

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

DEPARTMENT: Development Services Department

AGENDA DATE: Introduction: January 6, 2009
Public Hearing: January 27, 2009

CONTACT PERSON/PHONE: Christina Ainsworth, 541-4930

DISTRICT(S) AFFECTED: District 5, East ETJ (Adjacent to Districts 5 & 6)

SUBJECT:

An Ordinance changing the zoning of the following real property described as:

Parcel 1: A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, and Parcel 3: A portion of Section 47, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, and Parcel 4: A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, and Parcel 5: A portion of Section 47, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, and Parcel 11: A portion of Section 47, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, be changed from R-F (Ranch and Farm) to C-2 (Commercial) and imposing conditions; and, Parcel 2: A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, be changed from R-F (Ranch and Farm) To R-5 (Residential); and, Parcel 6: A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, be changed from R-F (Ranch and Farm) to C-1 (Commercial) and imposing conditions; and, Parcel 7: A portion of Sections 38 and 47, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, be changed from C-2 (Commercial) to GMU (General Mixed Use) and approving a master zoning plan; and, Parcel 8: A portion of Sections 38 and 47, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, be changed from R-5 (Residential) to GMU (General Mixed Use) and approving a master zoning plan; and, Parcel 9: A portion of Section 38, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, be changed from R-5 (Residential) to PR-II (Planned Residential); and, Parcel 10: A portion of Sections 38 and 47, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, be changed from R-5 (Residential) to C-2 (Commercial) and imposing conditions. The penalty is as provided for in chapter 20.24 of the El Paso City Code. Subject Property: East of Zaragoza Road near Pebble Hills Boulevard. Applicant: Ranchos Real IV, LTD. ZON08-00085 (District 5, East ETJ: Adjacent to Districts 5 & 6)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (4-2)

ZON08-00085

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DIRECTOR: *M. Airworth* ^{for} Victor Q. Torres

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

CITY CLERK DEPT.
08 DEC 24 PM 1:03

ORDINANCE NO. _____

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

PARCEL 1: A PORTION OF SECTIONS 47 AND 48, BLOCK 79, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND **PARCEL 3:** A PORTION OF SECTION 47, BLOCK 79, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND **PARCEL 4:** A PORTION OF SECTIONS 47 AND 48, BLOCK 79, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, AND **PARCEL 5:** A PORTION OF SECTION 47, BLOCK 79, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND **PARCEL 11:** A PORTION OF SECTION 47, BLOCK 79, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-F (RANCH AND FARM) TO C-2 (COMMERCIAL) AND IMPOSING CONDITIONS; AND,

PARCEL 2: A PORTION OF SECTIONS 47 AND 48, BLOCK 79, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-F (RANCH AND FARM) TO R-5 (RESIDENTIAL); AND,

PARCEL 6: A PORTION OF SECTIONS 47 AND 48, BLOCK 79, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-F (RANCH AND FARM) TO C-1 (COMMERCIAL) AND IMPOSING CONDITIONS; AND,

PARCEL 7: A PORTION OF SECTIONS 38 AND 47, BLOCK 79, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM C-2 (COMMERCIAL) TO GMU (GENERAL MIXED USE) AND APPROVING A MASTER ZONING PLAN; AND,

PARCEL 8: A PORTION OF SECTIONS 38 AND 47, BLOCK 79, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-5 (RESIDENTIAL) TO GMU (GENERAL MIXED USE) AND APPROVING A MASTER ZONING PLAN; AND,

PARCEL 9: A PORTION OF SECTION 38, BLOCK 79, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-5 (RESIDENTIAL) TO PR-II (PLANNED RESIDENTIAL); AND,

PARCEL 10: A PORTION OF SECTIONS 38 AND 47, BLOCK 79, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-5 (RESIDENTIAL) TO C-2 (COMMERCIAL) 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 Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, 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, and* **Parcel 3:** *A portion of Section 47, Block 79, Texas and Pacific Railway Company Surveys, 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, and* **Parcel 4:** *A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, 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, and* **Parcel 5:** *A portion of Section 47, Block 79, Texas and Pacific Railway Company Surveys, 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, and,* **Parcel 11:** *A portion of Section 47, Block 79, Texas and Pacific Railway Company Surveys, 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-F (Ranch and Farm)** to **C-2 (Commercial)** and imposing conditions; and,*

Parcel 2: *A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, 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-F (Ranch and Farm)** to **R-5 (Residential)**; and,*

Parcel 6: *A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, 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-F (Ranch and Farm)** to **C-1 (Commercial)** and imposing conditions; and,*

Parcel 7: *A portion of Sections 38 and 47, Block 79, Texas and Pacific Railway Company Surveys, 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 **C-2 (Commercial)** to **GMU (General Mixed Use)** such land uses allowed as being reflected in the Master Zoning Plan Report attached as Exhibit "B" incorporated herein for all purposes; and,*

Parcel 8: *A portion of Sections 38 and 47, Block 79, Texas and Pacific Railway Company Surveys, 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-5 (Residential)** to **GMU (General Mixed Use)** such land uses allowed as being reflected in the Master Zoning Plan Report attached as Exhibit "B" incorporated herein for all purposes; and,*

CITY CLERK DEPT.

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Parcel 9: *A portion of Section 38, Block 79, Texas and Pacific Railway Company Surveys, 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-5 (Residential) to PR-II (Planned Residential); and,*

Parcel 10: *A portion of Sections 38 and 47, Block 79, Texas and Pacific Railway Company Surveys, 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-5 (Residential) to C-2 (Commercial) and imposing conditions; and,*

Further, that **Parcels 1, 3, 4, 5, 6 10 and 11** 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. A detailed site development plan shall be reviewed approved per the El Paso City Code prior to the issuance of any building permits.*
- 2. A ten 10' wide landscape buffer with high profile native trees placed at 10' on center be required along the property line abutting any residential use prior to the issuance of any certificates of occupancy. The buffer location, width and plant material may be modified by the City Plan Commission through the detailed site development plan review and approval process.*

PASSED AND APPROVED this _____ day of _____, 2009.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

for *MP Ainsworth*

Mathew S. McElroy
Deputy Director – Planning
Development Services Department

Parcel 1 (R-F to C-2)

Being a portion of Sections 47 and 48,
Block 79, Township 2,
Texas and Pacific Railway Company Surveys,
El Paso County, Texas
October 30, 2008

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Sections 47 and 48, Block 79, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

The **"TRUE POINT OF BEGINNING"** being the southeast corner of Section 47, from which the southwest corner of Section 47, bears South 89°59'32" West a distance of 5,316.18 feet;

Thence along southerly line of Section 47, South 89°59'32" West a distance of 1055.05 feet to a point;

Thence leaving said line, North 00°34'52" West a distance of 368.02 feet to a point;

Thence, North 89°59'32" East a distance of 700.04 feet to a point;

Thence, North 00°34'52" West a distance of 700.04 feet to a point;

Thence, North 89°59'32" East a distance of 410.02 feet to a point;

Thence, South 00°34'52" East a distance of 975.30 feet to a point of curve;

Thence, 39.02 feet along the arc of a curve to the left which has a radius of 25.00 feet, a central angle of 89°25'36", and a chord which bears South 45°17'40" East a distance of 35.18 feet to a point;

Thence, South 00°00'28" East a distance of 68.00 feet to a point;

Thence South 89°59'32" West a distance of 79.08 feet to **"TRUE POINT OF BEGINNING"** and containing 16.01 acres of land more or less.

