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

DEPARTMENT: **Development Services Department**

AGENDA DATE: **Introduction: July 24, 2007**
Public Hearing: August 14, 2006

CONTACT PERSON/PHONE: **Frank Delgado, 541-4238**

DISTRICT(S) AFFECTED: **District 1**

SUBJECT:
An ordinance changing the zoning of the following real property described as: Parcel 1: A portion of Tract 5, Block 14, Upper Valley Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch And Farm) to R-2 (Residential); and Parcel 2: A portion of Tract 5, Block 14, Upper Valley Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-1 (Commercial) Applicant: Rio Valley LLC Z0N07-00062 (District 1)
THIS IS AN APPEAL CASE.

BACKGROUND / DISCUSSION:
See attached report.

PRIOR COUNCIL ACTION:
N/A

AMOUNT AND SOURCE OF FUNDING:
N/A

BOARD / COMMISSION ACTION:
Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Denial Recommendation (3-4-1)

CITY CLERK DEPT.
07 JUL 19 AM 10: 11

**********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 THE FOLLOWING REAL PROPERTY DESCRIBED AS:

PARCEL 1: A PORTION OF TRACT 5, BLOCK 14, UPPER VALLEY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO R-2 (RESIDENTIAL); AND,

PARCEL 2: A PORTION OF TRACT 5, BLOCK 14, UPPER VALLEY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH AND FARM) TO C-1 (COMMERCIAL). 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 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 5, Block 14, Upper Valley 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)** to **R-2 (Residential)**; and,

Parcel 2: *A portion of Tract 5, Block 14, Upper Valley Surveys, 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 **R-F (Ranch and Farm)** to **C-1 (Commercial)**.

PASSED AND APPROVED this _____day of _____, 2007.

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:

Kimberly Forsyth

Kimberly Forsyth, Senior Planner
Development Services Department

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Document #: 32029
Document Name: ord/zon07-00063
Document Author: LCUE

ZON 07-000062
EXHIBIT A 1 OF 2

BROCK & BUSTILLOS INC.
CONSULTING CIVIL ENGINEERS LAND SURVEYORS

ROMAN BUSTILLOS, P.E.
President
RANDY P. BROCK, P.E.
Executive Vice President
SERGIO J. ADAME, P.E.
Vice President - Engineering
OSCAR V. PEREZ
Vice President - Operations
ISAAC CAMACHO, R.P.L.S.
Survey Manager

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METES AND BOUNDS DESCRIPTION

A 58.0993 acre parcel situate west of the corporate limits of the City of El Paso, El Paso County, Texas, being a portion of Tract 5, Block 14, Upper Valley Surveys, and being more particularly described by metes and bounds as follows to wit:

COMMENCING for reference at a railroad spike found at the intersection of Westside Drive (50.00 feet wide) and Borderland Road (40.00 feet wide); ***WHENCE***, the centerline intersection of Westside Drive and Borderland Road bears, North 88°16'01" West, a distance of 4.94 feet; ***THENCE***, leaving the intersection of Westside Drive and Borderland Road, North 55°35'41" West, a distance of 35.66 feet to a ½" rebar with cap stamped "TX 2998" found at the intersection of the westerly right-of-way line of Westside Drive and the northerly right-of-way line of Borderland Road; ***THENCE***, leaving the westerly right-of-way line of Westside Drive and following the northerly right-of-way line of Borderland Road, South 90°00'00" West, a distance of 338.40 feet to a ½" rebar with cap stamped "TX 5337" set for the southeast corner and ***POINT OF BEGINNING*** of the parcel herein described;

THENCE, continuing along the northerly right-of-way line of Borderland Road, South 90°00'00" West, a distance of 1,057.00 feet to a ½" rebar with cap stamped "TX 2998" found on the easterly boundary line of Tract 6A, Block 14, Upper Valley Surveys for the southwest corner of the parcel herein described;

THENCE, leaving the northerly right-of-way line of Borderland Road and following the easterly boundary line of said Tract 6A, North 00°06'00" West, a distance of 1,918.30 feet to a ½" rebar with cap stamped "TX 2998" found on the southerly boundary line of Tract 4, Block 14, Upper Valley Surveys, for the northwest corner of the parcel herein described;

THENCE, leaving the easterly boundary line of said Tract 6A and following the southerly boundary line of said Tract 4, South 89°58'33" East, a distance of 1,449.20 feet to a chiseled "X" in concrete found on the westerly right-of-way line of Westside Drive for the northeast corner of the parcel herein described;

THENCE, leaving the southerly boundary line of said Tract 4 and following the westerly right-of-way line of Westside Drive, South 01°30'25" West, a distance of 1,348.16 feet to a ½" rebar with cap stamped "TX 5337" set for an angle point;

THENCE, leaving the westerly right-of-way line of Westside Drive, South 90°00'00" West, a distance of 353.40 feet to a ½" rebar with cap stamped "TX 5337" set for an angle point;

THENCE, South 00°00'00" East, a distance of 570.00 feet to the *TRUE* ***POINT OF BEGINNING***.

