

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: February 12, 2008
Public Hearing: March 4, 2008

CONTACT PERSON/PHONE: Ernesto Arriola, 541-4723

DISTRICT AFFECTED: 1

SUBJECT:

An Ordinance granting Special Permit No. ZON07-00151, to allow for a bank on the property described as a portion of Lot 18, Block 13, Three Hills Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.260 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: North East corner of Southwestern Drive and Redd Road. Applicant: Carroll S. Maxon – CSM Realty Holdings II, Ltd, ZON07-00151 (District 1)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (5-0)

09 FEB 21 AM 8:39
CITY CLERK DEPT.

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Kelly Carpenter

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON07-00151, TO ALLOW FOR A BANK ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 18, BLOCK 13, THREE HILLS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.260 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Carroll S. Maxon - CSM Realty Holdings II, LTD, has applied for a Special Permit under Section 20.04.260 of the El Paso City Code to allow for a bank; and,

WHEREAS, the A-O (Apartment-Office) zone allows for a bank by Special Permit; and,

WHEREAS, a report was made by the City Plan Commission and a public hearing was held regarding such application; and,

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval; and

WHEREAS, the City Council of the City of El Paso finds that the application conforms to all requirements of Section 20.04.320D of the El Paso City Code.

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

1. That the property described as follows, is in an **A-O/sc (Apartment-Office/special contract)** district:

A portion of Lot 18, Block 13, Three Hills Addition, City of El Paso, El Paso County, Texas; and, and more particularly described in the metes and bounds in Exhibit "A", which is attached hereto and made a part hereof for all purposes; and,

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2. That the City Council hereby grants a Special Permit under Section 20.04.320D of the El Paso City Code to allow for a bank on the property described in Paragraph 1 of this Ordinance; and,

3. That this Special Permit is issued subject to the development standards in the **A-O/sc (Apartment-Office/special contract)** district regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and is incorporated herein by reference for all purposes; and,

4. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON07-00151** shall be subject to termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.24 and any other legal or equitable remedy; and,

5. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this _____ day of _____, 2008.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Kelly Carpenter

Kelly Carpenter, AICP, Deputy Director
Development Services Department,
Planning Division

CITY CLERK DEPT.
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Being a portion of Lot 18, Block 13,
Three Hills Addition
City of El Paso, El Paso County, Texas
Prepared for: Bank of the West
November 6, 2007

Exhibit "A"
Page 1 of 2

METES AND BOUNDS DESCRIPTION

Description of a portion of Lot 18, Block 13, Three Hills Addition as recorded in Volume 49, Page 27, Plat records City of El Paso El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at the centerline intersection of Redd Road and Southwestern Drive; Thence along the centerline of Redd Road South $89^{\circ}54'54''$ East a distance of 139.83 feet to a point; Thence leaving said centerline North $00^{\circ}05'06''$ East a distance of 60.00 feet to a point on the northerly right of way line of Redd Road for the "TRUE POINT OF BEGINNING",

Thence along said right of way line North $89^{\circ}54'54''$ West a distance of 98.77 feet to a point of curve;

Thence 29.10 feet along the arc of a curve to the right whose radius is 20.00 feet whose interior angle is $83^{\circ}23'22''$ whose chord bears North $48^{\circ}13'13''$ West a distance of 26.60 feet to a point on the easterly right of way line of Southwestern Drive;

Thence along said right of way line North $06^{\circ}31'32''$ West a distance of 131.96 feet to a point;

Thence along said right of way line 96.43 feet along the arc of a curve to the right whose radius is 835.78 feet whose interior angle is $06^{\circ}36'38''$ whose chord bears North $03^{\circ}13'13''$ West a distance of 96.37 feet to a point;

Thence along said right of way line North $00^{\circ}05'06''$ East a distance of 6.85 feet to a point,

Thence leaving said right of way line South $89^{\circ}54'54''$ East a distance of 120.50 feet to a point on the easterly line of Lot 18, Block 13, Three Hills Addition;

Thence along said line South $00^{\circ}05'06''$ West a distance of 88.85 feet to a point;

Thence along said right of way line South $06^{\circ}31'32''$ East a distance of 164.09 feet to the "TRUE POINT OF BEGINNING" and containing 29,533 Sq. Ft. or 0.6780 Acres of land more or less.