Not a ground survey.



Ron R. Conde
R.P.L.S. No. 5152



job # 807-64

CONDE, INC.

**ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283**

Parcel 2 (R-F to R-5)

Being a portion of Sections 47 and 48,
Block 79, Township 2,
Texas and Pacific Railway Company Surveys,
El Paso County, Texas
November 6, 2008

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Sections 47 and 48, Block 79, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at the southeast corner of Section 47, from which the southwest corner of Section 47, bears South 89°59'32" West a distance of 5,316.18 feet, Thence along the southerly line of Section 47, South 89°59'32" West a distance of 1055.05 feet to a point for the **"TRUE POINT OF BEGINNING"**;

Thence along said line South 89°59'32" West a distance of 3161.07 feet to a point;

Thence leaving said line, North 00°34'37" West a distance of 454.97 feet to a point;

Thence, South 89°59'32" West a distance of 700.03 feet to a point;

Thence, North 00°34'37" West a distance of 613.08 feet to a point;

Thence, South 89°59'32" West a distance of 300.01 feet to a point;

Thence, North 00°34'37" West a distance of 1784.96 feet to a point;

Thence, North 89°58'26" West a distance of 100.01 feet to a point;

Thence, North 00°34'37" West a distance of 809.08 feet to a point;

Thence, North 89°58'35" East a distance of 50.00 feet to a point;

Thence, North 00°34'37" West a distance of 297.01 feet to a point;

Thence, North 89°58'35" East a distance of 833.06 feet to a point;

Thence, North 00°31'57" West a distance of 705.30 feet to a point;

Thence, South 89°58'57" East a distance of 1825.08 feet to a point;

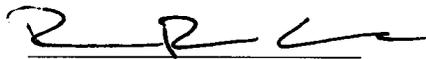
Thence, South 00°31'57" East a distance of 562.75 feet to a point;

Thence, North 89°58'35" East a distance of 495.46 feet to a point;

Thence, South 00°31'57" East a distance of 982.19 feet to a point;
Thence, North 89°58'33" East a distance of 1546.02 feet to a point;
Thence, South 00°01'27" East a distance of 499.20 feet to a point;
Thence, North 89°58'33" East a distance of 626.84 feet to a point;
Thence, South 00°34'52" East a distance of 1552.44 feet to a point;
Thence, South 89°59'32" West a distance of 410.02 feet to a point;
Thence, South 00°34'52" East a distance of 700.04 feet to a point;
Thence, South 89°59'32" West a distance of 700.04 feet to a point;

Thence South 00°34'52" East a distance of 368.02 feet to "TRUE POINT OF BEGINNING" and containing in all 432.84 acres of land more or less.

Not a ground survey.



Ron R. Conde
R.P.L.S. No. 5152



job # 808-21

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

Parcel 3 (R-F to C-2)

Being a portion of Section 47,
Block 79, Township 2,
Texas and Pacific Railway Company Surveys,
El Paso County, Texas
October 30, 2008

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Section 47, Block 79, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at the southeast corner of Section 47, from which the southwest corner of Section 47, bears South 89°59'32" West a distance of 5,316.18 feet;; Thence along the southerly line of Section 47, South 89°59'32" West a distance of 4216.12 feet to a point for the **"TRUE POINT OF BEGINNING"**

Thence along the southerly line of Section 47, South 89°59'32" West a distance of 1000.04 feet to a point;

Thence leaving said line, North 00°34'37" West a distance of 1068.05 feet to a point;

Thence, North 89°59'32" East a distance of 300.01 feet to a point;

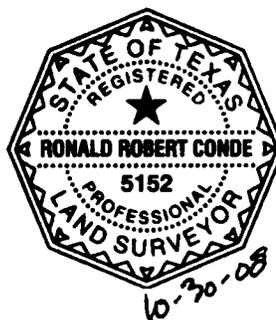
Thence, South 00°34'37" East a distance of 613.08 feet to a point;

Thence, North 89°59'32" East a distance of 700.03 feet to a point;

Thence South 00°34'37" East a distance of 454.97 feet to **"TRUE POINT OF BEGINNING"** and containing 14.67 acres of land more or less.

Not a ground survey.


Ron R. Conde
R.P.L.S. No. 5152



job # 808-21

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

Parcel 4 (R-F to C-2)

Being a portion of Sections 47 and 48,
Block 79, Township 2,
Texas and Pacific Railway Company Surveys,
El Paso County, Texas
September 16, 2008

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Sections 47 and 48, Block 79, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at the southeast corner of Section 47, from which the southwest corner of Section 47, bears South 89°59'32" West a distance of 5,316.18 feet;; Thence North 00°37'18" East a distance of 2620.30 feet to a point for the **"TRUE POINT OF BEGINNING"**

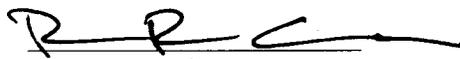
Thence South 89°58'33" West a distance of 626.84 feet to a point;

Thence North 00°01'27" West a distance of 499.20 feet to a point;

Thence North 89°58'33" East a distance of 621.99 feet to a point;

Thence South 00°34'52" East a distance of 499.22 feet to **"TRUE POINT OF BEGINNING"** and containing 7.156 acres of land more or less.

Not a ground survey.


Ron R. Conde
R.P.L.S. No. 5152



job # 808-21

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

Parcel 5 (R-F to C-2)

Being a portion of Section 47,
Block 79, Township 2,
Texas and Pacific Railway Company Surveys,
El Paso County, Texas
October 30, 2008

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Section 47, Block 79, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at the southeast corner of Section 47, from which the southwest corner of Section 47, bears South 89°59'32" West a distance of 5,316.18 feet;; Thence North 27°42'36" West a distance of 4631.79 feet to a point for the **"TRUE POINT OF BEGINNING"**

Thence South 89°58'35" West a distance of 495.46 feet to a point;

Thence North 00°31'57" West a distance of 562.75 feet to a point;

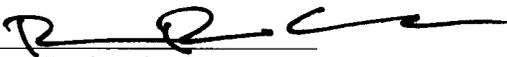
Thence South 89°58'57" East a distance of 214.75 feet to a point;

Thence South 00°01'25" East a distance of 7.57 feet to a point;

Thence North 89°58'35" East a distance of 280.78 feet to a point;

Thence South 00°31'57" East a distance of 555.02 feet to **"TRUE POINT OF BEGINNING"** and containing 6.35 acres of land more or less.

