

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

**DEPARTMENT:** Planning and Economic Development Department, Planning Division

**AGENDA DATE:** Consent Item: June 28, 2011

**CONTACT PERSON/PHONE:** Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 1

**SUBJECT:**

A Resolution approving a detailed site development plan for a portion of Lot 2, Block 2, Medano Heights Subdivision Replat "A", City of El Paso, El Paso County, Texas, pursuant to Section 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 5700 North Desert Boulevard. Applicant: EP Summit Investments, L.P. PZDS11-00008 (District 1)

**BACKGROUND / DISCUSSION:**

N/A

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Reviewed  
City Plan Commission (CPC) – Approval Recommendation 7-0

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** Matthew S. McElroy  
Deputy Director, Planning and Economic Development

**APPROVED FOR AGENDA:** \_\_\_\_\_

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

## RESOLUTION

**A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR A PORTION OF LOT 2, BLOCK 2, MEDANO HEIGHTS SUBDIVISION REPLAT "A", CITY OF EL PASO, EL PASO, TEXAS, PURSUANT TO SECTION 20.04.150. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

WHEREAS, on November 14, 2006, City Council rezoned the property described as *a portion of Lot 2, Block 2, Medano Heights Subdivision Replat "A", City of El Paso, El Paso County, Texas*, from R-3 (Residential) to C-3/c (Commercial/condition) and as part of the rezoning imposed a condition that prior to the issuance of any building permits, a detailed site development plan must be approved by the Commission and the Mayor and City Council; and,

WHEREAS, the property owner **EP Summit Investments, L.P.** (the "Owner") is ready to proceed with development and has submitted a detailed site development plan for review; and,

WHEREAS, the detailed site development plan is subject to the development standards in the C-3/c (Commercial/condition) District regulations and subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission; and,

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

WHEREAS, the City Council finds that the detailed site development plan meets all applicable requirements of the El Paso City Code;

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

1. Pursuant to requirements imposed on the subject property described as *a portion of Lot 2, Block 2, Medano Heights Subdivision Replat "A", City of El Paso, El Paso County, Texas*, the City Council hereby approves the detailed site development plan submitted by the Applicant.

The detailed site development plan is subject to the development standards in the C-3/c

(Commercial/condition) District.

2. A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.

3. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C-3/c (Commercial/conditions) District regulations.

4. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the C-3/c (Commercial/condition) District. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

5. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

**THE CITY OF EL PASO**

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

**ATTEST:**

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

*(Signatures continue on following page)*

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

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Lupe Cuellar  
Assistant City Attorney

