

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

**DEPARTMENT:** Development Services Department, Planning Division

**AGENDA DATE:** Introduction: May 29, 2007  
Public Hearing: June 19, 2007

**CONTACT PERSON/PHONE:** Melissa Granado, 541-4730

**DISTRICT(S) AFFECTED:** 1

**SUBJECT:**

An Ordinance changing the zoning of the following real property described as Parcel 1: A portion of Lot 3, Block 9, Canutillo Industrial Park, City of El Paso, El Paso County, Texas, from R-3 (Residential) to C-3 (Commercial) and imposing a condition; Parcel 2: A portion of Lots 4 and 5, Block 9, Canutillo Industrial Park, City of El Paso, El Paso County, Texas, from R-3 (Residential) to C-3 (Commercial); and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Los Mochis Avenue and West of Interstate 10. Applicants: Chanate Partners, LTD. ZON07-00022 (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 (7-0)

\*\*\*\*\*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 CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY DESCRIBED AS:

PARCEL 1: A PORTION OF LOT 3, BLOCK 9, CANUTILLO INDUSTRIAL PARK, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL) AND IMPOSING A CONDITION;

PARCEL 2: A PORTION OF LOTS 4 AND 5, BLOCK 9, CANUTILLO INDUSTRIAL PARK, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL); AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 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 Lot 3, Block 9, Canutillo Industrial Park, City of El Paso, El Paso County Texas, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from R-3 (Residential) to C-3/c (Commercial/condition); and,

Parcel 2: A portion of Lots 4 and 5, Block 9, Canutillo Industrial Park, City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached Exhibit "B", incorporated by reference, be changed from R-3 (Residential) to C-3/c (Commercial/condition); and,

Further, that the property described above be subject to the following condition which is necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City: "A ten foot (10') wide landscape buffer including, but not limited to, evergreen trees placed at fifteen feet on center shall be required along the westerly property line where abutting residential or apartment development, prior to the issuance of certificates of occupancy."

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

THE CITY OF EL PASO

\_\_\_\_\_  
John F. Cook  
Mayor

(Signatures continued on Page 2)

CITY CLERK DEPT.  
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**ATTEST:**

CITY CLERK DEPT.

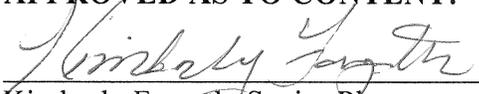
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\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Kimberly Forsyth, Senior Planner  
Development Services Department

Prepared for: Chanate Partners LTD HAPFAM, Inc.  
A Portion of Lot 3, Block 9, Canutillo Industrial Park,  
City of El Paso, El Paso County, Texas  
W.O.# 121806-7  
File name: canut\_mb.doc

CITY CLERK DEPT.  
07 MAY 21 AM 9:55

## PROPERTY DESCRIPTION

Description of a 5.5738 acre parcel of land being a Portion of Lot 3, Block 9, Canutillo Industrial Park, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows to wit:

Starting at an existing city monument located at the point of curvature along the centerline of Los Mochis Drive (90' wide public right-of-way), Thence North  $90^{\circ} 00' 00''$  East along the centerline of said Los Mochis Drive a distance of 1779.28 feet to a point; Thence North  $00^{\circ} 00' 00''$  West a distance of 45.00 feet to a point lying on the northerly right-of-way line of said Los Mochis Drive, Thence North  $00^{\circ} 04' 30''$  East a distance of 1,027.65 feet to a point lying on the southerly boundary line of Lot 3, Block 9, Canutillo Industrial Park, said point being the "True Point of Beginning",

Thence North  $00^{\circ} 04' 30''$  East a distance of 465.00 feet to a point lying on the northerly boundary line of Lot 3, Block 9, Canutillo Industrial Park;

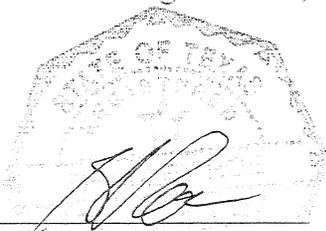
Thence South  $90^{\circ} 00' 00''$  East along said northerly boundary line a distance of 524.41 feet to a point lying on the westerly boundary line of a 60' wide drainage easement;

Thence South  $00^{\circ} 03' 00''$  West along said westerly boundary line a distance of 410.00 feet to a point;

Thence North  $90^{\circ} 00' 00''$  West a distance of 20.00 feet to a point;

Thence South  $00^{\circ} 03' 00''$  West a distance of 55.00 feet to a point lying on the southerly boundary line of Lot 3, Block 9, Canutillo Industrial Park;

Thence North  $90^{\circ} 00' 00''$  West a distance of 504.61 feet back to the "True Point of Beginning" and said parcel containing in all 242,795.17 square feet or 5.5738 acres of land more or less.



