



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

DEPARTMENT: Planning & Economic Development
AGENDA DATE: Introduction 4/24/12; Public Hearing 5/15/12
CONTACT PERSON/PHONE: Laura Kissack, 541-4723
DISTRICT(S) AFFECTED: 1 and 8

SUBJECT:

An ordinance changing the zoning of the following legally described parcel of land being a portion of Tract 1, all of Tracts 3 and 3A, John Barker Survey No. 10 and Tract 4F2B, A.F. Miller Survey No. 215 and Tracts 6 and 7, I.F. Harrison Survey No. 54 and Montecillo Unit Three Amending Plat save and except Lot 2, Block 2, Thereof as recorded in clerk's file no. 20090065237 and save and except 4.6007 acres being Lots 3 and 4, Block 9, Montecillo Unit Three Replat A, recorded in clerk's file No. 20110085971, Real property records City of El Paso, El Paso County, Texas; and the parcel legally described as being Tract 4, John Barker Survey No. 10, City of El Paso, El Paso County, Texas; and the parcel legally described as being Lot 1, Block 3, Kings Hill Replat and Tracts 4A, 6G, and a portion of Tract 6A, A.F. Miller Survey No. 216 and Tract 21, John Barker Survey No. 10, City of El Paso, El Paso County, Texas, from their current zoning district to SCZ (SmartCode Zone). The penalty is as provided for in Chapter 21.60 of the El Paso City Code. **(Districts 1 and 8)**

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – N/A
City Plan Commission (CPC) – Pending

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

LEGAL: N/A **FINANCE:** N/A

DEPARTMENT HEAD: Mathew McElroy
Deputy Director of Planning, Planning & Economic Development

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Cortney Carlisle Niland

City Manager
Joyce A. Wilson



ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING FOR THE FOLLOWING PARCELS OF LAND:

PARCEL 1. A PORTION OF TRACT 1, ALL OF TRACTS 3 AND 3A, JOHN BARKER SURVEY NO. 10 AND TRACT 4F2B, A.F. MILLER SURVEY NO. 215 AND TRACTS 6 AND 7, I.F. HARRISON SURVEY NO. 54 AND MONTECILLO UNIT THREE AMENDING PLAT SAVE AND EXCEPT LOT 2, BLOCK 2, THEREOF AS RECORDED IN CLERK'S FILE NO. 20090065237 AND SAVE AND EXCEPT 4.6007 ACRES BEING LOTS 3 AND 4, BLOCK 9, MONTECILLO UNIT THREE REPLAT A, RECORDED IN CLERK'S FILE NO. 20110085971, REAL PROPERTY RECORDS CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-1, C-2, C-3/C, GMU/C, A-2, R-3, R-3A, R-5, AND M-1 TO SCZ (SMARTCODE ZONE), AND

PARCEL 2. TRACT 4, JOHN BARKER SURVEY NO. 10, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM M-3 TO SCZ (SMARTCODE ZONE); AND

PARCEL 3. LOT 1, BLOCK 3, KINGS HILL REPLAT AND TRACT 4A, 6G AND A PORTION OF TRACT 6A, A.F. MILLER SURVEY NO. 216 AND TRACT 21, JOHN BARKER SURVEY NO. 10, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-1, C-1/SC, A-O/SC, A-O/C/SC, PR-1/SC AND R-3 TO SCZ (SMARTCODE ZONE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 21.60 OF THE EL PASO CITY CODE.

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

That the zoning for the following legally described parcels of land be rezoned

Parcel 1. *Being a portion of Tract 1, all of Tracts 3 and 3A, John Barker Survey No. 10 and Tract 4F2B, A.F. Miller Survey No. 215 and Tracts 6 and 7, I.F. Harrison Survey No. 54 and Montecillo Unit Three Amending Plat save and except Lot 2, Block 2, Thereof as recorded in clerk's file no. 20090065237 and save and except 4.6007 acres being Lots 3 and 4, Block 9, Montecillo Unit Three Replat A, recorded in clerk's file No. 20110085971, Real property records City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached **Exhibit "A"** and the survey attached as **Exhibit "D"** both incorporated herein for all purposes, from C-1, C-2, C-3/C, GMU/C, A-2, R-3, R-3A, R-5, and M-1 to SCZ (SmartCode Zone), and,*

Parcel 2. *Being Tract 4, John Barker Survey No. 10, City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached **Exhibit "B"**, and the survey attached as **Exhibit "D"** both incorporated herein for all purposes, from M-3 to SCZ (SmartCode Zone),and,*

Parcel 3. *Being Lot 1, Block 3, Kings Hill Replat and Tract 4A, 6G and a portion of Tract 6A, A.F. Miller Survey No. 216 and Tract 21, John Barker Survey No. 10, City of El Paso, El Paso County, Texas* and being more particularly described by metes and bounds on the attached **Exhibit “C”**, and the survey attached as **Exhibit “E”** both incorporated herein for all purposes, and, from their current from C-1, C-1/SC, A-O/SC, A-O/C/SC, PR-1/SC and R-3 to SCZ (SmartCode Zone), and,

That the zoning map of the City of El Paso be revised accordingly; and,

That the City Council approve the Regulating Plan attached as **Exhibit “F”** as incorporated herein for all purposes; and,

That the development of the property described above and land uses allowed on such property shall be in accordance with Title 21, SmartCode, the attached Regulating Plan, and the El Paso City Code.

PASSED AND APPROVED this _____ day of _____, 2012.

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:

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

EXHIBIT "A"

Prepared for: EPT Land Communities
April 17, 2012
(Parcel 1)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Tract 1, all of Tracts 3 and 3A, John Barker Survey No. 10 and Tract 4F2B, A.F. Miller Survey No. 215 and Tracts 6 and 7, I.F. Harrison Survey No. 54 and Montecillo Unit Three Amending Plat save and except Lot 2, Block 2, Thereof as recorded in clerks file no. 20090065237 and save and except 4.6007 acres being Lots 3 and 4, Block 9, Montecillo Unit Three Replat A, recorded in clerk's file No. 20110085971, Real property records City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at a found 1" pipe in concrete marked "NE 10" for the northeast corner of John Barker Survey No. 10; from which a found pipe for the northwest corner of John Baker Survey No. 10 bears North 89°10'00" West a distance of 2,596.86 feet; Thence from said northeast corner of John Baker No. 10, North 89°10'00" West a distance of 978.66 feet to a point on the westerly line of Lot 2, Block 2, Montecillo Unit Three Amending for the "TRUE POINT OF BEGINNING".

Thence along the westerly line of Lot 2, Block 2, Montecillo Unit Three Amending Plat the following courses;

South 05°24'34" West a distance of 178.31 feet to a point;

South 18°45'13" West a distance of 133.53 feet to a point;

South 09°53'25" West a distance of 133.88 feet to a point;

South 10°01'41" West a distance of 124.87 feet to a point;

South 05°56'36" West a distance of 54.88 feet to a point;

South 10°14'52" East a distance of 95.04 feet to a point;

South 01°18'09" West a distance of 49.46 feet to a point;

South 11°35'01" West a distance of 71.13 feet to a point;

South 15°50'34" East a distance of 206.33 feet to a point;

South 06°49'19" East a distance of 46.74 feet to a point;

South 01°32'51" West a distance of 152.97 feet to a point;

South 06°11'09" East a distance of 156.42 feet to a point;

South 49°10'11" East a distance of 212.37 feet to a point on the northwesterly right of way line of Montecillo Blvd;

Thence along said right of way line 64.94 feet along the arc of a curve to the left which has a radius of 1045.00 feet a central angle of 03°33'29" a chord which bears North 15°30'36" East a distance of 64.93 feet to a point;

Thence along said right of way line North 13°43'46" East a distance of 67.75 feet to a point of curve;

Thence along said right of way line 450.97 feet along the arc of a curve to the right which has a radius of 860.00 feet a central angle of 37°02'42" a chord which bears North 28°45'07" East a distance of 445.82 feet to a point;

Thence along said right of way line North 43°46'28" East a distance of 10.23 feet to a point of curve;

Thence along said right of way line 213.50 feet along the arc of a curve to the right which has a radius of 1068.00 feet a central angle of 11°27'14" a chord which bears North 49°30'05" East a distance of 213.15 feet to a point on the intersection of the westerly line of Montecillo Unit Two and the northerly right of way line of Montecillo Blvd;

Thence along the northerly right of way line of Montecillo Blvd., 200.54 feet along the arc of a curve to the right which has a radius of 1068.00 feet a central angle of 10°45'30" a chord which bears North 60°36'28" East a distance of 200.24 feet to a point;

Thence along said right of way line North 65°59'13" East a distance of 56.37 feet to a point of curve;

Thence 39.27 feet along the arc of a curve to the left which has a radius of 25.00 feet a central angle of 89°59'44" a chord which bears North 20°59'21" East a distance of 35.35 feet to a point on the westerly right of way line of Mesa Street (U.S. 80);

Thence along said right of way line South 24°00'31" East a distance of 160.00 feet to a point;

Thence leaving said right of way line 39.27 feet along the arc of a curve to the left which has a radius of 25.00 feet a central angle of 90°00'16" a chord which bears North 69°00'39" West a distance of 35.36 feet to a point on the southerly right of way line of Montecillo Blvd.;

Thence along said right of way line South 65°59'13" West a distance of 56.35 feet to a point;

Thence 371.40 feet along the arc of a curve to the left which has a radius of 958.00 feet a central angle of 22°12'45" a chord which bears South 54°52'51" West a distance of 368.08 feet to a point on the westerly line of Montecillo Unit One;

Thence along said line South 28°33'4" East a distance of 538.18 feet to a point on the southerly line of Montecillo Unit One;

Thence along said line North 63°20'7" East a distance of 269.84 feet to a point on the easterly line of Montecillo Unit Three;

Thence along said line South 00°46'50" West a distance of 953.90 feet to a point on the southerly line of Montecillo Unit Three;

Thence along said line North 82°25'27" West a distance of 1051.35 feet to a point on the easterly right of way line of Montecillo Blvd;

Thence 152.54 feet along the arc of a curve to the left which has a radius of 1144.12 feet a central angle of $04^{\circ}04'34''$ a chord which bears South $17^{\circ}58'17''$ West a distance of 152.56 feet to a point;

Thence leaving said right of way line North $82^{\circ}25'27''$ West a distance of 111.12 feet to a point on the westerly right of way line of Montecillo Blvd ;

Thence along said right of way line 152.29 feet along the arc of a curve to the right which has a radius of 2254.12 feet a central angle of $03^{\circ}52'15''$ a chord which bears North $1^{\circ}27'29''$ East a distance of 152.26 feet to a point;

Thence leaving said right of way line North $82^{\circ}25'27''$ West a distance of 1452.81 feet to a point on the westerly line of Montecillo Unit Three Amending;

Thence along said line North $00^{\circ}49'12''$ East a distance of 75.05 feet to a point;

Thence, South $88^{\circ}42'39''$ West (South $87^{\circ}59'$ West, Bk. 1357, Pg. 385) a distance of 731.43 feet to a point at the easterly right of way line of Interstate Highway no. 10 as per R.O.W. Map Control No. 2121, Sect. 2, Job No. 27;

Thence along said right of way line, North $37^{\circ}37'35''$ West (North $34^{\circ}27'12''$ West, Cont 2121, Sect. 2, Job No. 27) a distance of 86.51 feet (87.29 feet book 3712, page 1055);

Thence along said right of way line, North $53^{\circ}33'34''$ West a distance of 1,031.67 feet to a point;

Thence along said right of way, North $73^{\circ}22'05''$ West a distance of 596.01 feet to a point;

Thence along said right of way line, North $89^{\circ}50'45''$ West a distance of 1156.06 feet to a point at the intersection of said right of way and the southeasterly line of Rubin Heights Unit Two Replat "A" Amending Plat;

Thence along said southeasterly line, North $57^{\circ}42'45''$ East a distance of 364.55 feet to a point;

Thence along said southeasterly line, South $21^{\circ}57'44''$ East (South $21^{\circ}58'17''$ East, Vol. 75, Pg. 53) a distance of 51.42 feet (51.56 feet book. 3019, page 1895) to a point;

Thence along said southeasterly line, North $48^{\circ}10'04''$ East (North $48^{\circ}09'31''$ East, Vol. 75, Pg. 53) a distance of 949.15 feet (book 3019, page 1895) to a point;

Thence along said southeasterly line, North $53^{\circ}40'20''$ East (North $53^{\circ}39'47''$ East, Vol. 75, Pg. 53) a distance of 265.80 feet to a point;

Thence along the westerly right of way extension of Suncrest Drive described as northeasterly line of Tract 6, I.F. Harrison Survey No. 54 in Book 3019, Page 1895 with the El Paso County Deed Records, 378.95 feet (379.09 feet, Bk. 3019, Pg. 1895) along the arc of a curve to the left which has a radius of 695.00 feet, a central angle of $31^{\circ}14'25''$ ($31^{\circ}15'08''$, Bk. 3019, Pg. 1895), and a chord which bears South $36^{\circ}00'23''$ East (South $36^{\circ}02'41''$ East, Bk. 3019, Pg. 1895) a distance of 374.27 feet (374.41 feet Bk. 3019, Pg. 1895) to a point;

Thence along said right of way extension, South $51^{\circ}37'35''$ East (South $51^{\circ}40'15''$ East, Bk. 3019, Pg. 1895) a distance of 90.00 feet to a point at the common line between Tract 6 and Tract 7;

Thence with the westerly line of Tract 7, L.F. Harrison Survey No. 54 described in Book 3019, Page 1895 with the El Paso County Deed Records, North $38^{\circ}22'25''$ East (North $38^{\circ}19'45''$ East, Bk. 3019, Pg. 1895) a distance of 35.00 feet to a point at the centerline extension of Suncrest Drive;

Thence with said centerline extension, North $51^{\circ}37'35''$ West (North $51^{\circ}40'15''$ West, Bk. 3019, Pg. 1895) a distance of 90.00 feet to a point at a point of curvature;

Thence with said centerline extension, 360.00 feet along the arc of a curve to the right which has a radius of 660.00 feet, a central angle of $31^{\circ}15'08''$, and a chord of 355.55 feet that bears North $36^{\circ}00'01''$ West (North $36^{\circ}02'41''$ West, Bk. 3019, Pg. 1895) to a point;

