

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

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

**AGENDA DATE:** Introduction: July 10, 2007  
Public Hearing: July 31, 2007

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

**DISTRICT(S) AFFECTED:** 5

**SUBJECT:**

An Ordinance changing the zoning of a portion of Tract 6A, 6A1, 6B, and 6B2, Section 33, Tracts 2 and 3, and a portion of Tract 1, Section 28, and Tract 11-C and a portion of Tract 11-C-1, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) District to C-4 (Commercial) District. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Montana Avenue and East of Purple Heart Boulevard. Applicant: Cesar Viramontes. ZON07-00060 (District 5)

**BACKGROUND / DISCUSSION:**

See attached report.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation  
City Plan Commission (CPC) – Approval Recommendation (5-0)

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

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

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

**DEPARTMENT HEAD:** Kelly Carpenter

**APPROVED FOR AGENDA:**

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

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

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

**AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 6A, 6A1, 6B, AND 6B2, SECTION 33, TRACTS 2 AND 3, AND A PORTION OF TRACT 1, SECTION 28, AND TRACT 11-C AND A PORTION OF TRACT 11-C-1, SECTION 34, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) DISTRICT TO C-4 (COMMERCIAL) DISTRICT. 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 6A, 6A1, 6B, and 6B2, Section 33, Tracts 2 and 3, and a portion of Tract 1, Section 28, and Tract 11-C and a portion of Tract 11-C-1, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas*, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from **R-F (Ranch and Farm) District** to **C-4 (Commercial) District**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

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

**THE CITY OF EL PASO**

**ATTEST:**

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

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

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

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

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

CITY CLERK DEPT.  
07 JUN 28 PM 4:17

Being a portion of Sections 28, 33 and 34, Block 79,  
Township 2, Texas and Pacific Railway Company Surveys  
All of Garment Road and a portion of J.C. Viramontes Dr.,  
El Paso County, Texas.  
June 28, 2007

**EXHIBIT "A"**

**METES AND BOUNDS DESCRIPTION**

Description of a parcel of land being a portion of Sections 28, 33 and 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, all of Garment Road and a portion of J.C. Viramontes Dr., El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at a set ½" rebar with cap "5152" at the northeast corner of Section 33, said point also being the "TRUE POINT OF BEGINNING";

Thence along the north boundary line of Section 34, South 89°59'27" East a distance of 794.00 feet to a point at the northeast corner of Track 11-C;

Thence along the east boundary line of said tract, South 00°32'39" East a distance of 1,310.37 feet to a point on the northerly right of way line of Montana Avenue (U.S. Highway 62) as reference in TX D.O.T. right of way Map S-149, control No. 374;

Thence with said right of way line, South 81°17'02" West a distance of 702.11 feet to a point;

Thence leaving said right of way line, North 00°32'39" West a distance of 1296.88 feet to a point on the southerly of a parcel of land described in Book 2114, page 117, Real property records of El Paso County, Texas;

Thence along said line North 89°59'27" West a distance of 98.99 feet to a point;

Thence along said line North 89°57'34" West a distance of 43.08 feet to a point on the westerly line of a parcel of land described in Book 2104, page 85, Real property records of El Paso County, Texas;

Thence along said right line, North 00°30'23" West a distance of 90.00 feet to a point;

Thence North 89°58'21" West a distance of 1697.77 feet to a point;

Thence South 00°30'23" East a distance of 1669.88 feet to a point on the northerly right of way line of Montana Avenue (U.S. Highway 62) as reference in TX D.O.T. right of way Map S-149, control No. 374;

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Thence along said right line, South 81°17'02" West a distance of 3279.48 feet to a point;

Thence North 45°29'13" West a distance of 166.43 feet to a point on the easterly right of way line of Joe Battle Blvd. (loop 375);

Thence along said right of way line, North 00°29'13" West a distance of 100.00 feet to a point;

Thence along said right of way line, North 02°43'20" West a distance of 1984.00 feet to a point;

Thence leaving said right of way line, South 89°58'21" East a distance of 1795.37 feet to a point;

Thence North 00°40'51" West a distance of 5034.66 feet to a point;