Bradley Roe, R.P.L.S. 2449  
Roe Engineering, L.C.

**EXHIBIT "A"**

Prepared for: Chanate Partners LTD HAPFAM, Inc.  
A Portion of Lots 4 and 5, Block 9, Canutillo Industrial Park,  
City of El Paso, El Paso County, Texas  
W.O.# 121806-7  
File name: canut\_mb.doc

CITY CLERK DEPT.  
07 MAY 21 AM 9:55

### PROPERTY DESCRIPTION

Description of a 11.2143 acre parcel of land being a Portion of Lots 4 and 5, Block 9, Canutillo Industrial Park, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows to wit:

Starting at an existing city monument located at the point of curvature along the centerline of Los Mochis Drive (90' wide public right-of-way), Thence North  $90^{\circ} 00' 00''$  East along the centerline of said Los Mochis Drive a distance of 1779.28 feet to a point; Thence North  $00^{\circ} 00' 00''$  West a distance of 45.00 feet to a point lying on the northerly right-of-way line of said Los Mochis Drive, said point being the "True Point of Beginning",

Thence North  $00^{\circ} 04' 30''$  East a distance of 967.65 feet to a point lying on the northerly boundary line of Lot 4, Block 9, Canutillo Industrial Park;

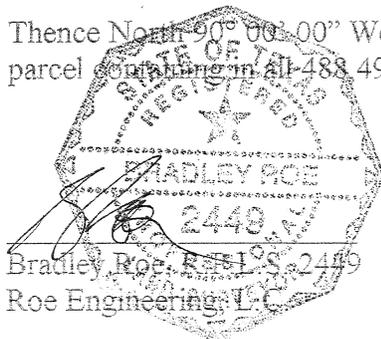
Thence South  $90^{\circ} 00' 00''$  East along said northerly boundary line a distance of 504.64 feet to a point lying on the westerly boundary line of a 60' wide drainage easement;

Thence South  $00^{\circ} 03' 00''$  West along said westerly boundary line a distance of 855.00 feet to a point;

Thence South  $00^{\circ} 04' 30''$  West a distance of 109.29 feet to a point lying on said westerly right-of-way line;

Thence along a curve to the right a distance of 15.46 feet, a radius of 35.00 feet, whose central angle is  $25^{\circ} 18' 07''$  and whose chord bears South  $77^{\circ} 20' 56''$  West a distance of 15.33 feet to a point lying on the northerly right of way line of Los Mochis Drive;

Thence North  $90^{\circ} 00' 00''$  West a distance of 490.05 feet back to the "True Point of Beginning" and said parcel containing in all 488,495.60 square feet or 11.2143 acres of land more or less.



**EXHIBIT "B"**



**JOHN COOK**  
MAYOR

**JOYCE WILSON**  
CITY MANAGER

**R. ALAN SHUBERT**  
DIRECTOR, DEVELOPMENT SERVICES

**KELLY CARPENTER, AICP**  
DEPUTY DIRECTOR, PLANNING

**CITY COUNCIL**

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

**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**

**MEMORANDUM**

**DATE:** May 21, 2007

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

**FROM:** Melissa Granado, Planner

**SUBJECT:** **ZON07-00022**

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The City Plan Commission (CPC), on May 3, 2007, voted **7-0** to recommend **APPROVAL** of rezoning the subject property from R-3 (Residential) to C-3 (Commerical), concurring with Staff's recommendation, and imposing a condition.