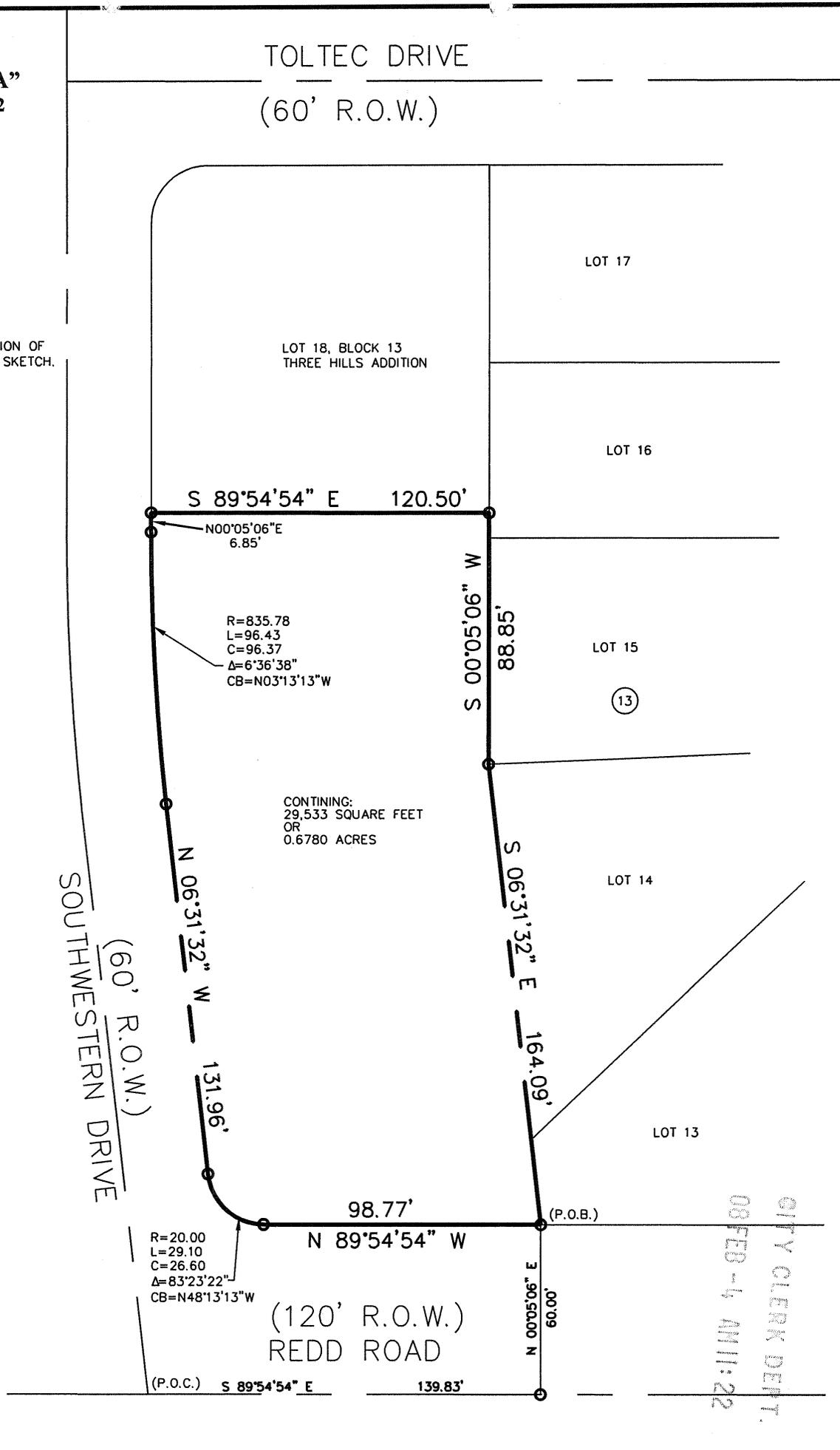
NOTE: Not a ground survey, Bearings based on Plat of Three Hills Addition recorded in Volume 49, Page 27, Plat Records El Paso County, Texas


Ron R. Conde
R.P.L.S. No. 5152
Job No: 1007-90



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NOTE: NOT A GROUND SURVEY
A METES AND BOUNDS DESCRIPTION OF
EVEN DATE ACCOMPANIES THIS SKETCH.



