

RESOLUTION

CITY CLERK DEPT.

08 MAY 12 PM 5:06

A RESOLUTION AMENDING A CONDITION ON PROPERTY BY CONTRACT DATED MARCH 2, 1977, WHICH IMPOSED CONDITIONS ON THE FOLLOWING PROPERTY:

PARCEL 1: A PORTION OF TRACT 1, BLOCK 89A, LOGAN HEIGHTS ADDITION AND A PART OF THE ADJACENT VACATED PORTION OF COPIA STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND;

PARCEL 2: A PORTION OF VACATED COPIA STREET ADJACENT TO BLOCK D, LOGAN HEIGHTS ADDITION AND A PART OF THE ADJACENT VACATED PORTION OF COPIA STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, the zoning of the property described as follows was changed by City Council on March 2, 1977:

Parcel 1: A portion of Tract 1, Block 89A, Logan Heights Addition and a part of the adjacent vacated portion of Copia Street, City of El Paso, El Paso County, Texas, and:

Parcel 2: A portion of vacated Copia Street adjacent to Block D, Logan Heights Addition and a part of the adjacent vacated portion of Copia Street, City of El Paso, El Paso County, Texas; and,

WHEREAS, the rezoning was subject to the property owner entering into a contract with the city and such contract imposed the following zoning condition:

- 3. No driveway, curb cut or other means of vehicular ingress and egress shall be permitted between the property and Fred Wilson Road.

WHEREAS, placement of such condition was necessitated by and attributable to the increased intensity of use generated by the change of zoning; and,

WHEREAS, this condition has been satisfied; and,

WHEREAS, the owner (applicant) submitted an application requesting the amendment of the above condition on the above described property to state, "*Vehicular ingress and egress to the property be provided off of Fred Wilson from the vacated location of Copia Street*"; and,

WHEREAS, a public hearing regarding amendment of condition was held before the City Plan Commission, and the Commission recommended approval of the amendment; and,

WHEREAS, the City Council of the City of El Paso has determined that the amending of the above condition will protect the best interest, health, safety and welfare of the public in general.

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

1. That zoning condition prohibiting a driveway, curb cut or other means of vehicular ingress and egress between the property and Fred Wilson Road imposed by Contract dated March 2, 1977 be amended on the portion of land identified as follows:

Parcel 1: A portion of Tract 1, Block 89A, Logan Heights Addition and a part of the adjacent vacated portion of Copia Street, City of El Paso, El Paso County, Texas, as identified as Exhibit "A"; and,

Parcel 2: A portion of vacated Copia Street adjacent to Block D, Logan Heights Addition, City of El Paso, El Paso County, Texas, as identified as Exhibit "B"

2. Except as herein amended, Contract dated March 2, 1977 shall remain in full force and effect.

PASSED AND APPROVED this _____ day of _____, 2008.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

CITY CLERK DEPT.
08 MAY 12 PM 5:06

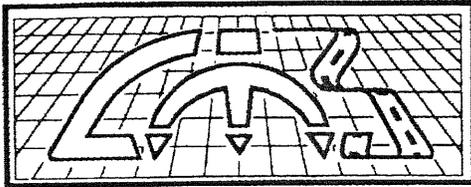
APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Patricia D. Adauto

Patricia D. Adauto, Deputy City Manager
Development & Infrastructure Services



Land - Mark Professional Surveying Inc.

ico and Arizona"

Exhibit "A"

METES AND BOUNDS DESCRIPTION

A PORTION OF TRACT 1, BLOCK 89A, LOGAN HEIGHTS ADDITION, AND A PART OF THAT PORTION OF COPIA STREET AS VACATED BY CITY ORDINANCE NO. 016615 DATED MAY 1, 2007, ZONED A-0 SC, EL PASO, EL PASO COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for reference at an existing city monument at the intersection of Keltner Avenue (70' R.O.W.) and Byron Street (57' R.O.W.); **THENCE**, South 90°00'00" West with the centerline of said Keltner Avenue a distance of 453.50 feet to a point; **THENCE**, leaving said centerline, South 00°00'00" West a distance of 35.00 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set at the point of intersection of the south right of way line of said Keltner Avenue and the East right of way line of said Vacated portion of Copia Street (70' R.O.W.); **THENCE**, North 90°00'00" West a distance of 35.00 feet to a corner of and the **POINT OF BEGINNING** for the following parcel description:

THENCE, South 00°00'00" West a distance of 130.00 feet to a corner of this parcel;

THENCE, North 90°00'00" East a distance of 35.00 feet to point lying in the east right of way line of said vacated portion of Copia Street and a corner of this parcel;

THENCE, South 00°00'00" West with the east right of way line of said Vacated portion of Copia Street a distance of 130.00 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set in the north right of way line of Fred Wilson Avenue (68' R.O.W.) for a corner of this parcel;

THENCE, South 90°00'00" West with said north right of way line of Fred Wilson Avenue a distance of 217.00 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set for a corner of this parcel;

THENCE, leaving said north right of way line, North 00°00'00" East a distance of 120.00 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set for a corner of this parcel;

THENCE, North 90°00'00" East a distance of 73.50 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set for a corner of this parcel;

THENCE, North 00°00'00" East a distance of 165.00 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set in the south right of way line of an existing 20.00 feet wide alley for a corner of this parcel;

THENCE, North 90°00'00" East with said south right of way line a distance of 73.50 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set for a corner of this parcel;

THENCE, South 00°00'00" West a distance of 25.00 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set for a corner of this parcel;

THENCE, North 90°00'00" East with the north line of said vacated portion of Copia Street a distance of 35.00 feet to the **TRUE POINT OF BEGINNING**.