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

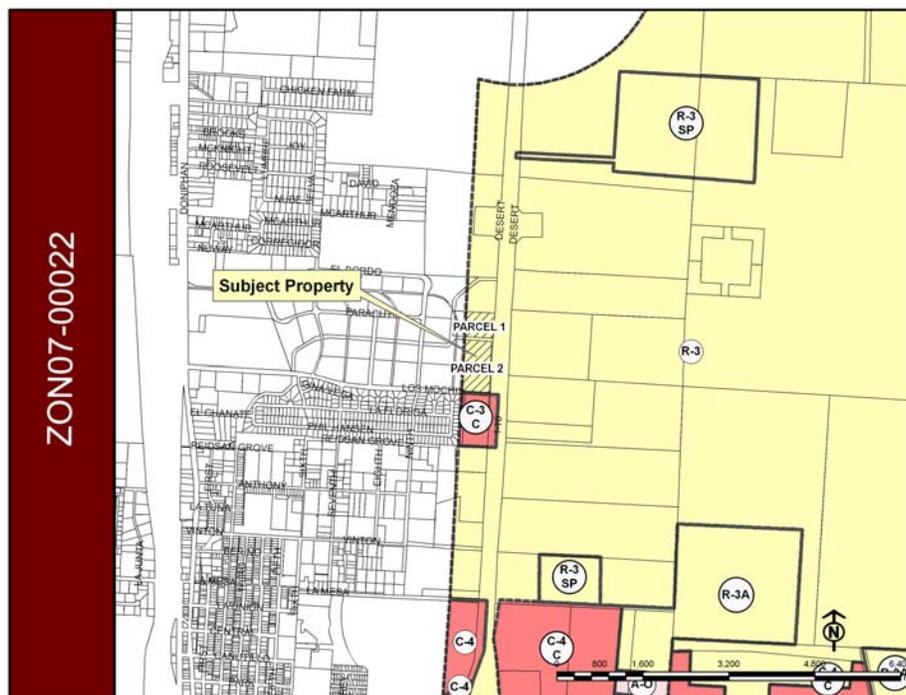
There was no opposition to this request.

**Attachment:** Staff Report, Conceptual Site Plan, Application



## ZON07-00022

**Application Type:** Rezoning  
**Property Owner(s):** Chanate Partners, LTD  
**Representative(s):** Roe Engineering, LC  
**Legal Description:** Parcel 1: A portion of Lot 3, Block 9, Canutillo Industrial Park, City of El Paso, El Paso County, Texas  
Parcel 2: A portion of Lots 4 and 5, Block 9, Canutillo Industrial Park, City of El Paso, El Paso County, Texas  
**Location:** North of Los Mochis Avenue and West of Interstate 10  
**Representative District:** 1  
**Area:** Parcel 1: 5.57 acres Parcel 2: 11.21 acres  
**Present Zoning:** R-3 (Residential) **Present Use:** Vacant  
**Proposed Zoning:** C-3 (Commercial)  
**Recognized Neighborhood Associations Contacted:** Texas Apache Nations, INC, Save the Valley, Coronado Neighborhood Association, Upper Mesa Hills Neighborhood Association  
**Public Response:** None  
**Surrounding Land Uses:** **North:** R-3, Vacant, **South:** C-3/c, Vacant, **East:** R-3, Vacant, **West:** City Limits  
**Year 2025 Designation:** Industrial (Northwest Planning Area)



**General Information:**

The applicant requests a rezoning from R-3 (Residential) to C-3 (Commercial). The conceptual site plan proposes a 26,128 square foot hotel/motel and mini self storage facility on Parcel 1, and a retail center with seven buildings for various commercial uses on Parcel 2. Access is proposed via South Desert Boulevard. Parcel 1 proposes a total of 158 parking spaces; Parcel 2 proposes a total of 396 parking spaces. There are no zoning conditions currently on this property. The conceptual site plan is not binding.

**Staff Recommendation:**

The Development Coordinating Committee (DCC) recommends **approval** of this rezoning request from R-3 (Residential) to C-3 (Commercial) with the following condition:

A ten foot (10') wide landscape buffer including, but not limited to, evergreen trees placed at fifteen feet on center shall be required along the westerly property line where abutting residential or apartment development, prior to the issuance of certificates of occupancy.

The recommendation is based on the following:

- **The Plan for El Paso City-Wide Land Use Goals** recommends that El Paso “provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.”
- **The Year 2025 Projected General Land Use Map** for the Northwest Planning Area designates this property for **Industrial** land uses.
- **C-3 (Commercial) zoning** permits a hotel/motel, self storage warehouse, and retail center and **is compatible** with adjacent zoning.