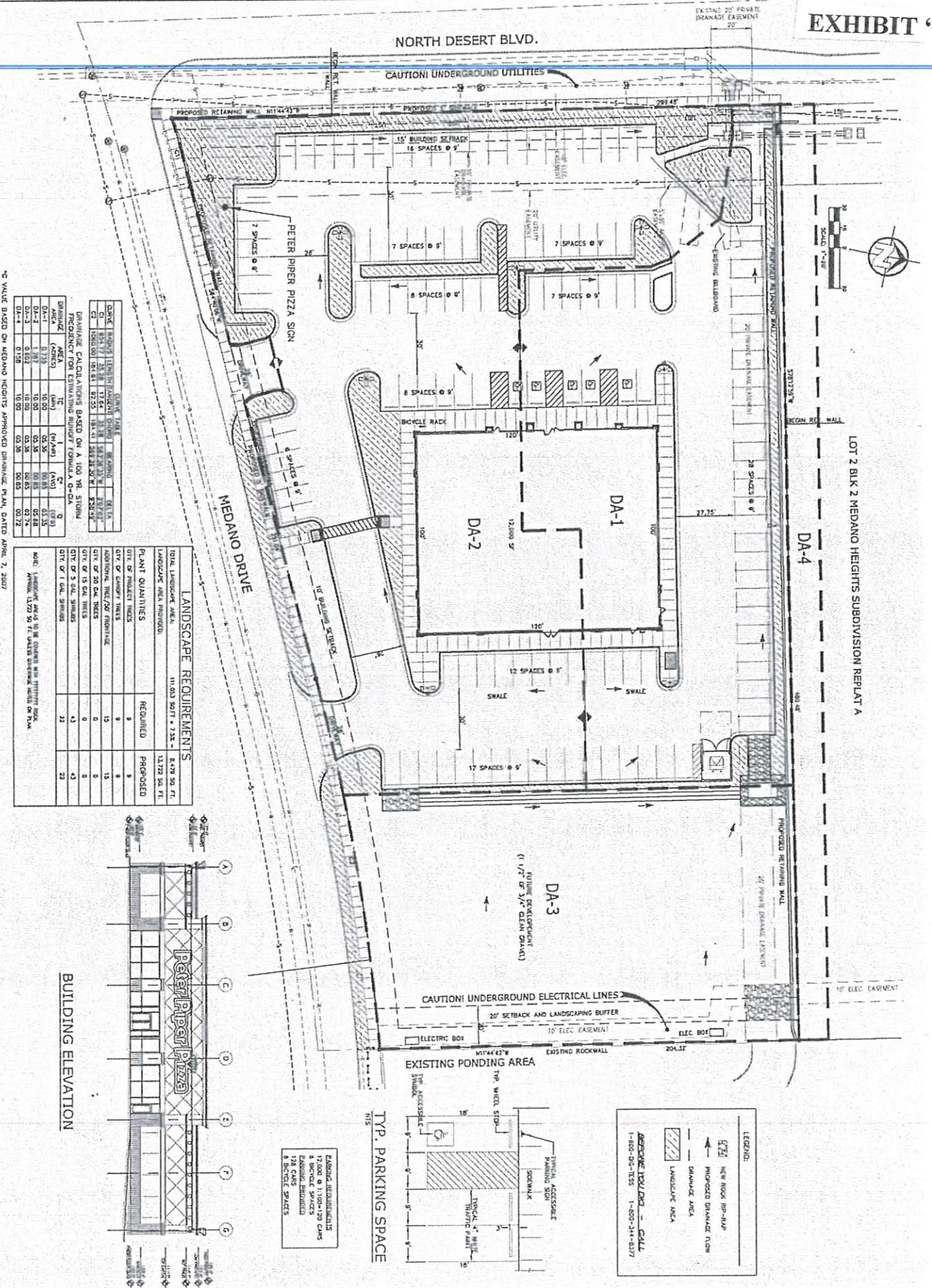
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Mathew S. McElroy  
Deputy Director – Planning and  
Economic Development Department

(Agreement on following page)



EXHIBIT "A"



REQUIREMENT CALCULATIONS BASED ON A 100 YR. STORM

AREA (ACRES)	TC (IN)	(IN/HR)	(AVG)	(FT/HR)
DA-1	0.713	10.00	05.35	01.88
DA-2	0.107	10.00	05.35	01.88
DA-3	0.107	10.00	05.35	01.88
DA-4	0.150	10.00	05.35	01.88

LANDSCAPE REQUIREMENTS

LANDSCAPE AREA PROVIDED	11,020 SQ. FT. ± 2.5%	13,722 SQ. FT.
PLANT QUANTITIES	REQUIRED	PROPOSED
QTY. OF SHADY TREES	9	8
QTY. OF SUNNY TREES	15	13
ADDITIONAL TREES/FRUITING	0	0
QTY. OF 20 GAL TREES	0	0
QTY. OF 15 GAL TREES	4	4
QTY. OF 5 GAL TREES	21	22



<p>CIVIL ENGINEERS LAND SURVEYORS LAND PLANNERS AND SCENIC ARCHITECTS 1515 W. WATSON DRIVE EL PASO, TEXAS 79902 TEL: 915.765.1111 FAX: 915.765.1112</p>	<p>PROJECT NAME</p> <p>PETER PIPER PIZZA 5700 NORTH DESERT BLVD. BOND ALL OF LOT 2, BLOCK 2, MEDANO HEIGHTS SUBDIVISION REPLAT "A", CITY OF EL PASO EL PASO COUNTY, TEXAS CONTAINING: 2.595 ACRES</p>	<p>SCALE: AS SHOWN</p> <p>DATE: 05-11-2008</p> <p>DESIGN BY: RAJA</p> <p>COMP. BY: RAJA</p> <p>DRAWN BY: BC/ET</p> <p>CHECKED BY: CH</p> <p>DATE: 05/23/11</p>	<p>REFERENCES -- BENCHMARKS</p> <p>BENCHMARK: CENTRAL/AC INTERSECTION OF BOCA AVENUE AND BOHANNAN DRIVE ELEVATION=3478.41 (CITY GARAGE)</p>	<p>DATE</p> <p>REVISIONS</p>	<p>BY</p>
	<p>C-01.0</p> <p>DETAILED SITE PLAN</p> <p>SHEET TITLE</p>	<p>DATE: 05/23/11</p>	<p>DATE: 05/23/11</p>	<p>DATE: 05/23/11</p>	<p>DATE: 05/23/11</p>