Not a ground survey.


Ron R. Conde
R.P.L.S. No. 5152



job # 808-21

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

Parcel 6 (R-F to C-1)

Being a portion of Sections 47 and 48,
Block 79, Township 2,
Texas and Pacific Railway Company Surveys,
El Paso County, Texas
October 30, 2008

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Sections 47 and 48, Block 79, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at the southeast corner of Section 47, from which the southwest corner of Section 47, bears South 89°59'32" West a distance of 5,316.18 feet;; Thence North 00°24'12" East a distance of 4656.60 feet to a point for the **"TRUE POINT OF BEGINNING"**

Thence South 89°58'35" West a distance of 2472.49 feet to a point;

Thence North 00°01'25" West a distance of 7.57 feet to a point;

Thence, 925.97 feet along the arc of a curve to the left which has a radius of 1555.00 feet, a central angle of 34°07'06", a chord which bears North 72°57'29" East a distance of 912.35 feet to a point;

Thence, 859.25 feet along the arc of a curve to the right which has a radius of 1445.00 feet, a central angle of 34°04'13" a chord which bears North 72°56'03" East a distance of 846.65 feet to a point;

Thence, North 89°58'09" East a distance of 625.76 feet to a point of curvature;

Thence, 39.03 feet along the arc of a curve to the right which has a radius of 25.00 feet, a central angle of 89°26'59", a chord which bears South 45°18'22" East a distance of 35.19 feet to a point;

Thence leaving said arc, South 89°46°51" East a distance of 55.01 feet to a point at the east line of Section 47;

Thence North 00°34'52" West a distance of 80.00 feet to a point;

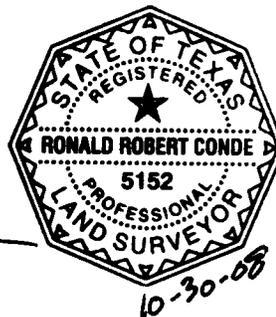
Thence North 89°58'09" East a distance of 55.00 feet to a point;

Thence South 00°34'52" East a distance of 498.09 feet to a point;

Thence, 39.03 feet along the arc of a curve to the left which has a radius of 25.00 feet, a central angle of $89^{\circ}26'33$, a chord which bears South $45^{\circ}18'09$ " East a distance of 35.18 feet to a point;

Thence South $00^{\circ}50'04$ " East a distance of 55.01 feet to "TRUE POINT OF BEGINNING" and containing 19.33 acres of land more or less.

Not a ground survey.



job # 808-21

R R C
Ron R. Conde
R.P.L.S. No. 5152

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

Parcel 7 (C-2 to GMU)

Being a portion of Sections 38 and 47,
Block 79, Township 2,
Texas and Pacific Railway Company Surveys,
City of El Paso, El Paso County, Texas
October 30, 2008

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Sections 38 and 47, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at the northeast corner of Section 47, from which the northwest corner of Section 47, bears South 89°59'49" West a distance of 5315.81 feet; Thence South 34°11'05" West a distance of 96.45 feet to the "TRUE POINT OF BEGINNING".

Thence 39.03 feet along the arc of a curve to the left whose radius is 25.00 feet whose interior angle is 89°26'59" a chord which bears North 45°18'22" West a distance of 35.19 feet to a point;

Thence, South 89°58'09" West a distance of 575.26 feet to a point;

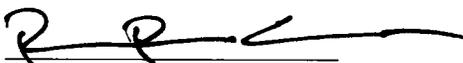
Thence, North 00°35'06" West a distance of 280.06 feet to a point;

Thence, South 89°48'59" East a distance of 600.05 feet to a point;

Thence South 00°35'06" East a distance of 222.82 feet to a point;

Thence South 00°34'52" East a distance of 79.76 feet to "TRUE POINT OF BEGINNING" and containing 3.845 acres of land more or less.

Not a ground survey.


Ron R. Conde
R.P.L.S. No. 5152



job # 808-21

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

Parcel 8 (R-5 to GMU)

Being a portion of Sections 38 and 47,
Block 79, Township 2,
Texas and Pacific Railway Company Surveys,
City of El Paso, El Paso County, Texas
October 30, 2008

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Sections 38 and 47, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at the northeast corner of Section 47, from which the northwest corner of Section 47, bears South 89°59'49" West a distance of 5,315.81 feet; Thence South 85°09'56" West a distance of 656.81 feet to a point for the **"TRUE POINT OF BEGINNING"**

Thence South 89°58'09" West a distance of 50.50 feet to a point of curve;

Thence, 859.25 feet along the arc of a curve to the left which has a radius of 1445.00 feet, a central angle of 34°04'13" a chord which bears South 72°56'03" West a distance of 846.65 feet to a point;

Thence, 925.97 feet along the arc of a curve to the right which has a radius of 1555.00 feet, a central angle of 34°07'06", a chord which bears South 72°57'29" West a distance of 912.35 feet to a point;

Thence North 89°58'57" West a distance of 214.75 feet to a point;

Thence, North 00°31'57" West a distance of 802.15 feet to a point;

Thence South 89°48'59" East a distance of 1951.51 feet to a point;

Thence South 00°35'06" East a distance of 280.06 feet to **"TRUE POINT OF BEGINNING"** and containing 25.36 acres of land more or less.

Not a ground survey.


Ron R. Conde
R.P.L.S. No. 5152



job # 808-21

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

Parcel 9 (R-5 to PR-II)

Being a portion of Section 38,
Block 79, Township 2,
Texas and Pacific Railway Company Surveys,
City of El Paso, El Paso County, Texas
October 30, 2008

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Section 38, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at the northeast corner of Section 47, from which the northwest corner of Section 47, bears South 89°59'49" West a distance of 5315.81 feet; Thence North 84°56'27" West a distance of 2619.03 feet to the **"TRUE POINT OF BEGINNING"**.

Thence North 89°48'59" West a distance of 32.00 feet to a point;

Thence, North 00°31'57" West a distance of 60.14 feet to a point;

Thence, North 89°49'12" West a distance of 1729.67 feet to a point;

Thence, North 28°13'39" East a distance of 313.31 feet to a point;

Thence North 12°50'03" East a distance of 141.83 feet to a point;

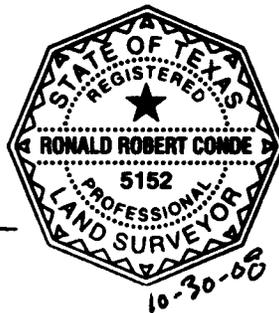
Thence North 00°31'57" West a distance of 121.10 feet to a point;

Thence South 89°49'12" East a distance of 1578.12 feet to a point;

Thence South 00°31'57" East a distance of 596.17 feet to **"TRUE POINT OF BEGINNING"** and containing 20.20 acres of land more or less.

Not a ground survey.