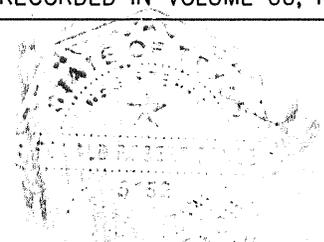
SOUTHWESTERN DRIVE
(60' R.O.W.)



SCALE: 1"=50'

R R Conde

RON R. CONDE R.P.L.S. NO. 5152.

| | | | |
|---|------------------------|---|--------------|
| JOB # 1107-16 | DATE: NOVEMBER 8, 2007 | FIELD: N/A | OFFICE: R.C. |
| RECORDED IN VOLUME 66, PAGE 7, PLAT RECORDS OF EL PASO COUNTY, TEXAS | | | |
|  | | BEING A PORTION OF LOT 18, BLOCK 13 THREE HILLS ADDITION CITY OF EL PASO, EL PASO COUNTY, TEXAS | |
| CONDE ENGINEERING INC. 1790 LEE TREVINO SUITE 400 EL PASO, TEXAS 79936 | | | |

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CITY COUNCIL

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

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT
DIRECTOR, DEVELOPMENT SERVICES

KELLY CARPENTER, AICP
DEPUTY DIRECTOR, PLANNING

DEVELOPMENT SERVICES
PLANNING DIVISION

MEMORANDUM

DATE: February 4, 2008
TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager
FROM: Ernesto Arriola, Planner
SUBJECT: ZON07-00151

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The City Plan Commission (CPC), on January 17, 2008, voted 5-0 to recommend APPROVAL of granting Special Permit No. ZON07-00151, to allow for a bank on the subject property.

The CPC found that the special permit is in conformance with The Plan for El Paso Citywide land use goals that El Paso: “develop 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.” The CPC determined that the proposed special permit will not have an adverse impact on the natural environment, social and economic conditions, and property values in the vicinity and the city as a whole. The CPC also determined that the special permit protects the best interest, health, safety, and welfare of the public in general.

There was one letter in support and one letter in opposition to this request.

Attachment: Staff Report



ZON07-00151

Application Type: Special Permit and Detailed Site Development Plan Review

Property Owner(s): Carroll S. Maxon – CSM Realty Holdings II, Ltd.

Applicant(s): Same

Representative(s): Conde, Inc.

Legal Description: A Portion of Lot 18, Block 13, Three Hills Addition, City of El Paso, El Paso County, Texas

Location: North East corner of Southwestern Drive and Redd Road

Representative District: 1

Area: 0.678

Present Zoning: A-O/sc (Apartment-Office/special contract)

Present Use: vacant

Proposed Use: Bank

Public Response: One letter in support and one letter in opposition

Recognized Neighborhood Associations Contacted: Save the Valley, Coronado Neighborhood Association, and Upper Mesa Hills Neighborhood Association

Surrounding Land Uses: **North:** R-3 (Residential) **South:** C-1/sc (Commercial/special contract) **East:** R-3 (Residential) **West:** C-1/sc (Commercial/special contract)

Year 2025 Designation: Residential (North West Planning Area)



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General Information:

The applicant is requesting a approval of a special permit and detailed site development plan review to allow for a Bank under an A-O/sc (Apartment-Office/special contract) zoning in order to permit a Bank. The property is 0.678 acres and is currently vacant. The site plan shows one structure with a canopy for a drive through to be located on the site. Access is proposed via Southwestern Drive. There is a special contract on the property. The contract requirements have been met.

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **Approval** of the special permit to allow a bank and accompanied site plan.

The recommendation is based on the following:

- Site Plan meets minimum requirements of the El Paso Municipal Code
- **The Plan for El Paso** City-Wide Land Use Goals recommends that El Paso “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development.”
- **The Year 2025 Projected General Land Use Map** for the East Planning Area designates this property for **Residential** land uses.
- **A-O zoning** allows for banks as a special permit and **is compatible** with adjacent development.

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Findings:

The Commission must determine the following:

1. Will the special permit protect the best interest, health, safety and welfare of the public in general?
2. Will a Bank be compatible with adjacent land uses?
3. What is the relation of the proposed change to the city's Comprehensive Plan?
4. What effect will the special permit have upon the natural environment social and economic conditions and property values in the vicinity and in the City as a whole?