Containing 0.9967 Acres (43,418 Square Feet) more or less.

LAND-MARK PROFESSIONAL SURVEYING, INC.

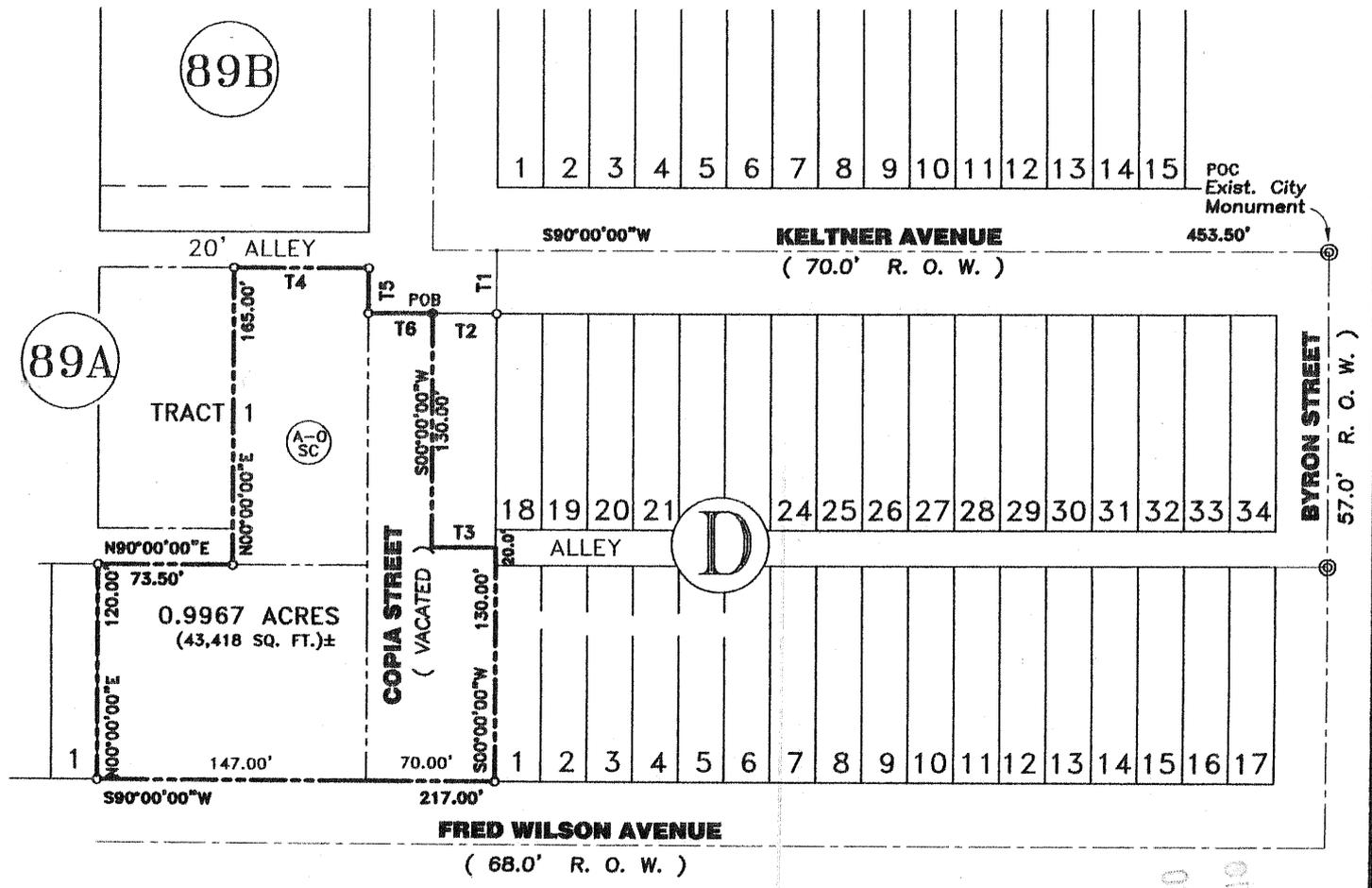

Kenneth R. Kindle, R.P.L.S.
Texas Reg. No. 5710
Job # 07-03-25024
February 12, 2008



CITY CLERK DEPT.
08 MAY 12 PM 5:05

FLOOD CERTIFICATE: ACCORDING TO FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER 480214 0029B, EFFECTIVE DATE: OCTOBER 15, 1982 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THIS PARCEL LIES WITHIN A ZONE DESIGNATION OF "C", WHICH INDICATES THAT THIS PARCEL DOES NOT LIE WITHIN A FLOOD HAZARD AREA.

