



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON09-00007, TO ALLOW FOR THE CONSTRUCTION OF A GROUND-MOUNTED PERSONAL WIRELESS TELECOMMUNICATION FACILITY AND EQUIPMENT SHELTER ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 1, BLOCK 441, VISTA DEL SOL UNIT EIGHTY FOUR, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.455 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS, TYN Building Venture, L.L.C.,** has applied for a Special Permit under Section 20.10.455 of the El Paso City Code to allow for the construction of a Personal Wireless Telecommunication Facility and Equipment Shelter; and,

**WHEREAS,** the requirements of Section 20.10.455 have been satisfied; 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 20.04.260 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 a **C-4/sc (Commercial/special contract) District:**

*A portion of Lot 1, Block 441, Vista Del Sol Unit Eighty Four, 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;

2. That the City Council hereby grants a Special Permit under Section 20.10.455 of the El Paso City Code to allow for a Personal Wireless Telecommunication Facility and Equipment Shelter 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 **C-4/sc (Commercial/special contract) District** regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant(s), 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. ZON09-00007** shall be subject to termination; construction or occupancy shall be discontinued; and, the Applicant(s) shall be subject to the penalty provisions of Chapter 20.24 and any other legal or equitable remedy; and,

5. That the Applicant(s) 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 \_\_\_\_\_, 2009.

**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  
Development Services Department

*(Agreement on following page)*



**Cutts Land Surveying, Inc.**  
Professional Land Surveyors

**PROPERTY DESCRIPTION**  
**66,000 Square Feet or 1.515 Acres**

Being the description of a portion of Lot 1, Block 441, Vista Del Sol Unit Eighty Four (recorded in volume 61, page 26, 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 city monument at the intersection of Pellicano Drive (120 feet wide) and Zaragosa Road;

**THENCE**, along the centerline of said Pellicano Drive, South 57°39'12" East, a distance of 250.97 feet to a point and the city monument at the intersection of said Pellicano Drive and Pullman Drive bears, South 57°21'57" East (bearing base), a distance of 1075.48 feet;

**THENCE**, leaving said centerline, North 32°20'48" East, a distance of 60.00 feet to a found ½ inch rebar in the North right-of-way line of said Pellicano Drive at the Southwest corner of this tract and Southeast corner of a tract to Diamond Shamrock Stations, Inc. (book 4612, page 796) and **POINT OF BEGINNING** for the herein described tract;

**THENCE**, leaving said right-of-way line and along the East line of said Shamrock tract, North 32°20'48" East, a distance of 200.00 feet to the Northeast corner of said Shamrock tract in the North line of said Lot 1, Block 441 and South line of Lot 1, Block 1, Placitas De Zaragosa (recorded in volume 80, page 83, plat records);

**THENCE**, along the North line of said Lot 1, Block 441, South 57°39'12" East, a distance of 330.00 feet to the Northeast corner of this tract and Northwest corner of a tract to 2109 Investments LLC (Doc. #20070114120);

**THENCE**, along the West line of said Investments tract, South 32°20'48" West, a distance of 200.00 feet to a found "x" in concrete at the Southwest corner of said Investments tract in said North right-of-way line of Pellicano Drive;

**THENCE**, along said right-of-way line, North 57°39'12" West, a distance of 330.00 feet to the **POINT OF BEGINNING** and containing **66,000 square feet or 1.515 acres of land.**

This description was prepared from a survey made on the ground on April 25, 2008 with a plat of survey.

PREPARED BY:  
Cutts Land Surveying, Inc.  
El Paso, Texas  
June 23, 2008  
Job No. 080414

**POOR QUALITY ORIGINAL  
BEST AVAILABLE IMAGE**

**EXHIBIT A**  
**ZON09-00007**



# ELP WHIRLWAY

## 11965 PELLICANO DR.

TAX PARCEL NO #V89399944100100

EL PASO, TEXAS 79936

EL PASO COUNTY

### 100'-0" MONOPALM

### RAW LAND COMMUNICATION SITE



DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION

DETAILED SITE DEVELOPMENT PLAN APPROVED  
BY THE CITY COUNCIL

DATE 5/22/09  
*Provo Brandon Winters*  
APPLICANT

EXECUTIVE SECRETARY  
CITY PLAN COMMISSION

CITY MANAGER



VICINITY MAP  
SCALE: R.T.S.



4821 EUBANK NE  
ALBUQUERQUE, NM 87111

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4820 MONTGOMERY BLVD. NE, SUITE 3 ALBUQUERQUE, NM 87109  
Tel: 505-232-4884 Fax: 505-232-4889

REV	DATE	DESCRIPTION
0	5/17/09	APPROVED FOR LEASING/ZONING
1	5/17/09	CHANGES TO THE CITY OF EL PASO ZONING
2	5/17/09	NECESSARY MODIFICATIONS TO THE CITY OF EL PASO ZONING

**SHEET INDEX**

SHT	TITLE	REV
T1	TITLE SHEET	3
SP1	SPECIFICATION & PHOTO SHEET	3
Z1	SITE PLAN	3
Z2	VERIZON WIRELESS SITE PLAN	3
Z3	ELEVATIONS	3
SU1	SITE SURVEY	1
SU2	SITE SURVEY	1
SU3	SITE SURVEY	1

**PROJECT INDEX:**

APPLICANT:  
VERIZON WIRELESS  
4821 EUBANK NE  
ALBUQUERQUE, NM 87111

CONTACT: JEFF DEWALT  
PHONE: 505-250-0004

ENGINEERS/DESIGNERS:  
TOWERCOM TECHNOLOGIES LLC  
4820 MONTGOMERY BLVD. NE,  
SUITE 5  
ALBUQUERQUE, NM 87109

CONTACT: JASON DICOMAN, PE  
PHONE: 505-232-4884

SURVEYOR:  
TOWERCOM TECHNOLOGIES LLC  
4820 MONTGOMERY BLVD. NE,  
SUITE 5  
ALBUQUERQUE, NM 87109

CONTACT: L. DEAN VAN MATRE, RPLS  
PHONE: 815-474-2803

CONSULTING, INC.  
2091 VIA CABALLERO DEL NORTE  
SANTA FE, NM 87505

CONTACT: LES GUTIERREZ  
PHONE: 505-710-2079

**ABBREVIATED LEGAL DESCRIPTION:**

SITUATE WITHIN LOT 1, BLOCK 441, VISTA DEL SOL UNIT EIGHTY FOUR, CITY OF EL PASO, EL PASO COUNTY, TEXAS.

**GENERAL PROJECT NOTES:**

- PRIOR TO SUBMITTING A BID, THE CONTRACTOR SHALL FAMILIARIZE HIMSELF/HERSELF WITH THE SCOPE OF WORK AND ALL CONDITIONS AFFECTING THE NEW PROJECT.
- CONTRACTOR SHALL VERIFY ALL FIELD CONDITIONS AND DIMENSIONS OF THE JOB SITE AND CONFIRM THAT WORK AS INDICATED ON THESE CONSTRUCTION DOCUMENTS CAN BE ACCOMPLISHED AS SHOWN PRIOR TO COMMENCEMENT OF ANY WORK.
- ALL FIELD MODIFICATIONS BEFORE, DURING, OR AFTER CONSTRUCTION SHALL BE APPROVED IN WRITING BY A VERIZON WIRELESS REPRESENTATIVE.
- INSTALL ALL EQUIPMENT AND MATERIALS PER THE MANUFACTURER'S RECOMMENDATIONS, UNLESS INDICATED OTHERWISE.
- NOTIFY VERIZON WIRELESS, IN WRITING, OF ANY MAJOR DISCREPANCIES REGARDING THE CONTRACT DOCUMENTS, EXISTING CONDITIONS, AND DESIGN INTENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING CLARIFICATIONS FROM A VERIZON WIRELESS REPRESENTATIVE AND ADJUSTING THE BID ACCORDINGLY.
- CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES OF THE WORK UNDER THE CONTRACT.
- CONTRACTOR SHALL PROTECT ALL EXISTING IMPROVEMENTS AND FINISHES THAT ARE TO REMAIN. CONTRACTOR SHALL REPAIR ANY DAMAGE THAT MAY OCCUR DURING THE CONSTRUCTION TO THE SATISFACTION OF A VERIZON WIRELESS REPRESENTATIVE.
- THE CONTRACTOR IS RESPONSIBLE FOR RED-LINING THE CONSTRUCTION PLANS TO ILLUSTRATE THE AS-BUILT CONDITION OF THE SITE. FOLLOWING THE FINAL INSPECTION BY VERIZON WIRELESS, THE CONTRACTOR SHALL PROVIDE VERIZON WIRELESS WITH ONE COPY OF ALL RED-LINED DRAWINGS.
- VERIFY ALL FINAL EQUIPMENT WITH A VERIZON WIRELESS REPRESENTATIVE. ALL EQUIPMENT LAYOUT, SPECS, PERFORMANCE INSTALLATION AND THEIR FINAL LOCATION ARE TO BE APPROVED BY VERIZON WIRELESS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING HIS/HER WORK WITH THE WORK AND CLEARANCES REQUIRED BY OTHERS RELATED TO SAID INSTALLATIONS.