Development Services Department - Building Permits and Inspections Division:

Special Permit Review: Proposed Bank permitted on A-O (Apartment-Office) District under Special Permit. Meets setback and off-street parking standards.

Development Services Department - Planning Division:

Planning Review: Recommends approval with ADA compliant side walks, addition of bicycle racks, and 7' side walk abutting the curb.

Land Development:

1. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.* Note: 7' sidewalk abutting curb and gutter is required.
2. Grading plan and permit shall be required.*
3. Storm Water Pollution Prevention Plan and/or permit may be required.*
4. Drainage plans must be approved by the Development Services Department,

Engineering Section.*

5. Coordination with TXDOT.
6. No water runoff allowed outside the proposed development boundaries will be required.
7. Additional Comments: Site location is not located within a Special Flood Hazard Area, Flood Zone(s) C, Panel(s) 480214 0021 D.

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

Engineering Department - Traffic Division:

Revised site plan does not show driveways. Show proposed driveways. Previous site plan showed driveway on Sun Metro's bus stop. Applicant was required to provide approval from Sun Metro to relocate bus stop. Please provide approval from Sun Metro to relocate bus stop. Is proposed connection, with adjacent lot, a shared driveway?

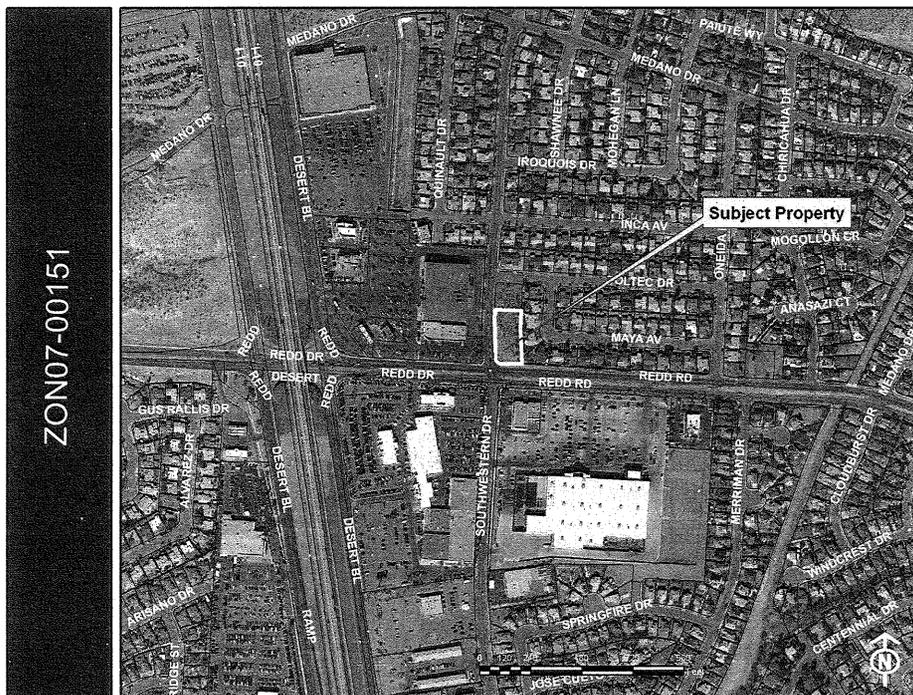
- **Updated site plan submitted; Traffic withdrew comments.**

Fire Department:

No comments received.

El Paso Water Utilities:

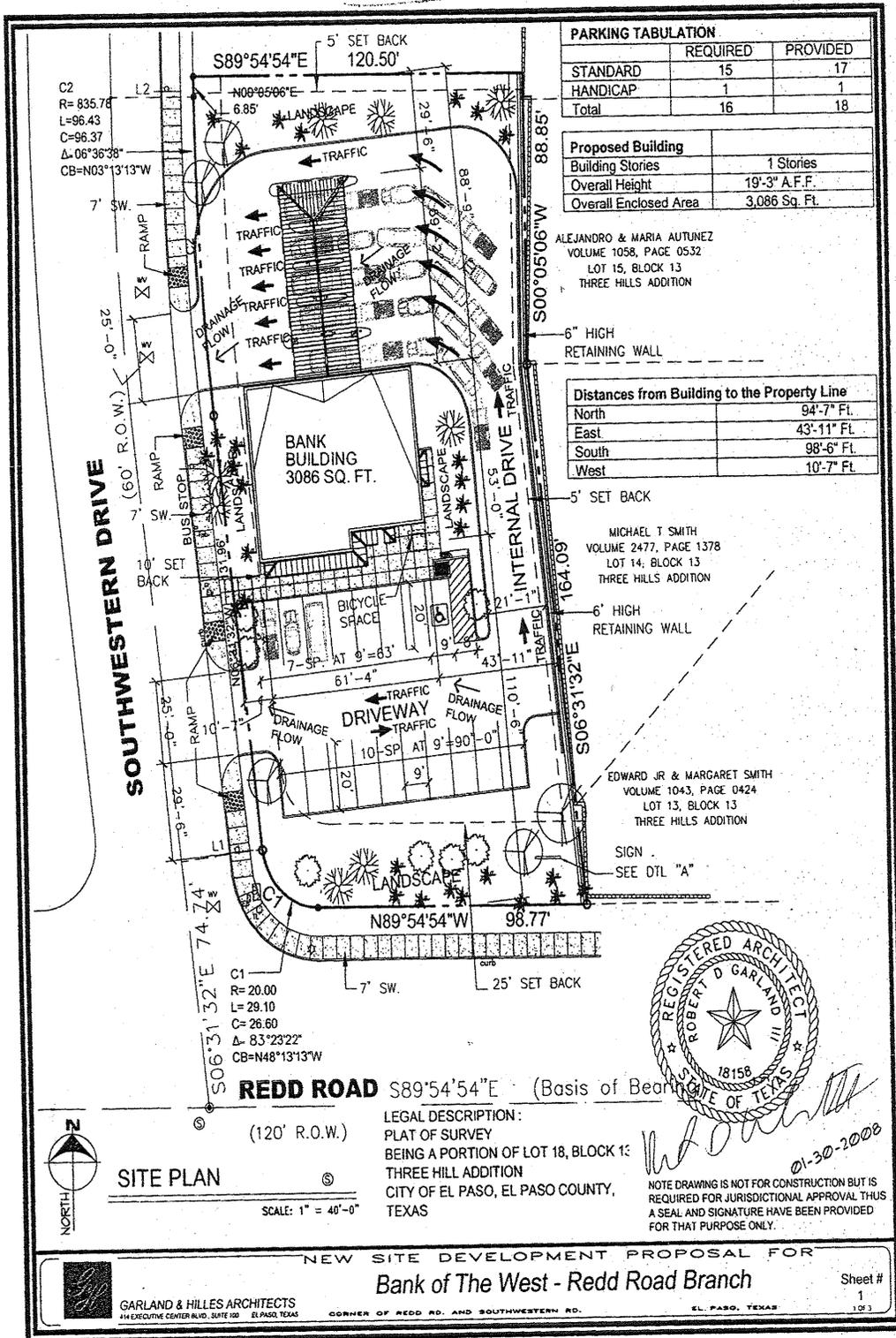
EPWU-PSB does not object to this request.



List of Attachments:

- Attachment 1: Site Development Plan
- Attachment 2: Application
- Attachment 3: Special Contract
- Attachment 4: Public Response Letters

Attachment 1: Site Development Plan



PARKING TABULATION

| | REQUIRED | PROVIDED |
|--------------|-----------|-----------|
| STANDARD | 15 | 17 |
| HANDICAP | 1 | 1 |
| Total | 16 | 18 |

Proposed Building

| | |
|-----------------------|---------------|
| Building Stories | 1 Stories |
| Overall Height | 19'-3" A.F.F. |
| Overall Enclosed Area | 3,086 Sq. Ft. |

ALEJANDRO & MARIA AUTUNEZ
 VOLUME 1058, PAGE 0532
 LOT 15, BLOCK 13
 THREE HILLS ADDITION

Distances from Building to the Property Line

| | |
|-------|-------------|
| North | 94'-7" Ft. |
| East | 43'-11" Ft. |
| South | 98'-6" Ft. |
| West | 10'-7" Ft. |

MICHAEL T SMITH
 VOLUME 2477, PAGE 1378
 LOT 14, BLOCK 13
 THREE HILLS ADDITION

EDWARD JR & MARGARET SMITH
 VOLUME 1043, PAGE 0424
 LOT 13, BLOCK 13
 THREE HILLS ADDITION



NOTE DRAWING IS NOT FOR CONSTRUCTION BUT IS
 REQUIRED FOR JURISDICTIONAL APPROVAL THUS
 A SEAL AND SIGNATURE HAVE BEEN PROVIDED
 FOR THAT PURPOSE ONLY.

