

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

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: January 18, 2011
Public Hearing: February 8, 2011

CONTACT PERSON/PHONE: Esther Guerrero, (915) 541-4720

DISTRICT(S) AFFECTED: 1

SUBJECT:

An Ordinance changing the zoning of the following real property known as: Parcel 1: A portion of Tract 1A, Nellie D. Mundy Survey 242 and Tract 1B5C, S.J. Larkin Survey 266, City of El Paso, El Paso County, Texas, from C-1 (Commercial) to R-3A (Residential); Parcel 2: A portion of Tracts 1A and 1B4, Nellie D. Mundy Survey 242, City of El Paso, El Paso County, Texas, from C-1 (Commercial) to R-3A (Residential); Parcel 3: A portion of Tracts 1 and 1A1, Nellie D. Mundy Survey 242 and Tracts 1B5C and 1B5B2, S.J. Larkin Survey 266, City of El Paso, El Paso County, Texas, from C-3/c (Commercial/condition) to R-3A (Residential); and Parcel 4: A portion of Tracts 1 and 3A, Nellie D. Mundy Survey 242 and Tract 1B4C, S.J. Larkin Survey 266, City of El Paso, El Paso County, Texas, from C-3/c (Commercial/condition) to R-3A (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Paseo Del Norte Road, West of Northern Pass Drive. Property Owner: Hunt Communities Holding, LLC. ZON10-00085 (**District 1**)

BACKGROUND / DISCUSSION:

N/A

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 (5-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Deputy Director-Planning and Economic Development

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

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

PARCEL 1: A PORTION OF TRACT 1A, NELLIE D. MUNDY SURVEY 242 AND TRACT 1B5C, S.J. LARKIN SURVEY 266, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-1 (COMMERCIAL) TO R-3A (RESIDENTIAL);

PARCEL 2: A PORTION OF TRACTS 1A AND 1B4, NELLIE D. MUNDY SURVEY 242, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-1 (COMMERCIAL) TO R-3A (RESIDENTIAL);

PARCEL 3: A PORTION OF TRACTS 1 AND 1A1, NELLIE D. MUNDY SURVEY 242, AND TRACTS 1B5C AND 1B5B2, S.J. LARKIN SURVEY 266, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-3/C (COMMERCIAL/CONDITION) TO R-3A (RESIDENTIAL); AND

PARCEL 4: A PORTION OF TRACTS 1 AND 3A, NELLIE D. MUNDY SURVEY 242 AND TRACT 1B4C, S.J. LARKIN SURVEY 266, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-3/C (COMMERCIAL/CONDITION) TO R-3A (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

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

Parcel 1: *A portion of Tract 1A, Nellie D. Mundy Survey 242 and Tract 1B5C, S.J. Larkin Survey 266, City of El Paso, El Paso County, Texas, as further described by metes and bounds in the attached Exhibit A, from C-1 (Commercial) to R-3A (Residential);*

Parcel 2: *A portion of Tracts 1A and 1B4, Nellie D. Mundy Survey 242, City of El Paso, El Paso County, Texas, as further described by metes and bounds in the attached Exhibit B, from C-1 (Commercial) to R-3A (Residential);*

Parcel 3: *A portion of Tracts 1 and 1A1, Nellie D. Mundy Survey 242, and Tracts 1B5C and 1B5B2, S.J. Larkin Survey 266, City of El Paso, El Paso County, Texas, as further described by metes and bounds in the attached Exhibit C, from C-3/c (Commercial/condition) to R-3A (Residential); and*

Parcel 4: *A portion of Tracts 1 and 3A, Nellie D. Mundy Survey 242 and Tract 1B4C, S.J. Larkin Survey 266, City of El Paso, El Paso County, Texas, as further described by metes and bounds in the attached Exhibit D, from C-3/c (Commercial/condition) to R-3A (Residential).*

ORDINANCE NO. _____

ZONING CASE NO: ZON10-00085

PASSED AND APPROVED this _____ day of _____, 2011.

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

Mathew S. McElroy, Deputy Director
Planning and Economic Development
Department

ORDINANCE NO. _____

ZONING CASE NO: ZON10-00085

Property description: A 36.586-acre portion of Tract 1A, Nellie D. Mundy Survey 242 and Tract 1B5C, S.J. Larkin Survey 266, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a 36.586-acre portion of Tract 1A, Nellie D. Mundy Survey 242 (September 10, 1949, Book 945, Page 411, Deed Records, El Paso County, Texas) and Tract 1B5C, S.J. Larkin Survey 266 (September 10, 1949, Book 945, Page 405, Deed Records, El Paso County, Texas), El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

COMMENCING at a point on the monument line of Resler Drive (130-foot right-of-way, January 8, 2002, Book 4158, Page 910, Deed Records, El Paso County, Texas), said monument line lying 7.50 feet west of the centerline of Resler Drive, from which a city monument at the intersection of the centerline of Northern Pass Drive (90-foot right-of-way, Plexxar South, Book 72, Page 32, Plat Records, El Paso County, Texas) and the monument line of Resler Drive bears North $13^{\circ}33'03''$ West, a distance of 1664.99 feet and a city monument at a centerline P.T. of Resler Drive bears South $13^{\circ}33'03''$ East, a distance of 1526.75 feet; Thence, North $76^{\circ}26'57''$ East, a distance of 72.50 feet to the intersection of the easterly right-of-way of Resler Drive and the southerly boundary of Tract 1, Nellie D. Mundy Survey 242 (the Arcraft Road right-of-way reservation, July 20, 1990, Book 2201, Page 1360, Deed Records, El Paso County, Texas); Thence, North $62^{\circ}56'54''$ East, along said northerly boundary, a distance of 197.58 feet; Thence, 573.26 feet continuing along said boundary and along the arc of a curve to the right, having a radius of 1588.49 feet, a central angle of $20^{\circ}40'38''$, and a chord which bears North $73^{\circ}17'13''$ East, a distance of 570.16 feet to the westerly boundary of that certain parcel of land described December 15, 2000, in Book 3902, Page 2012 (Investor Parcel 3), Deed Records, El Paso County, Texas, and the **POINT OF BEGINNING** of this description;

THENCE, 535.71 feet continuing along the southerly boundary of Tract 1 and along the arc of a curve to the right, having a radius of 1588.49 feet, a central angle of $19^{\circ}19'22''$, and a chord which bears South $86^{\circ}42'47''$ East, a distance of 533.18 feet;

THENCE, South $77^{\circ}03'06''$ East, continuing along said boundary, a distance of 1400.00 feet;