Thence North 89°59'42" East a distance of 193.85 feet to a found brass cap marked NW-160 AC-Texas GLO-1994;

Thence South 00°40'51" East a distance of 2251.46 feet to a found brass cap marked SW-160 AC-Texas GLO-1994;

Thence North 89°19'09" East a distance of 1105.99 feet to a point;

Thence South 00°40'51" East a distance of 361.50 feet to a point;

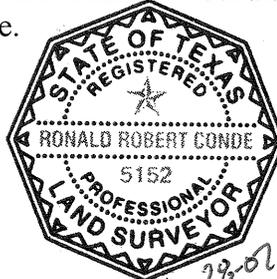
Thence North 89°19'09" East a distance of 361.50 feet to a point on the easterly line of tract 1, Section 28, Block 79, Township 2, Texas and Pacific Railway Company surveys;

Thence South 00°40'51" East a distance of 2439.97 feet to a point;

Thence South 89°58'21" East a distance of 1724.29 feet to "TRUE POINT OF BEGINNING" and containing in all 289.557 acres of land, Save and Except a 9.8584 Acre portion of Tract 6A, described in clerks file no. 20040103587 and a 1.00 Acre portion of Tract 6A, recorded in Volume 4300, Page 881, Real property records of El Paso County, Texas for a net acreage of 278.698 acres more or less.

Bearing basis is true north for a Transverse Mercator Surface Projection as determined by GPS methods based at center of this site.

  
Ron R. Conde, R.P.L.S No. 5152  
Job No. 507-60



CONDE, INC.

ENGINEERING / LAND SURVEYING / PLANNING

1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283



**CITY COUNCIL**

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

**JOHN COOK**  
MAYOR

**JOYCE WILSON**  
CITY MANAGER

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

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

**DEVELOPMENT SERVICES  
PLANNING DIVISION**

**MEMORANDUM**

**DATE:** June 27, 2007

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

**FROM:** Melissa Granado, Planner

**SUBJECT:** **ZON07-00060**

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The City Plan Commission (CPC), on June 7, 2007, voted **5-0** to recommend **APPROVAL** of rezoning the subject property from R-F (Ranch and Farm) to C-4 (Commercial), concurring with Staff's recommendation.

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

There was no support or opposition to this request.

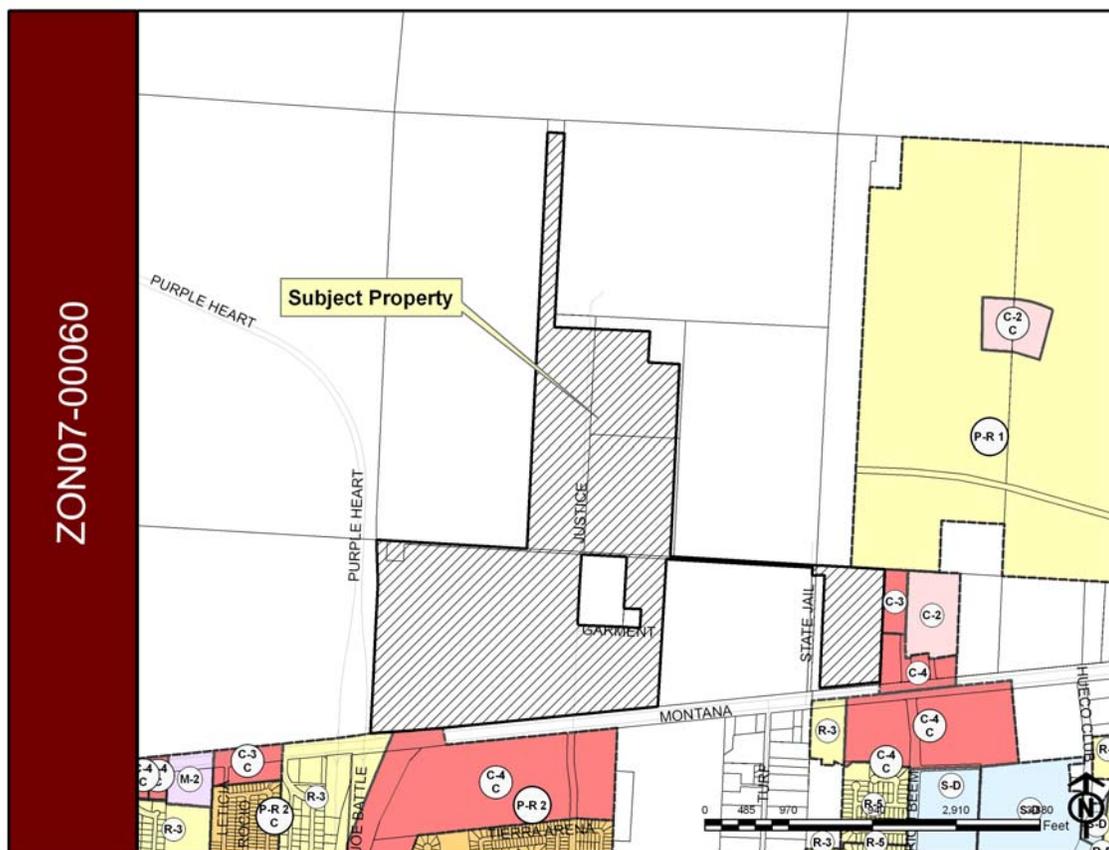
**Attachment:** Staff Report, Conceptual Site Plan, Application



