



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

AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY DESCRIBED AS:

**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, FROM A-O/SC (APARTMENT/OFFICE/SPECIAL CONTRACT) TO C-1/SC/C (COMMERCIAL/SPECIAL CONTRACT/CONDITION);**

**PARCEL 2: A PORTION OF VACATED COPIA STREET ADJACENT TO BLOCK D, LOGAN HEIGHTS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM A-2 (APARTMENT) TO C-1/C (COMMERCIAL/CONDITION); AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 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 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 as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from A-O/sc (Apartment/Office special contract) to C-1/sc/c (Commercial/special contract/condition); and,*

**Parcel 2:** *A portion of vacated Copia Street adjacent to Block D, Logan Heights Addition, 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 A-2 (Apartment) to C-1/c (Commercial/condition); and,*

Further, that the property described above be subject to the following conditions which are 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:

1. *The following uses shall not be permitted.*
  - a. *Automotive Service Station*
  - b. *Commercial Fueling Station*
  - c. *Convenience Store*
  - d. *Convenience Store with Gas Pumps*

08 MAY 12 PM 5:04  
CITY CLERK DEPT.

2. *Vehicular ingress or egress shall be prohibited from Keltner Avenue to the subject property.*

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

**THE CITY OF EL PASO**

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

**ATTEST:**

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

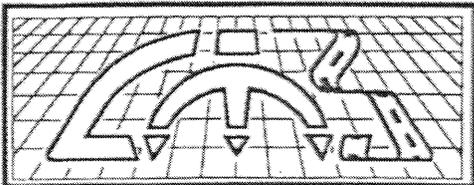
**APPROVED AS TO FORM:**

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

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Patricia D. Adauto, Deputy City Manager  
Development Services Department

CITY CLERK DEPT.  
08 MAY 12 PM 5:04



# Land - Mark Professional Surveying Inc.

El Paso, Texas 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;

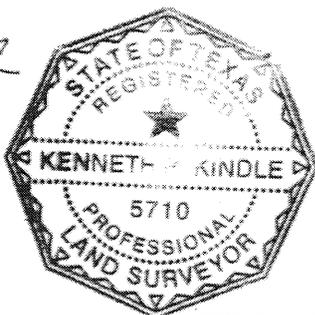
THENCE, South 00°00'00" West a distance of 25.00 feet to a 5/8" rebar w/cap stamped "LAND-MARK TX5710" set for a corner of this parcel;

