of this description.

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Parcel 7A, from F-R (Farm Ranch) to A-O (Apartment Professional Office)

27.500 acres of land consisting of portions of Tracts 2A, 2B and 2C, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at the intersection of the northerly right-of-way line of Mesa Drain with the easterly right-of-way line of Americas Avenue;

THENCE North 38°06'15" East along the easterly right-of-way line of Americas Avenue a distance of 900.00 feet to a point;

THENCE South 51°53'45" East a distance of 106.92 feet to a point;

THENCE South 38°06'15" West a distance of 987.70 feet to a point lying on the northerly right-of-way line of the Mesa Drain;

THENCE North 39°44'00" West a distance of 16.26 feet to the POINT OF BEGINNING of this description.

Parcel 8A from F-R (Farm Ranch) to C-3 (Commercial)

10.000 acres of land consisting of a portion of Tract 2A, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at the point of intersection of northerly right-of-way line of North Loop Road and the easterly right-of-way line of Americas Avenue;

THENCE along the easterly right-of-way line of Americas Avenue the following two courses:

North 50°58'37" East a distance of 509.60 feet;
North 38°08'13" East a distance of 267.61 feet
to a point lying on the southerly right-of-way line of Mesa Drain;

THENCE South 39°44'00" East along said right-of-way line a distance of 559.40 feet to a point;

THENCE South 38°08'15" West a distance of 721.40 feet to a point lying on the northerly right-of-way line of North Loop Road;

THENCE North 44°29'00" West along said right-of-way line a distance of 664.32 feet to the POINT OF BEGINNING.

Parcel 8B, from F-R (Farm Ranch) to A-2 (Apartment)

36.632 acres of land consisting of portions of Tracts 1A and 2A, Block 1, and all of Tracts 4A and 5, Block 2, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

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South 42°16'15" West a distance of 390.36 feet,
South 50°51'10" West a distance of 395.75 feet
to a point,

THENCE along the northeasterly right-of-way line of North Loop Road North 44°29'00" West a distance of 220.98 feet to the POINT OF BEGINNING.

Parcel 11B, from F-R (Farm Ranch) to A-2 (Apartment)

5.969 acres of land consisting of Tracts 7B and 8F, block 2, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at the point of intersection of the southwesterly right-of-way line of North Loop Road and the southeasterly right-of-way line of Americas Avenue;

THENCE along the southwesterly right-of-way line of North Loop Road South 44°29'00" East a distance of 519.00 feet to the TRUE POINT OF BEGINNING of this description;

THENCE continuing along the southwesterly right-of-way line of North Loop Road South 44°29'00" East a distance of 433.40 feet to a point,

THENCE along the westerly property line of Tracts 8D and 7A of said Block 2 South 32°13'00" West a distance of 387.10 feet to a point;

THENCE along the northerly property line of Tract 7A, North 81°10'30" West a distance of 283.50 feet to a point;

THENCE along the northerly property line of Tract 3B the following two courses:

North 64°16'00" West a distance of 204.18 feet,
North 47°53'00" West a distance of 110.10 feet
to a point;

THENCE along the northeasterly property line of Tract 11A, North 02°41'00" West a distance of 167.20 feet to a point;

THENCE along the southerly property line of Tract 8A the following three courses:

South 52°26'00" East a distance of 150.00 feet,
South 84°48'18" East a distance of 199.13 feet,
North 30°31'00" East a distance of 400.00 feet

to the TRUE POINT OF BEGINNING.

PASSED AND APPROVED this 15th day of May, 1979.

ATTEST:

W. R. Regan
City Clerk

[Signature]
Mayor Pro Tem
APPROVED AS TO FORM:
[Signature]
City Attorney

I CERTIFY THAT THE FOLLOWING ZONING MAPS
HAVE BEEN REVISED: L.D.
5-14-79 COUNTER
5-14-79 ORIGINAL
5-14-79 [Signature]
5-14-79 CONTROL
I certify that the zoning map has been revised to reflect the amendment of ordinance #6567
By [Signature] Date 5-14-79

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Beginning at the common southeasterly corner of Block 1 and 2, Ysleta Grant, which also lies on the northwesterly boundary of Block 5, Socorro Grant;

THENCE along the southerly boundary of said Block 1, North 88°05'00" West a distance of 366.46 feet to a point;

THENCE along the southwesterly right-of-way line of Mesa Drain North 39°40'00" West a distance of 462.70 feet to the TRUE POINT OF BEGINNING of this description;

THENCE South 32°02'00" West a distance of 688.44 feet to a point;

THENCE along the northerly right-of-way line of North Loop Road North 38°15'59" West a distance of 646.04 feet to a point;

THENCE around the boundary of Tract 4B, Block 2, Ysleta Grant, the following three courses:

North 70°23'11" East a distance of 241.49 feet,
North 63°35'02" West a distance of 244.97 feet,
South 32°29'00" West a distance of 113.35 feet
to a point;

THENCE along the northerly right-of-way line of North Loop Road North 38°15'59" West a distance of 641.70 feet to a point;

THENCE continuing along the northerly right-of-way line of North Loop Road North 44°29'00" West a distance of 1077.84 feet to a point;

THENCE North 38°08'15" East a distance of 721.40 feet to a point lying on the southerly right-of-way line of Mesa Drain;

THENCE along the southerly right-of-way line of Mesa Drain, South 39°44'00" East a distance of 2487.57 feet to the TRUE POINT OF BEGINNING.