**BUILDING CODE ANALYSIS (2006 INTERNATIONAL BUILDING CODE):**

PROPERTY OWNER: MONTGOMERY HOMES INC.  
11965 PELLICANO DR. EL PASO, TX 79936

ASSESSOR'S PARCEL NO: #V89399944100100

OCCUPANCY CLASSIFICATION: U - UTILITY & MISC.

TYPE OF CONSTRUCTION: TYPE V-A

ITEM	REQUIRED/ALLOWED	PROVIDED	COMPLIANCE
FIRE SPRINKLERS:	NO	N/A	YES
FIRE ALARM:	NO	YES, ALARMED BACK TO MARKET SWITCH FACILITY	YES
BUILDING HEIGHT:	UP TO 50'	10'	YES
BUILDING STORES:	2	1	YES
BUILDING AREA:	UP TO 9,000 SQ FT.	276 SQ. FT.	YES
OCCUPANT LOAD:	N/A	N/A	YES
NUMBER OF EXITS:	1	2	YES
FIRE RESISTANCE OF EXTERIOR WALLS:	1 HOUR	1 HOUR	YES
FIRE RESISTANCE RATING OF BUILDING ELEMENTS:	1 HOUR	1 HOUR	YES
PROTECTION OF OPENINGS:	N/A	N/A	YES
NON-SUPERSEDED OR SUPERSEDED USES:	N/A	N/A	YES
ROOF COVERING MATERIAL:	CLASS B	CLASS B	YES
PLUMBING FIXTURES:	NONE	N/A	YES
SPECIAL INSPECTIONS:	N/A	N/A	YES

**FCC COMPLIANCE:**  
RADIATION FROM THIS FACILITY WILL NOT INTERFERE WITH OPERATION OF OTHER COMMUNICATION DEVICES.

**ADA COMPLIANCE:**  
THIS FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. LANDINGS AND EXITS SHALL COMPLY WITH ALL APPLICABLE BUILDING CODES.

**PROJECT DESCRIPTION:**  
THE SCOPE OF THIS PROJECT SHALL CONSIST OF THE INSTALLATION OF ONE (1) PROPOSED 100'-0" MONOPALM, ONE (1) 11'-0" X 24'-0" EQUIPMENT SHELTER AND TWELVE (12) PANEL ANTENNAS.

APPROVED FOR LEASING/ZONING

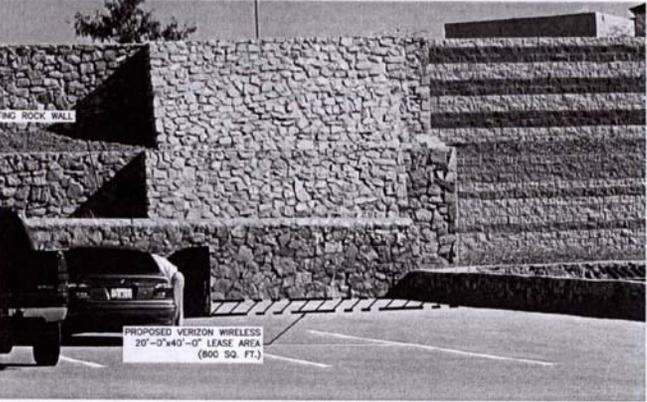
PROJECT NAME:  
**ELP WHIRLWAY**  
**100'-0" MONOPALM**  
**RAW LAND COMM SITE**

PROJECT ADDRESS:  
**11965 PELLICANO DR.**  
**EL PASO, TEXAS 79936**  
**EL PASO COUNTY**

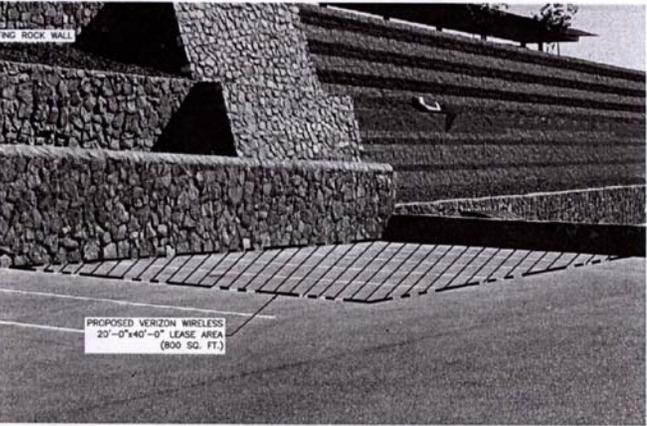
SHEET TITLE:  
**TITLE SHEET**

PROJECT NUMBER:  
06-037-18

SHEET NUMBER:  
**T1**



VIEW OF PROPOSED VZW LEASE AREA  
(LOOKING NORTHEAST)



VIEW OF PROPOSED VZW LEASE AREA  
(LOOKING NORTHEAST)

**LEGEND OF SYMBOLS**

<p>REFERENCE LETTER OR NUMBER</p> <p><b>SECTION OR DETAIL</b></p> <p>SCALE</p> <p>SHEET WHERE DRAWN</p> <p>SHEET WHERE TAKEN</p> <p>SECTION LETTER</p> <p>SHEET WHERE DRAWN</p> <p>SHEET WHERE TAKEN</p> <p>DETAIL NUMBER</p> <p>SHEET WHERE DRAWN</p> <p>SHEET WHERE TAKEN</p> <p>FOUND SURVEY MONUMENT</p> <p>"BASE" = SET 5/8" REBAR W/TCT ALUMINUM CAP SHOWN FOR REFERENCE, NOT DEFINED BY THIS SURVEY</p>	<p>EQUIPMENT OR FIXTURE NUMBER</p> <p>KEYED NOTE</p> <p>T.C. 1631.33 P.L. 1631.00 SPOT ELEVATION</p> <p>TOP OF WALL 1630.00 CONTROL OR DATUM POINT</p> <p>PROPERTY LINE</p> <p>EXISTING CONTOUR</p> <p>NEW CONTOUR</p> <p>CALCULATED CORNER (POINT NOT SET)</p> <p>SET REBAR WITH CAP OR (AS NOTED)</p>
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**SYMBOLS USED AS ABBREVIATIONS:**

∠	ANGLE	⊥	PERPENDICULAR
⊕	CENTERLINE	⊘	ROUND/DIAMETER
[ c ]	CHANNEL	⊠	SQUARE
d	PENNY	≈	APPROXIMATELY

**APPROVED FOR LEASING/ZONING**

DESIGNED FOR:

**verizon wireless**

3821 EDWARDS, W.E. ALBUQUERQUE, NM 87111

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NO.	DATE	BY	FOR
1	07/20/08	AS	200
2	07/27/08	BT	200
3	07/29/08	BT	200
4	07/29/08	BT	200
5	07/27/08	BT	200