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



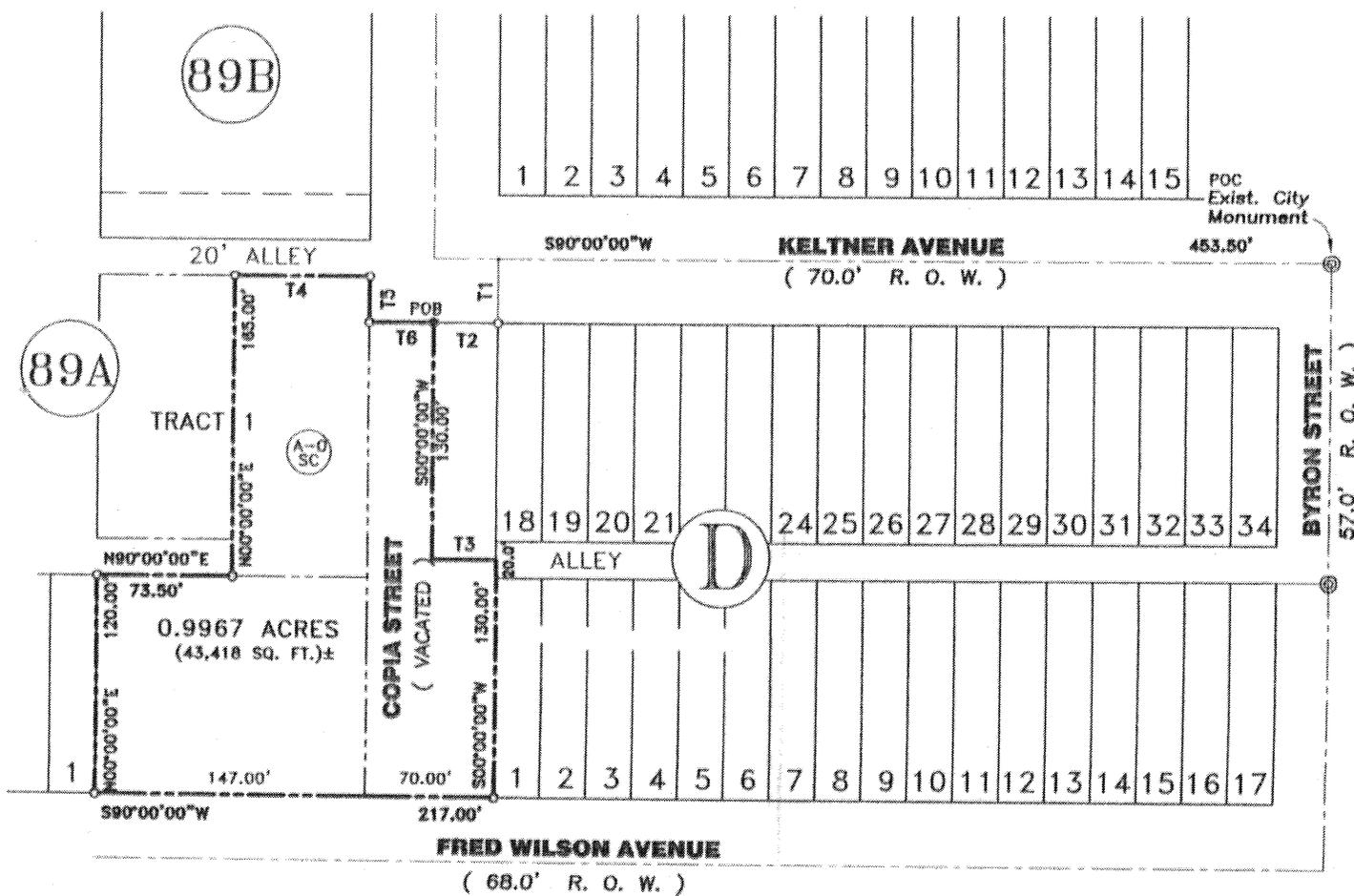
08 MAY 12 PM 5:04  
CITY CLERK DEPT.

1420 Bessemer • El Paso, Texas 79936

Tel. (915) 598-1300 • Fax (915) 598-1221 • E-mail address: Larry@Land-Marksurvey.com

**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"

**IMPORTANT!**  
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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'

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

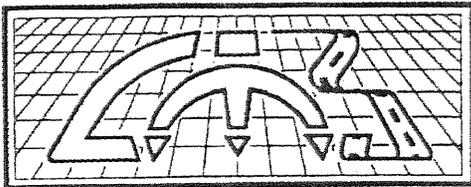
Metes & Bounds Attached  
Plat Reference: Vol./Bk. 12, Page 37.

**Land-Mark Professional Surveying, Inc.**  
1420 Bessemer Drive, Suite 'A'  
El Paso, Texas 79938  
(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.