Thence leaving said centerline, North $69^{\circ}37'36''$ East (North $69^{\circ}34'53''$ East, Bk. 3019, Pg. 1895) a distance of 35.00 feet to a point at the southwesterly corner of Lot 1, Block 2, Rubin Heights Unit One recorded in Volume 37, Page 8 with the El Paso County Plat Records;

Thence with the southerly line of said lot, North $85^{\circ}08'41''$ East (North $85^{\circ}04'36''$ East, Bk. 3019, Pg. 1895) a distance of 665.73 feet (665.94 feet, Bk. 3019, Pg. 1895) to a point;

Thence continuing with the southerly line of said lot, North $68^{\circ}51'17''$ East (North $68^{\circ}47'14''$ East, Bk. 3019, Pg. 1895) a distance of 480.17 feet to a point at the common line between L.F. Harrison No. 54 and A.F. Miller Survey No. 215;

Thence with said common line, North $00^{\circ}50'42''$ East (North $00^{\circ}48'15''$ East, Bk. 3019, Pg. 1895) a distance of 23.28 feet to a point;

Thence continuing with said common line, North $00^{\circ}48'05''$ East (North $00^{\circ}45'38''$ East, Bk. 3019, Pg. 1895) a distance of 22.00 feet to a point on the southerly line of Fiesta Hills Addition Unit Three recorded in Volume 19, Page 28 with the El Paso County Plat Records;

Thence along the southerly line of said Fiesta Hills Addition Unit Three, North $77^{\circ}12'38''$ East (North $77^{\circ}10'11''$ East, Bk. 3019, Pg. 1895) a distance of 1,463.16 feet (1463.37 feet, Bk. 3019, Pg. 1895) to a point on the westerly line of Fiesta Hills Addition Unit Four recorded in Volume 52, Page 11, of the El Paso County Plat Records;

Thence with said westerly line, South $00^{\circ}48'00''$ West (South $00^{\circ}46'56''$ West, Bk. 3019, Pg. 1895) a distance of 260.73 feet (260.49 feet, Bk. 3019, Pg. 1895) to a point at the southwest corner of Lot 36, Block 3, Fiesta Hills Addition Unit Four;

Thence with the south line of said Lot 36, South 89°55'57" East (South 89°57'01" East, Bk. 3019, Pg. 1895) a distance of 153.24 feet to a point on the northerly right of way of New Orleans Drive;

Thence, South 00°04'03" West (South 00°02'59" West, Bk. 3019, Pg. 1895) a distance of 171.00 feet (171.16 feet, Bk. 3019, Pg. 1895) to a point at the north line of Tract 1, J. Barker Survey No. 10 as described by Book 1177, Page 0599 recorded with the El Paso County Deed Records;

Thence along said line South 89°10'00" East a distance of 985.14 feet to the "TRUE POINT OF BEGINNING and containing 201.26 acres (Net 196.66 Acres) of land more or less.

Note: Not a ground survey, Bearings basis ce plat of Montocillo Unit Three Amending Plat recorded in clerks file no. 20090065237, Real property records of El Paso County, Texas.



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



Job # 311-22

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
6080 SURETY DRIVER SUITE 100 / EL PASO, TEXAS 79905 / (915) 592-0283 FAX (915) 592-0286

EXHIBIT "B"

Tract 4, John Barker Survey No. 10,
City Of El Paso, El Paso County, Texas
March 14, 2011
(Parcel 2)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being **Tract 4, John Barker Survey No. 10,** City Of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at a found brass disk marking the northeast corner of tract 3A, John Barker survey No. 10, Thence along the line between tract 1 and 3, John Barker No. 10, **South 00°49'08" West** a distance of **2,252.05** feet to a set 1/2" rebar with cap "5152" set for the northeasterly corner of tract 4 as described in Book 3712, Page 1055, from which a found E.P.E.C. brass cap bears North 00°48'24" East a distance of 200.13 feet;

Thence along the easterly line of said tract 4, **South 00°48'24" West** (South 00°01'45" West, Bk. 3712, Pg. 1055) a distance of **1,283.08** feet (1283.47 feet, Bk. 3712, Pg. 1055) to a found TX.D.O.T. sheared concrete monument at the easterly right of way line of Interstate 10 as per R.O.W. Map Control No. 2121, Sect. 2, Job No. 27;

Thence with said right of way line, **North 21°16'42" West** (North 18°07'32" West, Cont 2121, Sect. 2, Job No. 27) a distance of **663.74** feet (661.79 feet, Cont 2121, Sect. 2, Job No. 27) to a found TX.D.O.T. brass cap;

Thence with said right of way line, **North 71°39'13" East** (North 71°52'28" East, Cont 2121, Sect. 2, Job No. 27) a distance of **49.73** feet (50.00 feet, Cont 2121, Sect. 2, Job No. 27) to a found TX.D.O.T. brass cap;

Thence with said right of way line, **North 21°53'42" West** (North 18°39'33" West, Cont 2121, Sect. 2, Job No. 27) a distance of **537.26** feet (536.77 feet, Cont 2121, Sect. 2, Job No. 27) to a found TX.D.O.T. brass cap;

Thence with said right of way line, **North 37°37'35" West** (North 34°27'12" West, Cont 2121, Sect. 2, Job No. 27) a distance of **175.03** feet (175.26 feet, Cont 2121, Sect. 2, Job No. 27) to a point the southerly line of 175 foot El Paso Electric Company Right of Way as described by Book 1357, Page 385, Book 1324, Page 273, and Book 552, Page 446, recorded with the El Paso County Deed Records, from which a found 1/2" rebar bears North 30°35'53" West a distance of 0.23 feet;

Thence leaving said right of way line, **North 88°42'39" East** (North 87°59' 00" East, Bk. 1324, Pg. 273) a distance of **519.06** feet to the "TRUE POINT OF BEGINNING" and containing in all 300,801.16 square feet or 6.9054 acres of land more or less.

Bearing basis is true north for a transverse Mercator surface projection as determined by GPS methods centered at an El Paso Electric Company brass disk.

Plat of even date accompanies this Metes and Bounds.


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



#311-22

CONDE, INC. 4-9-12

ENGINEERING / LAND SURVEYING / PLANNING

6080 SURETY DRIVE SUITE 100 / EL PASO, TEXAS 79905 / (915) 592-0283

EXHIBIT "C"

Being Lot 1, Block 3, Kings Hill Replat
And Tract 4A, 6G and a portion of Tract 6A,
A.F. Miller Survey No. 216, And Tract 21,
John Barker Survey No. 10
City of El Paso, El Paso County, Texas
Prepared for: EPT
March 14, 2011
(Parcel 3)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being Lot 1, Block 3, Kings Hill Replat and Tracts 4A, 6G and a Portion of Tract 6A, A.F. Miller Survey No. 216 and Tract 21, John Barker Survey No. 10, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at a found city monument at the centerline intersection of Argonaut Drive and Kingspoint Drive thence along the centerline of Kingspoint Dr., South $89^{\circ}09'56''$ West a distance of 150.00 feet to a point; Thence leaving said centerline North $00^{\circ}50'04''$ West a distance of 30.00 feet to a point on the northerly right of way line of Kingspoint Dr. for The "TRUE POINT OF BEGINNING";

Thence leaving said right of way line North $00^{\circ}50'04''$ West a distance of 151.58 feet to a point on the line between Tracts 6F and 6G;

Thence along said line South $89^{\circ}09'56''$ West a distance of 242.35 feet to a point;

Thence along said line South $60^{\circ}09'56''$ West a distance of 877.00 feet to a point;

Thence South $58^{\circ}48'50''$ West a distance of 114.48 feet to a point;

Thence South $41^{\circ}09'56''$ West a distance of 115.13 feet to a point;

Thence South $28^{\circ}29'56''$ West a distance of 115.13 feet to a point;

Thence South $22^{\circ}09'56''$ West a distance of 153.07 feet to a point;

Thence South $12^{\circ}00'00''$ East a distance of 130.00 feet to a point;

Thence South $35^{\circ}50'16''$ East a distance of 120.36 feet to a point on the common boundary line of tracts 6A and lot 11, Block 1, Kings Hills;

Thence along said boundary line South $42^{\circ}56'56''$ East a distance of 297.80 feet to a point;

Thence continuing along said boundary line South $60^{\circ}31'49''$ East a distance of 150.09 feet to a point on the westerly right of way line of Argonaut Drive;

Thence along said right of way line South $31^{\circ}26'17''$ West a distance of 43.20 feet to a point on the southerly boundary line of tract 6A, A.F. Miller Survey No 216;

Thence along said boundary line North $89^{\circ}28'41''$ West a distance of 551.99 feet to a point on the easterly right of way line of Mesa Street;

Thence along said right of way line the following three courses

North $33^{\circ}51'53''$ West a distance of 483.84 feet to a point;

North $22^{\circ}47'47''$ West a distance of 127.04 feet to a point;

North $15^{\circ}17'53''$ West a distance of 923.26 feet to a point;

Thence 31.42 feet along the arc of a curve to the left whose interior angle is $90^{\circ}00'00''$ whose radius is 20.00 feet whose chord bears South $60^{\circ}17'53''$ East a distance of 28.28 feet to a point on the common boundary line of tract 4A, A.F. Miller Survey No. 216 and Mesa Hills Unit Fifteen recorded in volume 61, page 66, Plat records of El Paso County, Texas;

Thence along said boundary line North $74^{\circ}42'07''$ East ($N75^{\circ}16'56''E$ vol. 61, pg. 66) a distance of 97.77 feet to a point on the easterly boundary line of Mesa Hills Unit 15;

Thence along the easterly boundary line of Mesa Hills Unit 15 the following Six Courses

North $00^{\circ}15'38''$ East ($N00^{\circ}50'27''E$ vol. 61, pg. 66) a distance of 747.02 feet to a point;

68.76 feet along the arc of a curve to the left whose interior angle is $13^{\circ}07'54''$ whose radius is 300.00 feet whose chord bears North $27^{\circ}11'01''$ East a distance of 68.61 feet to a point;

North $20^{\circ}37'09''$ East ($N21^{\circ}11'58''E$ vol. 61, pg. 66) a distance of 33.96 feet to a point;

101.08 feet along the arc of a curve to the right whose interior angle is $18^{\circ}14'24''$ whose radius is 317.50 feet whose chord bears North $29^{\circ}44'21''$ East a distance of 100.65 feet to a point;

North $38^{\circ}51'30''$ East ($N39^{\circ}26'19''E$ vol. 61, pg. 66) a distance of 334.47 feet to a point;

39.51 feet along the arc of a curve to the left whose interior angle is $07^{\circ}32'47''$ whose radius is 300.00 feet whose chord bears North $35^{\circ}05'07''$ East a distance of 39.48 feet to a point;

Thence South $89^{\circ}43'19''$ East ($S89^{\circ}08'30''W$ vol. 76, pg. 48) a distance of 1730.88 feet to a point on the westerly boundary line of an 75 feet El Paso Electric Company right of way;

Thence along said right of way line South $00^{\circ}50'04''$ East a distance of 883.05 feet to a point;

Thence South $89^{\circ}02'02''$ West a distance of 1.83 feet to a point on the easterly line of lot 1, Block 9, Kings Hill Replat;

Thence along said line South $00^{\circ}50'04''$ East a distance of 501.39 feet to a point on the northerly right of way line of Kingspoint Dr.

Thence along said right of way line South 89°09'56" West a distance of 80.00 feet to a point;

Thence along said right of way line 31.42 feet along the arc of a curve to the left whose interior angle is 90°00'00" whose radius is 20.00 feet whose chord bears South 44°09'56" West a distance of 28.28 feet;

Thence along said right of way line South 89°09'56" West a distance of 100.00 feet to the "TRUE POINT OF BEGINNING" and containing 83.91 acres of land more or less.

NOTES:

- 1) Bearings based on centerline monumentation of Argonaut Drive as shown on plat of Kings Hill recorded in volume 23, page 41, Plat Records of El Paso County, Texas



Ron R. Conde
R.P.L.S. No. 5152
Job No. 311-22



CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
6080 SURETY DRIVE SUITE 100 / EL PASO, TEXAS 79905 / (915) 592-0283 FAX (915) 592-0286

SMARTCODE APPLICATION
EL PASO, TEXAS
CODE OF ORDINANCES
TITLE 21 APPLICATION

MONTECILLO DEVELOPMENT
REGULATING PLAN

PREPARED FOR EPT LAND COMMUNITIES
9 MARCH 2012

Project Team

Lead Consultant
Moule & Polyzoides
Architects and
Urbanists

Stefanos Polyzoides
Vinayak Bharne
Thiago Valente
Alexandria Hoevel
Orlando Gonzalez

Transportation/Traffic
Swift and Associates

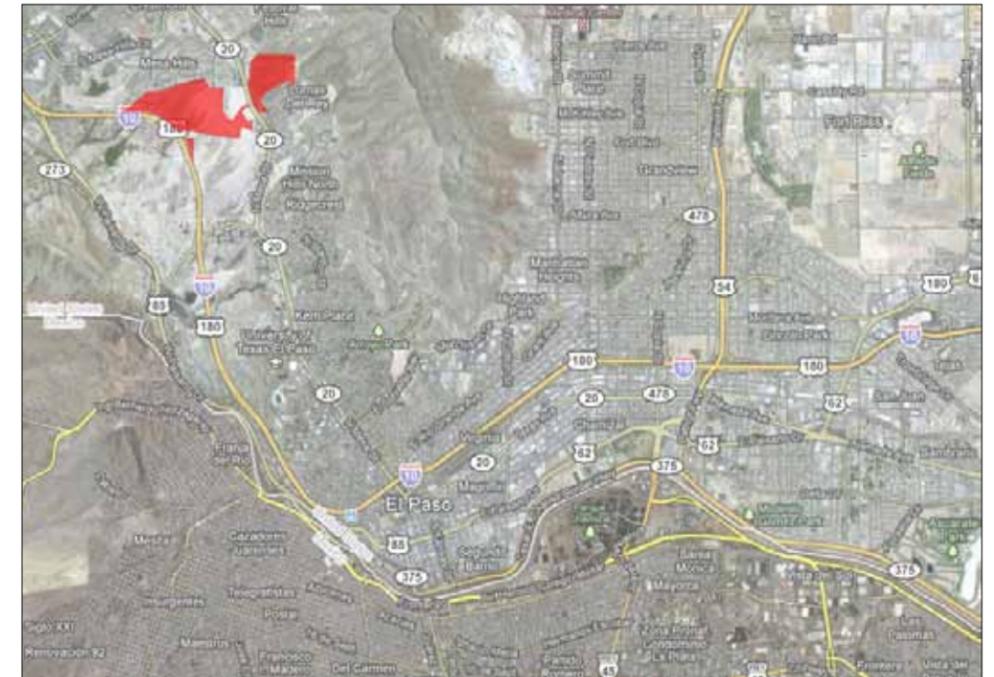
Peter Swift

Civil Engineers

Conde Inc.