Exhibit "A"

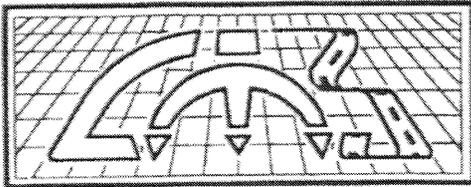


PROPERTY CORNER
 SET 5/8" REBAR W/CAP
 STAMPED "LAND-MARK TX5710"

CITY CLERK DEPT.
 08 MAY 12 PM 5:06

IMPORTANT!
 This is a lawful copy only if affixed with original signature and embossed with "Registered Professional Land Surveyor" seal.
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LINE	DIRECTION	DISTANCE
T1	S00°00'00"W	35.00'
T2	N90°00'00"W	35.00'
T3	N90°00'00"E	35.00'
T4	N90°00'00"E	73.50'
T5	S00°00'00"W	25.00'
T6	N90°00'00"E	35.00'



Land - Mark Professional Surveying Inc.

Co and Arizona"

Exhibit "B"

METES AND BOUNDS DESCRIPTION

A PART OF THE VACATED PORTION OF COPIA STREET VACATED BY CITY ORDINANCE NO. 016615 DATED MAY 1, 2007, ADJACENT TO BLOCK D, LOGAN HEIGHTS ADDITION, ZONED A-2, EL PASO, EL PASO COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for reference at an existing city monument at the intersection of Keltner Avenue (70' R.O.W.) and Byron Street (57' R.O.W.); **THENCE**, South 90°00'00" West with the centerline of said Keltner Avenue a distance of 453.50 feet to a point; **THENCE**, leaving said centerline, South 00°00'00" West a distance of 35.00 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set at the point of intersection of the south right of way line of said Keltner Avenue and the East right of way line of said Vacated portion of Copia Street (70' R.O.W.) for a corner of this herein described parcel of land and the **POINT OF BEGINNING** for the following parcel description:

THENCE, South 00°00'00" West with the east right of way line of said Vacated portion of Copia Street a distance of 130.00 feet to a corner of this parcel;

THENCE, South 90°00'00" West a distance of 35.00 feet to a corner of this parcel;

THENCE, North 00°00'00" West a distance of 130.00 feet to a corner of this parcel;

THENCE, North 90°00'00" East a distance of 35.00 feet to the **TRUE POINT OF BEGINNING**.

Containing 0.1045 Acres (4,550 Square Feet) more or less.

LAND-MARK PROFESSIONAL SURVEYING, INC.