4320 MONTECITO BLVD., W. SUITE 3 ALBUQUERQUE, NM 87109  
Tel: 505-232-4884 Fax: 505-232-4888

APPROVED FOR LEASING/ZONING

CHANGES PER CITY OF EL PASO, TEXAS

RECORD MONUMENT FEE IS 10¢ PER COPY OF PL, T&E, T&M, T&S, T&Z, T&C, T&D

STATE OF TEXAS

JASON D. DICKMAN

87551

LICENSED PROFESSIONAL ENGINEER

PROJECT NAME:

ELP WHIRLWY  
100'-0" MONOPALM  
RAW LAND COMM SITE

PROJECT ADDRESS:

11965 PELLICANO DR.  
EL PASO, TEXAS 79936  
EL PASO COUNTY

SHEET TITLE:

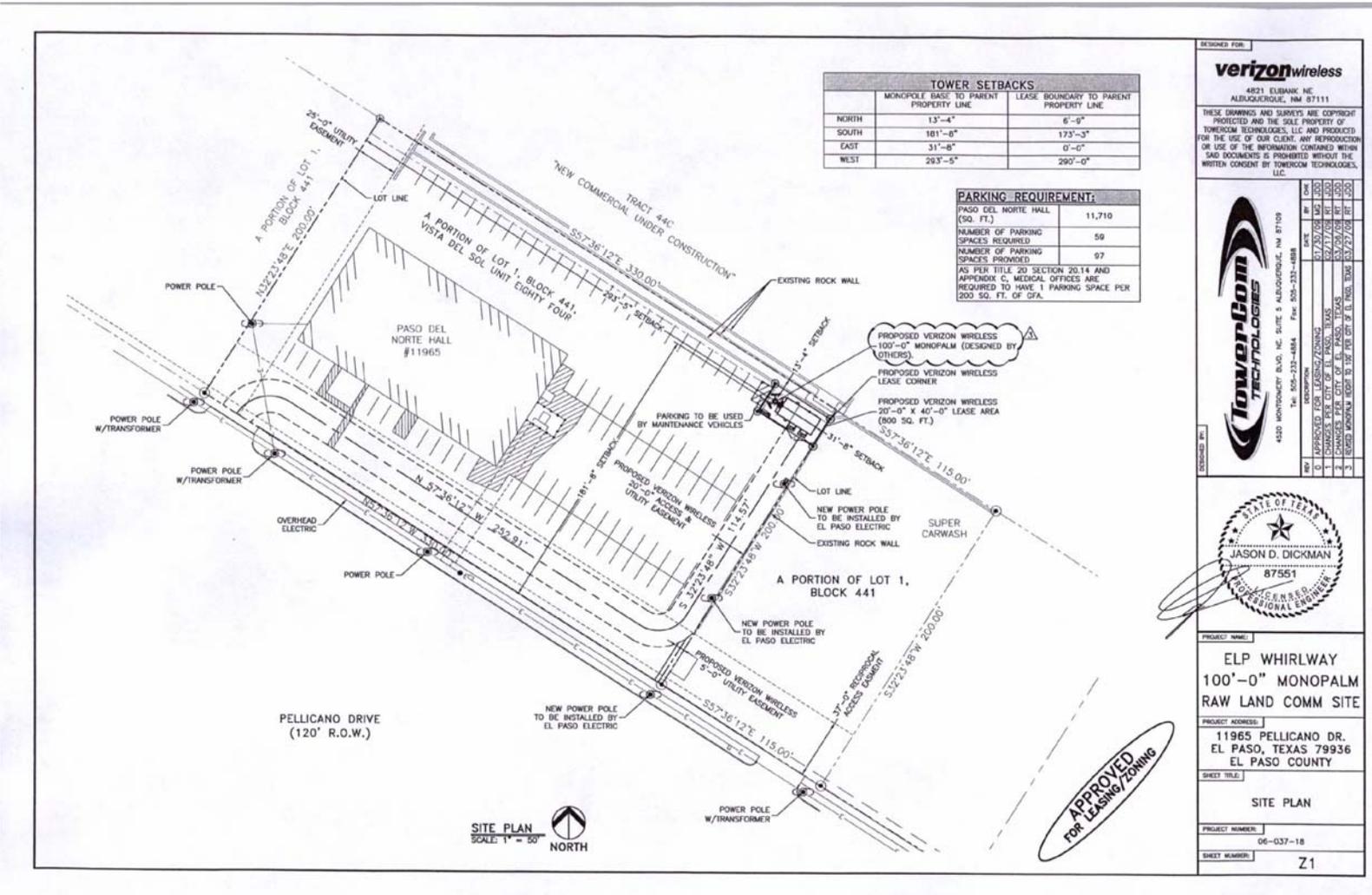
SPECIFICATION &  
PHOTO SHEET

PROJECT NUMBER:

06-037-18

SHEET NUMBER:

SP1



TOWER SETBACKS		
	MONOPOLE BASE TO PARENT PROPERTY LINE	LEASE BOUNDARY TO PARENT PROPERTY LINE
NORTH	13'-4"	6'-0"
SOUTH	101'-8"	173'-3"
EAST	31'-8"	0'-0"
WEST	293'-5"	293'-0"

PARKING REQUIREMENT:	
PASO DEL NORTE HALL (SQ. FT.)	11,710
NUMBER OF PARKING SPACES REQUIRED	59
NUMBER OF PARKING SPACES PROVIDED	97

AS PER TITLE 20 SECTION 20.14 AND APPENDIX C, MEDICAL OFFICES ARE REQUIRED TO HAVE 1 PARKING SPACE PER 200 SQ. FT. OF GFA.

DESIGNED FOR



4821 ELSBANK NE ALBUQUERQUE, NM 87111

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4820 MONTGOMERY BLVD., N.E. SUITE 5 ALBUQUERQUE, NM 87109  
Tel: 505-232-4884 Fax: 505-232-4888