**Findings:**

The Commission must determine the following:

1. Will C-3 (Commercial) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will a hotel/motel, self storage warehouse, and retail center be compatible with adjacent land uses?
3. What is the relation of the proposed change to the City’s Comprehensive Plan?
4. What effects will the rezoning have on the natural environment, social and economic conditions and property values in the vicinity and the city as a whole?

**Development Services - Building Permits and Inspections Division Notes:**

Zoning Review: Proposed uses permitted on C-3 (Commercial) District. Meets minimum lot and yard development standards. Meets minimum parking requirements except for Hotel / Motel which are based on the number of sleeping rooms and not on square footage.

Landscaping: This project will meet code as per calculations provided.

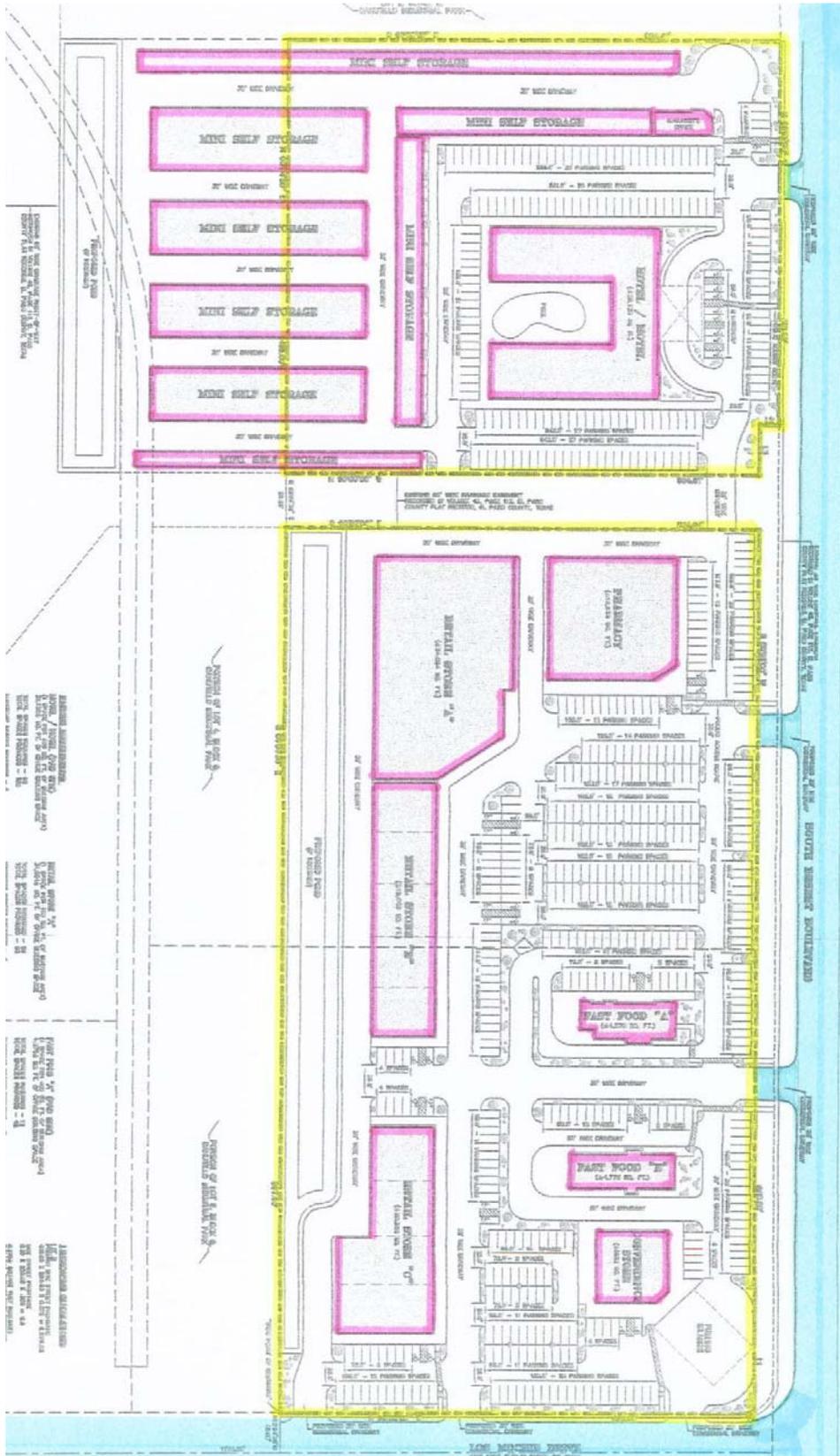
**Development Services - Planning Division Notes:**