Tony Conde

Yvonne C. Curry



Site Location

Table Of Contents

Aerial	3
Legal Descriptions	4
Existing Zoning	5
Project Size and Boundary	6
Transect Zone Allocation	7
Project Summary	8
Thoroughfare Assignment	11
Thoroughfare Standards	12
Maximum Block Size	16
Civic Space and Buildings	17
Pedestrian Trails	18
Playgrounds	19
Special Requirements	20
Warrants, Adjustments	21
Black and White Copy for Recording	23



SITE AERIAL



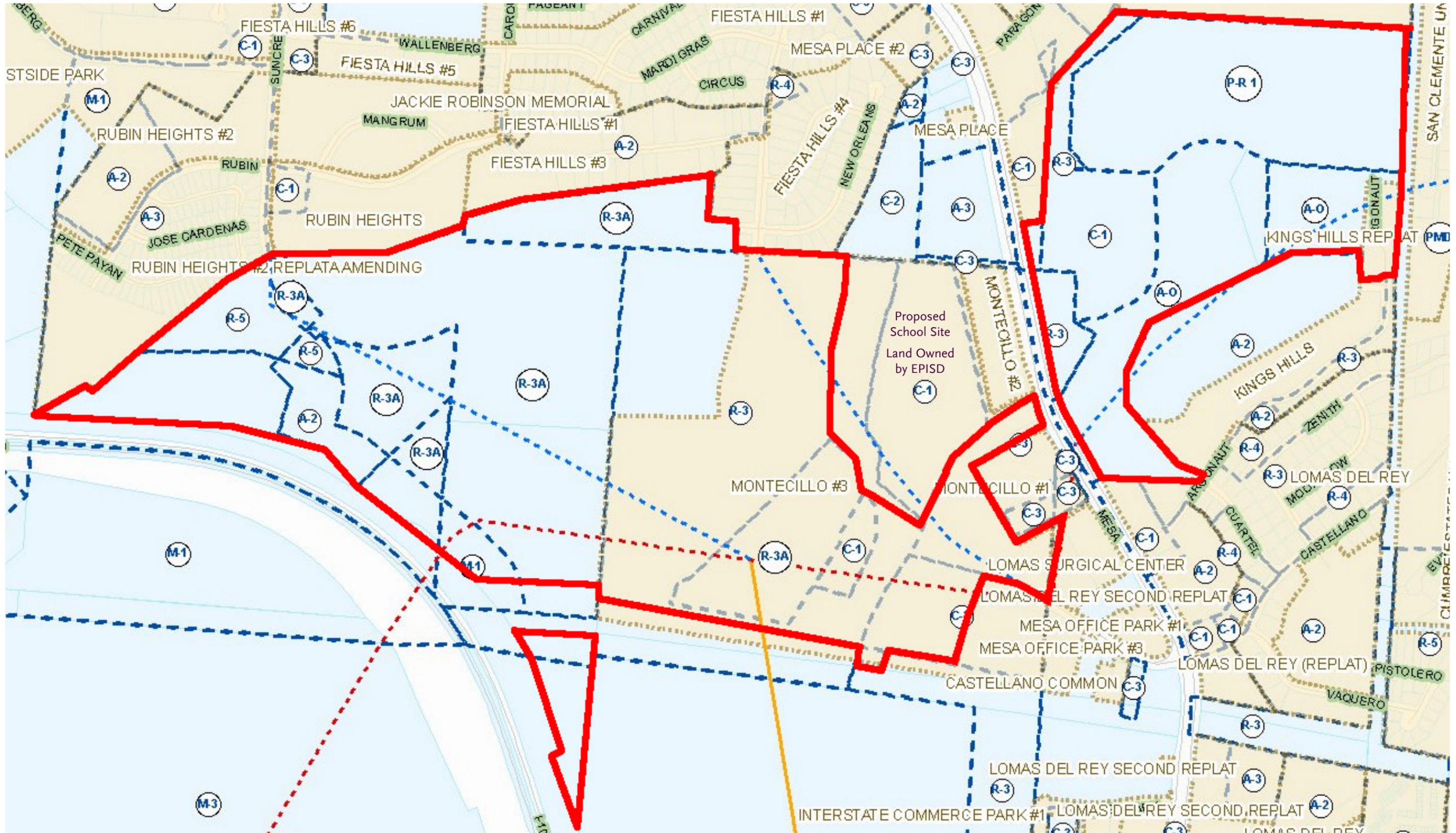
Description	Legal	Acreage
Planned Parenthood	A portion of Tract 6A, now known as Tract 6J, A.F. MILLER SURVEY No. 216, in the City of El Paso, El Paso County, Texas, according to the map filed for tax purposes at the El Paso Central Appraisal District	0.06490
Lomas Surgical	A portion out of Lot 1, Block 1, LOMAS SURGICAL CENTER, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 73, Page 23, Plat Records of El Paso County, Texas	0.70800
Asarco	Tract 1, JOHN BARKER SURVEY No. 10, an addition in the City of El Paso, El Paso County, Texas, according to the resurvey of said JOHN BARKER SURVEY No. 10 by El Paso County, Texas for tax purposes	125.95600
Cemex - Parcel 1	Tract 4F2B, A.F. MILLER SURVEY NO. 215, in the City of El Paso, El Paso County, Texas, according to the map filed for tax purposes at the El Paso Central Appraisal District	9.00900
Cemex - Parcel 2	Tract 3A, JOHN BARKER SURVEY NO. 10, in the City of El Paso, El Paso County, Texas, according to the map filed for tax purposes at the El Paso Central Appraisal District	24.80900
Cemex - Parcel 3 & 4	Tracts 6 and 7, I.F. HARRISON SURVEY NO. 54, in the City of El Paso, El Paso County, Texas, according to the map filed for tax purposes at the El Paso Central Appraisal District	47.55400
Cemex - Parcel 5	Tract 4, JOHN BARKER SURVEY NO. 10, in the City of El Paso, El Paso County, Texas, according to the map filed for tax purposes at the El Paso central Appraisal District	6.90931
Cemex - Parcel 6	Tract 3, JOHN BARKER SURVEY NO. 10, in the City of El Paso, El Paso county, Texas, according to the map filed for tax purposes at the El Paso Central Appraisal District	17.83262
Cemex - Parcel 7	A portion of Tract 5A, JOHN BARKER SURVEY NO. 10, in the City of El Paso, according to the map filed for tax purposes at the El Paso Central Appraisal District and a portion of I.F. HARRISON SURVEY NO. 54, in the City of El Paso, El Paso County, Texas, according to the map filed for tax purposes at the El Paso Central Appraisal District	1.42940
Lemiro - Parcel 1	Lot 1, Block 3, KINGS HILLS REPLAT, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 44, Page 15, Real Property Records, El Paso County, Texas	2.35500
Lemiro - Parcel 2	A portion out of Tract 6A, now known as Tract 6G, A.F. MILLER SURVEY NO. 216 in the City of El Paso, El Paso County, Texas, according to the resurvey of said A.F. MILLER SURVEY NO. 216 made by El Paso County, Texas for tax purposes	9.27100
Residential Vista	A parcel of land being Tract 21, JOHN BARKER SURVEY NO. 10 and Tract 4A and portion of Tract 6A, A.F. Miller Survey No. 216, City of El Paso, El Paso County, Texas	72.28000
	TOTAL ACREAGE	318.17823

SAVE AND EXCEPT

The Retreat	Lot 3 Block 9 Montecillo Unit Three Replat "A"	4.50320
The Venue - Parcel 1	Lot 1A, Block 1, MONTECILLO UNIT ONE REPLAT A, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof recorded under Instrument No. 20110018395, Real Property Records of El Paso County, Texas	4.04840
The Venue - Parcel 2	Lot 1, Block 2, MONTECILLO UNIT TWO, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof recorded under Instrument No. 20090006768, Plat Records of El Paso County, Texas	4.67960
Capital Bank	A portion of Lot 1, Block 1, MONTECILLO UNIT ONE, an Addition to the City of El Paso, El Paso County, Texas, according to the Map thereof recorded under Instrument No. 20080068640, Plat Records of El Paso County, Texas	1.64040
EPISD	Lot 2, Block 2, MONTECILLO UNIT THREE, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof recorded under Instrument No. 20090015123, Plat Records of El Paso County, Texas	14.41680
	TOTAL TO SAVE AND EXCEPT	29.28840