REV	DATE	BY	CHK
1	07/27/08	MM	MM
2	08/26/08	MM	MM
3	08/26/08	MM	MM
4	08/27/08	MM	MM
5	08/27/08	MM	MM



PROJECT NAME: ELP WHIRLWAY 100'-0" MONOPALM RAW LAND COMM SITE

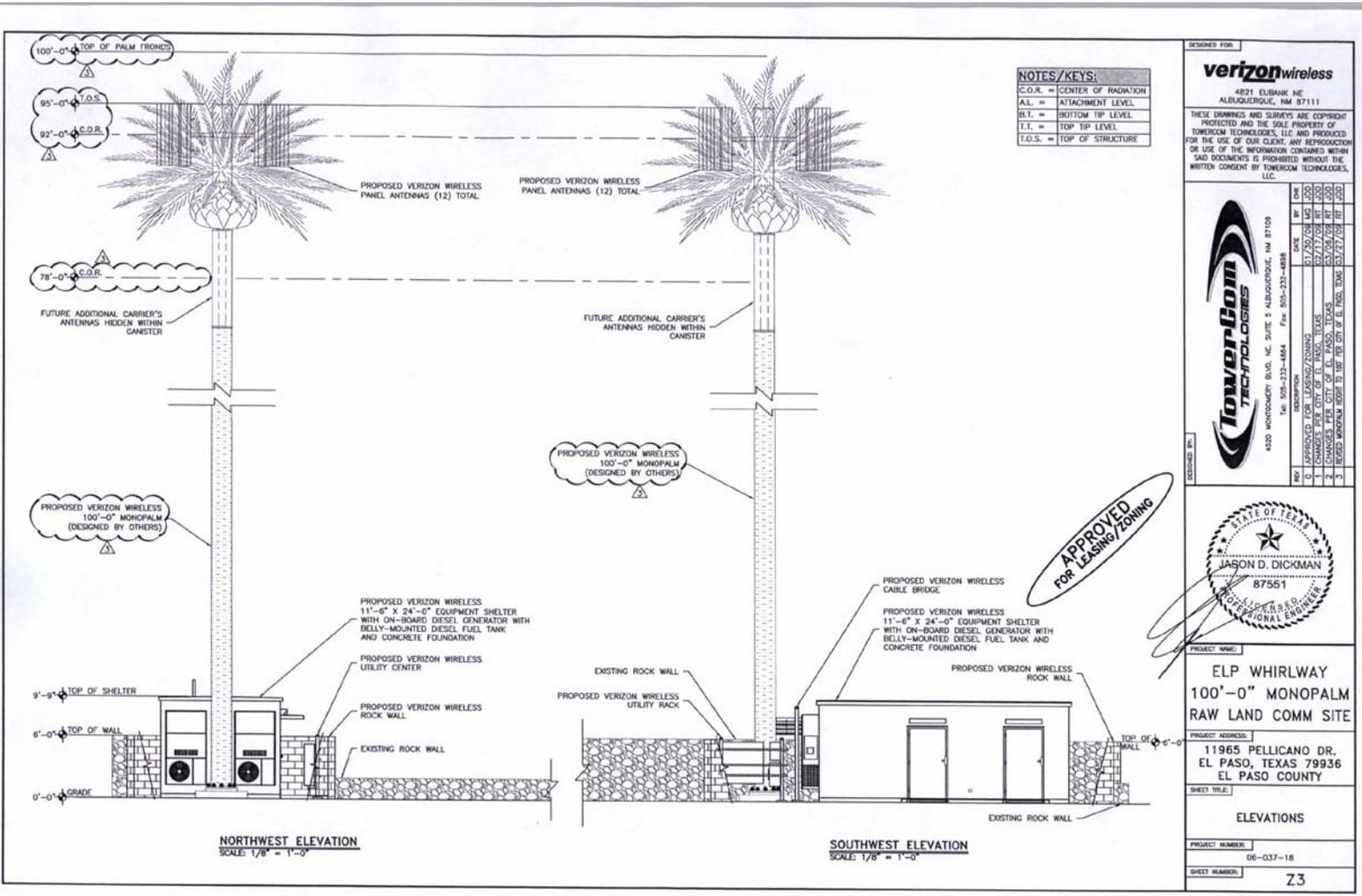
PROJECT ADDRESS: 11965 PELLICANO DR. EL PASO, TEXAS 79936 EL PASO COUNTY

SHEET TITLE: SITE PLAN

PROJECT NUMBER: 06-037-18

SHEET NUMBER: Z1





DESIGNED FOR:

**verizon**wireless

4821 EURANK NE  
ALBUQUERQUE, NEW MEXICO 87111

REGIONS BY:

**Tomar-Dom**  
TECHNOLOGIES

4520 Montemoreno Blvd. NE  
Suite 5 - Albuquerque, NM 87109  
Tel: 505-252-4884  
Fax: 505-252-4888

DATE	BY	DESCRIPTION
10/17/08	DA	1. SITE PRELIMINARY FOR REVIEW ONLY
10/27/08	DA	2. FIELD AND BARRING MEASUREMENT/FINAL REVISION
11/27/08	DA	3. REVISION
12/22/08	DA	4. REVISION

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STATE OF TEXAS  
REGISTERED PROFESSIONAL SURVEYOR  
L. DEAN VAN MATRE  
5852

PRODUCT NAME: VERIZON WIRELESS ELP WHIRLWAY

PRODUCT ADDRESS: 11965 PELLICANO CITY OF EL PASO EL PASO, CO. TEXAS

SHEET TITLE: SURVEY REFERENCES

PROJECT NUMBER: 08-037-205

SHEET NUMBER: SU1

**SURVEY TYPE:**  
**LEASE AREA**

**GENERAL LEGAL DESCRIPTION:**  
LEASE AREA SITUATE WITHIN  
LOT 1, BLOCK 441,  
VISTA DEL SOL UNIT EIGHTY FOUR,  
CITY OF EL PASO,  
EL PASO COUNTY, TEXAS  
(SEE SHEET SU2 FOR SPECIFIC LEGAL DESCRIPTION)

**PROPERTY OWNER:**  
TYN BUILDING VENTURE LLC.  
DALLAS, TEXAS 75243

**PARCEL#**  
V89399944100100

**SURVEY NOTES & REFERENCES:**

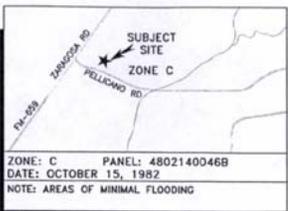
- SAR/ZAR by Les Gutierrez "03 CONSULTING INC." (505) 710-2079.
- Plot of VISTA DEL SOL UNIT EIGHTY FOUR, Recorded in Vol. 01, Page 26, Records of El Paso County, Texas.
- Warranty Deed with Vendor's Lien, Doc. # 20080053106, El Paso County Records, Texas.
- Warranty Deed, in Book 2843, Page 0923, El Paso County Records, Texas.
- Report of Title, Issued July 24, 2008, by Lawyers Title Insurance Corp., File # 11350613.
- Commitment for Title Insurance by LANDAMERICA COMMERCIAL SEARCH SERVICES, Issued March 26, 2007, Prior LACSS, No. 10927669, TITLE REPORT UPDATE Order No. 10987856. Scope of Search: Beginning 09/26/2006 and extending through 02/21/2007.
- SCHEDULE B EXCEPTION ITEMS:
  - Easement granted by L.P. Cossett and Gladys A. Cossett to El Paso Products Pipeline Company dated 7/12/58 and recorded 7/23/58 in Book 1410, Page 27.
  - Protective Covenants Vista Del Sol Unit Eighty-Four to the City of El Paso, Texas dated 6/6/86 and recorded 6/11/86 in Book 1682, Page 1325.
  - Amended to the Protective Covenants Vista Del Sol Unit Eighty-Four to the City of El Paso, Texas dated 4/7/89 and recorded 4/14/89 in Book 2042, Page 276.
  - Reciprocal Access Easement, between International City Developers, Inc. and Brazos River Leasing L.P. dated 10/17/94 and recorded 10/17/94 in Book 2805, Page 1719.

**NO EASEMENT CERTIFICATION:**  
This is to certify that no easements listed in Schedule "B" of the "TITLE REPORT UPDATE" Order No. 10987856, issued by LANDAMERICA COMMERCIAL SEARCH SERVICES, pass through the VERIZON WIRELESS/ELP WHIRLWAY Lease Area.

**TITLE REFERENCE:**  
This Survey was done with sufficient research and field gathered data to verify the Parent Parcel of the subject property, however, this Surveyor has relied upon the title provider referenced herein for documents of record, and that this Surveyor makes no guarantee, either expressed or implied as to the quality of the title report/abstract and reference documents provided, and that the documents provided affecting the Lease and immediate area have been plotted.

This "Lease Area Survey" is based on an actual field survey performed by me or under my direction. It correctly depicts existing readily visible improvements and above ground utilities and the Boundary of the parent parcel was verified from field and record information, this "Lease Area Survey" is not a Boundary Survey of the Parent Parcel and this Survey was developed to support the communications facility plan named hereon.