## ZON07-00060

**Application Type:** Rezoning  
**Property Owner(s):** Cesar Viramontes  
**Representative(s):** Wright and Dalbin Architects, Inc  
**Legal Description:** A portion of Tract 6A, 6A1, 6B, and 6B2, Section 33, Tracts 2 and 3, and a portion of Tract 1, Section 28, and Tract 11-C and a portion of Tract 11-C-1, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas

**Location:** North of Montana Avenue and East of Purple Heart Boulevard  
**Representative District:** East ETJ **Area:** 280 acres  
**Present Zoning:** R-F (Ranch and Farm) upon annexation **Present Use:** Vacant  
**Proposed Zoning:** C-4 (Commercial)  
**Recognized Neighborhood**  
**Associations Contacted:** None  
**Public Response:** None  
**Surrounding Land Uses:** **North:** El Paso County, **South:** C-4/c, Commercial  
**East:** El Paso County, **West:** El Paso County  
**Year 2025 Designation:** N/A



**General Information:**

The applicant requests a rezoning from R-F (Ranch and Farm) to C-4 (Commercial). The conceptual site plan proposes various commercial uses with access proposed via Montana Avenue. An application to annex this property is currently in process. The conceptual site plan is not binding.

**Staff Recommendation:**

The Development Coordinating Committee (DCC) recommends **APPROVAL** of this rezoning request from R-F (Ranch and Farm) to C-4 (Commercial).

The recommendation is based on the following:

- **The Plan for El Paso City-Wide Land Use Goals** recommends that El Paso “provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.”
- **C-4 (Commercial) zoning** permits commercial development and **is compatible** with surrounding development.

**Findings:**

The Commission must determine the following:

1. Will C-4 (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 and Inspections Division:**

Zoning Review: No objection to this annexation. Administrative decision based on Year 2025 Designation City's Master Plan.

Landscaping: No comments received.

**Development Services - Planning Division:**

Current Planning: Recommends approval. Proposed zoning is compatible with adjacent development.

Land Development: No comments received.

**Engineering Department, Traffic Division:**

No apparent traffic concerns with proposed zoning change.