# 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.**

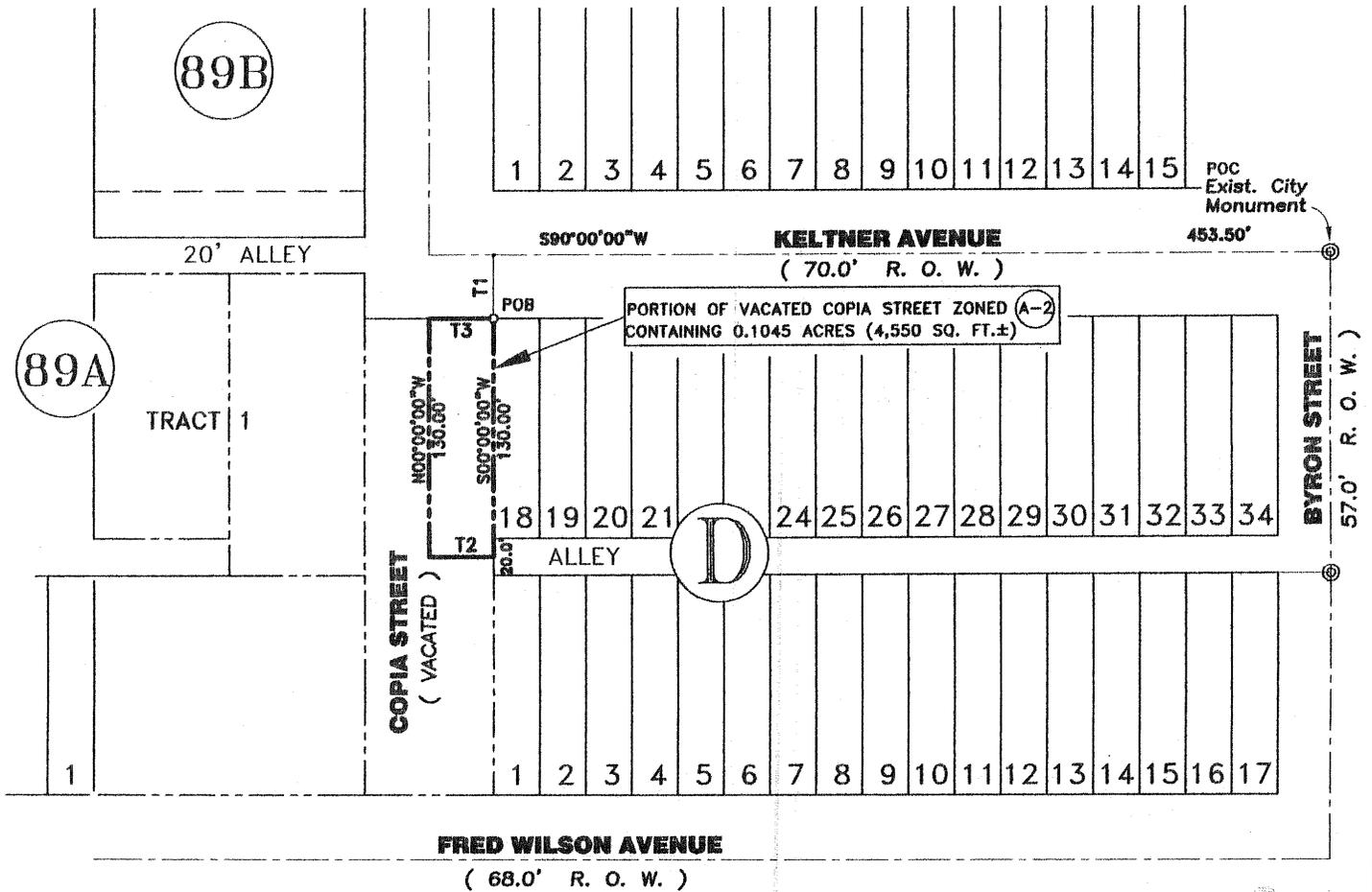
  
Kenneth R. Kindle, R.P.L.S.  
Texas Reg. No. 5710  
Job # 07-03-25024  
February 12, 2008



CITY CLERK DEPT.  
08 MAY 12 PM 5:04

**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 "B"



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

CITY CLERK DEPT.  
JAN 12 PM 5:04

**IMPORTANT!**  
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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'

**Plat**

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

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

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

Job No. 08-03-25024B

Scale: 1" = 100'

Date: FEBRUARY 12, 2008.