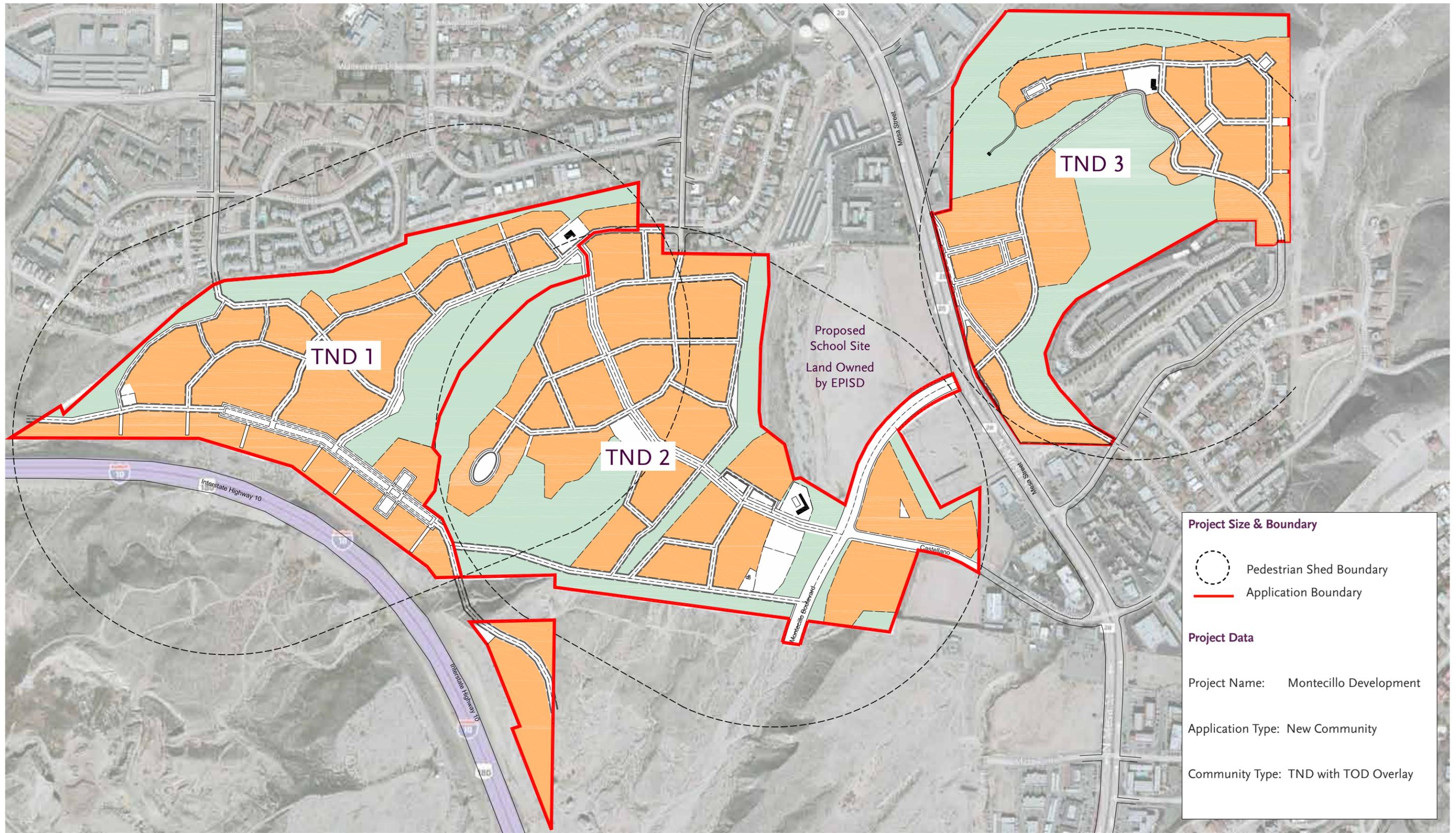
NET ACREAGE

288.88983



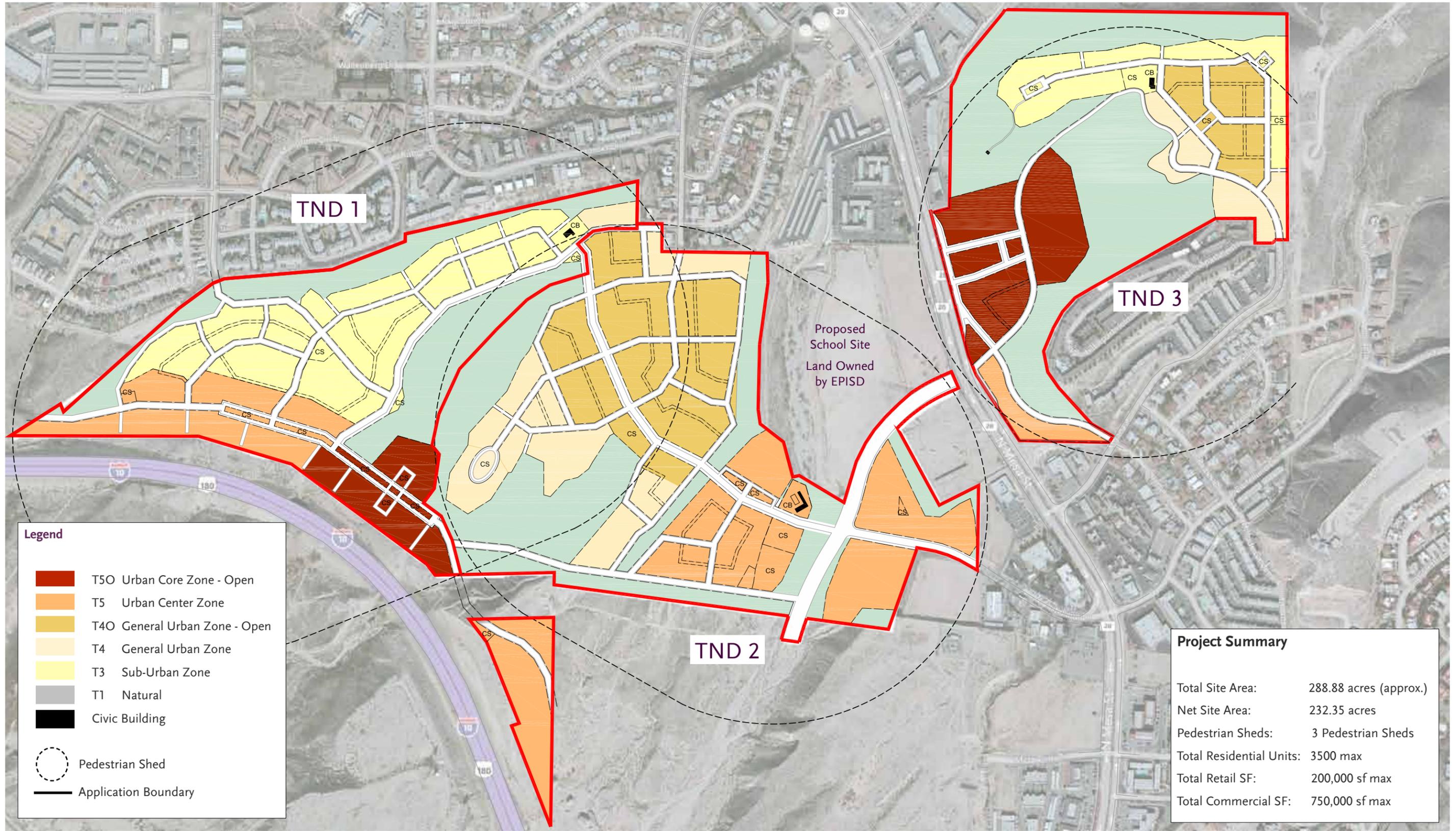
EXISTING ZONING





PROJECT BOUNDARY & BLOCK SIZES





Legend

- T50 Urban Core Zone - Open
- T5 Urban Center Zone
- T40 General Urban Zone - Open
- T4 General Urban Zone
- T3 Sub-Urban Zone
- T1 Natural
- Civic Building
- Pedestrian Shed
- Application Boundary

Project Summary

Total Site Area:	288.88 acres (approx.)
Net Site Area:	232.35 acres
Pedestrian Sheds:	3 Pedestrian Sheds
Total Residential Units:	3500 max
Total Retail SF:	200,000 sf max
Total Commercial SF:	750,000 sf max

TRANSECT ZONE ALLOCATION





TND 1 - Transect Zones

	Area (acres)	% Area Required by TOD Overlay	% Area Proposed
T50	7.16	30% max	8.4%
T5	17.09	30% max	20.1%
T40	0.00	40% max	0.0%
T4	1.01	50% max	1.2%
T3	23.49	60% max	27.6%
T1	18.58	no minimum	21.8%
Thoroughfares	17.75		
Total Area	85.08		



TND 1 - Civic Spaces

	Civic Space Acreage	Parks Acreage	Civic Building Acreage	Total	% Total Site Area
TND 1	2.12	18.58	0.00	20.70	25.4%



TND 2 - Transect Zones



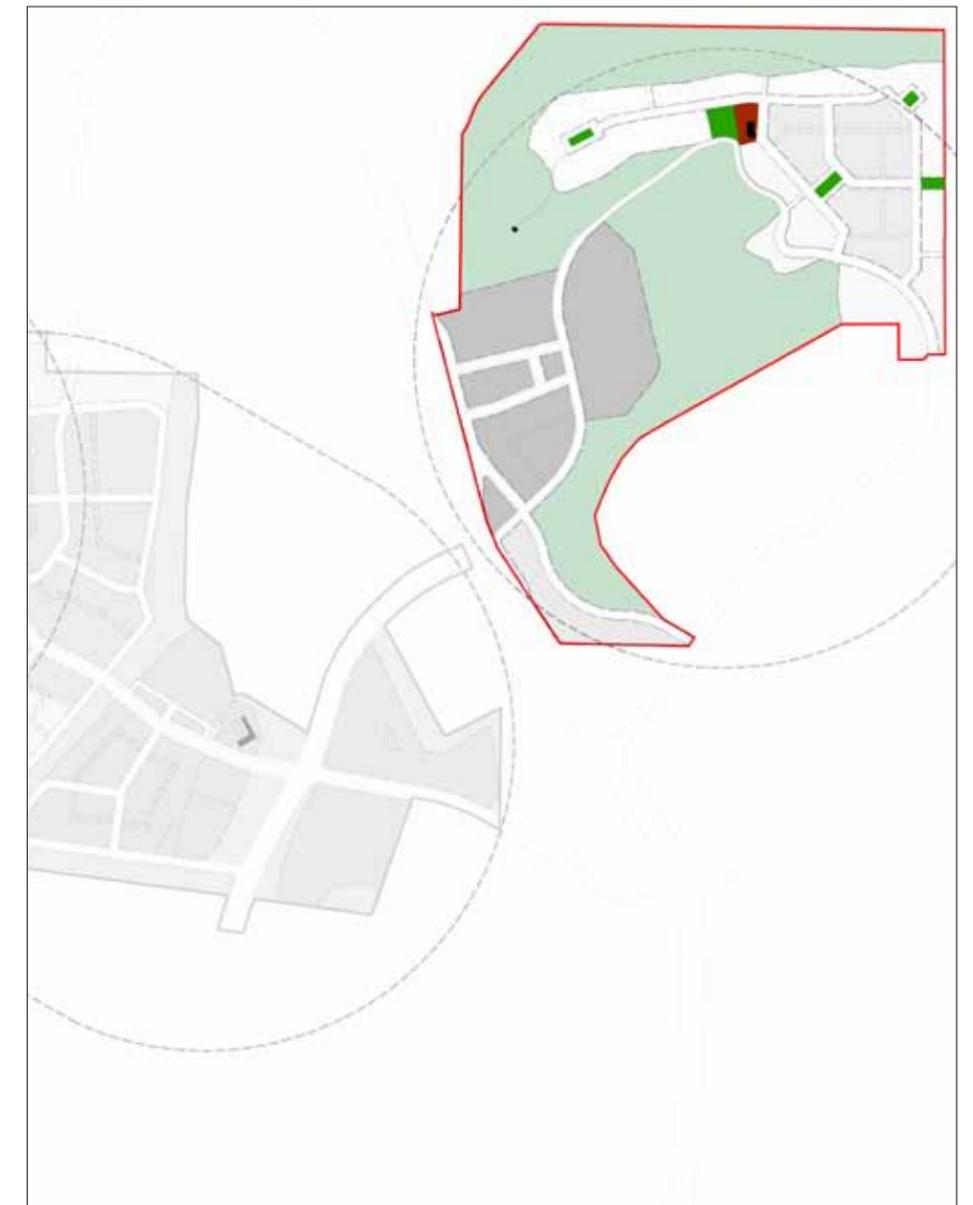
TND 2 - Civic Spaces

	Area (acres)	% Area Required by TOD Overlay	% Area Proposed
T5O	0.00	30% max	0.0%
T5	21.26	30% max	18.3%
T40	22.34	40% max	19.2%
T4	14.86	50% max	12.8%
T3	0.00	60% max	0.0%
T1	33.37	no minimum	28.7%
Thoroughfares	24.49		
Total Area	116.32		

	Civic Space Acreage	Parks Acreage	Civic Building Acreage	Total	% Total Site Area
TND 2	3.55	33.37	1.27	38.19	33.9%



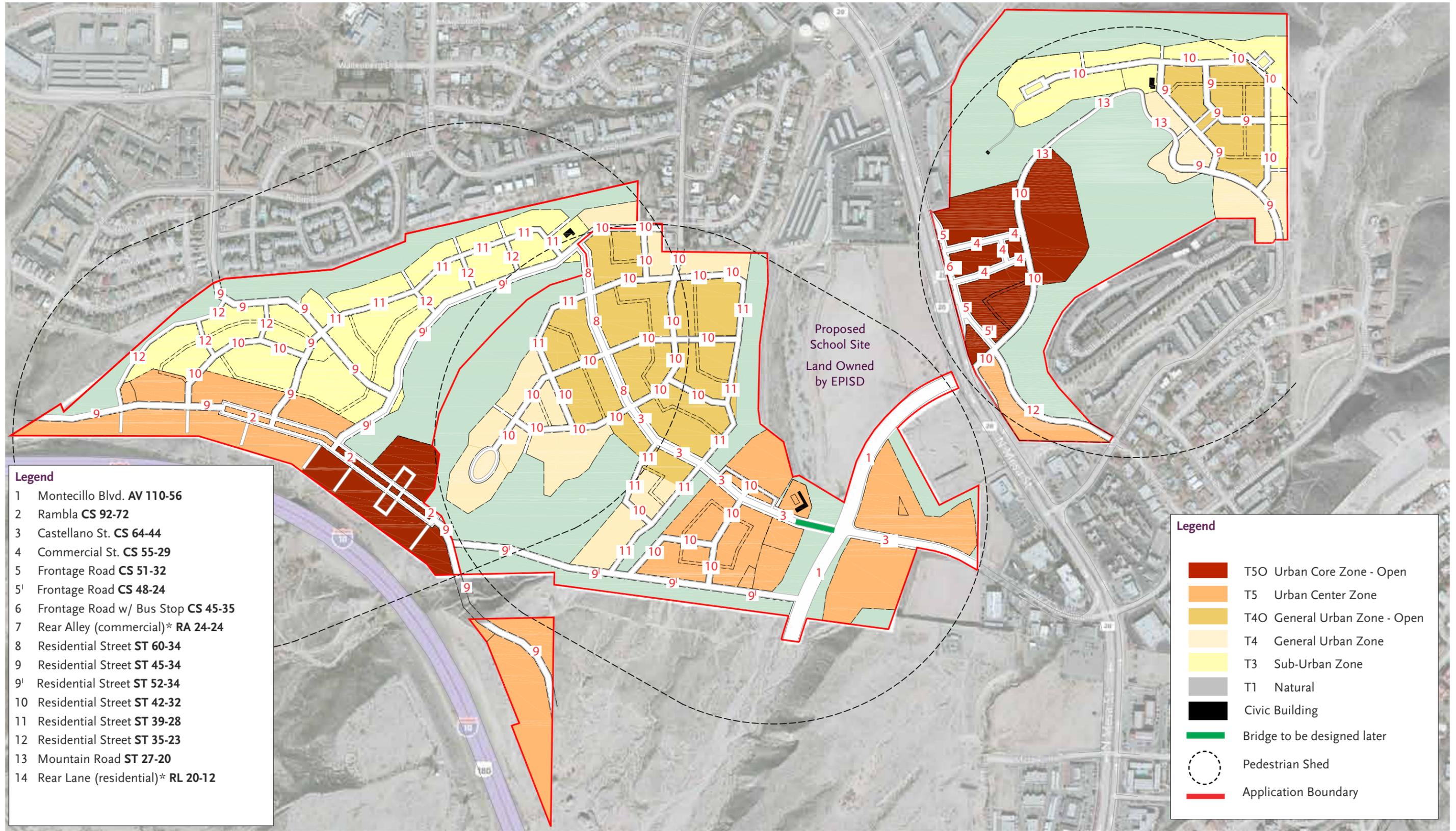
TND 3 - Transect Zones



TND 3 - Civic Spaces

	Area (acres)	% Area Required by TOD Overlay	% Area Proposed
T50	13.17	30% max	15.1%
T5	2.38	30% max	2.7%
T40	6.07	40% max	6.9%
T4	4.78	50% max	5.5%
T3	9.42	60% max	10.8%
T1	37.37	no minimum	42.7%
Thoroughfares	14.29		
Total Area	87.48		

	Civic Space Acreage	Parks Acreage	Civic Building Acreage	Total	% Total Site Area
TND 3	0.76	37.37	0.39	38.52	45.9%



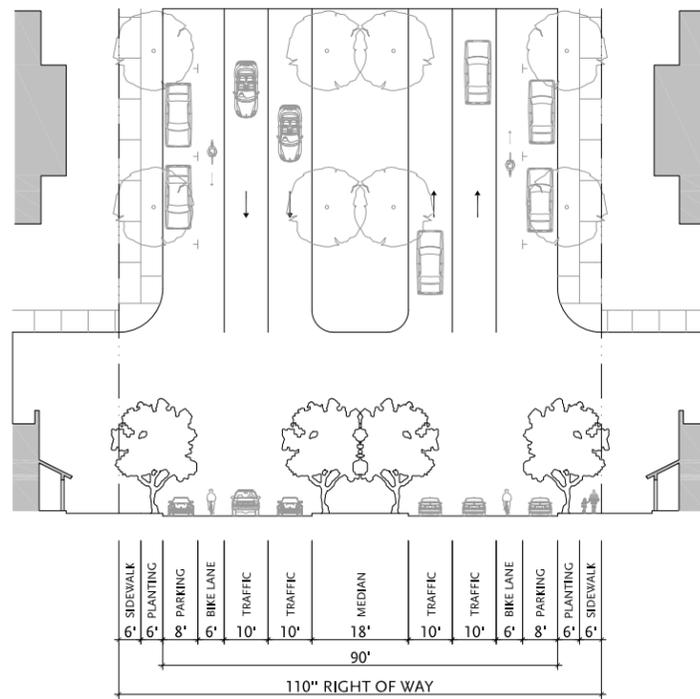
- Legend**
- 1 Montecillo Blvd. AV 110-56
 - 2 Rambla CS 92-72
 - 3 Castellano St. CS 64-44
 - 4 Commercial St. CS 55-29
 - 5 Frontage Road CS 51-32
 - 5' Frontage Road CS 48-24
 - 6 Frontage Road w/ Bus Stop CS 45-35
 - 7 Rear Alley (commercial)* RA 24-24
 - 8 Residential Street ST 60-34
 - 9 Residential Street ST 45-34
 - 9' Residential Street ST 52-34
 - 10 Residential Street ST 42-32
 - 11 Residential Street ST 39-28
 - 12 Residential Street ST 35-23
 - 13 Mountain Road ST 27-20
 - 14 Rear Lane (residential)* RL 20-12