C-1

Parcel 9, from ~~P-R~~ (Farm Ranch) to C-3 (Commercial)

5.58± acres of land, being a portion of Tract 2A, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at the most westerly corner of said Tract 2A, being also the intersection of the northeasterly right-of-way line of North Loop Road and the southeasterly right-of-way line of Bryan Road;

THENCE along the southeasterly right-of-way line of Bryan Road, North 36°47'00" East a distance of 24.31 feet to a point;

THENCE along the southeasterly right-of-way line of Mesa Drain, South 39°44'00" East a distance of 362.18 feet to a point;

THENCE along the northwesterly right-of-way line of Americas Avenue, the following two courses:

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CONTRACT

THIS CONTRACT, made this 26th day of April, 1979, by and between IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, First Parties, and the CITY OF EL PASO, Second Party, witnesseth:

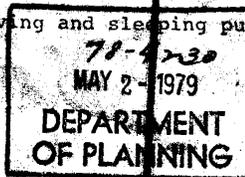
First Parties have applied to the City of El Paso for rezoning of certain property located in the City and County of El Paso, State of Texas, such property being more particularly described in Ordinance No. 6567, now pending before the City Council of the City of El Paso, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference. To remove certain objections to such rezoning, First Parties covenant that if the property is rezoned as indicated in the attached ordinance, it shall be subject to the following restrictions, conditions and covenants:

1. No development of any kind will be done on any parcel of the property until complete and detailed site development and architectural plans of the proposed development on such parcel have been submitted by First Parties and approved by the City Plan Commission of the City of El Paso.

2. No building permits will be issued for construction on parcel numbers 6B, 7A, 7B, 8B and 11B in Exhibit "A" attached hereto, until a subdivision map of the parcel upon which construction is to be performed has been approved by the City Plan Commission of the City of El Paso and filed for record.

3. The total number of dwelling units to be constructed on the portions of the property which are zoned A-2 and are described as parcel numbers 6B, 7B, 8B and 11B in Exhibit "A" attached hereto, shall not exceed 1500 units, notwithstanding the maximum number permitted under A-2 zoning. The term "dwelling unit" as used herein shall mean one or more habitable rooms, including kitchen facilities, designed for occupancy by one family for living and sleeping purposes.

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RESOLUTION

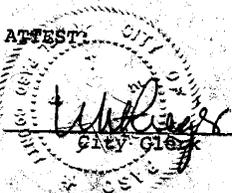
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract with Ivy Investments, Ltd and Davis Holdman, placing certain restrictions, conditions and covenants on the property being rezoned by Ordinance No. 672

ADOPTED this 1st day of MAY, 1979.



Mayor *W. T. ...*

ATTEST: 
City Clerk

78-4230
MAY 9 - 1979
DEPARTMENT
OF PLANNING

THE STATE OF TEXAS)
COUNTY OF EL PASO)

BEFORE ME, the undersigned authority, on this day personally appeared JOHN P. IVEY, General Partner of IVEY INVESTMENTS, LTD., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act of of said partnership, for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 26 day of April, 1979.

Guadalupe Rios
Notary Public in and for
El Paso County, Texas

GUADALUPE RIOS, Notary Public
in and for El Paso County, Texas
My commission expires Oct 27, 1980

THE STATE OF TEXAS)
COUNTY OF EL PASO)

BEFORE ME, the undersigned authority, on this day personally appeared DAVIS HOLDMAN, 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 therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 26 day of April, 1979.

Guadalupe Rios
Notary Public in and for
El Paso County, Texas

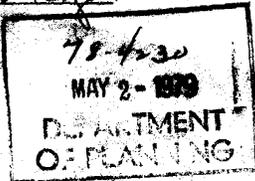
GUADALUPE RIOS, Notary Public
in and for El Paso County, Texas
My commission expires Oct 27, 1980

THE STATE OF TEXAS)
COUNTY OF EL PASO)

BEFORE ME, the undersigned authority, on this day personally appeared Dan A. Gordon, 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 SEAL OF OFFICE this 1st day of May, 1979.

S. Alicia Thel
Notary Public in and for
El Paso County, Texas



Thence, along said northerly proposed right-of-way line, North 51°01'03.50" East, a distance of 396.68 feet to a point of deflection;

Thence, along said northerly proposed right-of-way line, North 42°26'08.50" East, a distance of 401.01 feet to a point on the westerly right-of-way line of Mesa Drain;

Thence, along said westerly right-of-way line of Mesa Drain, South 39°44'00" East, a distance of 35.13 feet to a point on the northerly existing right-of-way line of Loop 375;

Thence, along said northerly existing right-of-way line, South 42°26'08.50" West, a distance of 399.60 feet to a point of deflection;

Thence, along said northerly existing right-of-way line, South 51°01'03.50" West, a distance of 395.95 feet to a point on the easterly right-of-way line of F.M. Highway 76 and to the true point of beginning, containing an area of 0.640 of an acre of land, more or less.

It is expressly agreed and understood that this is a partial release and the same shall in no wise release, affect or impair said contract against any other property in said instrument mentioned.

WITNESS THE FOLLOWING SIGNATURES AND SEAL:



[Handwritten Signature]
Mayor

[Handwritten Signature]

APPROVED AS TO FORM:

[Handwritten Signature]
Assistant City Attorney

APPROVED AS TO CONTENT:

[Handwritten Signature]
Department of Planning,
Research and Development

SIGNATURES CONTINUED ON NEXT PAGE

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THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 7th
day of April, 1987, by JONATHAN W. ROGERS, as
Mayor of the City of El Paso, Texas.

Billie Jean Branham
Notary Public, State of Texas

My Commission Expires:

6/30/88

TCG1:012