Parcel 2

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: **ZON08-00005**

---

The City Plan Commission (CPC), on April 24, 2008, voted (6-1) to recommend **APPROVAL** of rezoning Parcel 1 from A-O/sc (Apartment/Office/ Special Contract) to C-1/sc/c (Commercial/Special Contract/Condition) and Parcel 2 from A-2 (Apartment) to C-1/c (Commercial/Condition), contrary to staff's recommendation with the following conditions:

1. *The following uses shall not be permitted:*
  - a. *Automotive Service Station*
  - b. *Commercial Fueling Station*
  - c. *Convenience Store*
  - d. *Convenience Store with Gas Pumps*
2. *Vehicular ingress or egress shall be prohibited from Keltner Avenue to the subject property*

The CPC found that this rezoning is not in conformance with The Plan for El Paso and the proposed use is not in conformance with the Year 2025 Projected General Land Use Map. However, the CPC determined that this rezoning protects the best interest, health, safety, and welfare of the public in general and the rezoning will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

The rezoning request being presented is related to case ZON08-00008, a request for condition release and amendment.

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

**Attachment:** Staff Report, Survey, Applicant's Email, Letters in Favor, Email in Favor, Application



## ZON08-00005

**Application Type:** Rezoning

**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:** Parcel 1: 0.9967 acres Parcel 2: 0.1045 acres

**Present Zoning:** Parcel 1: A-O/sc (Apartment/Office/special contract);  
Parcel 2: A-2 (Apartment)

**Present Use:** Vacant

**Proposed Zoning:** Parcel 1: C-1/sc (Commercial/special contract);  
Parcel 2: C-1 (Commercial)

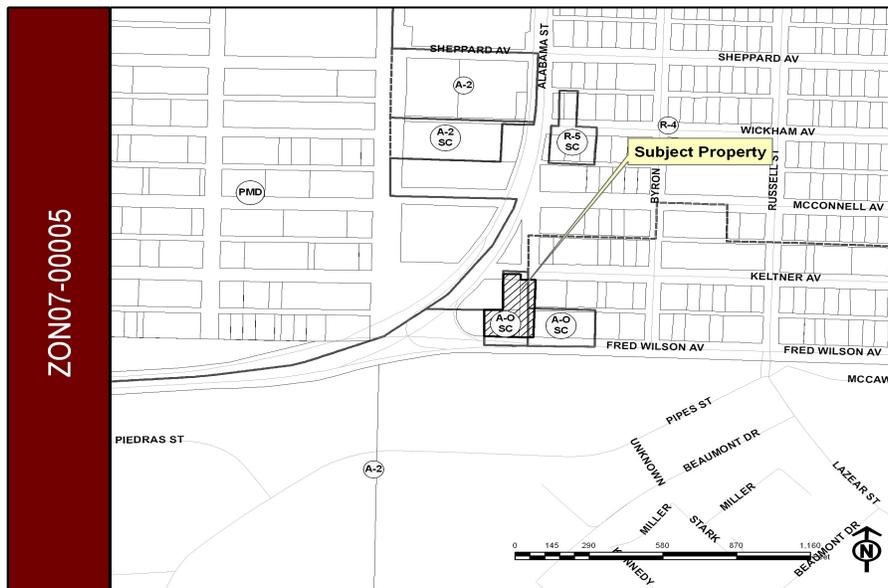
**Recognized Neighborhood**

**Associations Contacted:** A Presidential Neighborhood Association

**Public Response:** 2 letters in Favor; 1 email in Favor

**Surrounding Land Uses:** **North:** R-4, A-2; **South:** A-2; **East:** A-O, A-2;  
**West:** R-4, A-2

**Year 2025 Designation:** Residential (Central Planning Area)



### **General Information**

The applicant requests a rezoning from parcel 1 from A-O/sc (Apartment/special contract) to C-1 (Commercial) and parcel 2 from A-2 (Apartment) to C-1 (Commercial) to permit a self-storage facility. The subject property is subject to the following conditions:

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.