THENCE, 1008.26 feet continuing along said boundary and along the arc of a curve to the left, having a radius of 5432.14, a central angle of $10^{\circ}38'05''$, and a chord which bears South $82^{\circ}22'08''$ East, a distance of 1006.82 feet;

THENCE, South $87^{\circ}41'11''$ East, continuing along said boundary, a distance of 70.49 feet to the easterly boundary of that certain parcel of land described January 20, 2004, in Book 4825, Page 1944 (Parcel 5), Deed Records, El Paso County, Texas;

THENCE, South $02^{\circ}18'49''$ West, along said boundary, a distance of 526.14 feet to the southerly boundary of said parcel;

THENCE, North $85^{\circ}58'51''$ West, along said boundary, a distance of 494.35 feet;

THENCE, North $80^{\circ}19'37''$ West, continuing along said boundary, a distance of 680.82 feet;

THENCE, North $77^{\circ}03'06''$ West, continuing along said boundary, a distance of 1195.90 feet;

THENCE, South $73^{\circ}02'05''$ West, continuing along said boundary, a distance of 451.03 feet to the westerly boundary of that certain parcel of land described December 15, 2000, in Book 3902, Page 2012 (Investor Parcel 3), Deed Records, El Paso County, Texas;

THENCE, North $14^{\circ}12'41''$ West, along said boundary, a distance of 743.89 feet to the **POINT OF BEGINNING** of this description.

Said parcel of land contains 36.586 acres (1,593,705 square feet) of land more or less

NOTE: THIS DESCRIPTION IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A PLAT OF EVEN DATE HERewith ACCOMPANIES THIS DESCRIPTION.

ROBERT SEIPEL ASSOCIATES, INC.
Professional Land Surveyors



Robert R. Seipel, R.P.L.S.
President
Texas License No. 4178

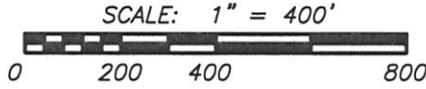
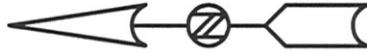
Job Number 10-0031
July 2, 2010

Page 1 of 1
10-0031.doc
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Exhibit "A"
Parcel 1
1 of 2

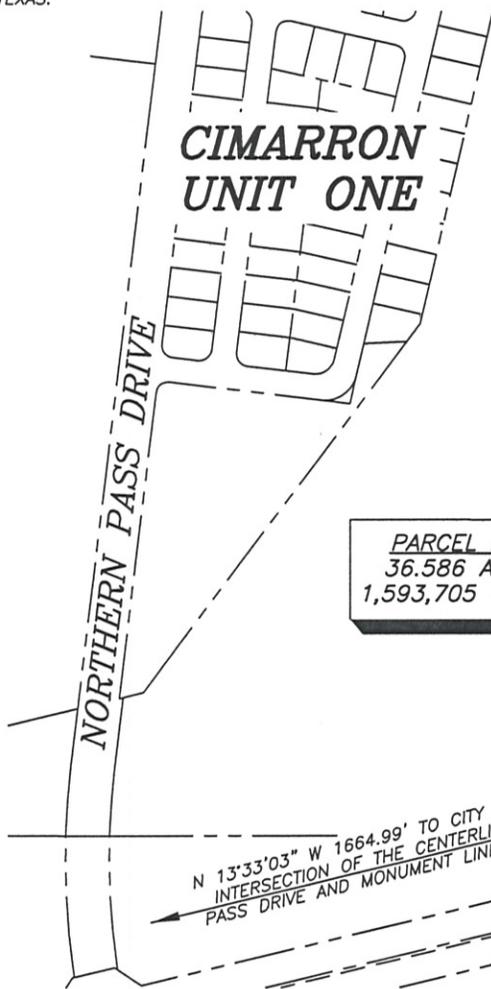
NUMBER	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C1	20°40'38"	1588.49	573.26	289.78	570.16	N 73°17'13" E
C2	19°19'22"	1588.49	535.71	270.42	533.18	S 86°42'47" E
C3	10°38'05"	5432.14	1008.26	505.58	1006.82	S 82°22'08" E

NUMBER	BEARING	DISTANCE
T1	N 76°26'57" E	72.50'
T2	N 62°56'54" E	197.58'
T3	S 87°41'11" E	70.49'
T4	S 02°18'49" W	526.14'
T5	N 85°58'51" W	494.35'
T6	N 80°19'37" W	680.82'
T7	S 73°02'05" W	451.03'



NOTE:

1. THIS DESCRIPTION IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A NARRATIVE METES AND BOUNDS DESCRIPTION OF EVEN DATE HERewith ACCOMPANIES THIS PLAT.
2. RESLER DRIVE IS DESCRIBED JANUARY 8, 2002, IN BOOK 4158, PAGE 910, DEED RECORDS, EL PASO COUNTY, TEXAS.
3. BASIS OF BEARINGS IS THE MONUMENTED CENTERLINE OF NORTHWESTERN DRIVE FROM THE PLAT OF EL PASO WEST UNIT ONE IN BOOK 57, PAGE 5, PLAT RECORDS, EL PASO COUNTY, TEXAS.
4. NELLIE D. MUNDY SURVEY 242 IS DESCRIBED SEPTEMBER 10, 1949, IN BOOK 945, PAGE 411, DEED RECORDS, EL PASO COUNTY, TEXAS.
5. S.J. LARKIN SURVEY 266 IS DESCRIBED SEPTEMBER 10, 1949, IN BOOK 945, PAGE 405, DEED RECORDS, EL PASO COUNTY, TEXAS.
6. TRACT 1, NELLIE D. MUNDY SURVEY 242 (THE ARTCRAFT ROAD RIGHT-OF-WAY RESERVATION) IS DESCRIBED JULY 20, 1990, IN A PROPERTY DEVELOPMENT AGREEMENT IN BOOK 2201, PAGE 1360, DEED RECORDS, EL PASO COUNTY, TEXAS.
7. NORTHERN PASS DRIVE IS FROM THE PLAT OF PLEXXAR SOUTH IN BOOK 72, PAGE 32, PLAT RECORDS, EL PASO COUNTY, TEXAS.
8. THE EAST, WEST AND SOUTH BOUNDARIES OF THE SUBJECT PARCEL ARE DESCRIBED JANUARY 20, 2004, IN BOOK 4825, PAGE 1944 (PARCEL 5), DEED RECORDS, EL PASO COUNTY, TEXAS.



PARCEL AREA
36.586 ACRES
1,593,705 SQ. FT.



ROBERT SEIPEL ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

1845 NORTHWESTERN DR. SUITE C EL PASO, TX 79912 915-877-1928

EXHIBIT

A 36.586-ACRE PORTION OF TRACT 1A, NELLIE D. MUNDY SURVEY 242 AND TRACT 1B5C, S.J. LARKIN SURVEY 266, EL PASO, EL PASO COUNTY, TEXAS.