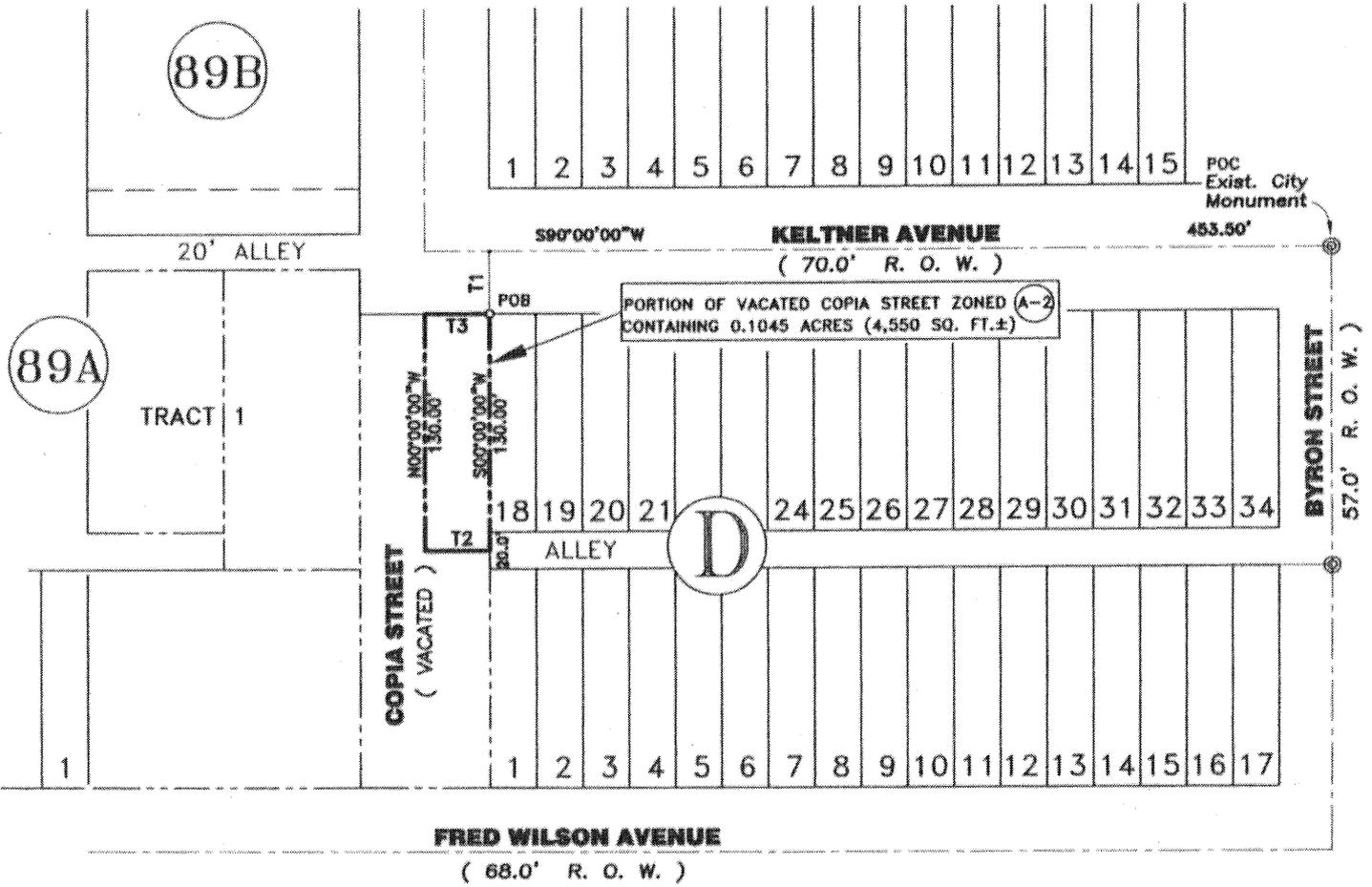

Kenneth R. Kindle, R.P.T.S.
Texas Reg. No. 5710
Job # 07-03-25024
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Exhibit "B"



PROPERTY CORNER
SET 5/8" REBAR W/CAP
STAMPED "LAND-MARK TX5710"

CITY CLERK DE
08 MAY 12 PM '06

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LINE	DIRECTION	DISTANCE
T1	S00°00'00"W	35.00'
T2	S90°00'00"W	35.00'
T3	N90°00'00"E	35.00'

JOHN COOK
MAYOR



JOYCE WILSON
CITY MANAGER

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

PATRICIA D. ADAUTO
DEPUTY CITY MANAGER

DEVELOPMENT SERVICES DEPARTMENT

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

From: Ismael B. Segovia, Senior Planner

Date: May 8, 2008

Subject: **ZON08-00008**

The City Plan Commission (CPC), on April 10, 2008, voted (6-1) to recommend **APPROVAL** of amending condition number 3 imposed by Ordinance 5936, dated March 10, 1977 that requires that no driveway, curb cut or other means of vehicular ingress and egress shall be permitted between the property and Fred Wilson Road. The condition is being amended as the property is being presented for a change of zoning from A-O/sc (Apartment/special contract) and A-2 (Apartment) to C-1 (Commercial) in the related case ZON08-00005. The amended condition will read as follows:

“Vehicular ingress and egress to the property be provided off of Fred Wilson from the vacated location of Copia Street.”

The CPC determined that the amendment of the condition protects the best interest, health, safety, and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

There were two letters and one email in **SUPPORT** to the request and **NO OPPOSITION** to this request.

Attachment: Staff Report, Survey, Contract, Letters in Favor, Email in Favor, Application

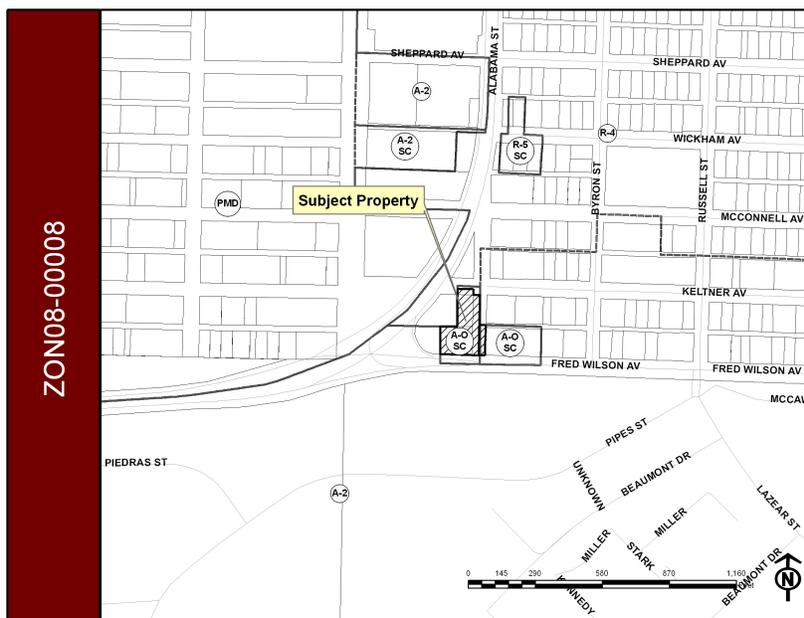


ZON08-00008

Application Type: Zoning Condition Release/Amendment
Property Owner(s): Eric T. Hardesty and Sandra R. Walker
Representative(s): Eric T. Hardesty
Legal Description: Parcel 1: A portion of Tract 1, Block 89A, Logan Heights Addition and a part of the adjacent vacated portion of Copia Street, City of El Paso, El Paso County, Texas
Parcel 2: A portion of vacated Copia Street adjacent to Block D, Logan Heights Addition, City of El Paso, El Paso County, Texas

Location: 3400 Block of Fred Wilson Avenue
Representative District: 2
Area: 0.99674 acres
Present Zoning: A-O/sc (Apartment-Office/special contract)
Present Use: Vacant
Proposed Request: Amend zoning condition no. 3 imposed by contract dated March 2, 1977 (see attached)

Recognized Neighborhood
Associations Contacted: N/A
Public Response: 2 letters in favor; 1 email in favor
Surrounding Land Uses: **North:** R-4 (Residential), A-2 (Apartment); **South:** A-2 (Apartment); **East:** A-O (Apartment/Office), A-2 (Apartment); **West:** R-4 (Residential), A-2 (Apartment)
Year 2025 Designation: Residential (Central Planning Area)



General Information

The applicant originally requested the release of condition no. 3 in a contract dated March 2, 1977 when the property was rezoned from to A-0 (Apartment/Office). The applicant is seeking release of condition in order to allow vehicular ingress and egress from Fred Wilson.