01-30-2008

REDD ROAD S89°54'54"E (Basis of Bearings)

LEGAL DESCRIPTION:
 PLAT OF SURVEY
 BEING A PORTION OF LOT 18, BLOCK 13
 THREE HILL ADDITION
 CITY OF EL PASO, EL PASO COUNTY,
 TEXAS

SITE PLAN

SCALE: 1" = 40'-0"

NEW SITE DEVELOPMENT PROPOSAL FOR

Bank of The West - Redd Road Branch

GARLAND & HILLES ARCHITECTS
 414 EXECUTIVE CENTER BLVD., SUITE 100
 EL PASO, TEXAS

CORNER OF REDD RD. AND SOUTHWESTERN RD.

EL PASO, TEXAS

Sheet #
 1
 1 OF 3

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Attachment 2: Application

007 12:24 FAX 915 592 0288

CONDE INC

003



**SPECIAL PERMIT APPLICATION
PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT
CITY OF EL PASO**

1. CONTACT INFORMATION

PROPERTY OWNER(S): Carroll S. Maxon - CSM Realty Holdings II, LTD
 ADDRESS: _____
 APPLICANT(S): Carroll S. Maxon
 ADDRESS: _____
 REPRESENTATIVE(S): Conde, Inc.
 ADDRESS: 1790 Lee Trevino, Suite 400 ZIP CODE: 79936 PHONE: 592-0283
 E-MAIL ADDRESS: cconrad@elp.ir.com

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: T251-999-0130-3500
 LEGAL DESCRIPTION: A Portion of Lot 18, Block 13, Three Hills Addition an addition to the City of El Paso, Texas
 STREET ADDRESS OR LOCATION: Southwestern Drive and Redd Road
 ACREAGE: 0.6780 ac PRESENT ZONING: U-1 PRESENT LAND USE: Vacant
 PROPOSED ZONING: n/a PROPOSED LAND USE: To allow for a bank
 ADDRESS: _____ ZIP CODE: _____ PHONE: _____
 E-MAIL ADDRESS: cconrad@elp.ir.com A-0130

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: _____
 LEGAL DESCRIPTION: _____
 STREET ADDRESS OR LOCATION: _____
 ACREAGE: _____ PRESENT ZONING: _____ PRESENT LAND USE: _____
 PROPOSED ZONING _____ PROPOSED LAND USE: _____
 ADDRESS: _____ ZIP CODE: _____ PHONE: _____
 E-MAIL ADDRESS: _____

4. PARCEL THREE INFORMATION

PROPERTY IDENTIFICATION NUMBER: _____
 LEGAL DESCRIPTION: _____
 STREET ADDRESS OR LOCATION: _____
 ACREAGE: _____ PRESENT ZONING: _____ PRESENT LAND USE: _____
 PROPOSED ZONING _____ PROPOSED LAND USE: _____
 ADDRESS: _____ ZIP CODE: _____ PHONE: _____
 E-MAIL ADDRESS: _____

5. ADDITIONAL INFORMATION

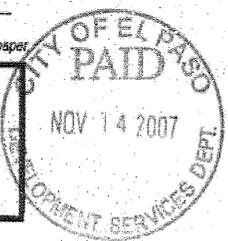
OWNER (S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
 Printed Name: Carroll S. Maxon Signature: Carroll S. Maxon
 Printed Name: CSM Realty Holdings II, LTD Signature: _____
 Printed Name: _____ Signature: _____

Note: Signatures are required for all owners of record for the property proposed for rezoning. Attach additional signatures on a separate sheet of paper.