Exhibit "A"
Parcel 1
2 of 2

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DATE: 07-02-10
SCALE: 1" = 400'
DRAWN BY: RRS
CHK'D BY: RRS
FB: ~
FILE #: 10-0031

Property description: A 17.607-acre portion of Tracts 1A and 1B4, Nellie D. Mundy Survey 242, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a 17.607-acre portion of Tracts 1A and 1B4, Nellie D. Mundy Survey 242, El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

COMMENCING at a city monument at the centerline intersection of Brays Landing Drive (52-foot right-of-way, Cimarron Unit One, County Clerk's File No. 20070089227, El Paso County, Texas) and Forgan Way (right-of-way varies, Cimarron Unit One), from which a city monument at the centerline intersection of Brays Landing Drive and Balko Way bears South $77^{\circ}03'09''$ East, a distance of 362.71 feet; Thence, North $77^{\circ}03'09''$ West, along the centerline of Brays Landing Drive, a distance of 256.99 feet; Thence, South $12^{\circ}56'51''$ West, a distance of 130.86 feet to the common boundary between Lots 11 and 12, Block 1, Cimarron Unit One and Tract 1B4, Nellie D. Mundy Survey 242; Thence, South $77^{\circ}33'07''$ East, along the common boundary between Cimarron Unit One and Nellie D. Mundy Survey 242, a distance of 57.99 feet to a point on the boundary of that certain parcel of land described January 20, 2004, in Book 4825, Page 1944 (Parcels 2 and 5), Deed Records, El Paso County, Texas, said point being the **POINT OF BEGINNING** of this description;

THENCE, South $76^{\circ}28'33''$ East, along said boundary, a distance of 1116.51 feet;

THENCE, South $79^{\circ}48'22''$ East, continuing along said boundary, a distance of 336.72 feet;

THENCE, South $09^{\circ}18'25''$ West, a distance of 522.40 feet;

THENCE, 326.23 feet along the arc of a curve to the right, having a radius of 4740.00 feet, a central angle of $03^{\circ}56'36''$, and a chord which bears North $79^{\circ}01'25''$ West, a distance of 326.17 feet;

THENCE, North $77^{\circ}03'07''$ West, a distance of 1159.91 feet to the boundary of that certain parcel of land described January 20, 2004, in Book 4825, Page 1944 (Parcels 2 and 5), Deed Records, El Paso County, Texas;

THENCE, North $12^{\circ}56'23''$ East, along said boundary, a distance of 527.61 feet to the **POINT OF BEGINNING** of this description.

Said parcel of land contains 17.607 acres (766,964 square feet) of land more or less.

NOTE: THIS DESCRIPTION IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A PLAT OF EVEN DATE HERewith ACCOMPANIES THIS DESCRIPTION.

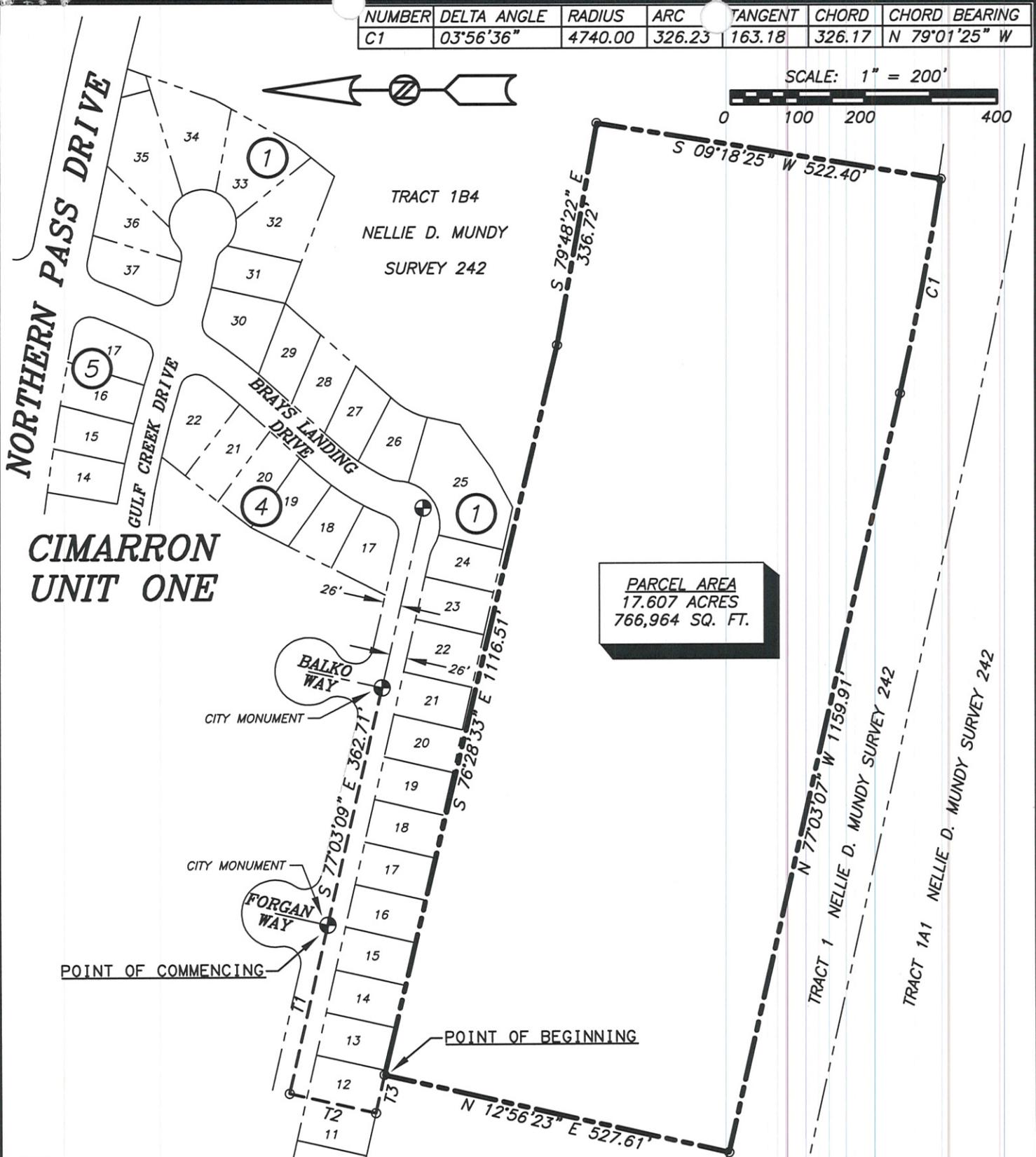
ROBERT SEIPEL ASSOCIATES, INC.
Professional Land Surveyors



Robert R. Seipel, R.P.L.S.
President
Texas License No. 4178

Job Number 10-0037
September 14, 2010

NUMBER	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C1	03°56'36"	4740.00	326.23	163.18	326.17	N 79°01'25" W



PARCEL AREA
17.607 ACRES
766,964 SQ. FT.