*L. Dean Van Matre*  
L. DEAN VAN MATRE  
TX RPLS 5852  
3/5/09



**FLOOD INFORMATION**

**COORDINATE REPORT (NAD83/NAVD88)**

LATITUDE: 31° 44' 15.473"N  
LONGITUDE: 106° 17' 23.945"W  
GROUND ELEV.: 3921.5'

**COORDINATE REPORT (NAD27/NGVD29)**

LATITUDE: 31° 44' 15.075"N  
LONGITUDE: 106° 17' 22.009"W  
GROUND ELEV.: 3919.6'

MEETS 1A/2C LETTER REQUIREMENTS AND TIED TO LISTED CORS STATIONS VIA OPUS:

PID	DESIGNATION
DG7417	PO2E
AF528	WSMN
DF5389	TXEL

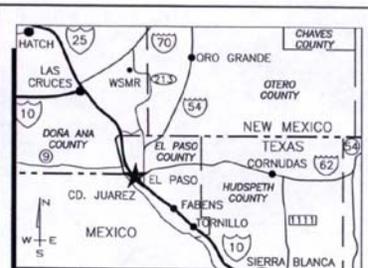
**BASIS OF BEARINGS AND DATUM NOTE:**

(1.) ALL DISTANCES ARE SURFACE AND ALL BEARINGS REFERENCED HEREIN ARE TRUE NORTH FOR A LOCAL SURFACE TRANSVERSE MERCATOR PROJECTION. (2.) ORIGIN OF PROJECTION IS CENTERED ON A CONTROL MONUMENT SET OR FOUND IN THE PROJECT AREA AND WAS TIED TO THE NATIONAL CORS USING THE OPUS UTILITY. (3.) THE CONTROL MONUMENT USED FOR ORIGIN HAS A GEODETIC POSITION OF:

LAT.: 31° 44' 14.509"N  
LONG.: 106° 17' 25.085"W  
EL HGT.: 3838.6'  
HORIZONTAL DATUM NAD83 (CORS98)  
VERTICAL DATUM NAVD88 [GEOID03]

GRID POSITION  
FALSE NORTHING: 50,000.00'  
FALSE EASTING: 50,000.00'  
ELEVATION: 3917.7'

CONVERGENCE: 00°00'00.000"  
SCALE FACTOR: 1.00000000



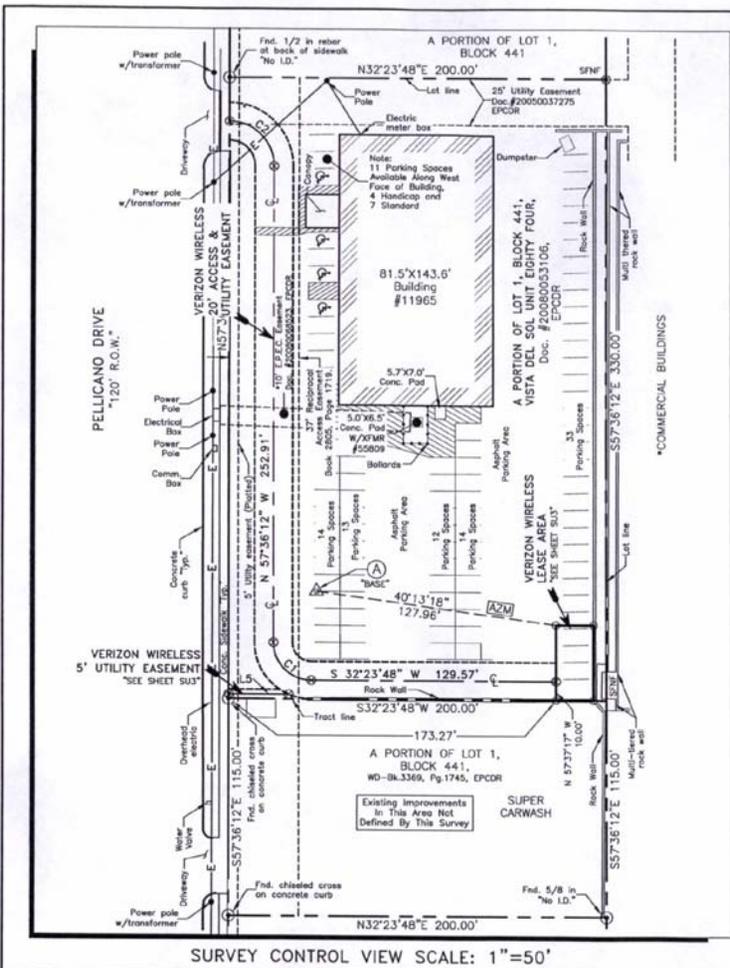
**REGIONAL MAP N.T.S.**

**DRIVING DIRECTIONS**  
Depart El Paso International Airport on Airport Rd, Turn Left (South) onto Alway Blvd for 1.8 miles to I-10, Turn LEFT (East) and take I-10 East for 5.7 miles to exit 32 [Zaragoza Rd/George Dieter Rd], turn LEFT and head North on N Zaragoza Rd [FM-659] for 0.4 miles to a fork in the road, turn RIGHT to stay on N Zaragoza Rd [FM-659] continuing North for 1.1 miles, turn RIGHT and head East on Pellicano Dr. Arrive at 11965 Pellicano Dr. Site is on the NE corner of the lot and northeast of Paso Del Norte Hall Building.

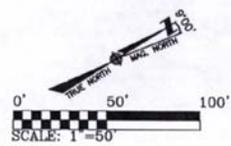


**LOCAL MAP N.T.S.**

**SURVEY INDEX:**  
SU1-SURVEY REFERENCES  
SU2-SURVEY CONTROL METES & BOUNDS  
SU3-ENLARGED OVERVIEW SURVEY SPOT ELEV. METES & BOUNDS



GENERAL LEGAL DESCRIPTION PARENT PARCEL:  
A PORTION OF LOT 1,  
BLOCK 441,  
VISTA DEL SOL UNIT EIGHTY FOUR



- Ⓐ "BASE" = Set GIN SPIKE  
(Refer To Sheet SU1 For Grid Position)  
(POINT NOT SET)
- Ⓞ CALCULATED CORNER (AS NOTED)
- SET REBAR WITH CAP

SNFN = SEARCHED FOR NOT FOUND  
\* = NOT DEFINED BY THIS SURVEY  
EPCDR—EL PASO COUNTY, DEED RECORDS

BUILDING SETBACKS:  
FRONT: 25'  
SIDE: 5'  
REAR: 10'  
FROM LES GUTIERREZ  
SITE ACQUISITION CONSULTANT  
(505) 710-2079

ACCESS EASEMENT LINE TABLE			
LINE	LENGTH	BEARING	
L5	31.72'	N32°23'48"E	

ACCESS EASEMENT CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	TANGENT
C1	20.00'	31.42'	90°00'00"	S77°23'48"W	28.28'	20.00'
C2	23.70'	37.24'	90°00'10"	S77°23'43"W	33.52'	23.71'

Verizon Wireless – ELP WHIRLWAY – 20 ft. Access & Utility Easement

A strip of land for the purpose of an Access and Utility Easement to serve a telecommunications equipment lease area, said strip of land situate within the corporate limits of the City of El Paso, El Paso County, Texas, comprising a portion of Lot 1, Block 441, VISTA DEL SOL UNIT EIGHTY FOUR, as the same is shown and designated on the plat of said addition filed in the office of the County Clerk of El Paso County, Texas, recorded in Book 61, Page 26, Same being a portion of that property (Parent Parcel) described in the Warranty Deed filed in Book 2843, Page 0923, El Paso County records, said strip of land being twenty (20.00) feet in width and lying ten (10.00) feet on each side of the following described centerline:

- Commencing at a chiseled cross on concrete curb, found at the East corner of said Parent Parcel, from which the following three monuments are defined for reference:
- 1.) A chiseled cross found on top of a concrete curb bears, South 57°36'12" East 115.00 feet;
  - 2.) A found 5/8" rebar with no identification bears the following two courses: South 57°36'12" East 115.00 feet, Thence, North 32°23'48" East 200.00 feet;
  - 3.) A found 1/2" rebar with no identification bears North 57°36'12" West 330.00 feet;

Thence, from the Point of Commencement, North 32°23'48" East 173.27 feet to a PK nail with washer stamped "TOWERCOM TX5852" set for the South corner of the lease area serviced by this centerline description; Thence, North 57°37'17" West 10.00 feet to the centerline and POINT OF BEGINNING of this centerline description;

Thence, South 32°23'48" West 129.57 feet to a point of curvature;  
Thence, Westerly, 31.42 feet along the arc of a curve to the right, having a radius of 20.00 feet, a central angle of 90°00'00" and a chord which bears South 77°23'48" West 28.28 feet to the point of tangency;  
Thence, North 57°36'12" West 252.91 feet to a point of curvature;  
Thence, Westerly, 37.24 feet along the arc of a curve to the left, having a radius of 23.70 feet, a central angle of 90°00'10" and a chord which bears South 77°23'43" West 33.52 feet to the point of tangency of the northeasterly right of way of Pellicano Drive (120.00' right-of-way) and the Terminus of this centerline description.