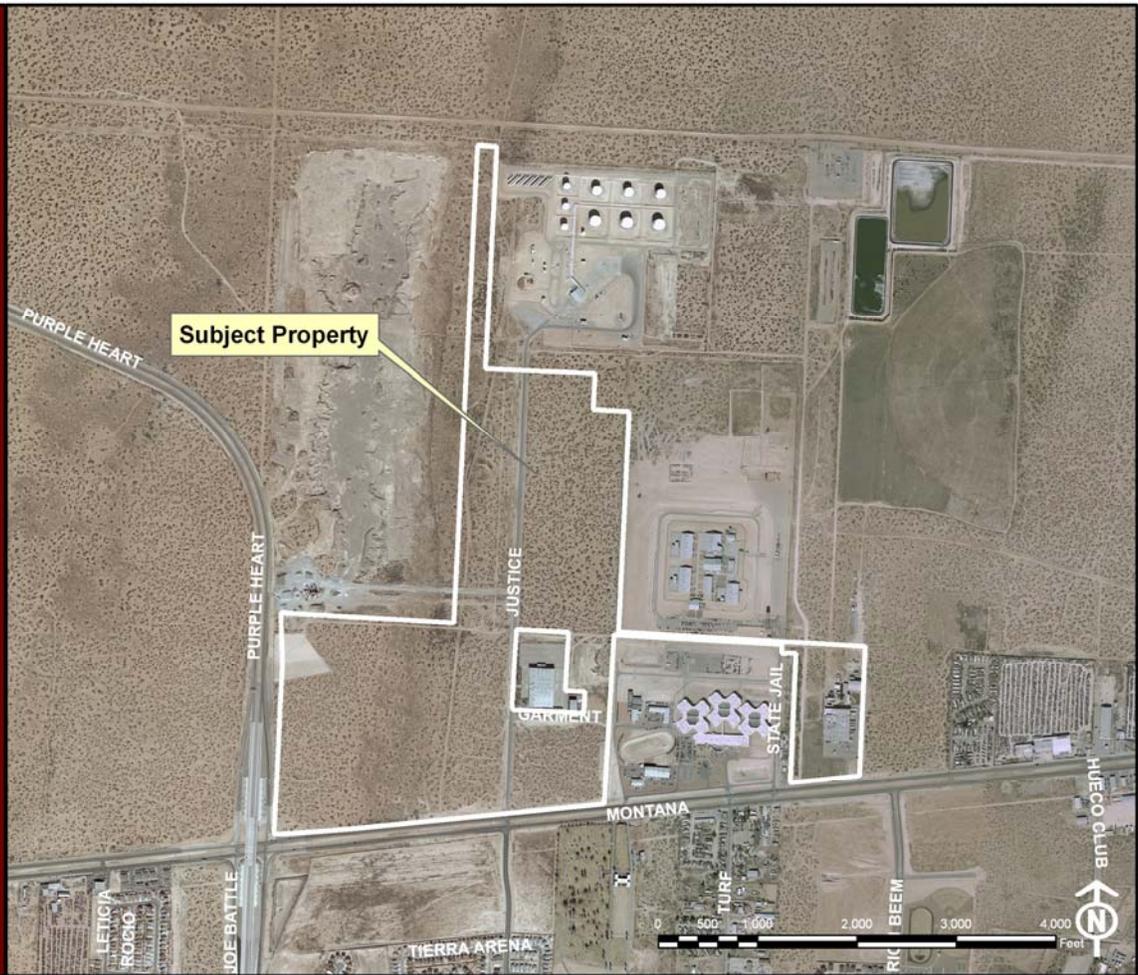
**Fire Department:**

No comments received.

**El Paso Water Utilities:**

EPWU does not object to this annexation request.