Ron R. Conde
R.P.L.S. No. 5152



job # 808-21

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

Parcel 10 (R-5 to C-2)

Being a portion of Sections 38 and 47,
Block 79, Township 2,
Texas and Pacific Railway Company Surveys,
City of El Paso, El Paso County, Texas
October 30, 2008

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Sections 38 and 47, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at the northeast corner of Section 47, from which the northwest corner of Section 47, bears South 89°59'49" West a distance of 5315.81 feet; Thence South 82°45'47" West a distance of 4529.54 feet to the **"TRUE POINT OF BEGINNING"**.

Thence North 89°58'57" West a distance of 166.57 feet to a point;

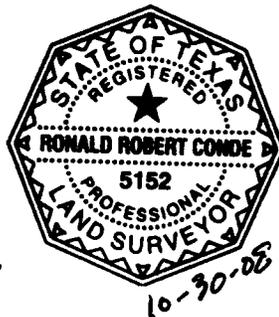
Thence, North 00°34'37" West a distance of 808.13 feet to a point;

Thence, South 89°48'59" East a distance of 167.21 feet to a point;

Thence South 00°31'57" East a distance of 807.64 feet to **"TRUE POINT OF BEGINNING"** and containing 3.095 acres of land more or less.

Not a ground survey.


Ron R. Conde
R.P.L.S. No. 5152



job # 808-21

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

Parcel 11 (R-F to C-2)

Being a portion of Section 47,
Block 79, Township 2,
Texas and Pacific Railway Company Surveys,
El Paso County, Texas
October 30, 2008

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Section 47, Block 79, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at the northeast corner of Section 47, from which the northwest corner of Section 47, bears South 89°59'49" West a distance of 5315.81 feet; Thence South 82°39'16" West a distance of 4463.08 feet to the **"TRUE POINT OF BEGINNING"**.

Thence South 00°31'57" East a distance of 705.30 feet to a point;

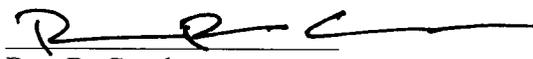
Thence, South 89°58'35" West a distance of 833.06 feet to a point;

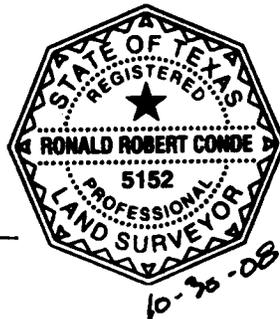
Thence, North 00°34'37" West a distance of 680.64 feet to a point;

Thence, 39.53 feet along the arc of a curve to the right which has a radius of 25.00 feet, a central angle of 90°35'40", a chord which bears North 44°43'13" East a distance of 35.54 feet to a point;

Thence South 89°58'57" East a distance of 808.35 feet to **"TRUE POINT OF BEGINNING"** and containing 13.50 acres of land more or less.

Not a ground survey.


Ron R. Conde
R.P.L.S. No. 5152

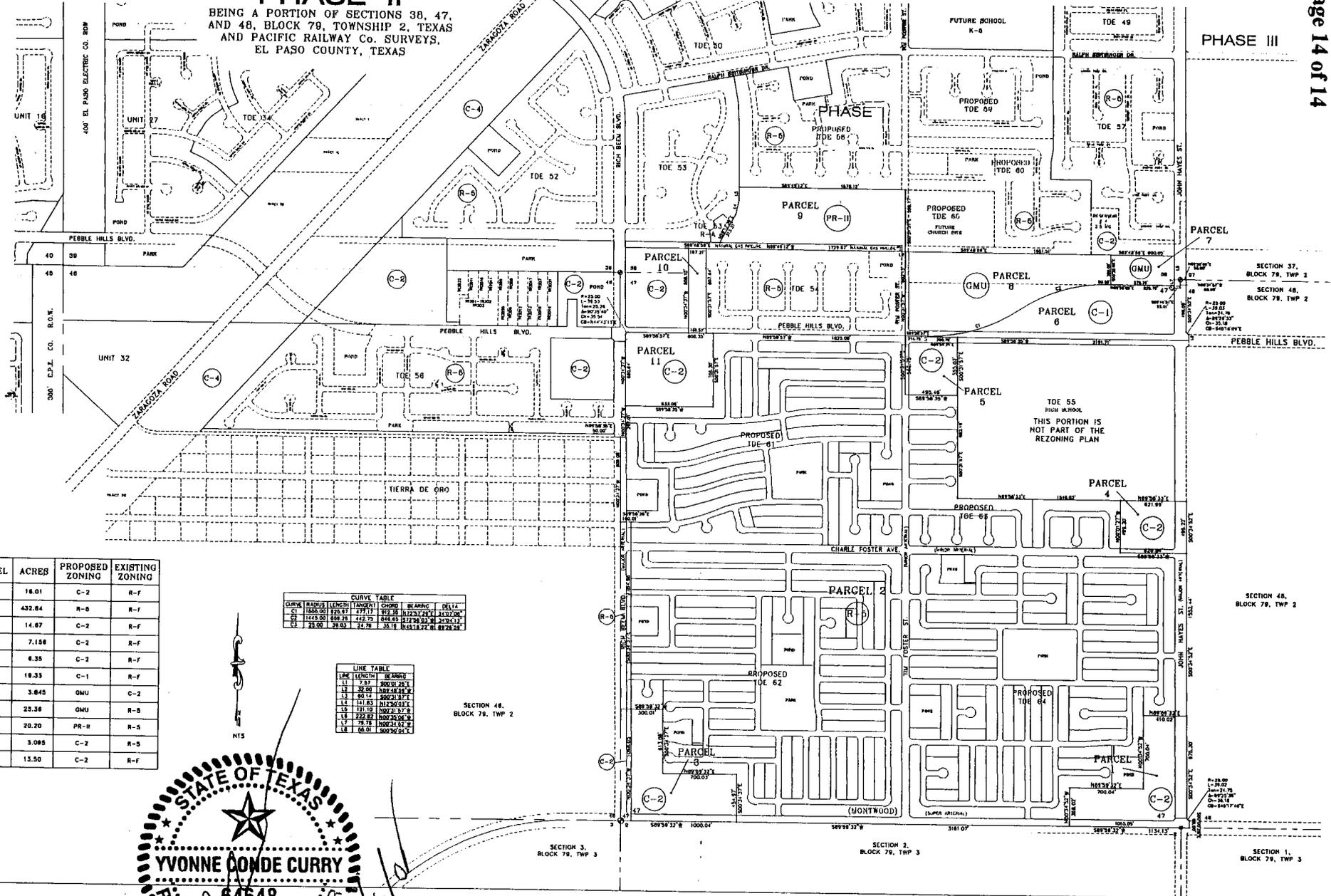


job # 808-21

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

ZONING PLAN PHASE II

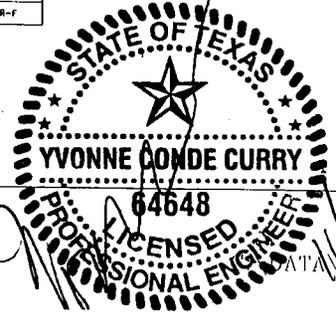
BEING A PORTION OF SECTIONS 36, 47,
AND 48, BLOCK 79, TOWNSHIP 2, TEXAS
AND PACIFIC RAILWAY Co. SURVEYS,
EL PASO COUNTY, TEXAS