Basis of Bearing is True North for a local Transverse Mercator Projection, Developed from GPS Static observations and referenced to the National CORS.

DESIGNED FOR:

**verizonwireless**  
4821 CUBARK NE  
ALBUQUERQUE, NEW MEXICO 87111  
DESIGNED BY:  
**TowerCom**  
INC-Professional  
4520 Montgomery Blvd., NE  
Suite 5 - Albuquerque, NM 87109  
Tel: 505-232-4884  
Fax: 505-232-4888

DATE: 10/21/08  
BY: [Signature]  
CHECKED: 5/22/09  
DATE: [Blank]  
BY: [Blank]  
CHECKED: [Blank]

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STATE OF TEXAS  
COUNTY OF EL PASO  
REGISTERED SURVEYOR  
L. DEAN VAN MATRE  
5852

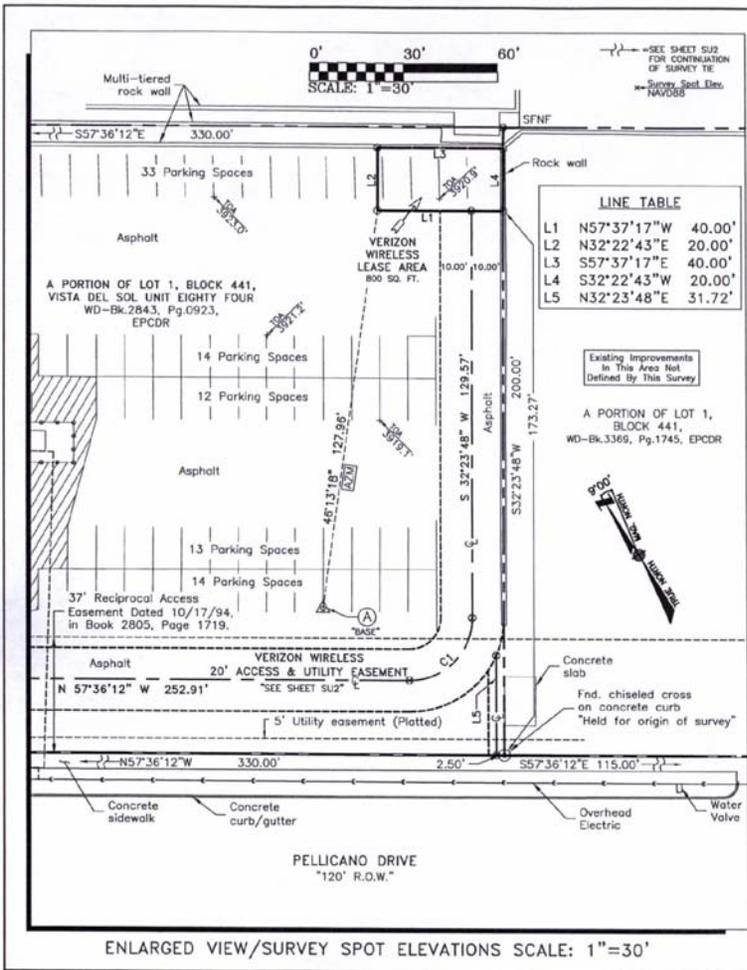
PROJECT NAME:  
**VERIZON WIRELESS ELP WHIRLWAY**

PROJECT ADDRESS:  
**11965 PELLICANO CITY OF EL PASO EL PASO, CO. TEXAS**

SHEET TITLE:  
**SURVEY CONTROL ACCESS METES & BOUNDS**

PROJECT NUMBER:  
08-037-206

SHEET NUMBER:  
**SU2**



**Verizon Wireless – ELP WHIRLWAY – Lease Area**

A parcel of land for the purpose of a telecommunications equipment lease area, said parcel of land situate within the corporate limits of the City of El Paso, El Paso County, Texas, comprising a portion of Lot 1, Block 441, VISTA DEL SOL UNIT EIGHTY FOUR, as the same is shown and designated on the plat of said addition filed in the office of the County Clerk of El Paso County, Texas, recorded in Book 61, Page 26. Some being a portion of that property (Parent Parcel) described in the Warranty Deed filed in Book 2843, Page 0923, El Paso County records, and is more specifically described as follows:

- 1.) A chiseled cross on top of a concrete curb bears, South 57°36'12" East 115.00 feet;
- 2.) A found 5/8" rebar with no identification bears the following two courses: South 57°36'12" East 115.00 feet, Thence, North 32°23'48" East 200.00 feet;
- 3.) A found 1/2" rebar with no identification bears North 57°36'12" West 330.00 feet;

Thence, from the Point of Commencement, North 32°23'48" East 173.27 feet to a PK nail with washer stamped "TOWERCOM TX5852" set on a rock wall for the east corner and the POINT OF BEGINNING of this Lease Area description;

Thence, North 57°37'17" West 40.00 feet to a gin spike with washer stamped "TOWERCOM TX5852" set for the south corner of the lease area herein described;

Thence, North 32°22'43" East 20.00 feet to a PK nail with washer stamped "TOWERCOM TX5852" set for the west corner of the lease area herein described;

Thence, South 57°37'17" East 40.00 feet to a PK nail with washer stamped "TOWERCOM TX5852" set on a rock wall for the north corner of the lease area herein described;

Thence, South 32°22'43" West 20.00 feet to the POINT OF BEGINNING of this Lease Area description.

Containing 800 square feet of land.

Basis of Bearing is True North for a local Transverse Mercator Projection. Developed from GPS Stotic observations and referenced to the National CORS.

**Verizon Wireless – ELP WHIRLWAY – 5 ft. Utility Easement**

A strip of land for the purpose of a utility easement to serve a telecommunications equipment lease area, said strip of land situate within the corporate limits of the City of El Paso, El Paso County, Texas, comprising a portion of Lot 1, Block 441, VISTA DEL SOL UNIT EIGHTY FOUR, as the same is shown and designated on the plat of said addition filed in the office of the County Clerk of El Paso County, Texas, recorded in Book 61, Page 26. Some being a portion of that property (Parent Parcel) described in the Warranty Deed filed in Book 2843, Page 0923, El Paso County records, said strip of land being five (5.00) feet in width and lying two-and-one-half (2.50) feet on each side of the following described centerline:

- 1.) A chiseled cross on top of a concrete curb bears, South 57°36'12" East 115.00 feet;
- 2.) A found 5/8" rebar with no identification bears the following two courses: South 57°36'12" East 115.00 feet, Thence, North 32°23'48" East 200.00 feet;
- 3.) A found 1/2" rebar with no identification bears North 57°36'12" West 330.00 feet;

Thence, from the Point of Commencement, North 57°36'12" West 2.50 feet to the centerline and POINT OF BEGINNING of this centerline description;

Thence, North 32°23'48" East 31.72 feet to the easterly extent of a 20.00 foot wide Verizon Wireless Access and Utility Easement developed with this easement and the TERMINUS of this centerline description.

Basis of Bearing is True North for a local Transverse Mercator Projection. Developed from GPS Stotic observations and referenced to the National CORS.