ZON07-00060

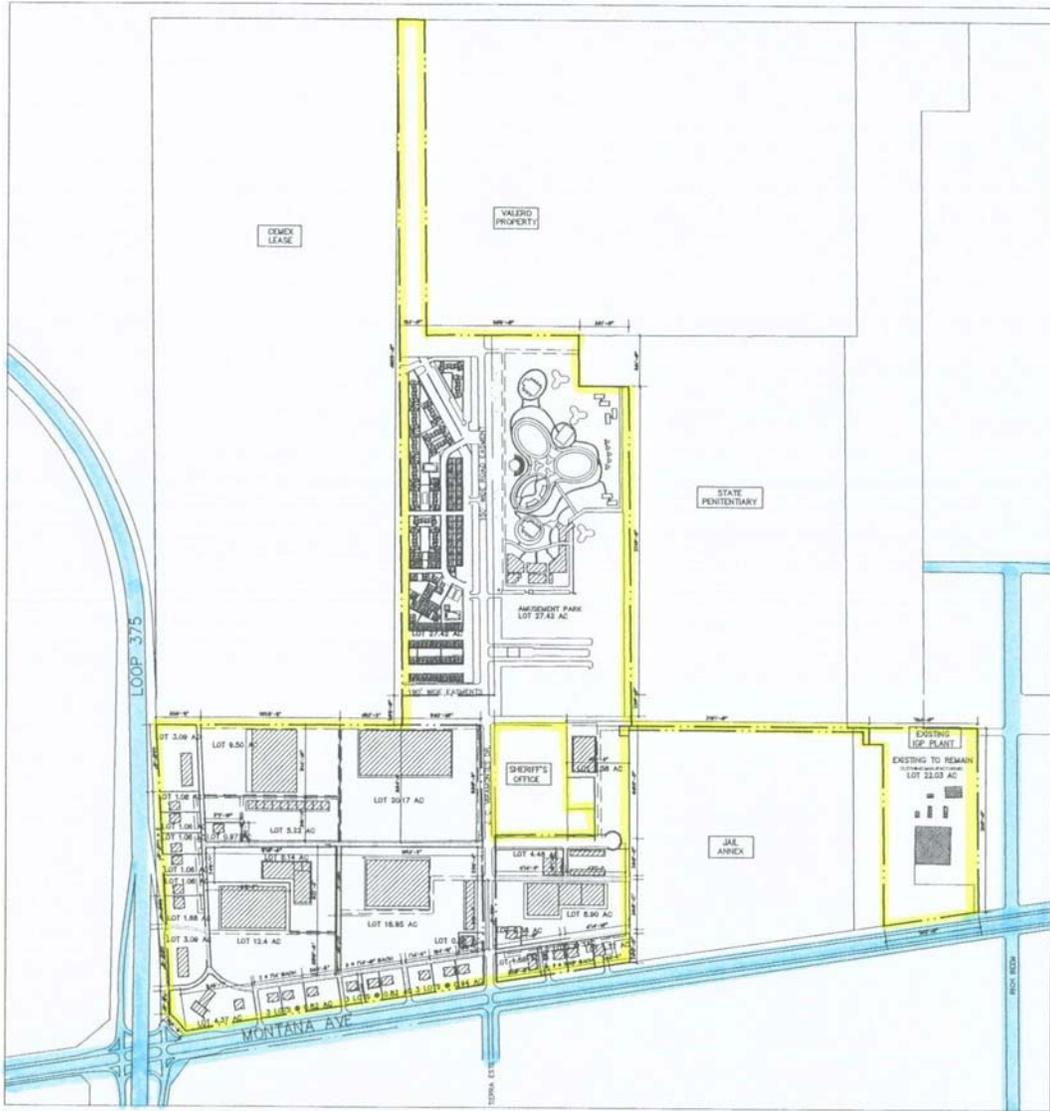


**List of Attachments:**

Attachment 1: Conceptual Site Plan

Attachment 2: Application

Attachment 1: Conceptual Site Plan



Attachment 2: Application



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

**1. CONTACT INFORMATION**

PROPERTY OWNER(S): Cesar Viramontes and/or Assigns  
 ADDRESS: 12651 Montana Avenue ZIP CODE: 79938 PHONE: 915 857 4545  
 APPLICANT(S): Cesar Viramontes and/or Assigns  
 ADDRESS: 12651 Montana Avenue ZIP CODE: 79938 PHONE: 915 857 4545  
 REPRESENTATIVE(S): Wright & Dalbin Architects, Inc.; Geoffrey Wright  
 ADDRESS: 2112 Murchison Dr., El Paso, Texas ZIP CODE: 79930 PHONE: 915 533 3777  
 E-MAIL ADDRESS: gwright@wrightdalbin.com FAX: 915 532 7733

**2. PARCEL ONE INFORMATION**

① PROPERTY IDENTIFICATION NUMBER: x57900023300030, x57900023300050  
 LEGAL DESCRIPTION: Being a Portion of Tracts 6A & 6B, Section 33, Block 79, Township 2 Texas & Pacific Railroad Co. Surveys, El Paso County, Texas  
 STREET ADDRESS OR LOCATION: North of Montana Ave, East of Loop 375 REP DISTRICT: 5  
 ACREAGE: 109.033 PRESENT ZONING: - PRESENT LAND USE: vacant  
 PROPOSED ZONING: C-4 PROPOSED LAND USE: Commercial