PARCEL	ACRES	PROPOSED ZONING	EXISTING ZONING
1	18.01	C-2	R-F
2	432.84	R-0	R-F
3	14.07	C-2	R-F
4	7.158	C-2	R-F
5	6.35	C-2	R-F
6	19.33	C-1	R-F
7	3.845	GMU	C-2
8	25.56	GMU	R-5
9	20.70	PR-II	R-5
10	3.095	C-2	R-5
11	13.50	C-2	R-F

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	1800.00	875.87	477.13	312.28	N127°23'21"	110°27'06"
C2	1143.00	694.78	442.72	244.63	S123°02'41"	103°17'11"
C3	25.00	39.03	22.78	38.18	N45°18'22"	81°28'54"

LINE LENGTH	BEARING
L1	V.87
L2	N10°00'00"E
L3	S6°12'00"E
L4	N12°00'00"E
L5	N10°00'00"E
L6	S22°42'00"E
L7	S78°00'00"E
L8	S68°00'00"E



SECTION 46,
BLOCK 79, TWP 2

SECTION 3,
BLOCK 79, TWP 3

SECTION 2,
BLOCK 79, TWP 3

SECTION 1,
BLOCK 79, TWP 3

TDE III PHASE II GMU MASTER ZONING PLAN

Date: October 31, 2008

Purpose: To encourage the following: a Mixed Use Development that will contain residential, office and commercial retail uses. Provide multi-modal form of transportation (pedestrian friendly) and to provide form and continuity of building and street scapes.

Relationship to Comprehensive

Plan: The 2025 El Paso Comprehensive Plan designates this area as Extraterritorial Jurisdiction (no General Land Use designations).

	Proposed Land Use	Percent of Development	Density	Lot Sizes	Lot Coverage	Yard Setbacks	Building Height	Buffers	Phase	Timing
1.00	Agricultural	n/a							n/a	
	Vetinary Treatment (Small)		n/a	¼ Acre Minimum	50%	10' Front / 10' Side	25' Maximum	Landscape Only		
2.00	Commercial Storage:	2%							n/a	5 yrs
	Office Warehouse		n/a	2 Acre Manimum	50%	10' Front/ 25' Rear	35' Maximum	Landscape Only		
	Self Storage		n/a	2 Acre Minimum	40%	10' Front/ 25' Rear	25' Maximum	Landscape Only		
3.00	Educational:	2%							n/a	5 yrs
	Art Gallery		n/a	n/a	75%	n/a	45' Maximum	n/a		
	Child Care Facility		n/a	½ Acre Minimum	50%	n/a	25" Maximum	n/a		
	Church/Synagogue		n/a	1 Acre Minimum	50%	20' Front / 10' Side / 20' Rear	45' Maximum	Landscape Only		
	Community Recreational Center		n/a	1Acre Minimum	50%	n/a	45' Maximum	Landscape Only		
	Library / Museum		n/a	½ Acre Minimum	75%	n/a	45' Maximum	n/a		
	School		n/a	1 Acre Minimum	60%	20' Front / 10' Side / 20' Rear	45' Maximum	n/a		
	Youth Organization		n/a	5 Acre Minimum	50%	20' Front / 10' Side / 20' Rear	45' Maximum	Landscape Only		
4.00	Office	2%							n/a	5 yrs
	Bank / ATM/ Credit Union/ Financial Institution		n/a	¼ Acre Minimum	75%	20' Rear	25' Maximum	Landscape Only		
	Offices (Business, Medical, Professional)		n/a	n/a	75%	n/a	45' Maximum	n/a		
	Studio (Dance/Music/Photography)		n/a	n/a	75%	n/a	45' Maximum	n/a		
6.00	Medical	2%							n/a	5 yrs
	Clinic		n/a	n/a	75%	n/a	25' Maximum	Landscape Only		

TDE III PHASE II GMU MASTER ZONING PLAN

Date: October 31, 2008

	Proposed Land Use	Percent of Development	Density	Lot Sizes	Lot Coverage	Yard Setbacks	Building Height	Buffers	Phase	Timing
	Drug Store/Pharmacy		n/a	n/a	75%	n/a	25' Maximum	Landscape Only		
	Hospital		n/a	1 Acre Minimum	50%	20' Front / 10' Side / 20' Rear	45' Maximum	Landscape Only		
	Assisted Living (Elderly Care)		n/a	1 Acre Minimum	50%	n/a	25' Maximum	Landscape Only		
	Optical Dispensary		n/a	1/4 Acre Minimum	50%	10' Front /20' Rear	25' Maximum	Landscape Only		
8.00	Motor Vehicle Sales & Service (in Building)	2%							n/a	5 yrs
	Auto Parts Sales		n/a	1/4 Arce Minimum	50%	10' Front /20' Rear	25' Maximum	Landscape Only		
	Car Wash (Full)		n/a	1/2 Acre Minimum	50%	10' Front /20' Rear	30' Maximum	Landscape Only		
	Auto Service Station		n/a	1/4 Acre Minimum	50%	20' Front / 10'/ 20' Rear	30' Maximum	Landscape Only		
10.00	Personal Services	20%	n/a						n/a	5 yrs
	Barber Shop/Beauty Salon		n/a	n/a	75%	n/a	25' Maximum	n/a		
	Dry Cleaning		n/a	2,500 Sq. Ft.	75%	n/a	25' Maximum	n/a		
	Laundromat		n/a	n/a	75%	n/a	25' Maximum	n/a		
	Massage Parlor		n/a	n/a	75%	n/a	25' Maximum	n/a		
	Photo Finishing Lab		n/a	n/a	75%	n/a	25' Maximum	n/a		
	Shoe Shop Repair		n/a	n/a	75%	n/a	25' Maximum	n/a		
11.00	Recreational	5%							n/a	5 yrs
	Athletic Facility		n/a	n/a	50%	n/a	45' Maximum	Landscape Only		
	Open Space		n/a	n/a	50%	n/a	n/a	n/a		
	Amusement Game Complex/Bowling Alley		n/a	1 Acre Minimum	70%	10' Front/ 20' Rear	45' Maximum	Landscape Only		
	Community Recreation Facility		n/a	1 Acre Minimum	70%	10' Front/ 20' Rear	45' Maximum	Landscape Only		
	Dance Hall		n/a	1Acre Minimum	70%	10' Front/ 20' Rear	45' Maximum	Landscape Only		
	Miniture Golf		n/a	1 Acre Minimum	70%	10' Front/ 20' Rear	45' Maximum	Landscape Only		
	Raquetball Club		n/a	1 Acre Maximum	75%	n/a	45' Maximum	Landscape Only		
	Swimming Pool		n/a	2 Acre Maximum	75%	10' Front / 10' Side/ 20' Rear	45' Maximum	Landscape Only		
12.00	Repair Services	2%							n/a	5 yrs
	Household Goods repair		n/a	n/a	75%	n/a	25' Maximum	Landscape Only		