- Legend**
- T5O Urban Core Zone - Open
 - T5 Urban Center Zone
 - T4O General Urban Zone - Open
 - T4 General Urban Zone
 - T3 Sub-Urban Zone
 - T1 Natural
 - Civic Building
 - Bridge to be designed later
 - Pedestrian Shed
 - Application Boundary

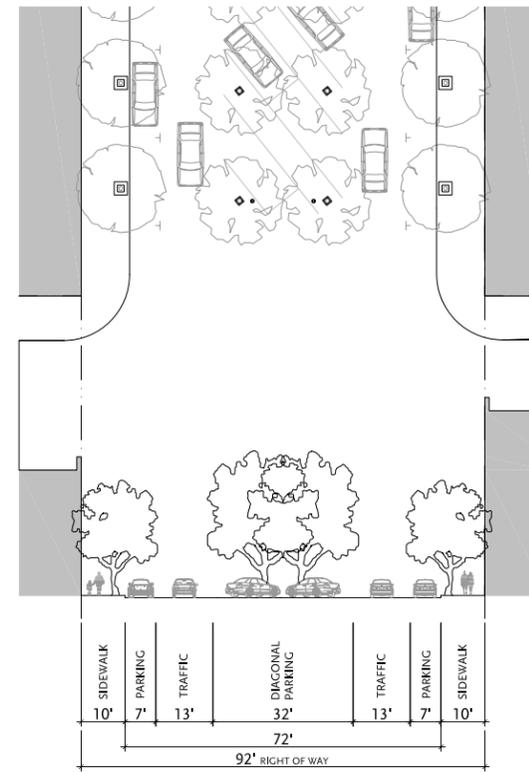
THOROUGHFARE ASSIGNMENT



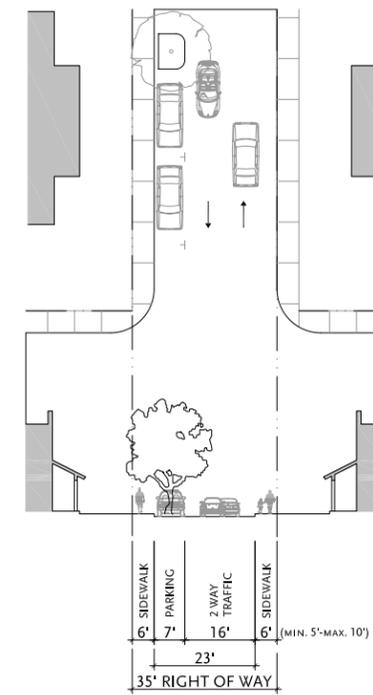
The following thoroughfares are proposed above and beyond those in Table 4C of the Smart Code.



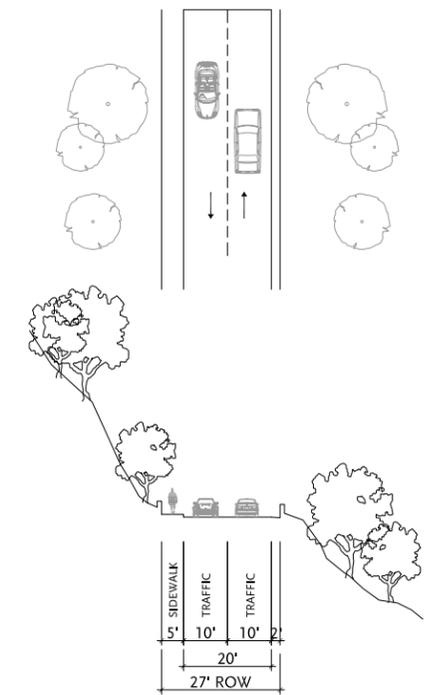
1. AC 110-56



2. CS 92-72



12. ST 35-23



13. RD 27-20

Notes:

Pavement width includes curb and gutter where present, and is measured from face of curb to face of curb.

Note: The travel lanes of ST 27-20 may be split at different levels, depending on topography conditions.

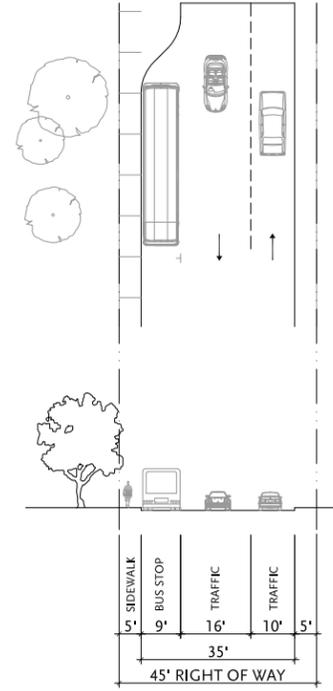
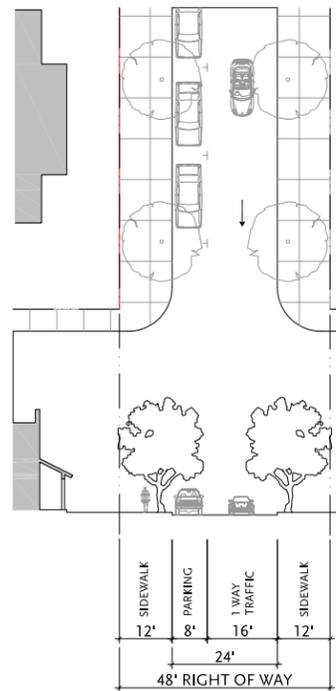
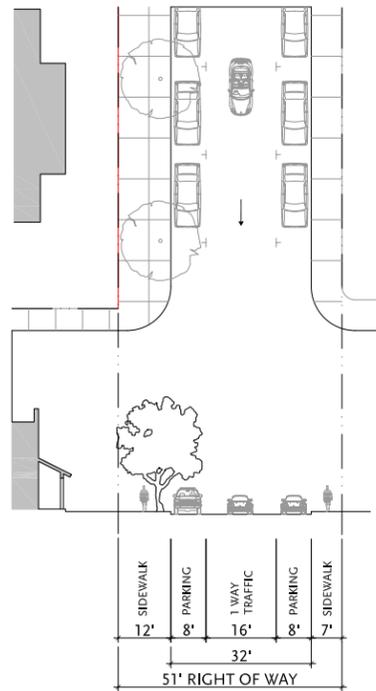
T5	
Thoroughfare Type	Avenue
Transect Zone Assignment	T5
Right-of-Way	110
Pavement Width	68
Movement	Free
Design Speed	32
Pedestrian Crossing Time	25
Traffic Lanes	4
Parking Lanes	2
Curb Radius	15
Public Frontage Type	Terrace/Lightwell, Forecourt, Stoop, Shopfront, Gallery, Arcade
Walkway Type	6' conc
Planter Type	Verge
Curb Type	6" VC&G
Landscape Type	Trees
Transportation Provision	Bus

T5	T5O	
		Commercial Street
		T5, T5O
		92
		72
		Free
		25
		20
		2
		2 Par. + 2 Diag.
		15
		Terrace/Lightwell, Forecourt, Stoop, Shopfront, Gallery, Arcade
		Conc.
		Box
		6" VG&G
		Trees
		N/A

T5	
	Street
	T5
	35
	23
	Slow
	20
	6.5
	2
	1
	15
	Terrace/Lightwell, Forecourt, Stoop, Shopfront, Gallery, Arcade
	Conc.
	N/A
	6" VG&G
	N/A
	N/A

T3	T4	T5O	
			Road
			T3, T4, T5O
			27
			20
			Slow
			20
			5.7
			2
			0
			10
			Common Yard, Porch & Fence, Terrace/Lightwell, Forecourt, Stoop, Shopfront, Gallery, Arcade
			Conc. 1 side
			N/A
			6" VG&G
			N/A
			N/A

THOROUGHFARE STANDARDS - PROPOSED NEW STREETS



Notes:

Pavement width includes curb and gutter where present, and is measured from face of curb to face of curb.

5. CS 51-32

T50	
Thoroughfare Type	Commercial Street
Transect Zone Assignment	T50
Right-of-Way	51
Pavement Width	32
Movement	Free
Design Speed	25
Pedestrian Crossing Time	9.1
Traffic Lanes	2
Parking Lanes	2
Curb Radius	15
Public Frontage Type	Terrace/Lightwell, Forecourt, Stoop, Shopfront, Gallery, Arcade
Walkway Type	Conc.
Planter Type	In walk
Curb Type	6" VG&G
Landscape Type	Tree 1 side
Transportation Provision	N/A

5'. CS 48-24

T50	
Thoroughfare Type	Commercial Street
Transect Zone Assignment	T50
Right-of-Way	48
Pavement Width	24
Movement	Slow
Design Speed	20
Pedestrian Crossing Time	6.8
Traffic Lanes	1
Parking Lanes	1
Curb Radius	15
Public Frontage Type	Terrace/Lightwell, Forecourt, Stoop, Shopfront, Gallery, Arcade
Walkway Type	Conc.
Planter Type	In walk
Curb Type	6" VG&G
Landscape Type	Trees
Transportation Provision	N/A

6. CS 45-35

T50	
Thoroughfare Type	Commercial Street
Transect Zone Assignment	T50
Right-of-Way	45
Pavement Width	35
Movement	Free
Design Speed	28
Pedestrian Crossing Time	10
Traffic Lanes	2
Parking Lanes	0
Curb Radius	15
Public Frontage Type	Terrace/Lightwell, Forecourt, Stoop, Shopfront, Gallery, Arcade
Walkway Type	Conc.
Planter Type	N/A
Curb Type	6" VG&G
Landscape Type	Trees
Transportation Provision	Bus

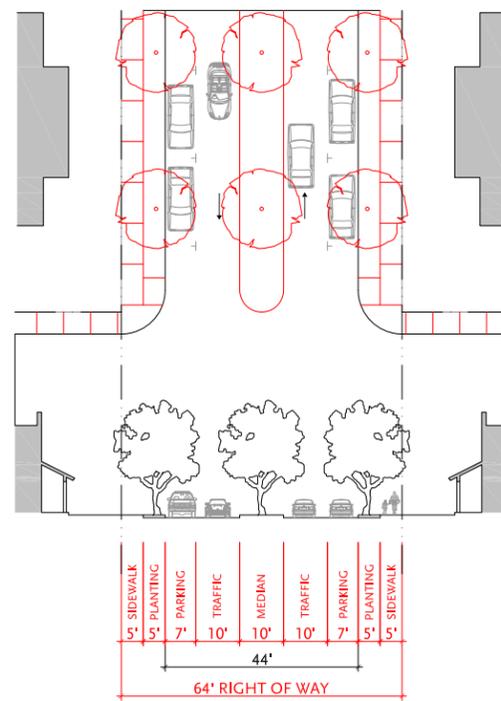
THOROUGHFARE STANDARDS - PROPOSED NEW STREETS

The following thoroughfares are modified versions of those in Table 4C of the Smart Code.

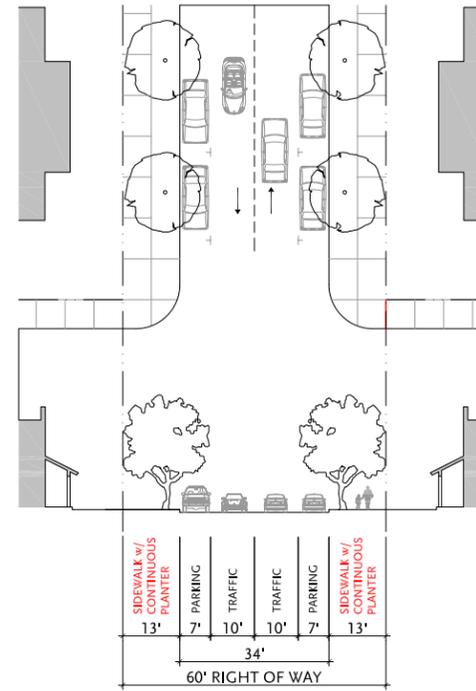
Notes:

Changes to any existing SmartCode Thoroughfare standards are shown here in red.

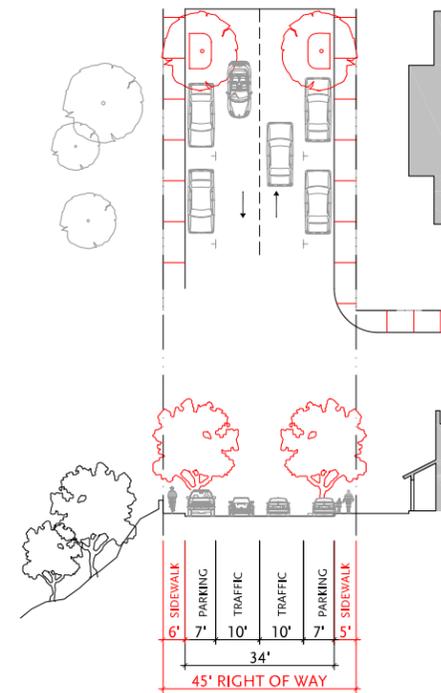
Pavement width includes curb and gutter where present, and is measured from face of curb to face of curb.