**3. PARCEL TWO INFORMATION**

② PROPERTY IDENTIFICATION NUMBER: x57900022800000  
 LEGAL DESCRIPTION: Being All of Tracts 2 & 3, and a Portion of Tract 1, Section 28, Block 79, Twp 2, Texas & Pacific Railroad Co. Surveys, El Paso County, Tx  
 STREET ADDRESS OR LOCATION: North of Montana Ave, East of Loop 375 REP DISTRICT: -  
 ACREAGE: 105.112 PRESENT ZONING: - PRESENT LAND USE: vacant  
 PROPOSED ZONING: C-4 PROPOSED LAND USE: Commercial

**4. PARCEL THREE INFORMATION**

③ PROPERTY IDENTIFICATION NUMBER: x57900023300030, x57900023300050  
 LEGAL DESCRIPTION: Being a Portion of Tracts 6A & 6A1, Section 33, Block 79, Twp 2, Texas & Pacific Railroad Co. Surveys, El Paso County, Texas  
 STREET ADDRESS OR LOCATION: North of Montana Ave, East of Loop 375 REP DISTRICT: -  
 ACREAGE: 28.873 PRESENT ZONING: - PRESENT LAND USE: vacant  
 PROPOSED ZONING: C-4 PROPOSED LAND USE: -

**5. ADDITIONAL INFORMATION**

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):  
 Printed Name: Cesar Viramontes Signature: [Signature]  
 Printed Name: \_\_\_\_\_ 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 if paper.

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

ZON 07-00060 RECEIVED DATE: 05/10/07 APPLICATION FEE: \$ 1320.00  
 DCC REVIEW DATE: 05/23/07 (8:30 am, Planning Department Conference Room, 2nd Floor, City Hall Building)  
 CPC REVIEW DATE: 06/07/07 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)  
 ACCEPTED BY: [Signature] [Signature] FUND - 01101, DEPT ID - 99010335, ACCOUNT - 404126

Revised 06/2004



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

**1. CONTACT INFORMATION**

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 REPRESENTATIVE(S): Wright & Dalbin Architects, Inc.; Geoffrey Wright  
 ADDRESS: 2112 Murchison Dr., El Paso, Texas ZIP CODE: 79930 PHONE: 915 533 3777  
 E-MAIL ADDRESS: gwright@wrightdalbin.com FAX: 915 532 7733

**2. PARCEL ONE INFORMATION**

④ PROPERTY IDENTIFICATION NUMBER: x57900023400255  
 LEGAL DESCRIPTION: Being Tract 11-c and a Portion of 11-C-1, Section 34, Block 79, Twp 2, Texas & Pacific Railroad Co. Surveys, El Paso County, Texas  
 STREET ADDRESS OR LOCATION: 12651 Montana Ave, El Paso, Texas 79938 REP DISTRICT: -  
 ACREAGE: 22.034 PRESENT ZONING: - PRESENT LAND USE: Clothing Manufacture  
 PROPOSED ZONING: C-4 PROPOSED LAND USE: Clothing Manufacture

**3. PARCEL TWO INFORMATION**

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

**4. PARCEL THREE INFORMATION**

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

**5. ADDITIONAL INFORMATION**

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):  
 Printed Name: Cesar Viramontes Signature: [Signature]  
 Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
 Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_

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

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

ZON \_\_\_\_\_ RECEIVED DATE: \_\_\_/\_\_\_/\_\_\_ APPLICATION FEE: \$ \_\_\_\_\_  
 DCC REVIEW DATE: \_\_\_/\_\_\_/\_\_\_ (8:30 am, Planning Department Conference Room, 2<sup>nd</sup> Floor, City Hall Building)  
 CPC REVIEW DATE: \_\_\_/\_\_\_/\_\_\_ (1:30 pm, City Council Chambers, 2<sup>nd</sup> Floor, City Hall Building)  
 ACCEPTED BY: \_\_\_\_\_ FUND - 01101, DEPT ID - 99010335, ACCOUNT - 404126

Revised 06/2004