**MEMORANDUM**

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**DATE:** June 20, 2011

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

**FROM:** Andrew Salloum, Planner

**SUBJECT:** PZDS11-00008

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The City Plan Commission (CPC), on June 16, 2011, voted 7-0 to recommend **APPROVAL** of the detailed site development plan for the subject property.

The CPC found that the detailed site development plan is in conformance with the Plan for El Paso. The CPC also determined that the detailed site development plan protects the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and that the detailed site development plan will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There is no **OPPOSITION** to this request.

**Attachment:** Staff report



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

**Case No:** PZDS11-00008  
**Application Type** Detailed Site Development Plan  
**CPC Hearing Date** June 16, 2011  
**Staff Planner** Andrew Salloum 915-541-4029, [salloumam@elpasotexas.gov](mailto:salloumam@elpasotexas.gov)

**Location** 5700 North Desert Boulevard  
**Legal Description** A portion of Lot 2, Block 2, Medano Heights Subdivision Replat "A", City of El Paso, El Paso County, Texas

**Acreage** 2.6 acres  
**Rep District** 1  
**Existing Use** Vacant  
**Existing Zoning** C-3/c (Commercial/condition)  
**Request** Detailed Site Development Plan review per Ordinance No. 14596 and No. 16499  
**Proposed Use** Restaurant

**Property Owners** EP Summit Investments, L.P.  
**Applicant** Downstream Partners, L.P.  
**Representative** SLI Engineering Inc.

### **SURROUNDING ZONING AND LAND USE**

North: C-3/c (Commercial/conditions) / Retail  
South: C-3/sc (Commercial/special contract) / Retail  
East: R-5/c (Residential/conditions) / Single-Family Residential  
West: M-1 (Manufacturing) / Automobile Dealership Lot / Interstate 10

**Plan for El Paso Designation:** Commercial (Northwest Planning Area)

**Nearest Park:** Three Hills Park (5,461 feet)

**Nearest School:** Rosa Guerrero Elementary (6,697 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Coronado Neighborhood Association  
Mountain Arroyos Neighborhood Association  
Save the Valley  
Upper Mesa Hills Neighborhood Association  
Upper Valley Improvement Association

### **NEIGHBORHOOD INPUT**

Notice of the public hearing is not required on detailed site development plan per El Paso City Code.

### **APPLICATION DESCRIPTION**

The applicant is requesting a Detailed Site Development Plan Review as required by Ordinance No. 14596, Condition No. 1, dated August 22, 2000 (see Attachment 4, page 8-9). The following additional condition was imposed by Ordinance No. 16499, Condition No. 7, dated November 14, 2006, for a landscaped buffer on the easterly portion of the subject property abutting a residential district when it was rezoned from R-5/c (Residential/condition) to C-3/c (Commercial/condition) (see Attachment 5, page 10-11).

The site plan shows a new 12,000 square-foot restaurant. The development requires 120 parking spaces and the applicant is providing 128 parking spaces and 6 bicycle parking spaces. Access to the subject property is proposed from Medano Drive.

#### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **APPROVAL** of the detailed site development plan request as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan and complies with the zoning conditions.

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

All applications for detailed site development plan review shall demonstrate compliance with the following criteria:

- a. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses
- b. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.
- c. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character.

The purpose of the C-3 (Commercial) district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the districts will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

#### **Development Coordinating Committee Review**

The DCC reviewed and discussed the application for detailed site development plan review and offered no objections to Planning Staff's recommendation for approval.

#### **Engineering & Construction Management Services Department – Plan Review**

Plan Review has no objections.

#### **Engineering & Construction Management Services Department – Landscaping**

This project will meet code as submitted.

#### **Engineering & Construction Management Services Department – Land Development**

General Comments:

- ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.\*
- Grading plan and permit shall be required.\*
- Storm Water Pollution Prevention Plan and/or permit required.\*
- Drainage plans must be approved by the Engineering and Construction Management Department, Land Development Section.\*
- Coordination with TXDOT (For new driveway). \*
- The Subdivision is within Flood Zone C– “Areas determined to be outside the 0.2% annual chance floodplain.” – Panel # 480214 0021D, dated January 3, 1997.