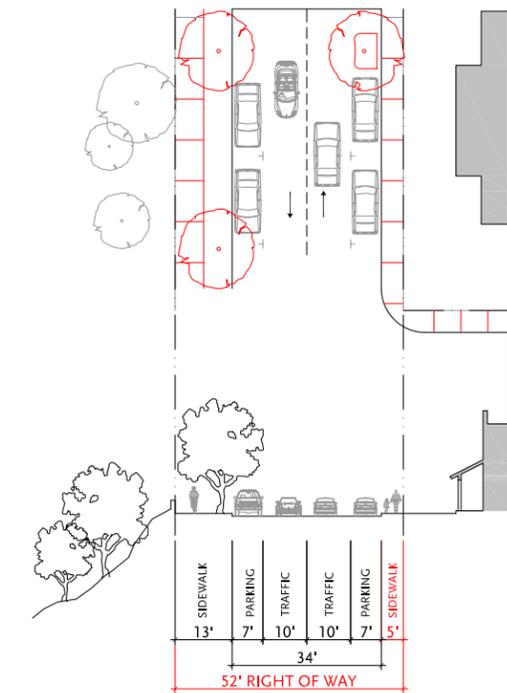
3. CS 64-44
(Modification of CS 74-44)



8. ST 60-34
(Modification of ST 60-34)



9. ST 45-34
(Modification of ST 60-34)



9I. ST 52-34
(Modification of ST 60-34)

	T4	T4O	T5
Thoroughfare Type	Commercial Street		
Transect Zone Assignment	T4, T4O, T5		
Right-of-Way	64		
Pavement Width	44		
Movement	Free		
Design Speed	28		
Pedestrian Crossing Time	12.5		
Traffic Lanes	2		
Parking Lanes	2		
Curb Radius	15		
Public Frontage Type	Porch & Fence, Terrace/Lightwell, Forecourt, Stoop, Shopfront, Gallery, Arcade		
Walkway Type	Conc.		
Planter Type	Verge		
Curb Type	6" VG&G		
Landscape Type	Trees		
Transportation Provision	N/A		

	T4O
Thoroughfare Type	Street
Transect Zone Assignment	T4O
Right-of-Way	60
Pavement Width	34
Movement	Free
Design Speed	25
Pedestrian Crossing Time	9.7
Traffic Lanes	2
Parking Lanes	2
Curb Radius	15
Public Frontage Type	Terrace/Lightwell, Forecourt, Stoop, Shopfront, Gallery, Arcade
Walkway Type	Conc.
Planter Type	Verge
Curb Type	6" VG&G
Landscape Type	Trees
Transportation Provision	N/A

	T3	T4	T4O	T5	T5O
Thoroughfare Type	Street				
Transect Zone Assignment	T3, T4, T4O, T5, T5O				
Right-of-Way	45				
Pavement Width	34				
Movement	Slow				
Design Speed	25				
Pedestrian Crossing Time	9.7				
Traffic Lanes	2				
Parking Lanes	2				
Curb Radius	15				
Public Frontage Type	Common Yard, Porch & Fence, Terrace/Lightwell, Forecourt, Stoop, Shopfront, Gallery, Arcade				
Walkway Type	Conc.				
Planter Type	Box in P. Lane				
Curb Type	6" VG&G				
Landscape Type	Trees				
Transportation Provision	N/A				

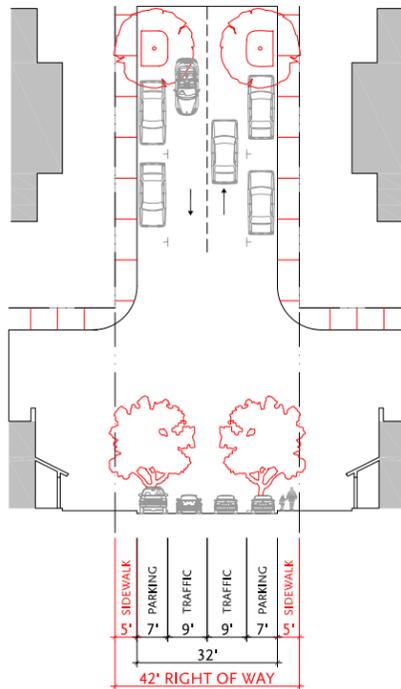
	T3	T4	T5
Thoroughfare Type	Street		
Transect Zone Assignment	T3, T4, T5		
Right-of-Way	52		
Pavement Width	34		
Movement	Slow		
Design Speed	25		
Pedestrian Crossing Time	9.7		
Traffic Lanes	2		
Parking Lanes	2		
Curb Radius	15		
Public Frontage Type	Common Yard, Porch & Fence, Terrace/Lightwell, Forecourt, Stoop, Shopfront, Gallery, Arcade		
Walkway Type	Conc.		
Planter Type	Box in P. Lane		
Curb Type	6" VG&G		
Landscape Type	Trees		
Transportation Provision	N/A		

THOROUGHFARE STANDARDS - STREETS FROM SMARTCODE TO BE MODIFIED

Notes:

Changes to any existing SmartCode Thoroughfare standards are shown here in red.

Pavement width includes curb and gutter where present, and is measured from face of curb to face of curb.

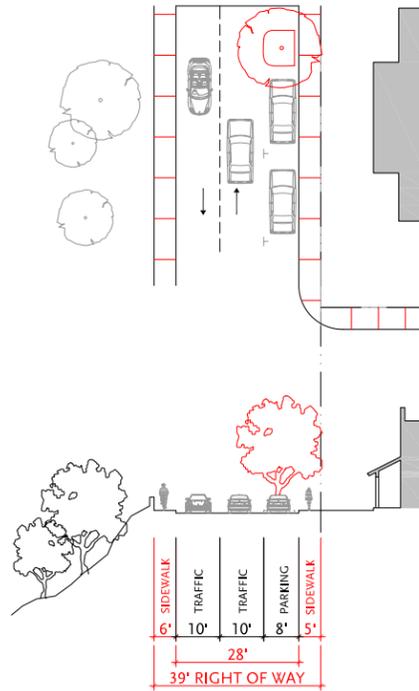


10. ST 42-32

(Modification of ST 60-32)

T3 T4 T4O T5 T5O

Thoroughfare Type	Commercial Street
Transect Zone Assignment	T3, T4, T4O, T5, T5O
Right-of-Way	42
Pavement Width	32
Movement	Slow
Design Speed	25
Pedestrian Crossing Time	9.1
Traffic Lanes	2
Parking Lanes	2
Curb Radius	15
Public Frontage Type	Common Yard, Porch & Fence, Terrace/Lightwell, Forecourt, Stoop, Shopfront, Gallery, Arcade
Walkway Type	Conc.
Planter Type	Box in P. Lane
Curb Type	6" VG&G
Landscape Type	Trees
Transportation Provision	N/A

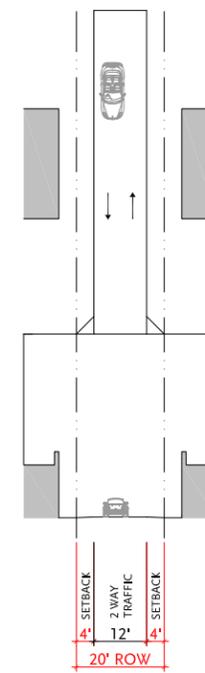


11. ST 39-28

(Modification of ST 30-28)

T3 T4 T4O

Thoroughfare Type	Street
Transect Zone Assignment	T3, T4, T4O
Right-of-Way	42
Pavement Width	32
Movement	Slow
Design Speed	25
Pedestrian Crossing Time	9.1
Traffic Lanes	2
Parking Lanes	2
Curb Radius	15
Public Frontage Type	Common Yard, Porch & Fence, Terrace/Lightwell, Forecourt, Stoop, Shopfront, Gallery, Arcade
Walkway Type	Conc.
Planter Type	Box. in P. Lane
Curb Type	6" VG&G
Landscape Type	Trees
Transportation Provision	N/A



14. RL 20-12

(Modification of RL 24-12)

T3 T4 T4O

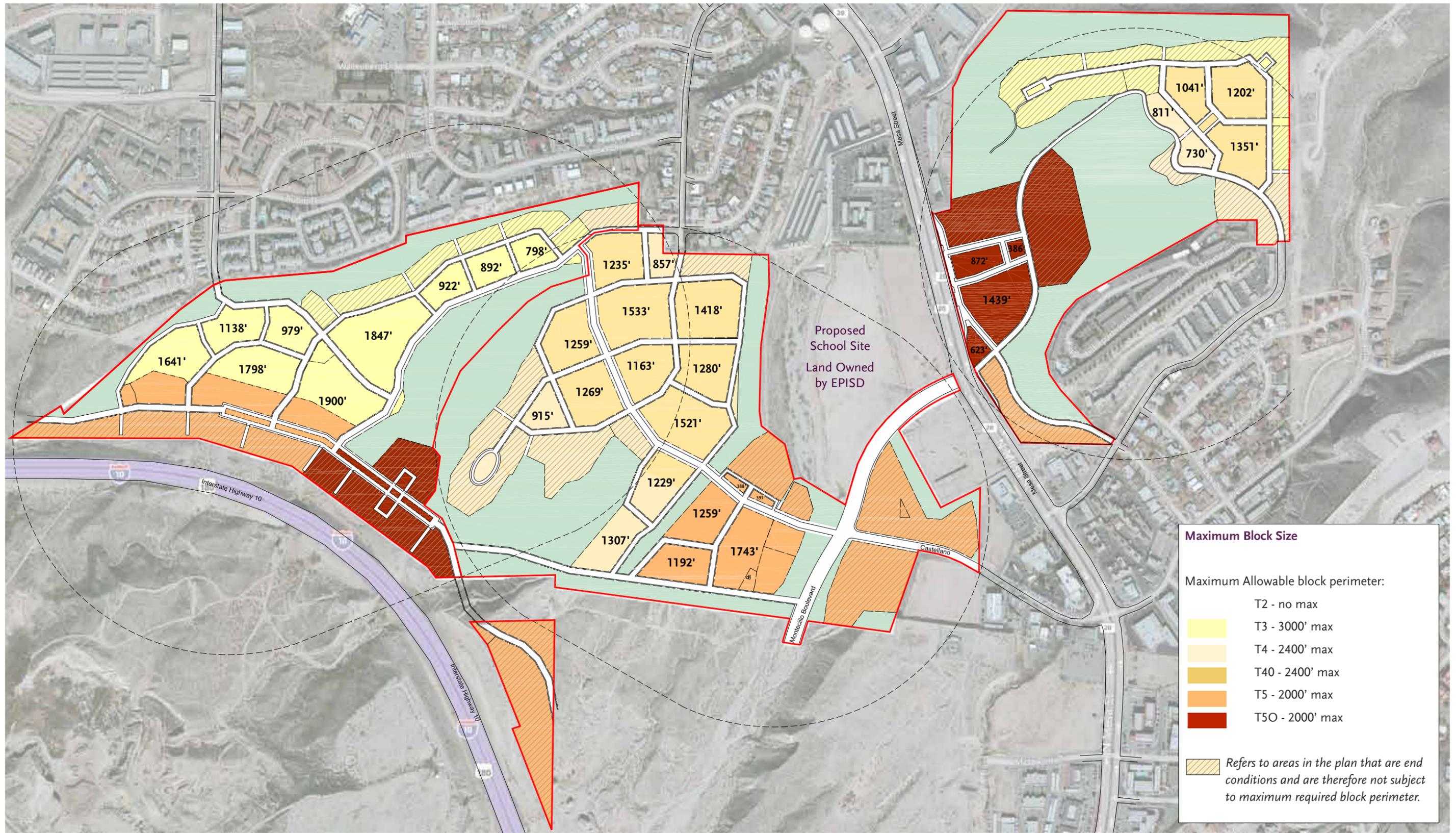
Thoroughfare Type	Rear Lane
Transect Zone Assignment	T3, T4, T4O
Right-of-Way	20
Pavement Width	12
Movement	Yield
Design Speed	15
Pedestrian Crossing Time	5.7
Traffic Lanes	1
Parking Lanes	0
Curb Radius	5
Public Frontage Type	Common Yard, Porch & Fence, Terrace/Lightwell, Forecourt, Stoop, Shopfront, Gallery, Arcade
Walkway Type	Gravel
Planter Type	N/A
Curb Type	N/A
Landscape Type	N/A
Transportation Provision	N/A

Notes:

Changes to any existing SmartCode Thoroughfare standards are shown here in red.

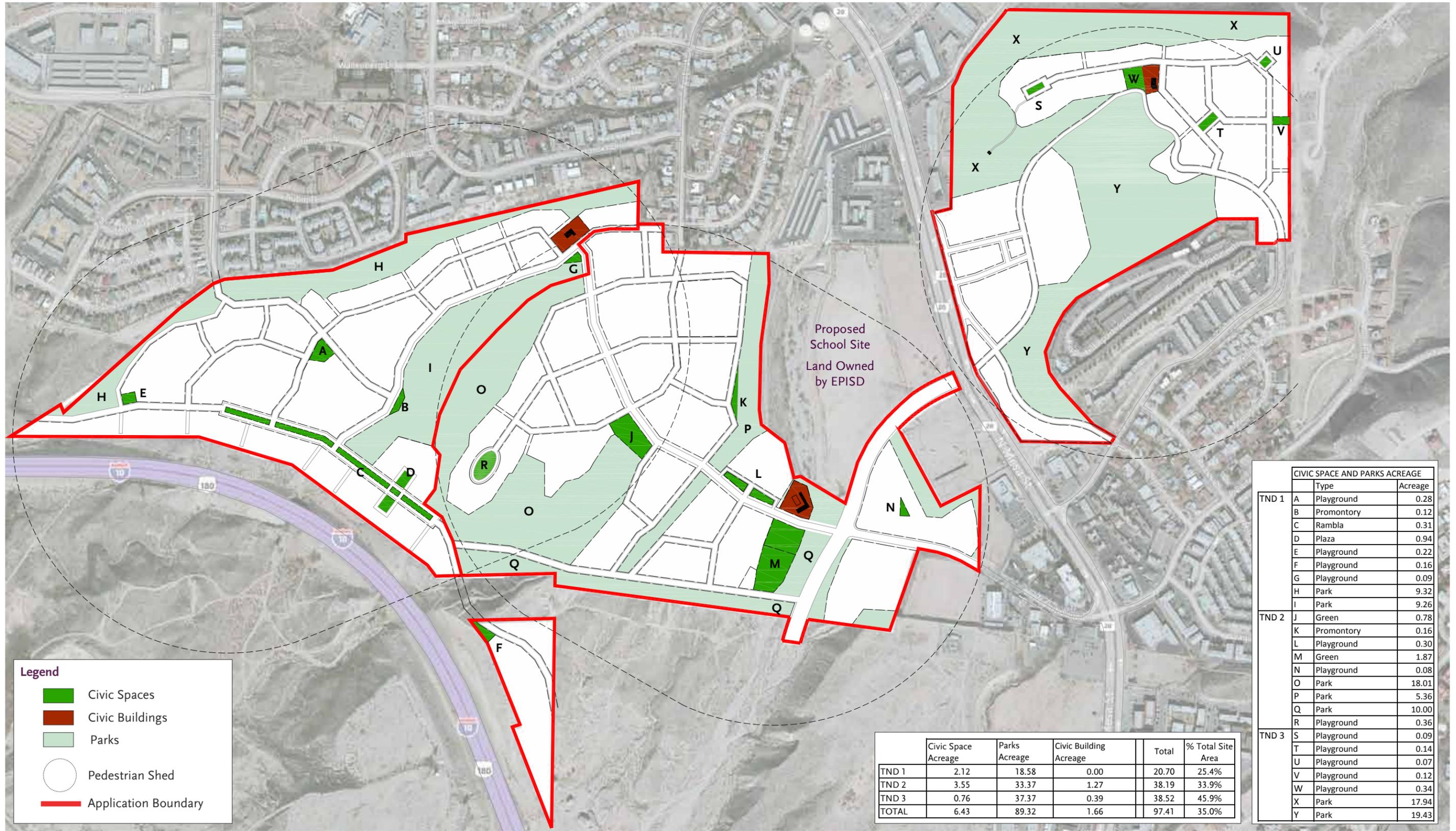
Pavement width includes curb and gutter where present, and is measured from face of curb to face of curb.