TDE III PHASE II GMU MASTER ZONING PLAN

Date: October 31, 2008

	Proposed Land Use	Percent of Development	Density	Lot Sizes	Lot Coverage	Yard Setbacks	Building Height	Buffers	Phase	Timing
	Personal Goods repair		n/a	n/a	75%	n/a	25' Maximum	Landscape Only		
13.00	Residential	5%							n/a	5 yrs
	Apartments	30%	14/ Acre	n/a	75%	n/a	45' Maximum	n/a		
	Live Work Flex Unit	30%	10/Acre	1,000 Sq. Ft. Minimum	50%	n/a	50' Maximum	n/a		
	Duplex	10%	6/ Acres	6,000 Sq. Ft. Minimum	50%	10' Front / 15' Rear 20' Minimum Driveway	25' Maximum	n/a		
	Quadraplex	10%	10/ Acres	8,000 Sq. Ft. Minimum	50%	10' Front / 15' Rear 20' Minimum Driveway	25' Maximum	n/a		
	Single Family (Attached/Detached)	10%	14/ Acres	5,000 Sq. Ft. / 4, 000 Sq. Ft. Minimum	50%	10' Front / 15' Rear 20' Minimum Driveway	25' Maximum	n/a		
	Triplex	10%	8/ Acres	7,000 Sq. Ft. Minimum	50%	10' Front / 15' Rear 20' Minimum Driveway	25' Maximum	n/a		
14.00	Sales	40%							n/a	5 yrs
	Bakery		n/a	n/a	75%	n/a	25' Maximum	n/a		
	Book Store		n/a	n/a	75%	n/a	25' Maximum	n/a		
	Boutique		n/a	n/a	75%	n/a	25' Maximum	n/a		
	Convenience Store w/ Gas Pump		n/a	½ Acre Minimum	50%	10' Front / 10' Side/ 20' Rear	25' Maximum	n/a		
	Delicatessan		n/a	n/a	75%	n/a	25' Maximum	n/a		
	Hobby Store		n/a	n/a	75%	n/a	35' Maximum	n/a		
	Flower Shop		n/a	n/a	75%	n/a	25' Maximum	n/a		
	Delicatessan		n/a	n/a		n/a	25' Maximum	n/a		
	Drug Store		n/a	n/a		n/a	25' Maximum	n/a		
	Grocery		n/a	n/a	75%	n/a	25' Maximum	n/a		
	Ice Cream Parlor		n/a	n/a	75%	n/a	25' Maximum	n/a		
	Music Store		n/a	n/a	75%	n/a	25' Maximum	n/a		
	Nursery (Green House)		n/a	½ Acre Minimum	25%	10' Front / 10' Side/ 20' Rear	25' Maximum	Landscape Only		
	Other Retail (Low Volume)		n/a	n/a	75%	n/a	25' Maximum	Landscape Only		
	Package Liquor Store		n/a	n/a	50%	n/a	25' Maximum	Landscape Only		
	Shopping Center Community		n/a	8 Acre Minimum	40%	10' Front / 10' Side/ 20' Rear	25' Maximum	Landscape Only		
	Pet Shop		n/a	n/a	75%	n/a	25' Maximum	Landscape Only		
	Print & Copy Shop		n/a	n/a	75%	10' Front /10'Side/20'Rear	25' Maximum	Landscape Only		
	Restaurant		n/a	n/a	75%	10' Front /10'Side/20'Rear	25' Maximum	Landscape Only		
	Snow Cone Stand		n/a	n/a	75%	n/a	25' Maximum	n/a		

**TDE III PHASE II
GMU MASTER ZONING PLAN**

Date: October 31, 2008

	Proposed Land Use	Percent of Development	Density	Lot Sizes	Lot Coverage	Yard Setbacks	Building Height	Buffers	Phase	Timing
	Sporting Goods Store		n/a	n/a	75%	10' Front /10'Side/20'Rear	25' Maximum	Landscape Only		
17.00	Towers	n/a							n/a	
	Personal Services Wireless Facility (as per section 20.10.455)		n/a	n/a	n/a	n/a	n/a	Landscape Only		
19.00	Utility & Miscellaneous	n/a	n/a	n/a					n/a	
	Government Use Building		n/a	n/a	75%	n/a	25' Maximum	Landscape Only		
	Major Utility Facility		n/a	n/a	75%	n/a	25' Maximum	Landscape Only		



CITY COUNCIL

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN, JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

VICTOR Q. TORRES
DIRECTOR, DEVELOPMENT SERVICES

MATHEW S. McELROY
DEPUTY DIRECTOR, PLANNING

DEVELOPMENT SERVICES
PLANNING DIVISION

MEMORANDUM

DATE: December 24, 2008

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

FROM: Christina Ainsworth, Lead Planner

SUBJECT: ZON08-00085

The City Plan Commission (CPC), on December 4, 2008, voted **4-2** to recommend **APPROVAL** of rezoning subject property as follows:

Parcels 1, 3, 4, 5 and 11 from R-F (Ranch and Farm) to C-2 (Commercial); Parcel 2 from R-F (Ranch and Farm) To R-5 (Residential); Parcel 6 from R-F (Ranch and Farm) to C-1 (Commercial); Parcel 7: from C-2 (Commercial) to GMU (General Mixed Use); Parcel 8 from R-5 (Residential) to GMU (General Mixed Use); Parcel 9 from R-5 (Residential) to PR-II (Planned Residential); and Parcel 10 from R-5 (Residential) to C-2 (Commercial), concurring with staff's recommendation. The following conditions were also recommended for Parcels 1, 3, 4, 5, 6 10 and 11:

- 1. A detailed site development plan shall be reviewed approved per the El Paso City Code prior to the issuance of any building permits.*
- 2. A ten 10' wide landscape buffer with high profile native trees placed at 10' on center be required along the property line abutting any residential use prior to the issuance of any certificates of occupancy. The buffer location, width and plant material may be modified by the City Plan Commission through the detailed site development plan review and approval process.*

The CPC found that the rezoning is in conformance with The Plan for El Paso and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that the rezoning protects the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the rezoning will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was **NO OPPOSITION** to this request.

Attachment: Staff report.