NOTE:

1. THIS DESCRIPTION IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A NARRATIVE METES AND BOUNDS DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS PLAT.
2. CIMARRON UNIT ONE IS RECORDED IN COUNTY CLERK'S FILE NO. 20070089227, EL PASO COUNTY, TEXAS.
3. THE NORTH AND WEST BOUNDARIES OF THE SUBJECT PARCEL ARE DESCRIBED JANUARY 20, 2004, IN BOOK 4825, PAGE 1944 (PARCELS 2 AND 5), DEED RECORDS, EL PASO COUNTY, TEXAS.
4. TRACT 1, NELLIE D. MUNDY SURVEY 242 (THE ARTCRAFT ROAD RIGHT-OF-WAY RESERVATION) IS DESCRIBED JULY 20, 1990, IN A PROPERTY DEVELOPMENT AGREEMENT IN BOOK 2201, PAGE 1360, DEED RECORDS, EL PASO COUNTY, TEXAS.
5. BASIS OF BEARINGS IS THE MONUMENTED CENTERLINE OF NORTHWESTERN DRIVE FROM THE PLAT OF EL PASO WEST UNIT ONE IN BOOK 57, PAGE 5, PLAT RECORDS, EL PASO COUNTY, TEXAS.

NUMBER	BEARING	DISTANCE
T1	N 77°03'09" W	256.99'
T2	S 12°56'51" W	130.86'
T3	S 77°03'37" E	57.99'



ROBERT SEIPEL ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

1845 NORTHWESTERN DR. SUITE C EL PASO, TX 79912 915-877-1928

EXHIBIT

A 17.607-ACRE PORTION OF TRACTS 1 AND 1B4, NELLIE D. MUNDY SURVEY 242, EL PASO, EL PASO COUNTY, TEXAS.

Exhibit "B"
Parcel 2
2 of 2

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DATE: 09-14-10
SCALE: 1" = 200'
DRAWN BY: RRS
CHK'D BY: RRS
FB: ~
FILE #: 10-0037

Property description: A 7.597-acre portion of Tracts 1 and 1A1, Nellie D. Mundy Survey 242 and Tracts 1B5C and 1B5B2, S.J. Larkin Survey 266, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a 7.597-acre portion of Tracts 1 and 1A1, Nellie D. Mundy Survey 242 and Tracts 1B5C and 1B5B2, S.J. Larkin Survey 266, El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

COMMENCING on the southerly right-of-way of Northern Pass Drive at the intersection of the common boundary between Northern Pass Drive Extension Unit One (County Clerk's File No. 20080042927, El Paso County, Texas) and Northern Pass Drive Extension Unit Two (County Clerk's File No. 20090035858, El Paso County, Texas); Thence, South $36^{\circ}40'53''$ East, along said right-of-way, a distance of 59.73 feet to the common boundary between Tracts 1 (July 20, 1990, Book 2201, Page 1360, Deed Records, El Paso County, Texas) and 3A, Nellie D. Mundy Survey 242; Thence, 453.30 feet along said boundary and along the arc of a curve to the right, having a radius of 843.81 feet, a central angle of $30^{\circ}46'47''$, and a chord which bears South $70^{\circ}12'51''$ West, a distance of 447.87 feet to the common boundary between Tracts 1B4C and 1A (January 23, 1973, Book 431, Page 617, Deed Records, El Paso County, Texas), S.J. Larkin Survey 266; Thence, South $03^{\circ}27'50''$ West, along said boundary, a distance of 607.58 feet; Thence, North $86^{\circ}32'10''$ West, a distance of 100.00 feet to the intersection of the westerly boundary of Tract 1A, S.J. Larkin Survey 266 with that certain parcel of land described January 20, 2004, in Book 4825, Page 1944 (Parcels 4, 5 and 6), Deed Records, El Paso County, Texas and the point being the **POINT OF BEGINNING** of this description;

THENCE, North $89^{\circ}57'18''$ West, along the southerly boundary of said parcel, a distance of 532.82 feet;

THENCE, North $02^{\circ}15'59''$ East, along the westerly boundary of said parcel, a distance of 620.62 feet;

THENCE, South $88^{\circ}35'55''$ East, a distance of 376.93 feet;

THENCE, South $87^{\circ}41'12''$ East, a distance of 52.06 feet;

THENCE, 116.45 feet along the arc of a curve to the left, having a radius of 1154.00 feet, a central angle of $05^{\circ}46'54''$, and a chord which bears North $89^{\circ}25'22''$ East, a distance of 116.40 feet;

THENCE, South $03^{\circ}27'50''$ West, a distance of 611.53 feet to the **POINT OF BEGINNING** of this description.

Said parcel of land contains 7.597 acres (330,943 square feet) of land more or less.

NOTE: THIS DESCRIPTION IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A PLAT OF EVEN DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