Applicant requested a meeting with Staff in order to discuss both the recommended denial of the rezoning case. Staff did meet with the applicant and informed the applicant that the denial of the rezoning was due to incompatibility of the proposed zone with the 2025 General Land Use Plan. The 2025 General Land Use Plan has designated the area as residential development. The applicant was also informed that the Fred Wilson area has not been identified as an area in transition.

The City Plan Commission postponed this item for two weeks in order to allow the applicant to meet with the surrounding neighbors to negotiate an agreement on uses. This rezoning case is to be reheard on April 24, 2008 by the City Plan Commission.

Staff originally looked at restricted uses for the C-1 (Commercial) zoning district and determined that even with restricted uses, the C-1 is not compatible in this area. The restricted uses proposed by the applicant per the letter of opposition do not merit a reconsideration by the staff.

The related zoning condition amendment request was also considered (ZON08-00008) and approved by the City Plan Commission on April 10, 2008.

### **Staff Recommendation**

The Development Coordinating Committee (DCC) recommends **denial** of this rezoning request.

The recommendation is based on the following:

The subject property is in an established residential neighborhood that is not in transition.

**C-1 (Commercial)** is **not compatible** with adjacent land uses. Commercial uses would have an adverse impact on the residential districts adjacent 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.
- **C-1 (Commercial)** zoning **is not compatible** with adjacent development and land uses.

### **Findings**

The Commission must determine the following:

1. Will C-1 (Commercial) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will commercial development 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**

No objection to the proposed rezoning request. Future development shall require a six foot high masonry screening wall along property lines abutting residential/apartment districts.

### **Development Services-Planning**

Current Planning: Recommend denial, incompatible use.