\* This requirement will be applied at the time of development.

#### **Department of Transportation**

Recommended approval.

Notes:

1. All existing / proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations and Current City of El Paso Design Standards for Construction. Access to North Desert and

any modifications along

2. North Desert shall be coordinated with TXDoT.

### **Fire Department**

El Paso Fire Department has no objections.

### **Sun Metro**

Sun Metro recommends the construction of sidewalks to provide pedestrian access to mass transit.

### **EPWU**

We have reviewed the site plan referenced above and provide the following comments:

1. EPWU received the revised site plan on May 24, 2011. EPWU does not object to this site plan.
2. EPWU request grading plans and details on the retaining walls prior to construction to ascertain that the proposed grading/walls will not adversely affect the existing mains (16-inch diameter water main along North Desert Boulevard and the 8-inch sewer main) and that EPWU-PSB standards for pipeline cover are met. Changes in grade shall be minimized above or near the vicinity of the existing PSB facilities and the Owner/Developer is responsible for the cost of setting appurtenant structures to final grade.
3. During the site improvement work, the Owner/Developer shall safeguard the existing water mains, sanitary sewer mains, and appurtenant structures. If the PSB facilities are damaged during the site improvement work, the Owner/Developer is responsible for the repair costs.

### **EPWU-PSB Comments**

#### **Water:**

4. There is an existing 24-inch diameter water transmission main that extends along Medano Drive. Also, there is an existing 16-inch diameter water main that extends along North Desert Boulevard. This main then extends east along Medano Drive. No direct service connections are allowed to the mains mentioned above as per the El Paso Water Utilities – Public Service Board Rules and Regulations.
5. There is an existing 6-inch diameter water main along North Desert Boulevard. This main begins approximately 135 feet north of the southwest corner of the subject property and extends north for approximately 100 feet.
6. There is an existing 8-inch diameter water main stub out within the subject property located approximately 30-feet east of the southwest corner of the property.
7. Previous water pressure tests from fire hydrant #8131 located on Medano Drive approximately 320-foot west of Quinault Drive have yielded a static pressure of 130 (psi) pounds per square inch, a residual pressure of 122 (psi) and a discharge of 3559 gallons per minute (gpm).
8. The Owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

#### **Sewer:**

9. There is an existing 8-inch diameter sanitary sewer main within the existing 20-foot wide PSB easement located east of and parallel to the existing 10-foot wide private drainage easement.

#### **General:**

10. Desert North Boulevard is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Desert North Boulevard right-of-way requires written permission from TxDOT.
11. No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB.
12. EPWU requires a new service application to provide services. New service applications are available at 1154 Hawkins, 3<sup>rd</sup> floor and should be made 6-8 weeks in advance. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with street names and addresses; (2) grading & drainage plans; (3) digital copy of site plan; (4) benchmark check; (5) construction schedule; and (6) a certificate of compliance. Service will be provided in accordance with the current El Paso Water Utilities – Public Service Board (EPWU-PSB) Rules and Regulations. The

owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

### **Open Space Advisory Board**

On June 8, 2011, The OSAB recommended approval of the detailed site development plan review.