1. No building permits shall be issued for construction on the property until complete and detailed site development and architectural plans of the proposed development have been approved by the City Plan Commission of the City of El Paso
2. No certificates of occupancy and compliance shall be issued by the City for any buildings constructed on the property until First Party, at no cost to the City, installed concrete sidewalks along the boundaries of the property adjacent to Fred Wilson Road and Copia Street. Such sidewalks shall be installed in accordance with specifications to be approved by the City Engineer of the City of El Paso and the City Engineer must certify that such sidewalks have been satisfactory installed before certificates of occupancy and compliance shall be issued.
3. No driveway, curb cut or other means of vehicular ingress and egress shall be permitted between the property and Fred Wilson Road.

The condition being considered for released was as follows:

“No driveway, curb cut or other means of vehicular ingress and egress shall be permitted between the property and Fred Wilson Road”

Applicant requested a meeting with Staff in order to discuss the recommended denial of the request for release of condition. Staff did meet with the applicant and informed the applicant that the denial of the release of condition was due to the proximity of the intersections of Fred Wilson Avenue and Alabama Street. Applicant and Staff reached an agreement of amending the special contract condition No.3 instead of releasing it. The applicant did amend the application to state a request for amendment of the special contract on April 2, 2008.

A related rezoning request is also being considered (ZON07-00005).

Staff Recommendation

The Development Coordinating Committee (DCC) recommends **APPROVAL** of this request and recommends amending condition as follows:

“Vehicular ingress and egress to the property be provided off of Fred Wilson from the vacated location of Copia Street.”

The recommendation is based on the following:

Copia Street was proposed to intersect with Fred Wilson Avenue prior to the City of El Paso vacating Copia. The curb cut is already in existence, thus providing an ingress and egress into the subject property.

- The Plan for El Paso City-Wide Land Use Goals recommends that El Paso “protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment”.
- The Year 2025 Projected General Land Use Map for the **Central Planning Area** designates this property for **Residential** land uses.

Findings

The Commission must determine the following:

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

Development Services-Building Permits

No objection to releasing zoning condition no. 3 imposed by contract dated March 2, 1977.

Development Services-Planning

Current Planning: Recommend against the release of conditions. Recommend denial of the release of condition no. 3 due to the proximity of the intersections of Fred Wilson Avenue and Alabama Street.

Land Development: Recommend against the release of CONDITION No. 2.

Site location is **not** located within a Special Flood Hazard Area, Flood Zone(s) **C**, Panel(s) **480214 0029 B**.

Engineering Department-Traffic

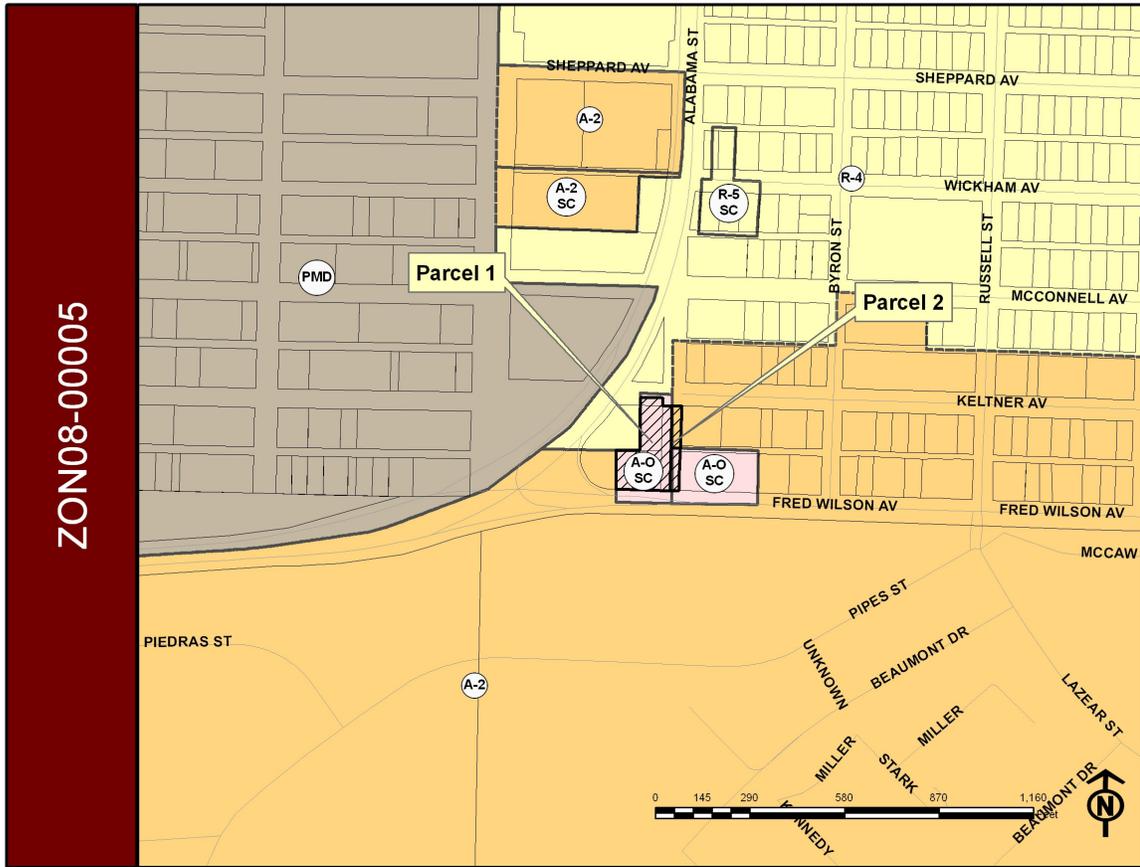
No objections to release contract condition number three, that does not allow driveway, curb cuts or any means of vehicular access, subject to previous approval of placement of proposed driveway by the Traffic Division