**** OFFICE USE ONLY ****
 ZON 07-00151 RECEIVED DATE: 11/14/07 APPLICATION FEE: \$ 580.00/100
 DCC REVIEW DATE: 12/19/07 11:30 am, Planning Department Conference Room, 2nd Floor, City Hall Building)
 CPC REVIEW DATE: 01/17/08 11:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
 ACCEPTED BY: A.L. [Signature] FUND -01101, DEPT ID -99010335, ACCOUNT -404126

Revised 6/2004

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Attachment 4: Special Contract

151/16

DOC# 99022254

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

WHEREAS, a contract was entered into by and between WALLINGTON CORPORATION and the CITY OF EL PASO, dated January 3, 1984, on certain property in El Paso County, State of Texas, and more fully described below, as part of a rezoning application approved by Ordinance No. 7955; and

WHEREAS, application for an amendment to the contract restrictions on the property described herein, has been made by JOHN FOLMER, of RJL REAL ESTATE CONSULTANTS, on behalf of CARROLL S. MAXON, the successor in title and interest to the property; and

WHEREAS, a public hearing regarding such amendment to the contract restrictions was held before the City Plan Commission on February 11, 1999, which has recommended approving the amendment to the contract restrictions; and

WHEREAS, the City Plan Commission recommendation is based on a finding that a turning lane onto Redd Road is necessary to relieve any increase in traffic congestion generated by the proposed development; that a realignment of Southwestern Drive and Toltec Drive is no longer under consideration by the City and no dedication or vacation of these rights-of-way is necessary; that the property has been subdivided as Three Hills Addition and the requirement for a subdivision plat is no longer necessary; that the building setback, screening and landscaping to be provided by the applicant will serve as an adequate buffer to the residential area; and that the proposed amendment clarifies the restrictions intended by the City; and

WHEREAS, the City Council of the City of El Paso has determined that the restrictions, conditions and covenants contained in said contract and amendments thereto should be amended,

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CITY CLERK DEPT.

3555/1539

NOW, THEREFORE, BE IT KNOWN ALL MEN BY THESE PRESENTS:

THAT, the City of El Paso has amended, and by these presents does hereby amend the restrictions, conditions and covenants imposed by the Contract by and between WALLINGTON CORPORATION, and the CITY OF EL PASO, dated January 3, 1984, on the property described as being all of Lot 1, Block 1, Three Hills Addition, El Paso, El Paso County, State of Texas, by deleting subparagraphs 1 through 6 in their entirety and by substitution of the following subparagraphs:

- "1. That ten (10) feet of additional right-of-way be dedicated and improved along the westerly right-of-way line of Southwestern Drive abutting Parcels 1 and 3, which shall be designated as a free right-turn lane onto Redd Road, prior to the issuance of certificates of occupancy on Parcels 1, 2 and 3;
2. That submittal of a Detailed Site Development Plan be approved by the City Plan Commission and City Council prior to the issuance of building permits, filed either separately or concurrently for each Parcel. The site plan submitted with the C-1 and C-3 (Commercial) rezoning application, and referenced as ZC-99002, for a portion of Parcel 1 and all of Parcels 2 and 3 shall satisfy the requirement for a Detailed Site Development Plan for a proposed commercial center. Provided, however, that any changes to the use or substantial changes to the proposed design shall necessitate a resubmittal of a Detailed Site Development Plan under the notice and approval requirements of Article III of Title 20 (Zoning) of the El Paso Municipal Code;
3. That the height of any building or structure constructed on Parcel 1 not exceed one (1) story;
4. That a minimum fifteen (15) foot building setback be provided within Parcels 1, 2 and 3 abutting Lot 2, Block 2, Lots 1-12; Block 3, Lots 1-3, Block 4 and Lots 13-17, Block 13, all within Three Hills Addition;
5. That access to Parcels 1, 2 and 3 from Chinook Lane, Inca Avenue and Quinault Drive be prohibited;
6. That a new eight (8) foot high rock wall shall be erected along the easterly property line (and immediately adjoining any existing screening wall) abutting Blocks 2, 3 and 4, Three Hills Addition (and within Parcels 1 and 3) at the sole cost of the applicant, prior to the issuance of any building permits or certificates of occupancy;

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CITY CLERK DEPT.