ROBERT SEIPEL ASSOCIATES, INC.
Professional Land Surveyors



Robert R. Seipel, R.P.L.S.
President
Texas License No. 4178

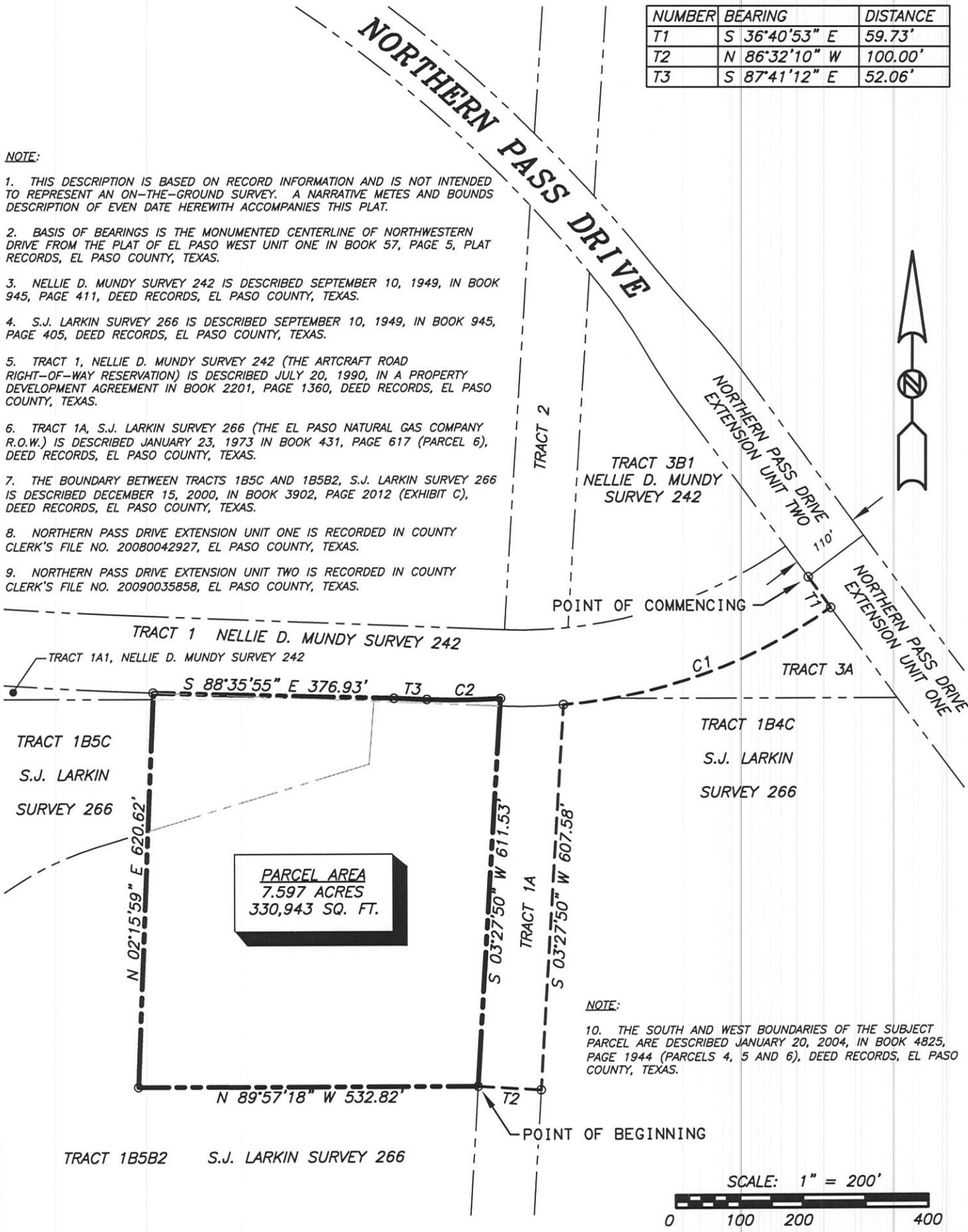
Job Number 10-0038
September 14, 2010

NUMBER	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C1	30°46'47"	843.81	453.30	232.26	447.87	S 70°12'51" W
C2	05°46'54"	1154.00	116.45	58.27	116.40	N 89°25'22" E

NUMBER	BEARING	DISTANCE
T1	S 36°40'53" E	59.73'
T2	N 86°32'10" W	100.00'
T3	S 87°41'12" E	52.06'

NOTE:

1. THIS DESCRIPTION IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A NARRATIVE METES AND BOUNDS DESCRIPTION OF EVEN DATE HERewith ACCOMPANIES THIS PLAT.
2. BASIS OF BEARINGS IS THE MONUMENTED CENTERLINE OF NORTHWESTERN DRIVE FROM THE PLAT OF EL PASO WEST UNIT ONE IN BOOK 57, PAGE 5, PLAT RECORDS, EL PASO COUNTY, TEXAS.
3. NELLIE D. MUNDY SURVEY 242 IS DESCRIBED SEPTEMBER 10, 1949, IN BOOK 945, PAGE 411, DEED RECORDS, EL PASO COUNTY, TEXAS.
4. S.J. LARKIN SURVEY 266 IS DESCRIBED SEPTEMBER 10, 1949, IN BOOK 945, PAGE 405, DEED RECORDS, EL PASO COUNTY, TEXAS.
5. TRACT 1, NELLIE D. MUNDY SURVEY 242 (THE ARTCRAFT ROAD RIGHT-OF-WAY RESERVATION) IS DESCRIBED JULY 20, 1990, IN A PROPERTY DEVELOPMENT AGREEMENT IN BOOK 2201, PAGE 1360, DEED RECORDS, EL PASO COUNTY, TEXAS.
6. TRACT 1A, S.J. LARKIN SURVEY 266 (THE EL PASO NATURAL GAS COMPANY R.O.W.) IS DESCRIBED JANUARY 23, 1973 IN BOOK 431, PAGE 617 (PARCEL 6), DEED RECORDS, EL PASO COUNTY, TEXAS.
7. THE BOUNDARY BETWEEN TRACTS 1B5C AND 1B5B2, S.J. LARKIN SURVEY 266 IS DESCRIBED DECEMBER 15, 2000, IN BOOK 3902, PAGE 2012 (EXHIBIT C), DEED RECORDS, EL PASO COUNTY, TEXAS.
8. NORTHERN PASS DRIVE EXTENSION UNIT ONE IS RECORDED IN COUNTY CLERK'S FILE NO. 20080042927, EL PASO COUNTY, TEXAS.
9. NORTHERN PASS DRIVE EXTENSION UNIT TWO IS RECORDED IN COUNTY CLERK'S FILE NO. 20090035858, EL PASO COUNTY, TEXAS.



NOTE:

10. THE SOUTH AND WEST BOUNDARIES OF THE SUBJECT PARCEL ARE DESCRIBED JANUARY 20, 2004, IN BOOK 4825, PAGE 1944 (PARCELS 4, 5 AND 6), DEED RECORDS, EL PASO COUNTY, TEXAS.



ROBERT SEIPEL ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

1845 NORTHWESTERN DR. SUITE C EL PASO, TX 79912 915-877-1928

EXHIBIT

Exhibit "C"
Parcel 3
2 of 2

A 7.597-ACRE PORTION OF TRACTS 1 AND 1A1, NELLIE D. MUNDY SURVEY 242 AND TRACTS 1B5C AND 1B5B2, S.J. LARKIN SURVEY 266, EL PASO, EL PASO COUNTY, TEXAS.