Fire Department

No comments received.

El Paso Water Utilities

EPWU-PSB does not object to this request.

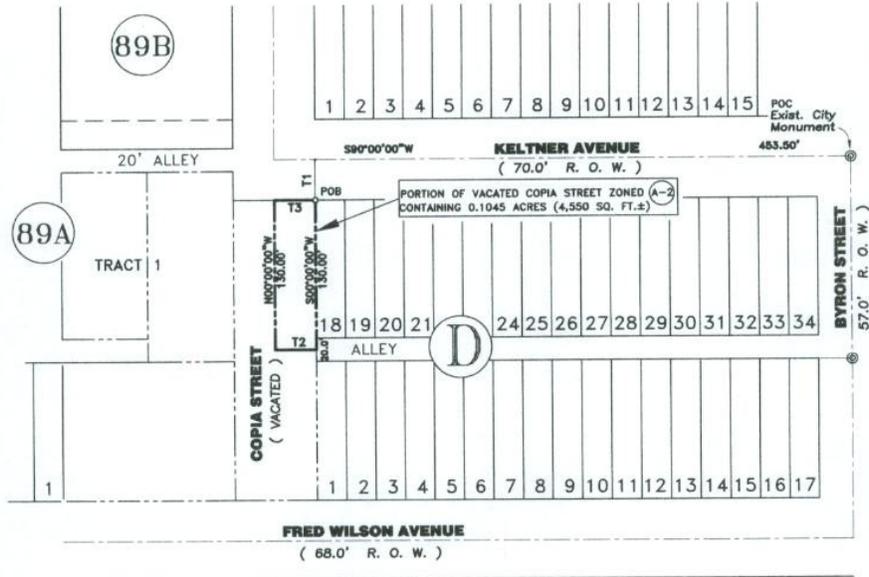


List of Attachments

- Attachment 1: Survey Plan
- Attachment 2: Contract
- Attachment 3: Letters in Favor
- Attachment 4: Email in Favor
- Attachment 5: Application

Attachment 1: Survey Plan

FLOOD CERTIFICATE: ACCORDING TO FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER 480214 0029B, EFFECTIVE DATE: OCTOBER 15, 1982 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THIS PARCEL LIES WITHIN A ZONE DESIGNATION OF "C", WHICH INDICATES THAT THIS PARCEL DOES NOT LIE WITHIN A FLOOD HAZARD AREA.



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T3	N90°00'00"E	35.00'

I hereby certify that the foregoing boundary and improvement survey was made by me or under my supervision and that there are no encroachments except as shown. Only platted easements are shown.

Kenneth R. Kindle
Kenneth R. Kindle, R.P.L.S.
Texas 5710

Plat

SHOWING
A PORTION OF VACATED COPIA STREET
ADJACENT TO BLOCK D,
LOCAN HEIGHTS ADDITION
ZONED A-2, EL PASO,
EL PASO COUNTY, TEXAS.
Metes & Bounds Attached
Plat Reference: Vol./Bk. 12, Page 37.

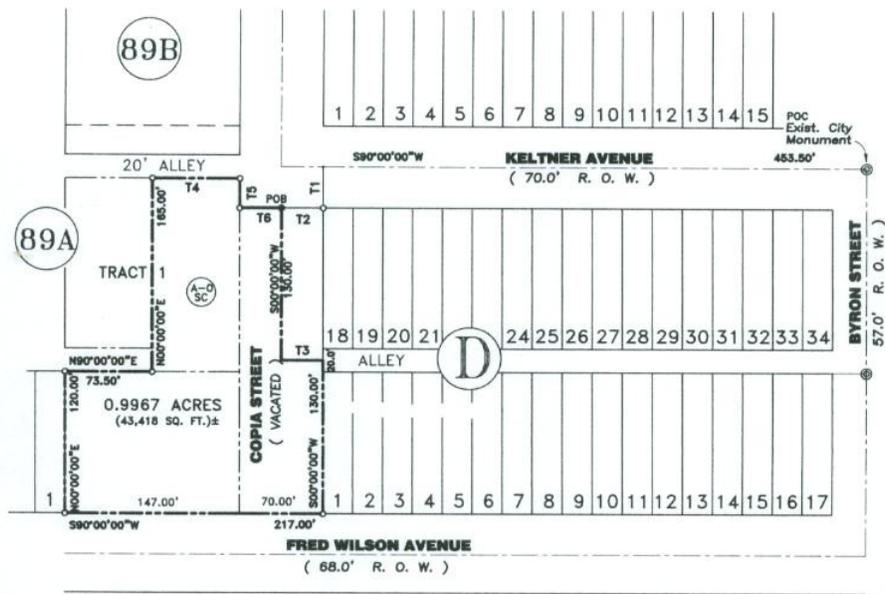
Land-Mark Professional Surveying, Inc.
1420 Bessemer Drive, Suite 'A'
El Paso, Texas 79936
(915) 598-1300
email: Bob@Land-marksurvey.com
"Serving Texas, New Mexico and Arizona"