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

### **Engineering Department-Traffic**

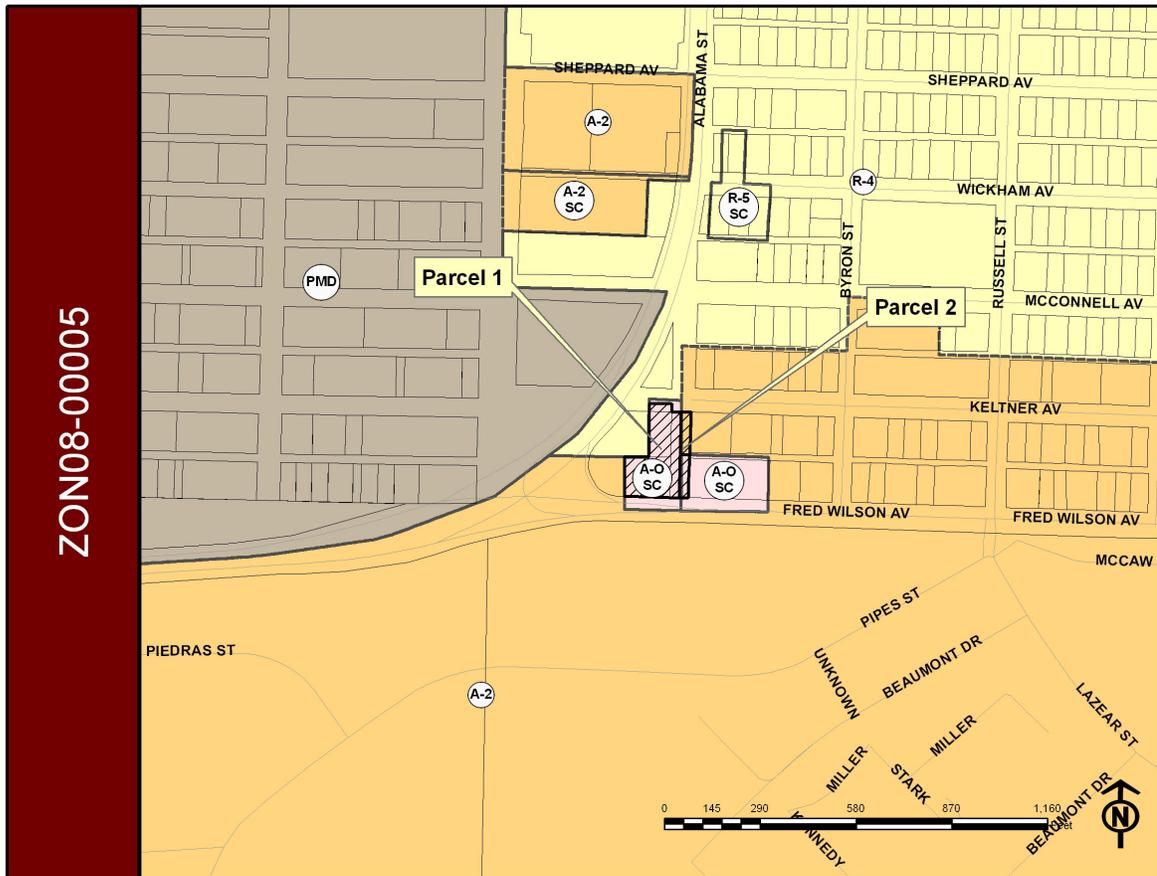
No objection to proposed zoning change

### **Fire Department**

No comments received.

### **El Paso Water Utilities**

EPWU-PSB does not object to the rezoning request.

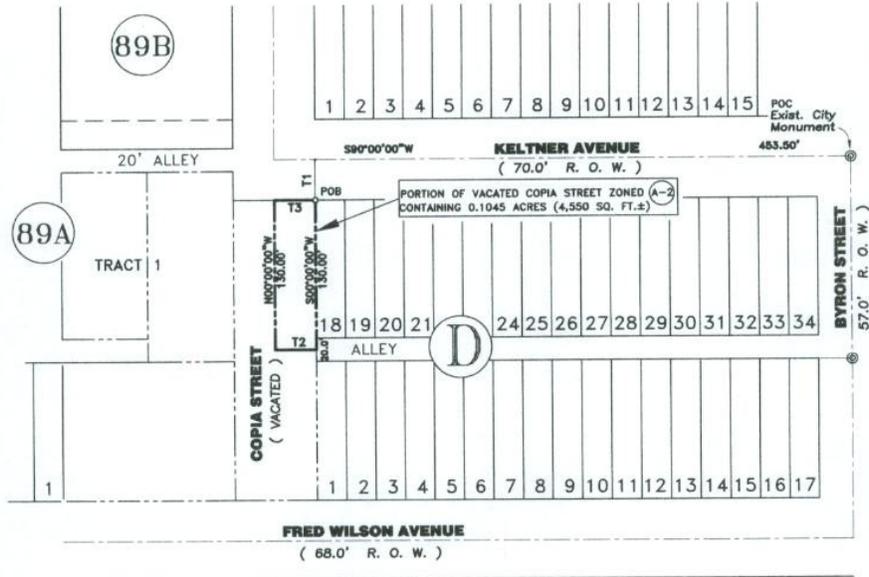


List of Attachments

- Attachment 1: Survey Plan
- Attachment 2: Applicant's Emails
- 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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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.