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DATE: 09-14-10
 SCALE: 1" = 200'
 DRAWN BY: RRS
 CHK'D BY: RRS
 FB: ~
 FILE #: 10-0038

Property description: A 4.154-acre portion of Tracts 1 and 3A, Nellie D. Mundy Survey 242 and Tract 1B4C, S.J. Larkin Survey 266, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a 4.154-acre portion of Tracts 1 and 3A, Nellie D. Mundy Survey 242 and Tract 1B4C, S.J. Larkin Survey 266, El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

COMMENCING on the southerly right-of-way of Northern Pass Drive at the intersection of the common boundary between Northern Pass Drive Extension Unit One (County Clerk's File No. 20080042927, El Paso County, Texas) and Northern Pass Drive Extension Unit Two (County Clerk's File No. 20090035858, El Paso County, Texas); Thence, South $36^{\circ}40'53''$ East, along said right-of-way, a distance of 59.73 feet to the common boundary between Tracts 1 (July 20, 1990, Book 2201, Page 1360, Deed Records, El Paso County, Texas) and 3A, Nellie D. Mundy Survey 242; Thence, 215.70 feet along said boundary and along the arc of a curve to the right, having a radius of 843.81 feet, a central angle of $14^{\circ}38'47''$, and a chord which bears South $62^{\circ}08'51''$ West, a distance of 215.11 feet to the **POINT OF BEGINNING** of this description;

THENCE, South $21^{\circ}17'33''$ East, a distance of 177.37 feet;

THENCE, South $03^{\circ}41'13''$ West, a distance of 430.03 feet to the southerly boundary of that certain parcel of land described January 20, 2004, in Book 4825, Page 1944 (Parcels 9 and 12), Deed Records, El Paso County, Texas;

THENCE, South $78^{\circ}56'49''$ West, a distance of 310.23 feet to the common boundary between Tracts 1B4C and 1A (January 23, 1973, Book 431, Page 617, Deed Records, El Paso County, Texas), S.J. Larkin Survey 266;

THENCE, North $03^{\circ}27'50''$ East, along said boundary, a distance of 624.47 feet;

THENCE, 227.52 feet along the arc of a curve to the left, having a radius of 1154.00 feet, a central angle of $11^{\circ}17'46''$, and a chord which bears North $75^{\circ}50'56''$ East, a distance of 227.15 feet;

THENCE, South $21^{\circ}17'33''$ East, a distance of 26.81 feet to the **POINT OF BEGINNING** of this description.

Said parcel of land contains 4.154 acres (180,965 square feet) of land more or less.

NOTE: THIS DESCRIPTION IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A PLAT OF EVEN DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

ROBERT SEIPEL ASSOCIATES, INC.
Professional Land Surveyors



Robert R. Seipel, R.P.L.S.
President
Texas License No. 4178

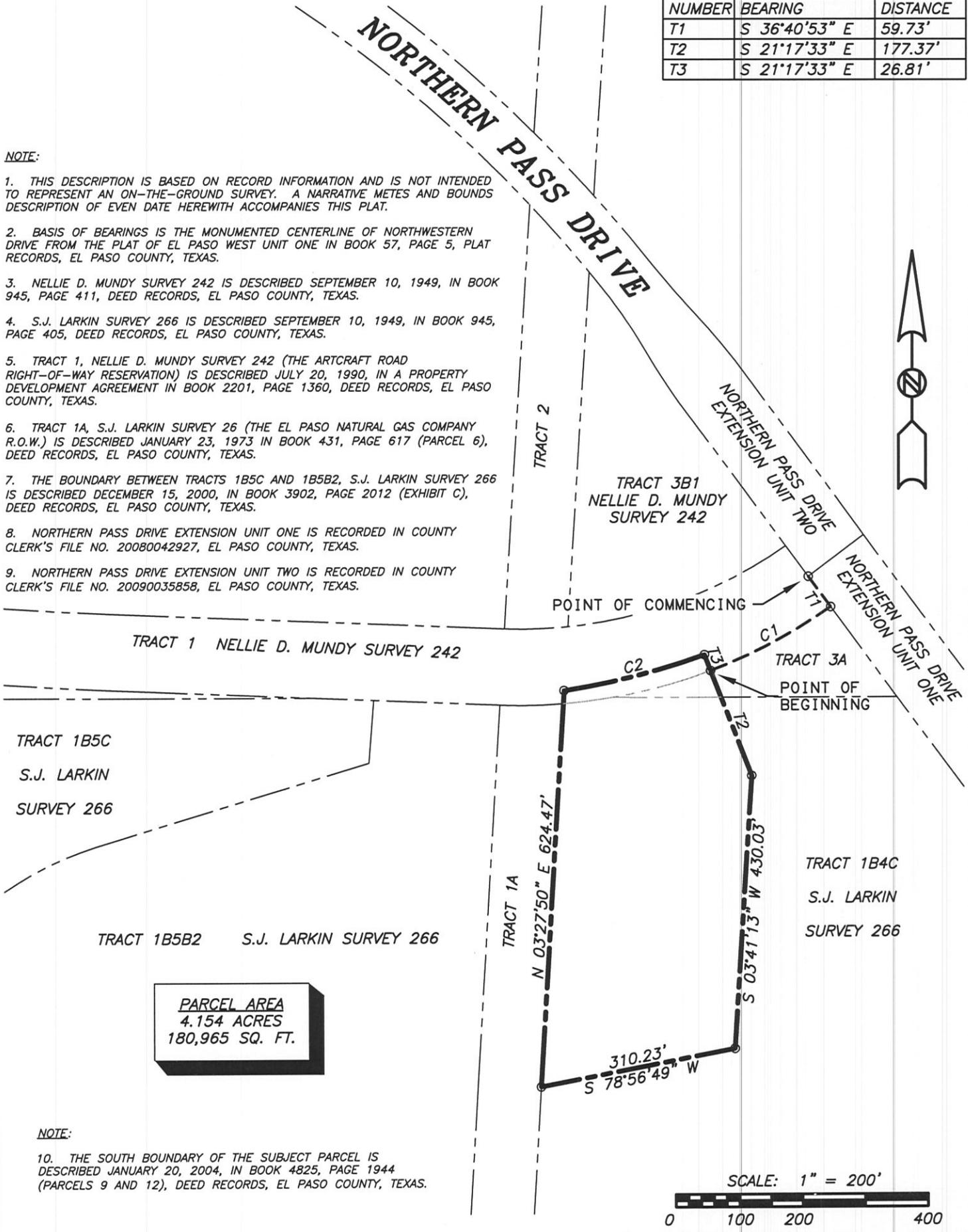
Job Number 10-0038A
September 14, 2010

NUMBER	DELTA ANGLE	RADIUS	ARC	ANGENT	CHORD	CHORD BEARING
C1	14°38'47"	843.81	215.70	108.44	215.11	S 62°08'51" W
C2	11°17'46"	1154.00	227.52	114.13	227.15	N 75°50'56" E

NUMBER	BEARING	DISTANCE
T1	S 36°40'53" E	59.73'
T2	S 21°17'33" E	177.37'
T3	S 21°17'33" E	26.81'