### **CITY PLAN COMMISSION OPTIONS**

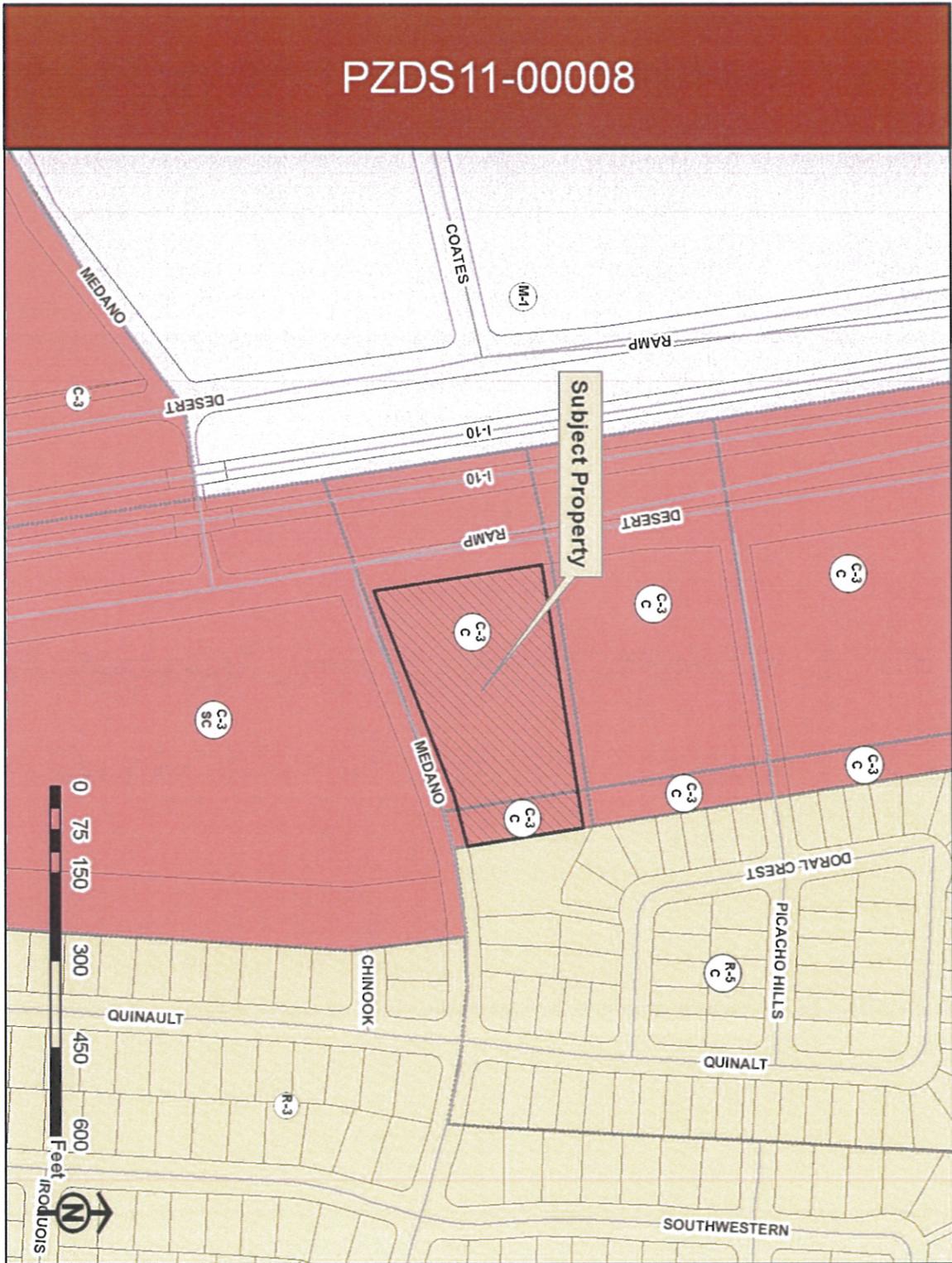
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the detailed site development plan review application:

1. Recommend approval of the application finding that the 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 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 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. Detailed Site Development Plan and Elevations
4. Zoning Condition Ordinance No. 14596
5. Zoning Condition Ordinance No. 16499