Current Planning: Recommends approval. Proposed zoning is compatible with adjacent zoning to the south. The Planning Division recommends a landscape buffer along the westerly property line where abutting any residential or apartment development. This condition is identical to the condition imposed on the property to the south, zoned C-3 (Commercial).

Land Development: No comments received.



Attachment 1: Conceptual Site Plan



Attachment 2: Application



**REZONING APPLICATION  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**

City of El Paso, Texas  
2 Civic Center Plaza  
El Paso, TX 79901-1196  
915-541-4024

**1. CONTACT INFORMATION**

PROPERTY OWNER(S): Chanate Partners, LTD HAPFAM, Inc.  
ADDRESS: 4695 N. Mesa, Ste. 200 ZIP CODE: 79912 PHONE: 544-7722  
E-MAIL ADDRESS: \_\_\_\_\_ FAX: \_\_\_\_\_

REPRESENTATIVE(S): Roe Engineering, L.C.  
ADDRESS: 601 N. Cotton, Suite 6 ZIP CODE: 79902 PHONE: 915-533-1418  
E-MAIL ADDRESS: roeeng@swbell.net FAX: 915-533-4972

**2. PARCEL ONE INFORMATION**

PROPERTY IDENTIFICATION NUMBER: ~~C103-000-0090-0030~~ & C103-999-0090-0032  
LEGAL DESCRIPTION: Being a portion of Lot 3, Block 9, Canutillo Industrial Park  
STREET ADDRESS OR LOCATION: NORTH OF LOS MOCHIS & WEST OF SOUTH REP DISTRICT: 1  
ACREAGE: 5.5738 PRESENT ZONING: R-3 PRESENT LAND USE: Vacant  
PROPOSED ZONING: C-3192R PROPOSED LAND USE: Motel/Mini Self Storage

**3. PARCEL TWO INFORMATION**

PROPERTY IDENTIFICATION NUMBER: C103-999-0090-0042 & C103-999-0090-0052  
LEGAL DESCRIPTION: Being a portion of Lots 4&5, Block 9, Canutillo Industrial Park  
STREET ADDRESS OR LOCATION: NORTH OF LOS MOCHIS & WEST OF SOUTH REP DISTRICT: 1  
ACREAGE: 11.2143 PRESENT ZONING: R-3 PRESENT LAND USE: Vacant  
PROPOSED ZONING: C-304BR PROPOSED LAND USE: Retail Center

**4. PARCEL THREE INFORMATION**

PROPERTY IDENTIFICATION NUMBER: \_\_\_\_\_  
LEGAL DESCRIPTION: \_\_\_\_\_  
STREET ADDRESS OR LOCATION: \_\_\_\_\_ REP DISTRICT: \_\_\_\_\_  
ACREAGE: \_\_\_\_\_ PRESENT ZONING: \_\_\_\_\_ PRESENT LAND USE: \_\_\_\_\_  
PROPOSED ZONING: \_\_\_\_\_ PROPOSED LAND USE: \_\_\_\_\_

**5. ADDITIONAL INFORMATION**

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):  
Printed Name: Chanate Partners, Ltd Signature: [Signature]  
Printed Name: JHARRIS A PENDING 4555 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 07-00022 RECEIVED DATE: 03/07/07 APPLICATION FEE: \$ 825.00  
DCC REVIEW DATE: 03/28/07 (8:30 am, Conference Room, 2<sup>nd</sup> Floor, City Hall Building)  
CPC REVIEW DATE: 04/19/07 (1:30 pm, City Council Chambers, 2<sup>nd</sup> Floor, City Hall Building)  
ACCEPTED BY: [Signature]



Revised 9/2006