DESIGNED FOR

**verizonwireless**

4821 ELBANK NE  
ALBUQUERQUE, NEW MEXICO 87111

DESIGNED BY

**Invar-Dam**  
TWO PEOPLE

4520 Montgomery Blvd. NE  
Suite 5 - Albuquerque, NM 87109

TEL: 505-232-4884  
FAX: 505-232-4898

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NO.	DESCRIPTION	DATE	BY	CHK
A	DRAW PRELIMINARY FOR REVIEW ONLY	10/17/09	DM	DM
B	REVISED	12/09	DM	DM
C	FINALIZED	12/09	DM	DM
1	ISSUING AND PAVING ASSESSMENT/PAY. REQUIRED	12/09/09	DM	DM



PROJECT NAME

**VERIZON WIRELESS ELP WHIRLWAY**

PROJECT ADDRESS

**11965 PELLICANO CITY OF EL PASO EL PASO, CO. TEXAS**

SHEET TITLE

**ENLARGED SITE PLAN OVERVIEW**

PROJECT NUMBER

**DR-037-206**

SHEET NUMBER

**SU3**

**MEMORANDUM**



**DATE:** June 4, 2009  
**TO:** The Honorable Mayor and City Council  
Joyce A. Wilson, City Manager  
**FROM:** Mirian Spencer, Planner  
**SUBJECT:** **ZON09-00007**

The City Plan Commission (CPC) on April 9, 2009 voted **5-0** to recommend **APPROVAL** of the Special Permit and detailed site development plan to allow a ground-mounted Personal Wireless Service Facility (PWSF) antenna support structure within ½ mile of another PWSF antenna support structure concurring with the recommendation from staff. The CPC made the recommendation that the proposed ground-mounted PWSF antenna support structure shall allow for collocation of future PWSF antennas. Staff is requesting that any additional carriers on the PWSF be hidden within the structure per the detailed site development plan.

The CPC found that the Special Permit is in conformance with The Plan for El Paso. The CPC also determined that the Special Permit protects the best interest, health, safety, and welfare of the public in general; and the Special Permit will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There were no public comments in support or in opposition to this request.

**Attachment:** Staff Report, Zoning Map, Aerial Map, Ordinance 15845 dated August 10, 2004, Detailed Site Plan, Elevations

Mayor  
John F. Cook

City Council

*District 1*  
Ann Morgan Lilly

*District 2*  
Susannah M. Byrd

*District 3*  
Emma Acosta

*District 4*  
Melina Castro

*District 5*  
Rachel Quintana

*District 6*  
Eddie Holguin Jr.

*District 7*  
Steve Ortega

*District 8*  
Beto O'Rourke

City Manager  
Joyce A. Wilson

**Development Services Department**

Victor Q. Torres - Director

2 Civic Center Plaza - 5<sup>th</sup> Floor • El Paso, Texas 79901 • (915) 541-4622 • Fax  
(915) 541-4799



*City of El Paso – City Plan Commission Staff Report*

**Case No:** ZON09-00007  
**Application Type** Special Permit  
**CPC Hearing Date** April 9, 2009  
**Staff Planner** Mirian Spencer, (915) 541-4192, spencermd2@elpasotexas.gov

**Location** 11965 Pellicano Drive  
**Legal Description** A Portion of Lot 1, Block 441, Vista Del Sol Unit Eighty Four, City of El Paso, El Paso County, Texas  
**Acreage** 1.5 acres  
**Rep District** 6  
**Existing Use** Medical office  
**Existing Zoning** C-4/sc (Commercial/special contract)  
**Request** Special Permit to permit a ground-mounted PWSF antenna support structure within ½ mile of another PWSF antenna support structure and Detailed Site Development Plan Review

**Property Owner** TYN Building Venture, LLC  
**Applicant** Verizon Wireless, LLC  
**Representative** Les F. Gutierrez

**SURROUNDING ZONING AND LAND USE**

**North:** C-4/c (Commercial/condition); Commercial  
**South:** C-4/sc/sp (Commercial/special contract/special permit); Storage warehouse  
**East:** C-2/c (Commerical/condition); Convenience store  
**West:** C-4/sc/sp (Commercial/special contract/special permit); Restaurant

**THE PLAN FOR EL PASO DESIGNATION:** Residential (East Planning Area)

**NEAREST PARK:** Marty Robbins Park (3,697 feet)  
**Distance to School** Myrtle Cooper Elementary (1,180 feet)

**NEIGHORHOOD ASSOCIATIONS:** East Side Civic Association

**NEIGHBORHOOD INPUT**

Notice of the public hearing was mailed to all property owners within 300 feet of this proposed special permit on March 25, 2009. Planning did not receive any calls or letters in support or opposition.

**APPLICATION DESCRIPTION**

The applicant is requesting a special permit and a detailed site development plan approval to allow for the construction of a one-hundred (100) foot ground-mounted PWSF antenna support structure that will be camouflaged as a palm tree. Per Section 20.10.455(F)(1), the minimum separation distance between ground-mounted PWSF antenna support structures shall be one-half mile. There are two ground-mounted PWSF antenna support structures across Pellicano Drive less than one-half mile away from this location. The applicant is allowed to request a modification to the minimum separation distance between ground-mounted PWFS antenna support structures via a Special Permit. Section 20.10.455(F)(1)(c) states that the minimum separation between ground-mounted PWSF antenna support structures may be reduced below one-half mile by City Council upon approval of a special permit application if the City Council finds the following:

- The applicant is reasonably unable to use property that is more than one-half mile from another PWSF antenna support structure and be able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable; and

- The property on which the PWSF support structure is to be located is the only reasonably available property for use within one-half mile of another PWSF antenna support structure that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable; and
- The area designated by the applicant cannot be reasonably served in a manner that is technically feasible and commercially reasonable by locating additional antennas on the applicant's existing PWSF antenna support structures because such existing PWSF antenna support structures cannot safely support additional antennas; and
- The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is owned or operated by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable; and
- The applicant shall submit a list of addresses/locations showing all existing PWSF within a one-half mile radius of the proposed site and a map depicting such locations with the special permit application.

The applicant is requesting a modification to the separation between PWSF antenna support structures. Per the documentation provided by the applicant, there are two ground-mounted PWSF antenna support structures located within one-half mile of the proposed ground-mounted PWSF antenna support structure. Access will be provided via a twenty (20) foot access and utility easement from Pellicano Drive to the PWSF.

**DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION**

The Development Coordinating Committee (DCC) provides the following comments:  
DCC recommends **APPROVAL** of the special permit and detailed site development plan for the ground-mounted PWSF antenna support structure.

**PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **Approval** of the special permit and detailed site development plan for the ground-mounted PWSF antenna support structure.

**The Plan for El Paso –City-wide Land Use Goals**

All applications for special permit and detailed site development plan shall demonstrate compliance with the following criteria:

- a. Goal: 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.
- b. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- c. Goal: preserve, protect, and enhance the integrity, economic vitality, and livability of the city's neighborhoods.

The application is in conformance with The Plan for El Paso because the ground-mounted PWSF antenna support structure will be serving the needs of the adjacent commercial developments and residential neighborhoods. The proposed use is compatible with the surround commercial and business uses.

**Development Services Department - Building Permits and Inspections Division**

Landscaping: applicant will proceed with \$5,000 buyout option

**Development Services Department - Planning Division**

*Current Planning:*

1. The Year 2025 Projected General Land Use Map for the **East Planning Area** designates this property for **Residential** land uses.

2. Recommends **Approval** of the special permit and detailed site plan for the proposed ground-mounted PWSF antenna support structure.

*Land Development:*

1. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.\*
2. Grading plan and permit shall be required.\*
3. Storm Water Pollution Prevention Plan and/or permit required.\*
4. Drainage plans must be approved by the Development Services Department, Engineering Section.\*
5. Coordination with TXDOT. \*
6. Additional Comments: Site location is **not** located within a Special Flood Hazard Area, Flood Zone C, Panel **480214 0037 B.**  
\* **This requirement will be applied at the time of development.**

**Engineering Department - Traffic Division**

No objections.

**Fire Department**

No opposition at this time.

**El Paso Water Utilities**

EPWU does not object to this request.