ATTACHMENT 1: ZONING MAP



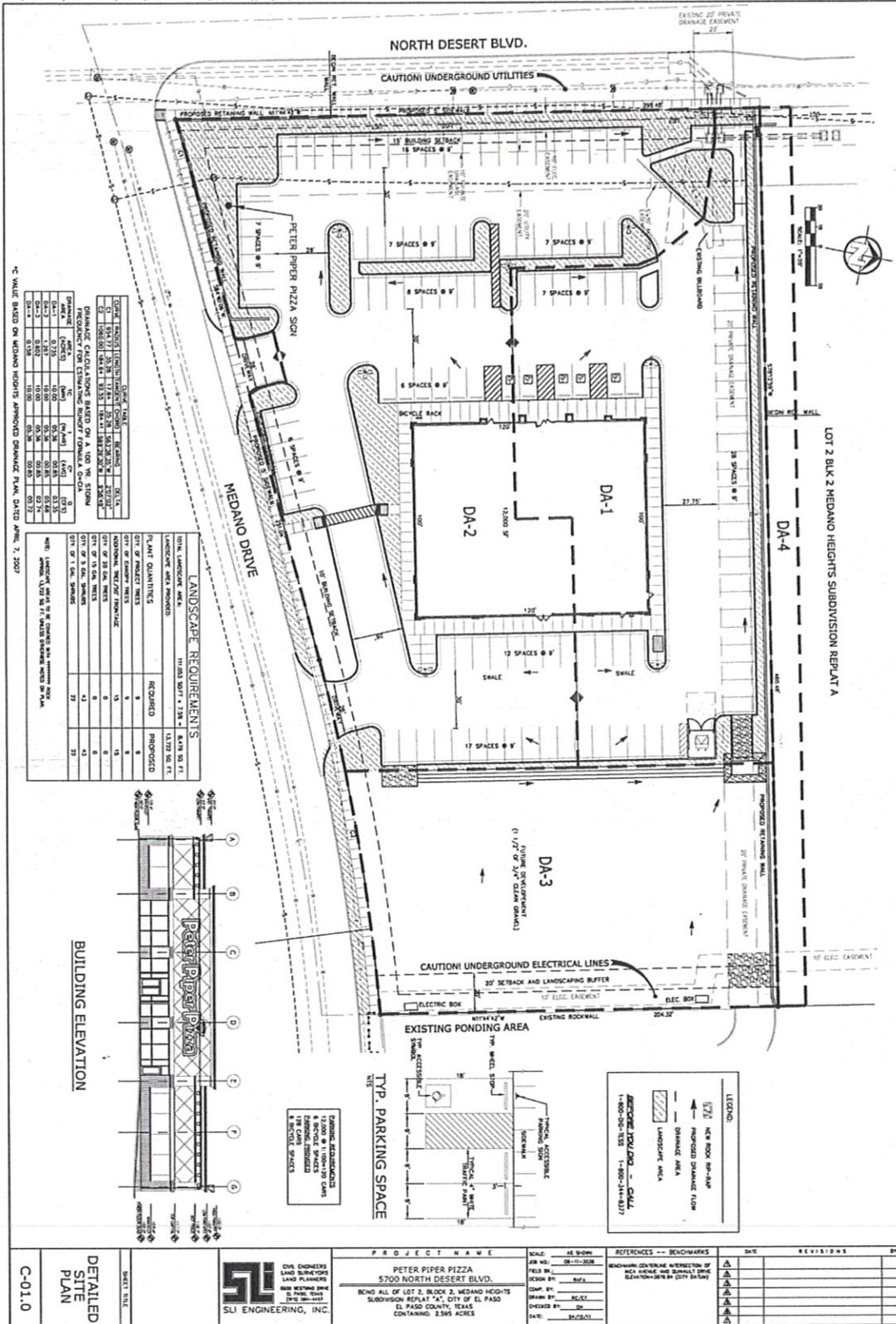
ATTACHMENT 2: AERIAL MAP

PZDS11-00008



# ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN & ELEVATIONS

F:\PROJECTS\PETER PIPER\VALS\PP-SITE-REVER(no driveway).dwg 5/24/2011 8:29:34 AM MDT

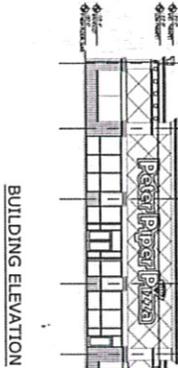


GRAVITATIONAL CALCULATIONS BASED ON A 100 YR. STORM

NO.	AREA (SQ. FT.)	PERCENT							
1	11,000	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01
2	11,000	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02
3	11,000	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03
4	11,000	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04
5	11,000	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05
6	11,000	0.06	0.06	0.06	0.06	0.06	0.06	0.06	0.06
7	11,000	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07
8	11,000	0.08	0.08	0.08	0.08	0.08	0.08	0.08	0.08
9	11,000	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09
10	11,000	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10

LANDSCAPE REQUIREMENTS

LANDSCAPE AREA	REQUIRED	PROPOSED
TOTAL LANDSCAPE AREA	11,000 SQ. FT. ± 1.28 ±	8,478 SQ. FT.
PLANT QUANTITIES		
CITY OF COMFORT TREES	9	8
CITY OF COMFORT TREES	13	13
ADDITIONAL TREES FOR SHADING	0	0
CITY OF 20 CAL TREES	0	0
CITY OF 10 CAL TREES	41	41
CITY OF 1 CAL TREES	22	22