THOROUGHFARE STANDARDS - STREETS FROM SMARTCODE TO BE MODIFIED



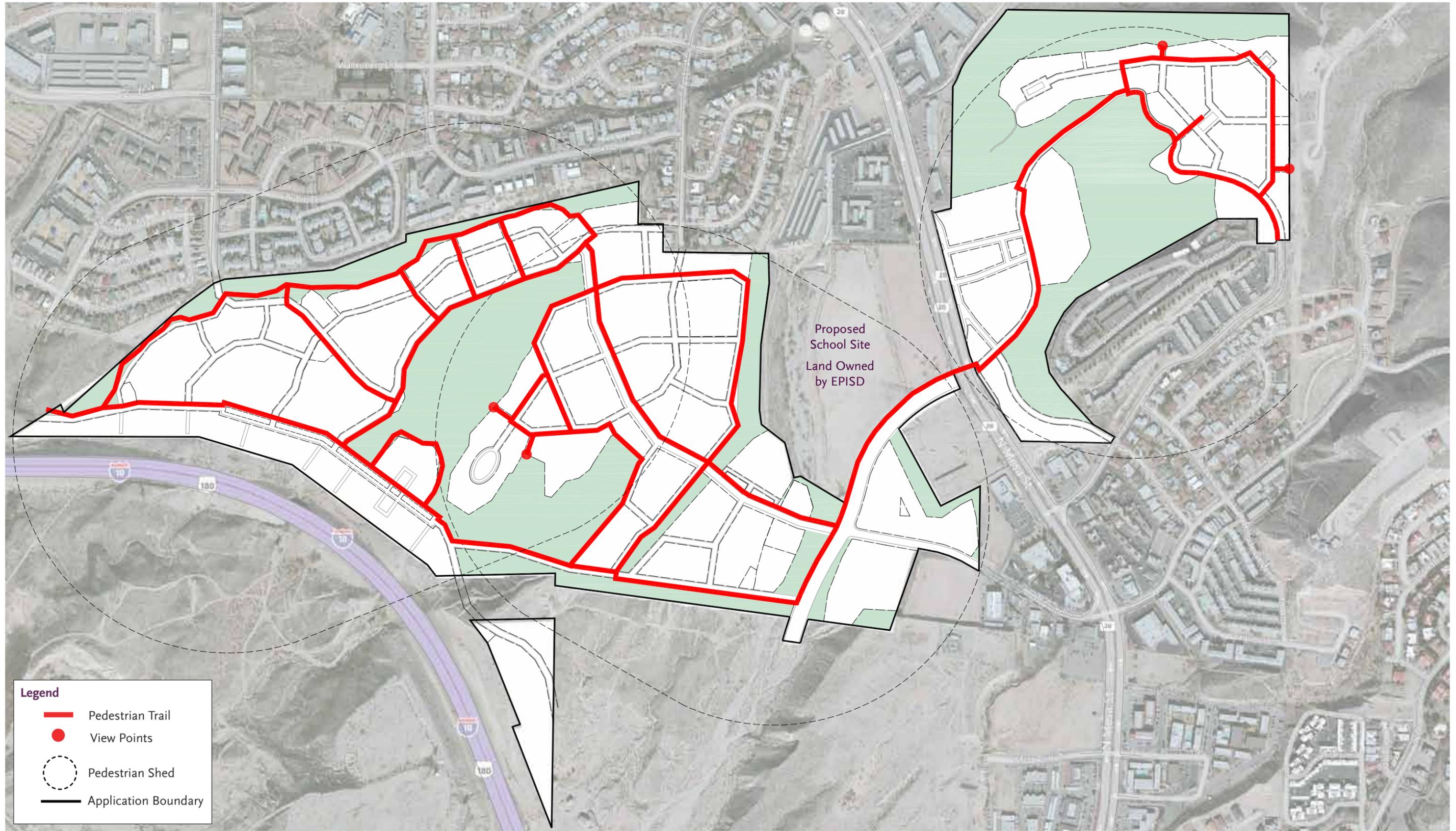
MAXIMUM BLOCK SIZE



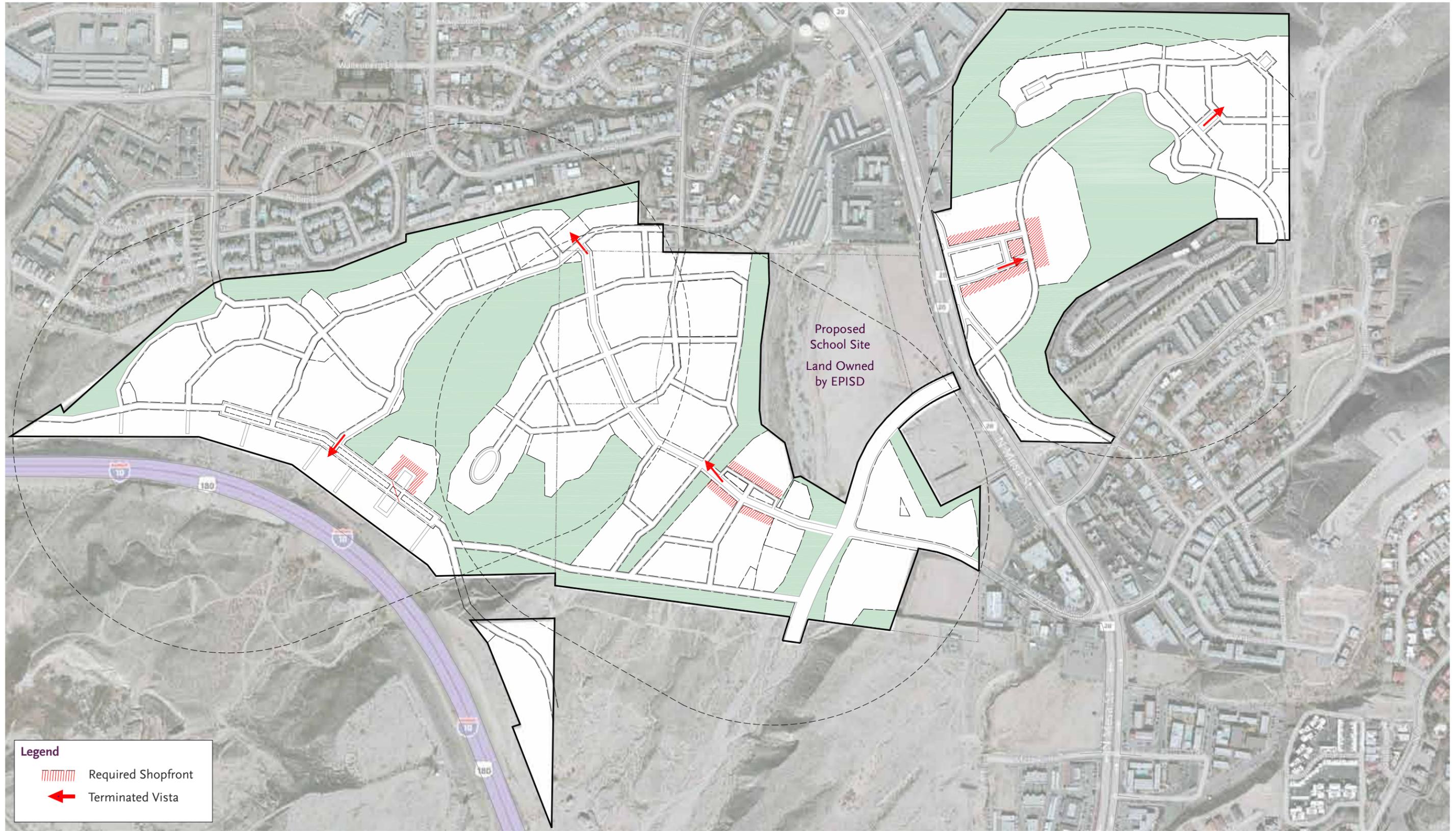


CIVIC SPACE AND BUILDINGS





PEDESTRIAN TRAILS



SPECIAL REQUIREMENTS

I. Warrants:

1. SECTION 21.30.050(D)(1) CIVIC BUILDING REQUIREMENTS:

New communities should have “a meeting hall or a third place in proximity to the main civic space of each pedestrian shed.”

This plan is requesting the following modification:

Community buildings such as clubs, swimming pools, day care centers and retail stores, can fulfill the civic building requirement.

Retail stores in transect zones T3, T4, T4O, can be parked on a similar basis as civic buildings.

2. TABLE 14: SUMMARY TABLE / BLOCK SIZE / BLOCK PERIMETER MAXIMUMS

Most blocks within the plan that are surrounded by streets on all or at least two sides and are therefore held to a perimeter maximum to ensure that the street grid allows seamless traffic distributions and encourages walkability. But due to the extreme topography of the site, there are several cases where streets do not terminate into other streets, but end in closes and linear end parcels (shown in the diagram below). These parcels are fronted by streets on only one side. They are therefore exempted from the maximum block perimeter requirements.

3. TABLE 14:

This plan is requesting a Frontage Buildout reduction for the T4O and T5 Transect zones from 80% to as less as 60% in cases when lots have significant topography making portions of the site unbuildable. In such lots, frontage will be reduced on a discretionary basis.

This plan is requesting a maximum Front Setback increase for T4O and T5 zones from the stipulated 12 feet when the lot contains significant topography that makes it difficult to build close to the front property line. In such cases the Front Setback will be determined on a discretionary basis.

This plan is requesting a maximum Side Setback increase from the stipulated 12 feet for T4O and T5 zones when a lot contains significant topography making it difficult to build close to the front property line. In such cases the Front Setback will be determined on a discretionary basis.

This plan is requesting a Lot Width increase in the T5 zone from 180' max. to 550' max.

4. TABLE 4C: THOROUGHFARE ASSEMBLIES

a) Page 14 shows modifications to various streets within the Smart Code. The specific modifications are:

1. Planting street trees in planters between the parked cars. This helps provide shade in El Paso's hot climate and also helps visually reduce the streets dimension helping to slow down traffic.
2. Reducing the sidewalk width to 5 feet.
3. Removing the continuous planter on either side of the street.

b) See page 12 for the new proposed streets above and beyond those currently in the Smart Code.

5. FRONT ACCESS TO PARKING/ FRONT SETBACK

Due to the complex site terrain, there are places where the steep slopes cannot allow for rear alley access, and block widths cannot accommodate alley access. In such cases the lots are accessed via perpendicular driveways from the street. To ensure a pedestrian environment, the following conditions will apply:

1. All garages will be located in the rear 30% or 30 feet of the lot, whichever is greater. When garages are placed in the lot rear, the width of the driveway between the dwelling and side property line shall be a maximum of 14 feet.
2. When slopes at the property rear do not allow for the above, garages will be located with a minimum setback of 20 feet from the face of the building.
3. No two garages will be placed adjacent to each other.
4. In extreme sloping sites, when garages cannot be set back from the street, the number of such dwellings shall be decided on a case by case basis by topographical constraint.

6. CHAPTER 21.80 TABLES, SC66:

This plan is requesting a front setback warrant for the T3 zone, because of the reduced block depths due to extreme topographical conditions.

Front Setback (P) should be reduced to 10' min.

II. Adjustments:

1. CHAPTER 21.80, TABLE 13;CIVIC SPACE:

The plan has introduced new civic space types the Promontory and Rambla.

- a. Promontory: A small open space located at the edge of a bluff or cliff primarily for viewing the natural landscape. It may be located to terminate streets or at intermittent intervals along edge streets. It may be of any shape. It is largely hardscaped with little planting. There shall be no minimum or maximum size for such a space.



Promontory

- b. Rambla: A linear open space between one-way streets that extends for at least three successive blocks. The space is largely hard-scaped with intermittent or potted planting and always lined with trees at the edges. The tree canopies typically cover the entire width of the space creating a shaded zone for communal activity. This space can be used flexibly on a daily, weekly or seasonal basis. It may be striped for parking during normal hours, converted into a farmer's market or closed with bollards for communal functions. Playgrounds may not be located within the Rambla. The minimum width of such a space shall be 16 feet, and the maximum shall be 40 feet.



Rambla showing flexible use of central tree-shaded space – parking vs farmers market.

2. This plan is adding a new Transect zone called T50. The adjoining chart shows the various conditions for this transect zone.