**CITY PLAN COMMISSION OPTIONS**

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

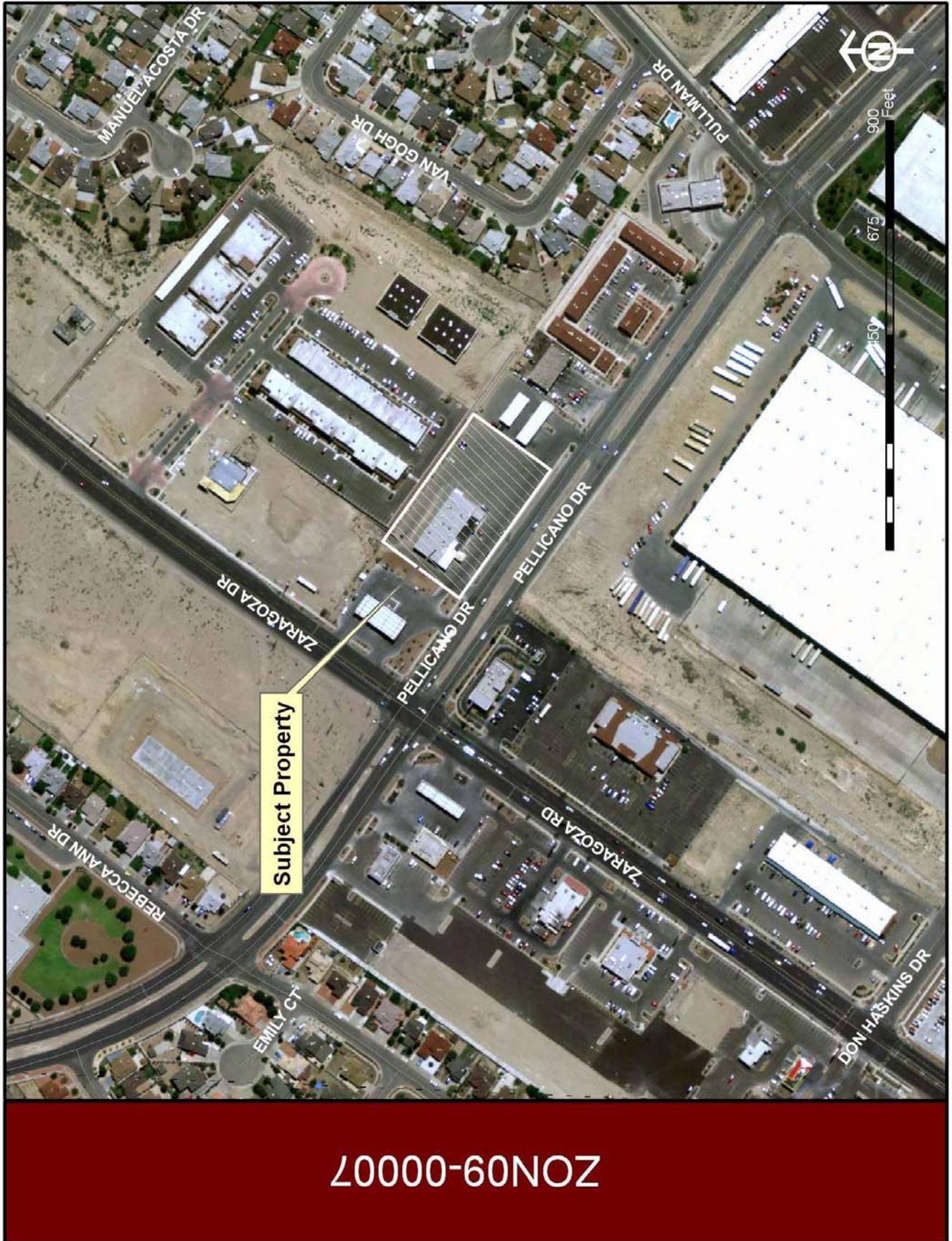
1. Recommend approval of the application finding that the special permit and detailed site development plan is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan
2. Recommend approval of the application with modifications to bring the special permit and detailed site development plan into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the special permit and detailed site development plan does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

**Attachments**

1. Zoning Map
2. Aerial Map
3. Ordinance 15845
4. Detailed Site Development Plan
5. Elevations



ATTACHMENT 2: AERIAL MAP



ATTACHMENT 3: ORDINANCE 15845

ORDINANCE NO. 15845

AN ORDINANCE CHANGING THE ZONING OF PARCEL 1: A PORTION OF TRACT 44C, O. A. DANIELSON SURVEY NO. 310, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-4 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS; AND PARCEL 2: A PORTION OF TRACT 44C, O. A. DANIELSON SURVEY NO. 310, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-2 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of Parcel 1: *A portion of Tract 44C, O. A. Danielson Survey No. 310, El Paso, El Paso County, Texas*, as more particularly described by metes and bounds in the attached Exhibit "A", be changed from R-3 (Residential) to C-4 (Commercial); and Parcel 2: *A portion of Tract 44C, O. A. Danielson Survey No. 310, El Paso, El Paso County, Texas*, as more particularly described by metes and bounds in the attached Exhibit "A", be changed from R-3 (Residential) to C-2 (Commercial); within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; and

That Parcels 1 and 2 be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning from R-3 (Residential) to C-4 (Commercial) for Parcel 1, and from R-3 (Residential) to C-2 (Commercial) for Parcel 2, in order to protect the health, safety and welfare of adjacent property owners and the residents of this city:

Parcel 1:

1. Prior to the issuance of any building permits, a detailed site plan shall be reviewed and approved per the El Paso Municipal Code.
2. A ten-foot (10') wide landscaped buffer to include, but not limited to, evergreen trees placed at fifteen (15) feet on center shall be required along the property line where abutting residential or apartment zoning districts. This shall be in addition to the landscaping requirements of the Chapter 20.65 of the El Paso Municipal Code and shall be required prior to the issuance of any building permits.
3. The following uses shall be prohibited: automotive repair garage; automobile, light and heavy trucks, buses, motorcycles and boats sales, storage, rental or service; sales, storage, repair and rental of tractors, heavy trucks, farm equipment, contractor's equipment and heavy vehicles and equipment; trailer, mobile home, travel trailer and recreational vehicle sales, display and repair; and contractor's yard.

ORDINANCE NO. 15845

1

7/15/2004

Zoning Case No. ZON04-00077

Parcel 2:

1. *Prior to the issuance of any building permits, a detailed site plan shall be reviewed and approved per the El Paso Municipal Code.*
2. *A ten-foot (10') wide landscaped buffer to include, but not limited to, evergreen trees placed at fifteen (15) feet on center shall be required along the property line where abutting residential or apartment zoning districts. This shall be in addition to the landscaping requirements of the Chapter 20.65 of the El Paso Municipal Code and shall be required prior to the issuance of any building permits.*

These conditions run with the land, are a charge and servitude thereon, and bind the current property owner and any successors in title. The City may enforce these conditions by injunction, by rescission of the zoning which is made appropriate as a result of these conditions, or by any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above conditions in its discretion without the consent of any third person who may be benefitted thereby, and without affecting the validity of this ordinance.

PASSED AND APPROVED this 10<sup>th</sup> day of August, 2004.

(signatures on the next page)

ORDINANCE NO. 15845

2

7/15/2004

Zoning Case No. ZON04-00077

THE CITY OF EL PASO

[Signature]  
Joe Wardy, Mayor

ATTEST:

[Signature]  
Richarda Duffy Momsen, City Clerk

APPROVED AS TO CONTENT:

[Signature]  
Fred Lopez, Zoning Coordinator  
Planning, Research & Development

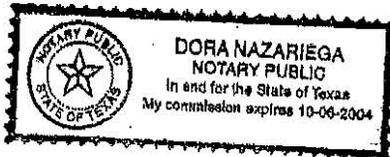
[Signature]  
Rodolfo Valdez, Chief Urban Planner  
Planning, Research & Development

Acknowledgment

THE STATE OF TEXAS     )  
  )  
COUNTY OF EL PASO     )

This instrument is acknowledged before me on this 18<sup>th</sup> day of August, 2004,  
by JOE WARDY as MAYOR of THE CITY OF EL PASO.

My Commission Expires:



[Signature]  
Notary Public, State of Texas  
Notary's Printed or Typed Name:  
Dora Nazariaga

ORDINANCE NO. 15845

3

7/15/2004

Zoning Case No. ZON04-00077