ZON08-00085



City of El Paso – City Plan Commission Staff Report

Case No: ZON08-00085
Application Type Rezoning
CPC Hearing Date December 4, 2008
Staff Planner Christina Ainsworth, 915-541-4930, ainsworthmc@elpasotexas.gov

Location East of Zaragoza Road near Pebble Hills Boulevard

Legal Description Parcel 1: A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, El Paso County, Texas
Parcel 2: A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, El Paso County, Texas
Parcel 3: A portion of Sections 47, Block 79, Texas and Pacific Railway Company Surveys, El Paso County, Texas
Parcel 4: A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, El Paso County, Texas
Parcel 5: A portion of Sections 47, Block 79, Texas and Pacific Railway Company Surveys, El Paso County, Texas
Parcel 6: A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, El Paso County, Texas
Parcel 7: A portion of Sections 38 and 47, Block 79, Texas and Pacific Railway Company Surveys, El Paso County, Texas
Parcel 8: A portion of Sections 38 and 47, Block 79, Texas and Pacific Railway Company Surveys, El Paso County, Texas
Parcel 9: A portion of Sections 38, Block 79, Texas and Pacific Railway Company Surveys, El Paso County, Texas
Parcel 10: A portion of Sections 38 and 47, Block 79, Texas and Pacific Railway Company Surveys, El Paso County, Texas
Parcel 11: A portion of Sections 47, Block 79, Texas and Pacific Railway Company Surveys, El Paso County, Texas

Acreeage Parcel 1: 16.01 acres Parcel 7: 3.85 acres
Parcel 2: 432.84 acres Parcel 8: 25.36 acres
Parcel 3: 14.67 acres Parcel 9: 20.20 acres
Parcel 4: 7.156 acres Parcel 10: 3.09 acres
Parcel 5: 6.35 acres Parcel 11: 13.5 acres
Parcel 6: 19.33 acres

Rep District District 5, East ETJ (Adjacent to Districts 5 and 6)

Existing Use Vacant

Existing Zoning Parcels 1-6: East ETJ; Parcel 7: C-2 (Commercial); Parcel 8: GMU (General Mixed Use); Parcel 9: R-5 (Residential); Parcel 10: R-5 (Residential); Parcel 11: East ETJ

Proposed Zoning Parcel 1: C-2 (Commercial) Parcel 7: GMU (General Mixed Use)
Parcel 2: R-5 (Residential) Parcel 8: GMU (General Mixed Use)
Parcel 3: C-2 (Commercial) Parcel 9: P-R11 (Planned Residential)
Parcel 4: C-2 (Commercial) Parcel 10: C-2 (Commercial)
Parcel 5: C-2 (Commercial) Parcel 11: C-2 (Commercial)
Parcel 6: C-1 (Commercial)

Property Owner Ranchos Real IV, LTD
Applicant Ranchos Real IV, LTD
Representative Conde, Inc.

Distance to Park: 610 ft. (3 proposed parks within the subject property)
Distance to School: 4,255 ft. (Roberto Ituarte Elementary)

SURROUNDING ZONING AND LAND USE

North: C-2/c (Commercial/condition), R-5 (Residential), Vacant
South: East ETJ, Vacant
East: East ETJ, Vacant
West: C-2/c (Commercial/condition), R-5 (Residential), East ETJ, Vacant

THE PLAN FOR EL PASO DESIGNATION: N/A (East Planning Area)

NEIGHBORHOOD ASSOCIATIONS: N/A

NEIGHBORHOOD INPUT:

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on November 20, 2008. Planning Division did not receive any letters or phone calls in support or opposition of rezoning request.

APPLICATION DESCRIPTION:

The applicant is requesting to rezone the Parcels 1-6 and 11 in order to conform to the land use designations in the Development Agreement approved January 31, 2006 and amended July 8, 2008; Parcels 7 and 8 in order to allow for mixed use development; Parcel 9 in order to allow for a planned residential development; and Parcels 10 and 11 in order to allow for community commercial development. The property consists of a total of 562.36 acres and is currently vacant. The proposed access is from Rich Beam Boulevard, Pebble Hills Boulevard, Montwood Drive and John Hays Street. This rezoning request is associated with Annexation case AN08010.

CASE HISTORY:

On June 27, 2006, Parcels 7-10 were annexed and rezoned from R-F (Ranch and Farm) to R-5 (Residential) and C-2 (Commercial) to permit single-family residential development and commercial uses. On January 31, 2006 a Development Agreement was approved for property including Parcels 1-6 and 11. The Development Agreement and Development Plan were amended on July 8, 2008.

DEVELOPMENT COORDIANING COMMITTEE RECOMMENDATION:

The DCC recommends **APPROVAL** of rezoning property as proposed by the applicant with the following conditions on Parcels 1, 3, 4, 5, 6, 10 and 11:

- 1. That a detailed site development plan be reviewed and approved per the El Paso Municipal Code prior to the issuance of any building permits.*
- 2. That a 10' landscape buffer with high profile native trees placed at 10' on center be required along the property line abutting any residential use prior to the issuance of any certificates of occupancy.*

PLANNING DIVISION RECOMMENDATION:

The Planning Division recommends **APPROVAL**. The rezoning request is compatible to the approved Development Agreement and surrounding land uses. The rezoning of Parcels 1, 3, 4, 5, 6, 10 and 11 to C-2 (Commercial) will be subject the following conditions:

1. *That a detailed site development plan be reviewed and approved per the El Paso Municipal Code prior to the issuance of any building permits.*
2. *That a 10' landscape buffer with high profile native trees placed at 10' on center be required along the property line abutting any residential use prior to the issuance of any certificates of occupancy.*

The Plan for El Paso-City-Wide Land Use Goals:

All applications for rezoning shall demonstrate compliance with the following criteria:

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

The purpose of the C-1 (Commercial) and C-2 (Commercial) districts is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood conveniences 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.

The purpose of the GMU (General Mixed Use) district is to accommodate, encourage and promote innovatively designed developments involving the combining and mixing of uses allowed in various zoning districts with appropriate regulations, which together form an attractive and harmonious unit of the city. The regulations of this district are intended to allow for large-scale developments that are able to function as individual neighborhoods or an integrated collection (two or more) of individual neighborhoods supported by civic, commercial and recreational uses; as small-scale developments requiring flexibility because of unique design characteristics; or as transitional areas between dissimilar land uses. It is intended that the district regulations permit flexibility and encourage more creative, efficient and aesthetically desirable design and placement of land uses.

The purpose of the P-RII (Planned Residential Development) district is to encourage planned developments as a means of creating a superior living environment through unified planning and building operations at higher residential densities. The regulations of the district are designed to encourage variety in housing needed to meet changing housing demands and to provide adequate community facilities well-located with respect to needs; to protect the natural beauty of the landscape; to encourage preservation and more efficient use of open space; to offer an

opportunity for design flexibility; and encourage innovations which may result in improved relationships between uses of different types and between land uses and transportation facilities.

The purpose of the R-5 (Residential) district is to promote and preserve residential development within the city to create basic neighborhood units. It is intended that the district regulations maintain a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations. The regulations of the districts will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.

Development Services Department - Building Permits and Inspections Division:

Zoning Review: No objections to the proposed request.

Landscape Review: No comments received.