7. That a six (6) foot high rock wall shall be erected along the easterly property line along Southwestern Drive (and within Parcels 2 and 3), except for necessary drives, which shall transition to a four (4) foot high rock wall at or near the intersection of Southwestern Drive and Redd Road, prior to the issuance of certificates of occupancy; and
8. That use of the property for a dance hall; heliport; automobile, light truck, bus, motorcycle and boat, sales, storage, rental and service; billiard hall; bowling alley; parking garage; miniature golf course; private club, lodge or meeting hall; transportation terminal; theater; trailer, mobile home, travel trailer and recreational vehicle sales, display, and repair; amusement park; skating rink; outdoor flea market; massage parlor; and bar, tavern or cocktail lounge; shall be prohibited within Parcels 1, 2 and 3. Provided, however, that the sale of alcoholic beverages shall be permitted within the property in conjunction with the operation of a restaurant, or retail sales for off-premise consumption."

Reference is hereby made to the Contract dated January 3, 1984, recorded in Book 1411, Pages 0726 through 0732, Deed Records of El Paso County, State of Texas, a copy of which is attached hereto and marked as Exhibit "A" and incorporated herein, for all purposes, for the provisions thereof.

Except as herein provided, all terms and conditions remain in effect as to any other property included in the terms of the Contract. This instrument shall not release or amend the restrictions, conditions and covenants contained in any zoning contract other than specifically listed above.

THE CITY OF EL PASO

Mayor PRO-TEM

ATTEST:

City Clerk

(SIGNATURES CONTINUE ON FOLLOWING PAGE)

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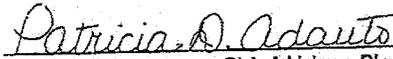
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APPROVED AS TO FORM:



John F. Nance, Asst. City Attorney

APPROVED AS TO CONTENT:



Patricia D. Adauto, Chief Urban Planner
Department of Planning, Research & Development

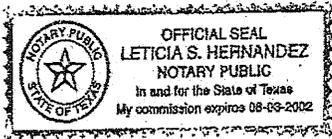
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ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 24th day of March, 1999, by JESUS TERRAZAS, JR., as MAYOR of the CITY OF EL PASO. PRO-TEM



Leticia S. Hernandez
Notary Public, State of Texas
Notary's Printed or Typed Name:

LETICIA S. Hernandez
My Commission Expires:

8/03/2002

SC-99001
02/15/99

03 FEB 21 AM 8:39
CITY CLERK DEPT.

03 FEB 21 AM 8:39
CITY CLERK DEPT.

ACCEPTANCE

The above instrument, with all conditions thereof, is hereby accepted
this _____ day of _____, 1999.

APPLICANT:
CARROLL S. MAXON

Carroll S. Maxon

NOTARY PUBLIC

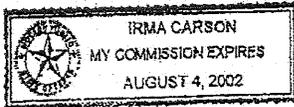
ACKNOWLEDGMENT

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 18 day of
February, 1999, by CARROLL S. MAXON, as Applicant.

CITY CLERK DEPT.
08 FEB 21 AM 8:39

Irma Carson
Notary Public, State of Texas
Notary's Printed or Typed Name:



Irma Carson
My Commission Expires:

8/4/02

SC-99001
02/15/99

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Attachment 5: Public Response Letters



CITY CLERK DEPT.
08 FEB 21 AM 8:39

January 8, 2008

City Plan Commission
c/o Development Services, Planning Division
2 Civic Center Plaza, 5th Floor
El Paso, TX 79901-1196

RE: Case No.: ZON07- 00151

To Whom It May Concern:

We received notice of the public hearing to consider a request by Carroll S. Maxon - CSM Realty Holdings II, LTD for a special permit on the North East corner of Southwestern Drive and Redd Road. MIMCO, Inc. fully supports this request in order to allow a bank on the property. If you have any questions please call me at (915) 779-6500. Thank you.

Sincerely,
MIMCO, Inc.

Robert S. Ayoub
President

8500 Montana
El Paso, TX 79925
915-779-6500
1-800-351-5252 Document1
fax 915-779-6509
www.mimcoelp.com

To: The Development Services Department
Planning Division

Case No: ZON07-00151

My name is Agnes Charon and I live at . I am writing this letter to inform you that I am thoroughly opposed to the building of a bank practically in my back yard. (Lot 18, Block 13, Three Hills Addition, City of El Paso, El Paso County, Texas.) Our streets are already so congested with traffic because of everything that is already in that area. A bank in that lot would only add to it. Southwest Dr. cannot handle anymore traffic. Please, Please, do not let this happen.

Thank you,
Agnes Charon

CITY CLERK DEPT.
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