**LEGEND**

- NEW FOOT PRINT
- PROPOSED DRIVEWAY
- LANDSCAPE AREA

**ACCEPT YOU/NO - CALL**  
1-800-505-1133 1-800-244-8277

SHEET TITLE	PROJECT NAME	SCALE	DATE	REFERENCES -- BENCHMARKS	DATE		BY
					DATE	BY	
DETAILED SITE PLAN	PETER PIPER PIZZA 5700 NORTH DESERT BLVD. BOND ALL OF LOT 2, BLOCK 2, MEDANO HEIGHTS SUBDIVISION REPLAT "A", CITY OF EL PASO EL PASO COUNTY, TEXAS CONTAINING 2.995 ACRES	AS SHOWN	05-11-2011	BENCHMARK CENTERLINE INTERSECTION OF NEW HIGHWAY AND DRINKING SPRING ELEVATION=3878.84 (CITY OF EL PASO)			

ORDINANCE NO. 14596

AN ORDINANCE CHANGING THE ZONING OF TRACT 13A, S.A. & M.G. SURVEY NO. 266, CITY OF EL PASO, EL PASO COUNTY, TEXAS (5900 BLOCK OF NORTH DESERT BOULEVARD) FROM R-3 (RESIDENTIAL) TO C-3/C (COMMERCIAL/CONDITIONS), AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.

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

That the zoning of *Tract 13A, S. A. & M. G. SURVEY NO. 266, City of 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-3/c (Commercial/conditions) within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; and

That the property 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-3/c (Commercial/conditions), in order to protect the health, safety and welfare of adjacent property owners and the residents of this City:

1. Submittal of a detailed site development plan for approval by the City Plan Commission and City Council prior to the issuance of a building permit or certificate of occupancy.
2. Construction of an eight-foot (8') high masonry screening wall along the easterly property line of *Tract 13-A, S. A. & M. G. RAILWAY COMPANY SURVEY NO. 266*, shall be required prior to the issuance of certificates of occupancy; the vertical surface of the screening wall, above six feet (6'), must not be less than 75% open.
3. A minimum of twenty-foot (20') building setback along the easterly property line of *Tract 13-A, S. A. & M. G. RAILWAY COMPANY SURVEY NO. 266*, shall be required prior to the issuance of a building permit or certificate of occupancy.
4. Landscaping within the entire length and width of a minimum ten-foot (10') wide buffer strip along the easterly property line of *Tract 13-A, S. A. & M. G. RAILWAY COMPANY SURVEY NO. 266*, shall be required prior to the issuance of certificates of occupancy and shall be in addition to landscaping required per El Paso Municipal Code Chapter 20.65. The landscaping shall be included within the required twenty-foot (20') building setback along that property line.
5. The maximum height of any building or structure within the subject property shall not exceed one (1) story.
6. Access to *Tract 13-A, S. A. & M. G. RAILWAY COMPANY SURVEY NO. 266*, from and onto Tuscarora Avenue, shall be prohibited.
7. Construction of a six-foot (6') high masonry screening wall along the southerly property line of *Tract 13-A, S. A. & M. G. RAILWAY COMPANY SURVEY*

CJC:pmc#71144

1

08/15/00

ORDINANCE NO. 14596

Zoning Case No. ZC-00024

014596

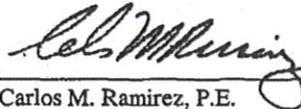
NO. 266 along that portion of Medano Drive immediately to the north of the R-3 (Residential) zoned portion of THREE HILLS ADDITION, shall be required prior to the issuance of certificates of occupancy.

8. The use of the subject property for: Automobile, light truck, bus, motorcycle and boat, sales, storage, rental and service, billiard halls, bowling alleys, amusement game complex or park, garages, parking or community, parking lot, miniature golf courses, private club, lodge or meeting hall, transportation terminal, theaters, trailer, mobile home, travel trailer and recreational vehicle sales, display and repair, skating rink, outdoor flea market, dance hall, heliport, helistop or airpad, massage parlor, or bar, tavern or cocktail lounge shall be prohibited. Provided, however, that the sale of alcoholic beverages shall be permitted within the subject property in conjunction with the operation of a restaurant, or retail sales for off-premise consumption.