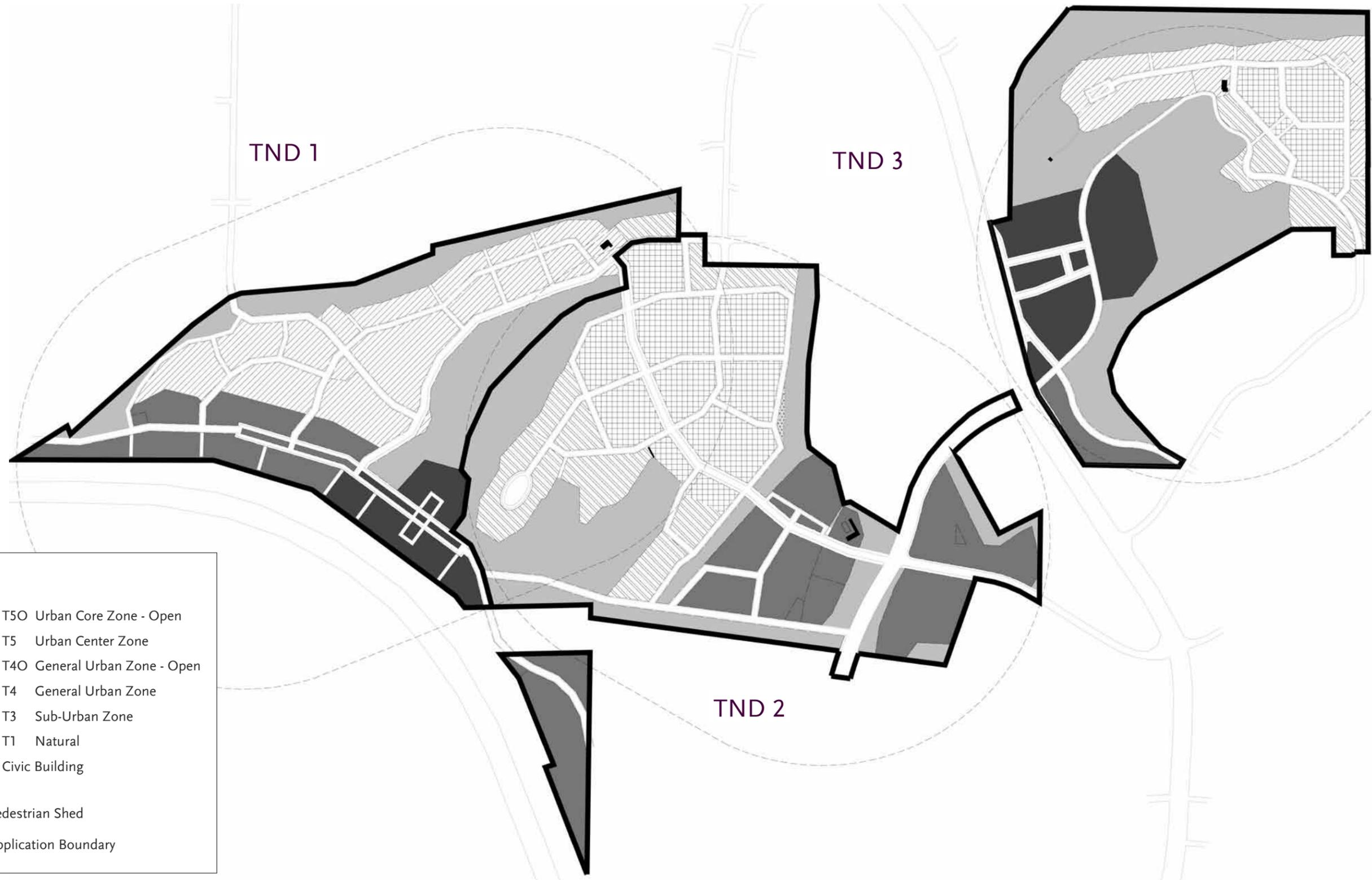


T50 Transect Zone

T50 Transect Summary Table

a. ALLOCATION OF ZONES per Pedestrian Shed (applicable to Article 3 only)	
CLD requires	not permitted
TND requires	30% max
RDC requires	30% max
b. BASE RESIDENTIAL DENSITY (see Section 3,4)	
Reserved	
By Right	100 units / ac. gross
Other Functions	30 - 60% min
c. Block SIZE	
Block Perimeter	2000 ft. max
d. THOROUGHFARES (see Table 3 and Table 4)	
HW	not permitted
BV	permitted
AV	permitted
CS	permitted
DR	permitted
ST	permitted
RD	not permitted
Rear Lane	not permitted
Rear Alley	required
Path	not permitted
Passage	permitted
Bicycle Trail	not permitted
Bicycle Lane	not permitted
e. CIVIC SPACES (see Table 13)	
Park	not permitted
Green	permitted
Square	permitted
Plaza	permitted
f. LOT OCCUPATION	
Lot Width	18 ft. min 180 ft. max
Lot Coverage	90% max

g. SETBACKS - PRINCIPAL BUILDING	
Front Setback (Principal)	0 ft. min 12 ft. max
Front Setback (Secondary)	0 ft. min 12 ft. max
Side Setback	0 ft. min 24 ft. max
Rear Setback	0 ft. min
Frontage Buildout	80% min
h. SETBACKS - OUTBUILDING	
Front Setback	40 ft. max from rear prop
Side Setback	0 ft. min
Rear Setback	3 ft. max
i. BUILDING DISPOSITION (see Table 9)	
Edgeyard	not permitted
Sidyard	permitted
Rearyard	permitted
j. PRIVATE Frontages (see Table 7)	
Common Yard	not permitted
Porch & Yard	not permitted
Terrace or L.C.	permitted
Forecourt	permitted
Stoop	permitted
Shopfront & Awnings	permitted
Gallery	permitted
k. BUILDING CONFIGURATION (see Table 8)	
Principal Bulding	8 Stories max, 2 min
Outbuilding	2 Stories max
l. BUILDING FUNCTION (see Table 10 & Table 12)	
Residential	open use
Lodging	open use
Office	open use
Retail	open use



Legend

-  T5O Urban Core Zone - Open
-  T5 Urban Center Zone
-  T4O General Urban Zone - Open
-  T4 General Urban Zone
-  T3 Sub-Urban Zone
-  T1 Natural
-  Civic Building
-  Pedestrian Shed
-  Application Boundary

BLACK AND WHITE COPY FOR RECORDING





MEMORANDUM

DATE: April 17, 2012
TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager
FROM: Laura Kissack, Planner
SUBJECT: **PZRZ11-00058**

The City Plan Commission (CPC), on May 3, 2012, will be hearing the above referenced rezoning request.

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Cortney Carlisle Niland

City Manager
Joyce A. Wilson



Two Civic Center Plaza
El Paso, TX 79901
(915) 541-0000



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ11-00058
Application Type: SmartCode Rezoning
CPC Hearing Date: May 3, 2012
Staff Planner: Laura Kissack, 915-541-4723, kissacklf@elpasotexas.gov

Location: **Parcel 1** is located north of Executive Center Boulevard, east of Interstate 10 and west of Mesa Street
Parcel 2 is located south of Castellano Drive, north of Executive Center Boulevard, east of Interstate 10 and west of Mesa Street
Parcel 3 is located north of Castellano Drive and east of Mesa Street

Legal Description: **Parcel 1:** Being a portion of Tract 1, all of Tracts 3 and 3A, John Barker Survey No. 10 and Tract 4F2B, A.F. Miller Survey No. 215 and Tracts 6 and 7, I.F. Harrison Survey No. 54 and Montecillo Unit Three Amending Plat save and except Lot 2, Block 2, Thereof as recorded in clerk's file no. 20090065237 and save and except 4.6007 acres being Lots 3 and 4, Block 9, Montecillo Unit Three Replat A, recorded in clerk's file No. 20110085971, Real property records City of El Paso, El Paso County, Texas
Parcel 2: Being Tract 4, John Barker Survey No. 10, City of El Paso, El Paso County, Texas.
Parcel 3: Being Lot 1, Block 3, Kings Hill Replat and Tract 4A, 6G and a portion of Tract 6A, A.F. Miller Survey No. 216 and Tract 21, John Barker Survey No. 10, City of El Paso, El Paso County, Texas.

Acreeage: Parcel 1 - 201.26 acres; Parcel 2 - 6.9054 acres; Parcel 3 - 83.91 acres
Rep District: 1 and 8
Current Zoning: **Parcel 1 contains** C-1, C-2, C-3/C, GMU/C, A-2, R-3, R-3A, R-5, M-1
Parcel 2 contains M-3
Parcel 3 contains C-1, C-1/SC, A-O/SC, A-O/C/SC, PR-1/SC and R-3
Proposed Zoning: SCZ (SmartCode Zone)

Proposed Use: TND(Traditional Neighborhood Development)
Property Owner: EPT Mesa Development, LP
Representative: Conde, Inc.

SURROUNDING ZONING AND LAND USE

Parcel 1

North: A-2, A-3/SP, R-3
South: M-1, M-3
East: A-3, C-1, GMU/C, C-3, SCZ
West: A-2/SC, M-1

Parcel 2

North: R-3
South: M-3
East: M-3
West: M-3

Parcel 3

North: PR-2

South: C-1/SC,A-2

East: PMD

West: C-3, C-1, GMU/C

Plan for El Paso Designation: G2, Traditional Neighborhood, walkable

Nearest Park: Galatzan Park (0.30 miles)

Nearest School: LB Johnson Elementary; Morehead Middle (0.75 miles)

NEIGHBORHOOD ASSOCIATIONS

Mesa Hills Neighborhood Association

Upper Mesa Hills Neighborhood Association

Coronado Neighborhood Association

Save the Valley

Upper Valley Improvement Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing shall be mailed to all property owners within 300 feet of the subject property on April 19, 2012. Public comments are pending.

APPLICATION DESCRIPTION

The applicant is requesting a rezoning from A-2, AO, C-1, C-2, C-3, GMU, M-1, M-3 PR-1, R-3 and R-5 to SmartCode Zone (SCZ) to permit three New Community Traditional Neighborhood Developments (TND) with a TOD Overlay. The property is 288.88 acres in size and is currently vacant. The regulating plan shows three pedestrian sheds with transect zone allocations T1, T3, T4, T4O, T5 and T5O. Total Civic Space for the three sites is 97.4 acres in size.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from current zones to SCZ (SmartCode Zone) based on the compatibility with the comprehensive plan and the adjacent properties in the area. This development complies with Title 21 SmartCode and furthers the City Council direction to promote smart growth.

Plan El Paso-Regional Land Use Patterns

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

New Neighborhoods

Goal 1.4: The City of El Paso notes that recent development patterns have created isolated and oversized concentrations of homogeneous land uses which force residents into automobile travel for daily needs and make it difficult for residents to stay within the same neighborhood when they need a different type or size of housing. The City wishes to augment this conventional development pattern with strategic suburban retrofits or urban infill where practical. This goal and policy apply to land in G-4 "Suburban" growth sector and to future development in the O-6 "Potential Annexation" and O-7 "Urban Expansion" open-space sectors on the Future Land Use Map. G-3 and G-4 sectors, as depicted on the Future Land Use Map, may be permitted to continue development and uses as are consistent with the surrounding and existing development in the area. Also see goals and policies in the Urban Design Element.

Policy 1.4.1: The City's zoning and land development regulations should be reviewed and amended when appropriate to encourage new neighborhoods to have:

- a. Greater interconnection of internal streets;
- b. Provision of small parks and civic functions within neighborhoods;
- c. A greater variety of housing types within each neighborhood; and
- d. Protection of natural features such as critical arroyos.

Engineering & Construction Management Services Department – Plan Review

Pending

Engineering & Construction Management Service Department - Land Development

Pending

Department of Transportation

Pending

El Paso Water Utilities

Pending

Fire Department

Pending

Police Department

Pending

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 Plan 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 Plan 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 Plan El Paso as reflected in CPC report or other criteria identified in the Plan by the CPC.

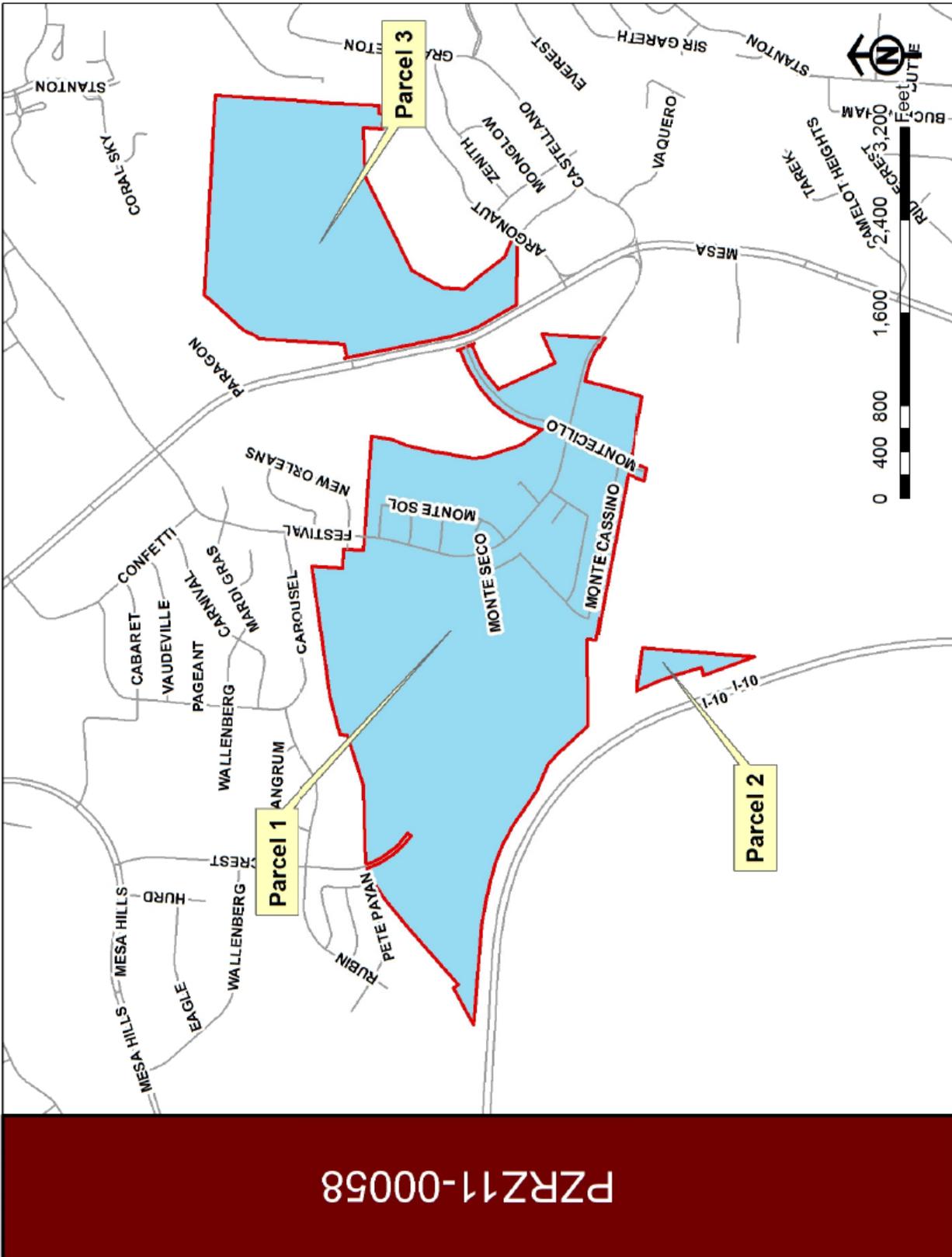
Attachments:

Attachment 1: Location Map

Attachment 2: Aerial Site Plan

Attachment 3: Regulating Plan (Exhibit “F” of Ordinance)

ATTACHMENT 1



ATTACHMENT 2