NOTE:

1. THIS DESCRIPTION IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A NARRATIVE METES AND BOUNDS DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS PLAT.
2. BASIS OF BEARINGS IS THE MONUMENTED CENTERLINE OF NORTHWESTERN DRIVE FROM THE PLAT OF EL PASO WEST UNIT ONE IN BOOK 57, PAGE 5, PLAT RECORDS, EL PASO COUNTY, TEXAS.
3. NELLIE D. MUNDY SURVEY 242 IS DESCRIBED SEPTEMBER 10, 1949, IN BOOK 945, PAGE 411, DEED RECORDS, EL PASO COUNTY, TEXAS.
4. S.J. LARKIN SURVEY 266 IS DESCRIBED SEPTEMBER 10, 1949, IN BOOK 945, PAGE 405, DEED RECORDS, EL PASO COUNTY, TEXAS.
5. TRACT 1, NELLIE D. MUNDY SURVEY 242 (THE ARTCRAFT ROAD RIGHT-OF-WAY RESERVATION) IS DESCRIBED JULY 20, 1990, IN A PROPERTY DEVELOPMENT AGREEMENT IN BOOK 2201, PAGE 1360, DEED RECORDS, EL PASO COUNTY, TEXAS.
6. TRACT 1A, S.J. LARKIN SURVEY 26 (THE EL PASO NATURAL GAS COMPANY R.O.W.) IS DESCRIBED JANUARY 23, 1973 IN BOOK 431, PAGE 617 (PARCEL 6), DEED RECORDS, EL PASO COUNTY, TEXAS.
7. THE BOUNDARY BETWEEN TRACTS 1B5C AND 1B5B2, S.J. LARKIN SURVEY 266 IS DESCRIBED DECEMBER 15, 2000, IN BOOK 3902, PAGE 2012 (EXHIBIT C), DEED RECORDS, EL PASO COUNTY, TEXAS.
8. NORTHERN PASS DRIVE EXTENSION UNIT ONE IS RECORDED IN COUNTY CLERK'S FILE NO. 20080042927, EL PASO COUNTY, TEXAS.
9. NORTHERN PASS DRIVE EXTENSION UNIT TWO IS RECORDED IN COUNTY CLERK'S FILE NO. 20090035858, EL PASO COUNTY, TEXAS.



PARCEL AREA
4.154 ACRES
180,965 SQ. FT.

NOTE:

10. THE SOUTH BOUNDARY OF THE SUBJECT PARCEL IS DESCRIBED JANUARY 20, 2004, IN BOOK 4825, PAGE 1944 (PARCELS 9 AND 12), DEED RECORDS, EL PASO COUNTY, TEXAS.



ROBERT SEIPEL ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

1845 NORTHWESTERN DR. SUITE C EL PASO, TX 79912 915-877-1928

EXHIBIT

A 4.154-ACRE PORTION OF TRACTS 1 AND 3A, NELLIE D. MUNDY SURVEY 242 AND TRACT 1B4C, S.J. LARKIN SURVEY 266, EL PASO, EL PASO COUNTY, TEXAS.

Exhibit "D"
Parcel 4
2 of 2

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DATE: 09-14-10
SCALE: 1" = 200'
DRAWN BY: RRS
CHK'D BY: RRS
FB: ~
FILE #: 10-0038A



Date: January 10, 2011
To: Honorable Mayor and City Council
Joyce Wilson, City Manager
From: Esther Guerrero, Planner
Subject: **ZON10-00085 (Related Zoning Condition Release Case No. ZON10-00086)**

The City Plan Commission (CPC) on December 2, 2010, voted **5-0** to recommend **approval** of the rezoning request. The request is to change the zoning on all four parcels to R-3A (Residential) to allow a residential development. The conceptual site plan shows the continuation of single-family residential development for the proposed Cimarron Sage Subdivisions.

This recommendation is in agreement with the recommendation from staff and the Development Coordinating Committee (DCC).

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

The Open Space Advisory Board on November 10, 2010 voted unanimously to recommended approval of the rezoning request.

There was no one present at the meeting to speak in favor or in opposition to this request.

Attachment: Staff Report

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susannah M. Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson





City of El Paso – City Plan Commission Staff Report

Case No: ZON10-00085 (Related Zoning Condition Release Application Case No. ZON10-00086)

Application Type: Rezoning

CPC Meeting Date: December 2, 2010

Staff Planner: Esther Guerrero, 915-541-4720, guerreroex@elpasotexas.gov

Location: Paseo Del Norte Road, East of Resler Drive

Legal Description: Parcel 1: Portion of Tract 1A, Nellie D. Mundy Survey 242 and Tract 1B5C S.J. Larkin Survey 266, El Paso, El Paso County, Texas
Parcel 2: Portion of Tracts 1A and 1B4, Nellie D. Mundy Survey 242, El Paso, El Paso County, Texas
Parcel 3: Portion of Tracts 1 and 1A1, Nellie D. Mundy Survey 242, and Tracts 1B5C and 1B5B2, S.J. Larkin Survey 266, El Paso, El Paso County, Texas
Parcel 4: Portion of Tracts 1 and 3A, Nellie D. Mundy Survey 242 and Tract 1B4C, S.J. Larkin Survey 266, El Paso, El Paso County, Texas

Acreage: Parcel 1: 36.586 acres
Parcel 2: 17.607 acres
Parcel 3: 7.597 acres
Parcel 4: 4.154 acres

Rep District: 1

Zoning: Parcels 1 and 2: C-1 (Commercial)
Parcels 3 and 4: C-3/c (Commercial/condition)

Existing Use: Vacant

Request: From C-1 (Commercial) and C-3/c (Commercial/condition) to R-3A (Residential) for all Parcels

Proposed Use: Single-family Residential

Property Owner: Hunt Communities Holdings, LLC & Hill 262 Partners, LTD

Representative: CSA Design Group, Inc

SURROUNDING ZONING AND LAND USE

North: R-3A (Residential), C-3/c (Commercial/condition) / vacant
South: R-3A (Residential / vacant)
East: C-1 (Commercial), C-3/c (Commercial/condition) / vacant
West: C-3/c (Commercial/condition) / vacant

The Plan for El Paso Designation: Residential, Mixed-Use, Commercial (Northwest Planning Area)

Nearest Park: Proposed Park (4,725 feet)

Nearest School: Kohlberg Elementary (6,907 feet)

NEIGHBORHOOD ASSOCIATIONS

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

NEIGHBORHOOD INPUT

Notices of a Public Hearing were mailed to all property owners within 300 feet of the subject property on November 15, 2010.