Development Services Department - Planning Division:

The Planning Division recommends **APPROVAL**. The rezoning request is compatible to the approved Development Agreement and surrounding land uses. The rezoning of Parcels 1, 3, 4, 5, 6, 10 and 11 to C-2 (Commercial) will be subject the following conditions:

1. *That a detailed site development plan be reviewed and approved per the El Paso Municipal Code prior to the issuance of any building permits.*
2. *That a 10' landscape buffer with high profile native trees placed at 10' on center be required along the property line abutting any residential use prior to the issuance of any certificates of occupancy.*

Land Development:

- ADA accessible Sidewalks, Wheel-chair ramps, and Driveways will be required.*
- Grading plan and permit required.*
- Storm Water Pollution Prevention plan and/or permit required.*
- Drainage plans must be approved by the Development Services, Engineering Section.*
- On-site ponding will be required for Development run-off, as per Engineering Department.*
- Additional Comments: Site location is **not** located within a Special Flood Hazard Area, Flood Zone **X** Panel **480214 045C**.

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

Engineering Department - Traffic Division:

- The roadways within the development comply with the City's MTP and are adequate to handle the traffic generated by the development.
- Traffic control measures, including traffic signals and turning lanes at the intersections of major arterials, where commercial and mixed use zoning is requested, shall be required (Pebble Hills & Rich Beem, Pebble Hills & John Hayes, Montwood & Rich Beem, Montwood & John Hayes).
- The Traffic Impact Analysis submitted with the land study for this development (TDE III Phase 2) shows traffic from this development is expected to access Zaragoza at the following intersections:

Cross Street	ADT	PM Peak Hour
Pebble Hills	11,105	1,057
Rich Beem	9,715	924
Tim Foster/Edgemere	8,895	846
John Hayes	6,884	655

- These intersections are also providing access for Phase I of development, per TIA submitted in 2006, with the following average daily volumes (no peak hour calculations):

Cross Street	ADT
Pebble Hills	13,620
Rich Beem	15,976
Tim Foster/Edgemere	12,677
John Hayes	3,435

- The TIA shows that Zaragoza Road does not have capacity to support the additional traffic generated by this development. Traffic did not recommend approval of the land study, and does not recommend approval of the rezoning unless mitigation measures, including traffic signals and turning lanes, are provided to access the adjoining road network.
- TIA Table 4-1 (Post-project development) shows the following for Zaragoza Road:

Capacity	from Phase 1	from Phase 2	w/o dev	Total
33,000	24,986	21,599	24,540	71,125
- Access to Zaragoza shall require approval from TxDOT.
- Montwood shall be improved to city standards where it abuts the subject property. Future completion of Montwood (a proposed super arterial) is needed to provide connectivity and capacity for the traffic generated by this development.

Fire Department:

No comments received.

El Paso Water Utilities:

EPWU does not object to this request.

Parks:

No comments received.

Sun Metro:

No comments received.

School Districts:

No comments received.

CITY PLAN COMMISSION OPTIONS

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

1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.

2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments:

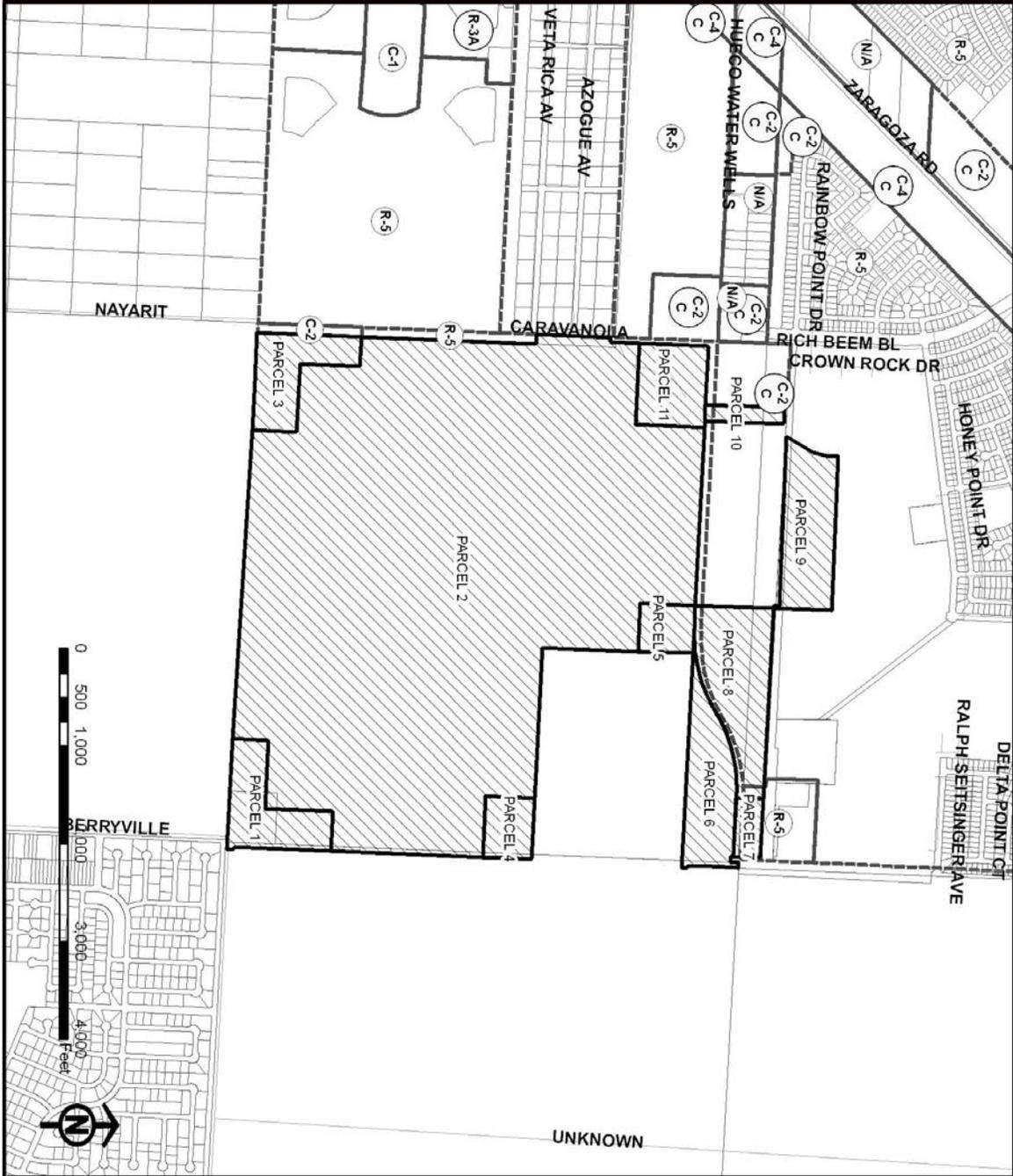
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

ATTACHMENT 1: ZONING
MAP

ZON08-00085



ATTACHMENT 2: AERIAL MAP