Job No. 08-03-25024B Scale: 1" = 100' Date: FEBRUARY 12, 2008.

Parcel 2

Attachment 1: Survey Plan

FLOOD CERTIFICATE: ACCORDING TO FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER 480214 0029B, EFFECTIVE DATE: OCTOBER 15, 1982 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THIS PARCEL LIES WITHIN A ZONE DESIGNATION OF "C", WHICH INDICATES THAT THIS PARCEL DOES NOT LIE WITHIN A FLOOD HAZARD AREA.



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T4	N90°00'00"E	73.50'
T5	S00°00'00"W	25.00'
T6	N90°00'00"E	35.00'

I hereby certify that the foregoing boundary and improvement survey was made by me or under my supervision and that there are no encroachments except as shown. Only plotted easements are shown.

Kenneth R. Kindle
Kenneth R. Kindle, R.P.L.S.
Texas 5710

Plat

SHOWING
A PORTION OF TRACT 1, BLOCK 89A,
LOGAN HEIGHTS ADDITION AND A PART OF
THE ADJACENT VACATED PORTION OF
COPIA STREET, ZONED A-0 SC, EL PASO,
EL PASO COUNTY, TEXAS.

Metes & Bounds Attached
Plat Reference: Vol./Bk. 12, Page 37.

Land-Mark Professional Surveying, Inc.
1420 Bessemer Drive, Suite 'A'
El Paso, Texas 79936
(915) 598-1300
email: Bob@Land-marksurvey.com
"Serving Texas, New Mexico and Arizona"

Job No. 08-03-25024C

Scale: 1" = 100'

Date: FEBRUARY 12, 2008.

Panel 1

Attachment 2: Contract

CONTRACT

This contract, made this 2nd day of March, 1977, by and between BILL WALKER, doing business under the assumed name of BILL WALKER REALTY, First Party, and the CITY OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning of the easterly 73.5 feet of the northerly 140 feet of Tract 1, Block 89A, Logan Heights Addition, and the southerly 120 feet of Tract 1, Block 89A, Logan Heights Addition, all in the City of El Paso, El Paso County, Texas. In order to remove certain objections to such rezoning, First Party covenants that if the property is rezoned to A-O (apartment-office) within the meaning of the Zoning Ordinance of the City of El Paso, it shall be subject to the following restrictions, conditions and covenants:

1. No building permits shall be issued for construction on the property until complete and detailed site development and architectural plans of the proposed development have been approved by the City Plan Commission of the City of El Paso.

2. No certificates of occupancy and compliance shall be issued by the City for any buildings constructed on the property until First Party has, at no cost to the City, installed concrete sidewalks along the boundaries of the property adjacent to Fred Wilson Road and Copia Street. Such sidewalks shall be installed in accordance with specifications to be approved by the City Engineer of the City of El Paso and the City Engineer must certify that such sidewalks have been satisfactorily installed before certificates of occupancy and compliance shall be issued.

3. No driveway, curb cut or other means of vehicular ingress and egress shall be permitted between the property and Fred Wilson Road.

This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Party and his successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express reference.

76-4030

Attachment 2: Contract

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby.

WITNESS the following signatures and seal:

Bill Walker
Bill Walker

THE CITY OF EL PASO

By Ed Bagan
Mayor

ATTEST:

City Clerk
City Clerk

THE STATE OF TEXAS)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared BILL WALKER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and official seal this 2nd day of March, 1977.

Josephine E. Booth
Notary Public, in and for El Paso County, Texas.

JOSEPHINE E. BOOTH, Notary Public
in and for El Paso County, Texas
My commission expires 11, 1977

Attachment 3: Letters in Favor

Thursday, March 27, 2008 10:44 AM

ERIC T HARDESTY 915 759-0907

p.02

March 24, 2008

Ref: Property Owners/Eric T Hardesty & Sandra R Walker

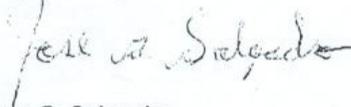
To Whom It May Concern:

I, Jose G. Salgado, approve of Mr. Hardesty's request for the release of the Special Condition allowing ingress and egress off Fred Wilson using property purchased from the City of El Paso, measuring 70' X 260', known as N. Copia St.