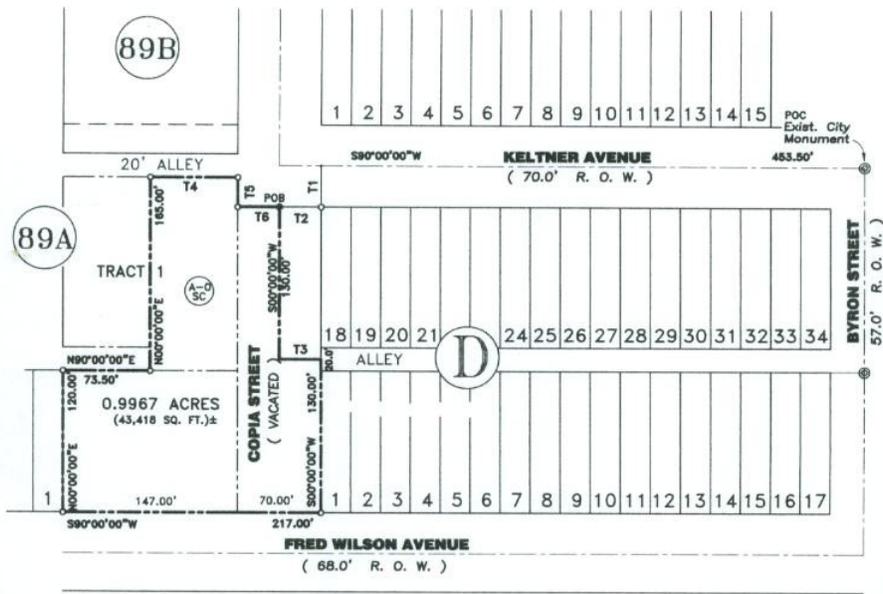
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email: Bob@Land-marksurvey.com  
"Serving Texas, New Mexico and Arizona"

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.



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

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*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 Bessmer Drive, Suite 'A'  
El Paso, Texas  
(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: Applicant's Email

**Segovia, Ismael B**

---

**From:** Eric Hardesty [eric@gecon.us]  
**Sent:** Thursday, April 17, 2008 12:40 PM  
**To:** Segovia, Ismael B  
**Subject:** RE: CPC Recommendation

Mr. Segovia,

Yes, I have met with Mr. Salazar, as suggested by the CPC. It is my understanding that their request was to discuss these use restrictions with him only, not with the surrounding neighbors. We have two other letters from other neighbors that have stated their support of my rezoning request and with no use restrictions indicated. It is also my understanding that you have contacted Mr. Salazar by telephone and invited him to come to a meeting with Planning and myself, as per Mr. Etiwe's instructions. Mr. Salazar has evidently refused to come in and discuss the matter, but did reference his letter of March 24, 2008. According to you, he still maintains the same position as stated in this letter. This is my understanding as well.

I have no objection to restricting, by special condition within the permitted rezoning request, those uses to which he objects. If the DCC would like to drop any of his suggestions, that would be, of course, their prerogative. This should constitute and finalize our agreement with Mr. Salazar. I sincerely hope that the DCC will accept these discussions with Mr. Salazar as final and in compliance with the CPC's wishes and now move forward with a recommendation for approval.

If it is required of me to return to Mr. Salazar for another "signed" agreement, restating the same position, but with a current date, I shall do so. But I believe, at this time, we all have been sufficiently apprised of his comments.

If there is anything else that remains to be done or discussed, please give me a call.

Respectfully,

Eric T Hardesty

## Attachment 2: Applicant's Email

Page 1 of 1

**Segovia, Ismael B**

---

**From:** Eric Hardesty [eric@gecon.us]  
**Sent:** Wednesday, April 23, 2008 1:00 PM  
**To:** Segovia, Ismael B  
**Subject:** Neighbors comments

Dear Mr. Segovia;

As per CPC's suggestion, I have been in contact with most of the neighbors in regard to the C-1 rezoning of my property.

A few of the neighbors ( I think two) were unavailable due to lack of contact information or they were not at their address on Keltner.

Listed below are the people I contacted within the neighborhood, with their respective phone numbers and addresses.

These names constitute the majority of the neighborhood.