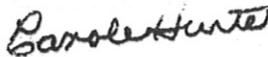
These conditions run with the land, are a charge and servitude thereon, and bind the current property owner and any successors in title. The City may enforce these conditions by injunction, by rescission of the zoning which is made appropriate as a result of these conditions, or by any other legal or 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 benefited thereby, and without affecting the validity of this Ordinance.

PASSED AND APPROVED this 22nd day of August, 2000.

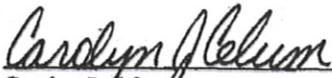
THE CITY OF EL PASO

  
\_\_\_\_\_  
Carlos M. Ramirez, P.E.  
Mayor

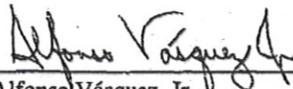
ATTEST:

  
\_\_\_\_\_  
Carole Hunter  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Carolyn J. Celum  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Alfonso Vázquez, Jr.  
Dept. of Planning, Research & Development

(Acknowledgment on following page)

CJC:pmc#71144

08/15/00

ORDINANCE NO. 14506

Zoning Case No. ZC-00024

8F

ORDINANCE NO. 016499

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 13A, S.A. AND M.G. RAILROAD COMPANY SURVEY NO. 266, EL PASO, EL PASO COUNTY, TEXAS FROM R-5/C (RESIDENTIAL/CONDITIONS) TO C-3/C (COMMERCIAL/CONDITIONS) AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO CITY CODE.

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

That the zoning of a *portion of Tract 13A, S.A. and M.G. Railroad Company Survey No. 266, El Paso, El Paso County, Texas*, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from R-5/c (Residential/conditions) to C-3/c (Commercial/conditions), within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; and

Further, that the property be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning, in order to protect the health, safety and welfare of adjacent property owners and the residents of this City:

1. Submittal of a detailed site development plan for approval by the City Plan Commission and City Council prior to the issuance of a building permit or certificate of occupancy.
2. Construction of an eight-foot (8') high masonry screening wall along the easterly property line abutting any residential zone shall be required prior to the issuance of certificates of occupancy; the vertical surface of the screening wall, above six feet (6'), must not be less than 75% open.
3. A minimum of twenty-foot (20') building setback along the easterly property line abutting any residential zone shall be required prior to the issuance of a building permit or certificate of occupancy.
4. Landscaping within the entire length and width of a minimum ten-foot (10') wide buffer strip along the easterly property line abutting any residential zone shall be required prior to the issuance of certificates of occupancy and shall be in addition to landscaping required per El Paso Municipal Code Chapter 20.65. The landscaping shall be included within the required twenty-foot (20') building setback along that property line.
5. The maximum height of any building or structure within the subject property shall not exceed one (1) story.
6. Access to *Tract 13-A, S. A. & M. G. RAILWAY COMPANY SURVEY NO. 266*, from and onto Tuscarora Avenue, shall be prohibited.

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7. That a twenty foot (20') landscape buffer with high profile native trees placed at ten feet (10') on center be installed along the easterly property line abutting any residential zone, prior to the issuance of a certificate of occupancy.

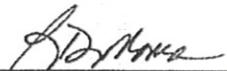
8. The use of the subject property for: Automobile, light truck, bus, motorcycle and boat, sales, storage, rental and service, billiard halls, bowling alleys, amusement game complex or park, garages, parking or community, parking lot, miniature golf courses, private club, lodge or meeting hall, transportation terminal, theaters, trailer, mobile home, travel trailer and recreational vehicle sales, display and repair, skating rink, outdoor flea market, dance hall, heliport, helistop or airpad, massage parlor, or bar, tavern or cocktail lounge shall be prohibited. Provided, however, that the sale of alcoholic beverages shall be permitted within the subject property in conjunction with the operation of a restaurant, or retail sales for off-premise consumption.

PASSED AND APPROVED this 14 day of NOVEMBER, 2006.

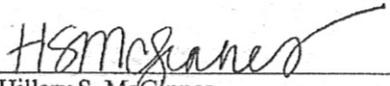
THE CITY OF EL PASO

  
John F. Cook  
Mayor

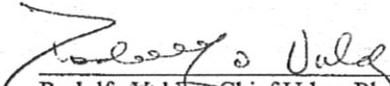
ATTEST:

  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

  
Hillary S. McGinnes  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
Rodolfo Valdez, Chief Urban Planner  
Development Services Department

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