I, also, approve the rezoning request of his property to C-1. It will benefit the growth and stability of the area. I am the apartment owner abutting the subject property to the East.

SALGARY PROPERTIES
Jose G. Salgado
3401 Fred Wilson Ave. apt# 15
El Paso, TX. 79904
(915) 564-0966

Respectfully,



Jose G. Salgado
3401 Fred Wilson
El Paso, TX 79904

Attachment 3: Letters in Favor

Thursday, March 27, 2008 10:44 AM

ERIC T HARDESTY 915 759-0907

p.03

March 24, 2008

Ref: Property Owners/Eric T Hardesty & Sandra R Walker

To Whom It May Concern:

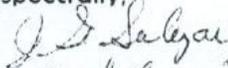
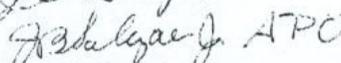
I, Mrs. Julieta G. Salazar, have no objection to the application releasing the Special Condition, allowing Mr. Hardesty ingress and egress to his property off Fred Wilson, El Paso, TX.

Approval will benefit my residential neighborhood, by minimizing the traffic, in which I live.

I, also, approve rezoning the subject property to C-1, with the restriction of use to:

- NO Liquor Stores
- NO Convenient Stores
- NO Gasoline Stations
- NO Auto/Body Repair Shops

Respectfully,



Mrs. Julieta G. Salazar
3416 Keltner St
El Paso, TX 79904

Attachment 4: Email in Favor

Page 1 of 1

Segovia, Ismael B

From: Guerrero, Esther
Sent: Thursday, April 10, 2008 11:03 AM
To: Segovia, Ismael B
Subject: FW: case no. zon08-00005 & zon08-00008

here it is

From: raquel zubia [mailto:r.zubia@hotmail.com]
Sent: Thursday, April 10, 2008 9:29 AM
To: Guerrero, Esther
Subject: case no. zon08-00005 & zon08-00008

I just received notification that an e-mail I sent yesterday, was not deliverable. I spoke to Mr. Eric Hardesty the owner for the above mentioned property, regarding his request for change of zoning. He expressed his desire to use this property for a dialysis clinic or storage warehouses. I feel he is leaning towards building the storage warehouses. I have told him that one of my concerns after he explained his proposed traffic flow in and out of this property, is that the back wall of these storage warehouses will be towards Keltner and that it will probably become a graffiti wall for taggers. He felt that the City will be responsible for removing the graffiti. I am not comfortable with this answer. I will agree to the access to this property from Fred Wilson, however I think that if the zoning board is going to allow the change of zoning to commercial, conditions should be placed as to the upkeep and maintenance of this property. My suggestion is that he places some type of landscaping on the back wall of these warehouses to prevent vandals from tagging the property plus it will also keep the view from my property somewhat pleasant.

Sincerely yours,

Raquel Zubia

Going green? [See the top 12 foods to eat organic.](#)

4/10/2008

Attachment 5: Application



**RELEASE 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): ERIC T HARDESTY and SANDRA R WALKER
 ADDRESS: _____ ZIP CODE: _____ PHONE: _____
 APPLICANT(S): ERIC T HARDESTY
 ADDRESS: _____ ZIP CODE: _____ PHONE: _____
 REPRESENTATIVE(S): _____
 ADDRESS: _____ ZIP CODE: _____ PHONE: _____
 E-MAIL ADDRESS: _____ FAX: _____

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: L447-999-089A-0100
 LEGAL DESCRIPTION: (see attached exhibit)
 STREET ADDRESS OR LOCATION: Portion of N. Copia on Fred Wilson REP DISTRICT: 2
 ACREAGE: 0.4178 PRESENT ZONING: AO/A2 PRESENT LAND USE: Vacant
 REASON FO REQUEST: Amend SC on AO portion

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: L447-999-089A-3300
 LEGAL DESCRIPTION: 89A Logan Heights, E73.5Ft. of N140Ft. of TR1
 STREET ADDRESS OR LOCATION: 3400 Blk of Fred Wilson REP DISTRICT: 2
 ACREAGE: 0.2363 PRESENT ZONING: AO PRESENT LAND USE: Vacant
 REASON FO REQUEST: Amend of SC

4. PARCEL THREE INFORMATION

PROPERTY IDENTIFICATION NUMBER: L447-999-089A-6600
 LEGAL DESCRIPTION: 89A Logan Heights, S120Ft. of TR1
 STREET ADDRESS OR LOCATION: 3400 Blk of Fred Wilson REP DISTRICT: 2
 ACREAGE: 0.4050 PRESENT ZONING: AO PRESENT LAND USE: Vacant
 REASON FO REQUEST: Amend of SC

5. ADDITIONAL INFORMATION

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
 Printed Name: ERIC T HARDESTY Signature: _____
 Printed Name: SANDRA R WALKER Signature: _____
 Printed Name: _____ Signature: _____

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

****OFFICE USE ONLY****

ZON 08-00008 RECEIVED DATE: 2/13/08 APPLICATION FEE: \$ 190.00
 DCC REVIEW DATE: 3/12/08 (8:30 am, Conference Room, 2nd Floor, City Hall Building)
 CPC REVIEW DATE: 4/10/08 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
 ACCEPTED BY: _____

08 MAY 12 PM 5:07
CITY CLERK DEPT.