Julieta Salazar	566-1852	3416 Keltner
Raquel Zubia	491-2747	3409 Keltner
Jose Salgado	564-0966	3401 Fred Wilson
Adriana Uribe	562-8356	3432 Keltner
Frank Martinez	497-1045	3427 Keltner
Enrique Acosta	543-4014	3431 Keltner
Evadne Atkinson	422-9968	3435 Keltner

All have stated that they have no objection to my requested zone change and, in fact, are looking forward to the improvement.

Only Mr. Salazar has suggested restriction of a few of the uses otherwise allowed within the zoning category.

These few use restrictions are acceptable to me, and if C-1 is approved, these uses could be included as a restrictive Special Condition within the new zoning.

Eric T. Hardesty  
[eric@gecon.us](mailto:eric@gecon.us)  
Phone 915-479-0047  
Fax 915-759-0907

4/23/2008

**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

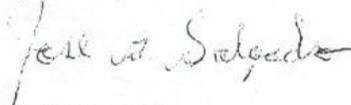
To Whom It May Concern:

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:

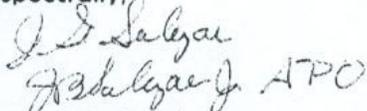
I, Mrs. Julieta G. Salazar, have no objection to the application releasing the Special Condition, allowing Mr. Hardesty ingress and egress to his property off Fred Wilson, El Paso, TX.

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**

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**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

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**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

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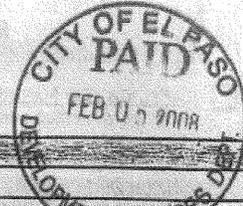
Going green? [See the top 12 foods to eat organic.](#)

4/10/2008

**Attachment 5: Application**



REZONING APPLICATION  
 PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT  
 CITY OF EL PASO, TEXAS



**1. CONTACT INFORMATION**

PROPERTY OWNER(S): ERIC T HARDESTY and SANDRA R WALKER  
 ADDRESS: \_\_\_\_\_ ZIP CODE: 79904 PHONE: \_\_\_\_\_  
 APPLICANT(S): ERIC T HARDESTY  
 ADDRESS: \_\_\_\_\_ ZIP CODE: 79904 PHONE: \_\_\_\_\_  
 REPRESENTATIVE(S): \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 E-MAIL ADDRESS: eric@gecon.us FAX: 759-0907

**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: A0/A2 PRESENT LAND USE: Vacant  
 PROPOSED ZONING: C-1 PROPOSED LAND USE: Self Storage

**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: Frnd Wilson & Alabama REP DISTRICT: 2  
 ACREAGE: 0.2363 PRESENT ZONING: A0 PRESENT LAND USE: Vacant  
 PROPOSED ZONING: C-1 PROPOSED LAND USE: Self Storage

**4. PARCEL THREE INFORMATION**

PROPERTY IDENTIFICATION NUMBER: L447-999-089A-6600  
 LEGAL DESCRIPTION: 89A Logan Heifgts, S120Ft. of TR1  
 STREET ADDRESS OR LOCATION: Fred Wilson & Alabama REP DISTRICT: 2  
 ACREAGE: 0.4050 PRESENT ZONING: A0 PRESENT LAND USE: Vacant  
 PROPOSED ZONING: C-1 PROPOSED LAND USE: Self Storage

**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 rezoning. Attach additional signatures on a separate sheet of paper.

CITY CLERK DEPT.  
 MAY 12 PM 5:05

**\*\*OFFICE USE ONLY\*\***

ZON 08-00005 RECEIVED DATE: 02/05/08 APPLICATION FEE: \$ 750.00  
 DCC REVIEW DATE: 03/12/08 (8:30 am, Planning Department Conference Room, 2<sup>nd</sup> Floor, City Hall Building)  
 CPC REVIEW DATE: 04/10/08 (1:30 pm, City Council Chambers, 2<sup>nd</sup> Floor, City Hall Building)  
 ACCEPTED BY: [Signature] FUND - 01101, DEPT ID - 99010335, ACCOUNT - 404126