APPLICATION DESCRIPTION

The request is to change the zoning on all four parcels to R-3A (Residential) to allow a residential

development. The conceptual site plan shows the continuation of single-family residential development for the proposed Cimarron Sage Subdivision Units 1, 2 &3.

PLANNING AND ECONOMIC DEVELOPMENT-PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the rezoning request.

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

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

- a. Goal: establish a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities and outlets for social and cultural expression.
- b. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.

The purpose of the R-3A (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 Coordinating Committee Review

The DCC reviewed and discussed the application for rezoning and offered no objections to Planning Staff's recommendation for approval.

Transportation Department

- Change in zoning will cause variations in density and traffic flow, a revised TIA(s) will be required to be submitted with any and all subdivision applications within the subject area.

Notes:

- Paseo Del Norte is on the Major Thoroughfare Plan.
- Transportation does not recommend that residential lots be placed next to arterials.
- All plats will need to conform to Section 19.23.040.H - Double Frontage Lots.

Engineering – Construction Management Division-Plan Review

No objections to the rezoning request.

Engineering – Land Development

1. Provide drainage flow.
2. ADA accessible sidewalks, wheel-chair ramp(s), and driveway(s) will be required.*
3. Grading plan and permit shall be required.*
4. Storm Water Pollution Prevention Plan and/or permit required.*
5. Drainage plans must be approved Engineering and Construction Management Department, Land Development Section.*
6. The Subdivision is within Flood Zone C, "Areas of minimal flooding"- and Flood Zone A2, "Areas of 100-year flood; base flood elevations and flood hazard factors determined" Panel #480214 0017C, date February 5, 1986.

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

Fire Department

No objections.

El Paso Water Utilities

1. EPWU does not object to this request.

General:

2. Water and sanitary sewer main extensions are required along the proposed Paseo Del Norte Boulevard and along the proposed streets within the subject properties. The Owner/Developer is responsible for all extension costs.
3. Portions of the subject properties will be located within an intermediate pressure zone. Pressure reducing and pressure relief valves are required within the water distribution system. In addition, private water pressure regulating devices will be required at the discharge side of each water meter. The Owner/Developer shall include in the sale of contract documents that the lot/home buyer shall acquire ownership of the above-described water pressure regulating devices to be located at the discharge side of the water meters. Additionally, the lot/home buyer shall be responsible for the operation and maintenance of the above-described privately-owned water pressure regulating devices.
4. EPWU requires a new service application to provide service to the subject properties. 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.

OSAB RECOMMENDATION

On November 10, 2010, the Open Space Advisory Board unanimously recommended approval of this rezoning request.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the change of zoning application:

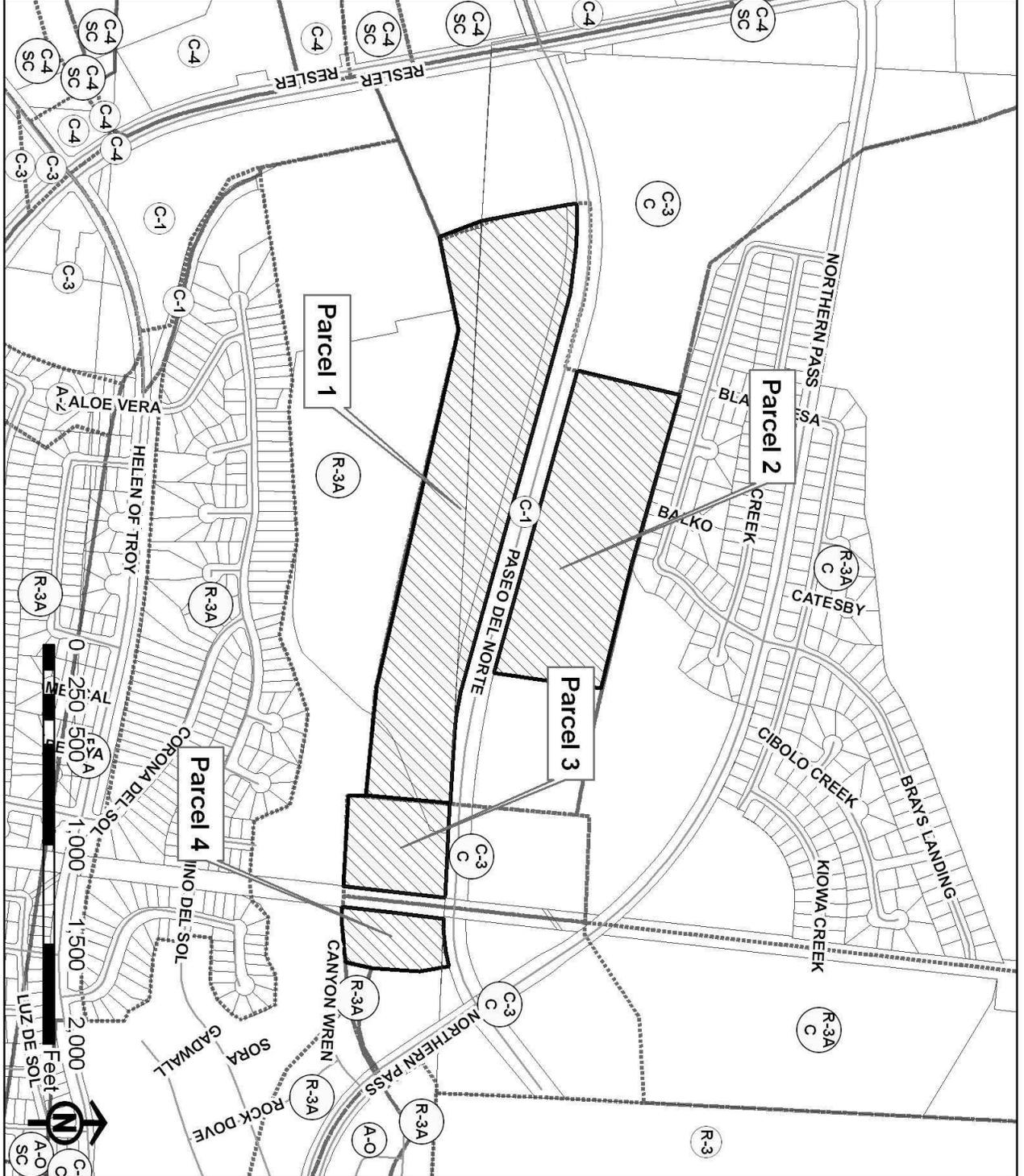
1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into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

1. Zoning Map
2. Aerial Map
3. Conceptual Site Plan

ATTACHMENT 1: ZONING MAP

ZON10-00085



ATTACHMENT 2: AERIAL MAP

ZON10-00085