Said Parcel contains 58.0993 acres (2,530,805.6 square feet) more or less.

STATE OF TEXAS
REGISTERED
ISAAC CAMACHO
5337
PROFESSIONAL
LAND SURVEYOR

Isaac Camacho

Isaac Camacho, R.P.L.S. TX No. 5337
Date: May 9, 2007
Job No. E-6379-19

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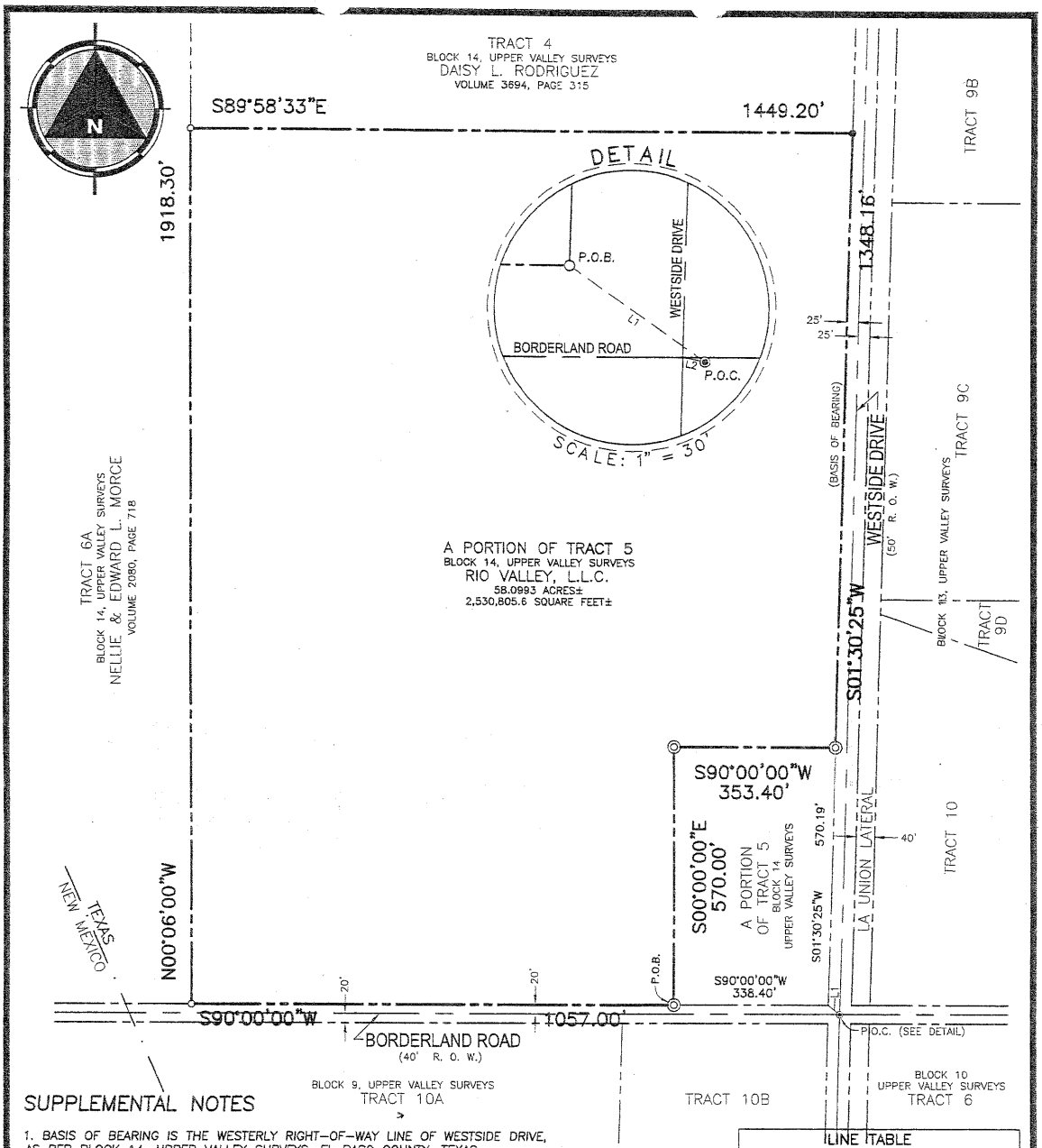
EXHIBIT A 2 of 2



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SUPPLEMENTAL NOTES

1. BASIS OF BEARING IS THE WESTERLY RIGHT-OF-WAY LINE OF WESTSIDE DRIVE, AS PER BLOCK 14, UPPER VALLEY SURVEYS, EL PASO COUNTY, TEXAS.

2. SUBJECT PROPERTY IS LOCATED IN ZONE 'X' (DESIGNATES AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN) AS DETAILED ON COUNTY OF EL PASO FLOOD INSURANCE RATE MAP PANEL NO. 480212 0125B, DATED SEPTEMBER 4, 1991.

3. SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, EASEMENTS MAY EXIST WHERE NONE ARE SHOWN.

4. A METES & BOUNDS DESCRIPTION OF THE SAME DATE ACCOMPANIES THIS SURVEY.

CERTIFICATION

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS BASED ON AN ACTUAL SURVEY PERFORMED ON THE GROUND BY ME OR UNDER MY SUPERVISION, THAT THERE ARE NO ENCROACHMENTS, EXCEPT AS SHOWN AND THAT THE INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Isaac Camacho 05/09/07
ISAAC CAMACHO, R.P.L.S. TX. NO. 5337

LINE TABLE		
LINE	BEARING	LENGTH
L1	N55°35'41"W	35.66'
L2	N88°16'01"W	4.94'

LEGEND

BOUNDARY/TRACT/R.O.W. LINE	
CENTERLINE OF R.O.W.	
STATE LINE	
FOUND 1/2" REBAR WITH CAP STAMPED "TX. 2998"	○
FOUND CHISELED "X" IN CONCRETE	●
FOUND RAILROAD SPIKE	◉
SET 1/2" REBAR WITH CAP STAMPED "TX 5337"	◎
POINT OF BEGINNING	P.O.B.
POINT OF COMMENCEMENT	P.O.C.
RIGHT-OF-WAY	R.O.W.

STATE OF TEXAS REGISTERED ISAAC CAMACHO 5337 PROFESSIONAL LAND SURVEYOR

BOUNDARY SURVEY

DRAWN BY: E.R. CHECKED BY: I.C. DATE: 05-09-2007 SCALE: 1" = 300'

A PORTION OF TRACT 5, BLOCK 14, UPPER VALLEY SURVEYS, EL PASO COUNTY, TEXAS.

BROCK & BUSTILLOS INC.
CONSULTING CIVIL ENGINEERS
LAND SURVEYORS
417 EXECUTIVE CENTER~EL PASO, TX 79902~PH (915) 542-4900
FAX (915) 542-2867~WWW.BROCKBUSTILLOS.COM

FILE NO: E-6379-19

ZON07-00062
EXHIBIT B 1 OF 2

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Vice President - Engineering
OSCAR V. PEREZ
Vice President - Operations
ISAAC CAMACHO, R.P.L.S.
Survey Manager

METES AND BOUNDS DESCRIPTION

A 4.5263 acre parcel situate west of the corporate limits of the City of El Paso, El Paso County, Texas, being a portion of Tract 5, Block 14, Upper Valley Surveys, and being more particularly described by metes and bounds as follows to wit:

COMMENCING for reference at a railroad spike found at the intersection of Westside Drive (50.00 feet wide) and Borderland Road (40.00 feet wide); ***WHENCE***, the centerline intersection of Westside Drive and Borderland Road bears, North 88°16'01" West, a distance of 4.94 feet; ***THENCE***, leaving the intersection of Westside Drive and Borderland Road, North 55°35'41" West, a distance of 35.66 feet to a ½" rebar with cap stamped "TX 2998" found at the intersection of the westerly right-of-way line of Westside Drive and the northerly right-of-way line of Borderland for the southeast corner and ***POINT OF BEGINNING*** of the parcel herein described;

THENCE, leaving the westerly right-of-way line of Westside Drive and following the northerly right-of-way line of Borderland Road, South 90°00'00" West, a distance of 338.40 feet to a ½" rebar with cap stamped "TX 5337" set for the southwest corner of the parcel herein described; ***WHENCE***, a ½" rebar with cap stamped "TX 2998" found at the intersection of the northerly right-of-way line of Borderland Road and the easterly boundary line of Tract 6A, Block 14, Upper Valley Surveys bears, South 90°00'00" West, a distance of 1,057.00 feet;

THENCE, leaving the northerly right-of-way line of Borderland Road, North 00°00'00" West, a distance of 570.00 feet to a ½" rebar with cap stamped "TX 5337" set for the northwest corner of the parcel herein described;

THENCE, North 90°00'00" East, a distance of 353.40 feet to a ½" rebar with stamped "TX 5337" set on the westerly right-of-way line of Westside Drive for the northeast corner of the parcel herein described; ***WHENCE***, a chiseled "X" in concrete found at the intersection of the westerly right-of-way line of Westside Drive and the southerly boundary line of Tract 4, Block 14, Upper Valley Surveys bears, North 01°30'25" East, a distance of 1,348.16 feet;

THENCE, following the westerly right-of-way line of Westside Drive, South 01°30'25" West, a distance of 570.19 feet to the *TRUE* ***POINT OF BEGINNING.***

Said Parcel contains 4.5263 acres (197,164.4 square feet) more or less.

STATE OF TEXAS REGISTERED ISAAC CAMACHO 5337 PROFESSIONAL LAND SURVEYOR

07 JUL 19 AM 9:27 CITY CLERK DEPT.

Isaac Camacho

Isaac Camacho, R.P.L.S. TX No. 5337
Date: May 9, 2007
Job No. E-6379-19

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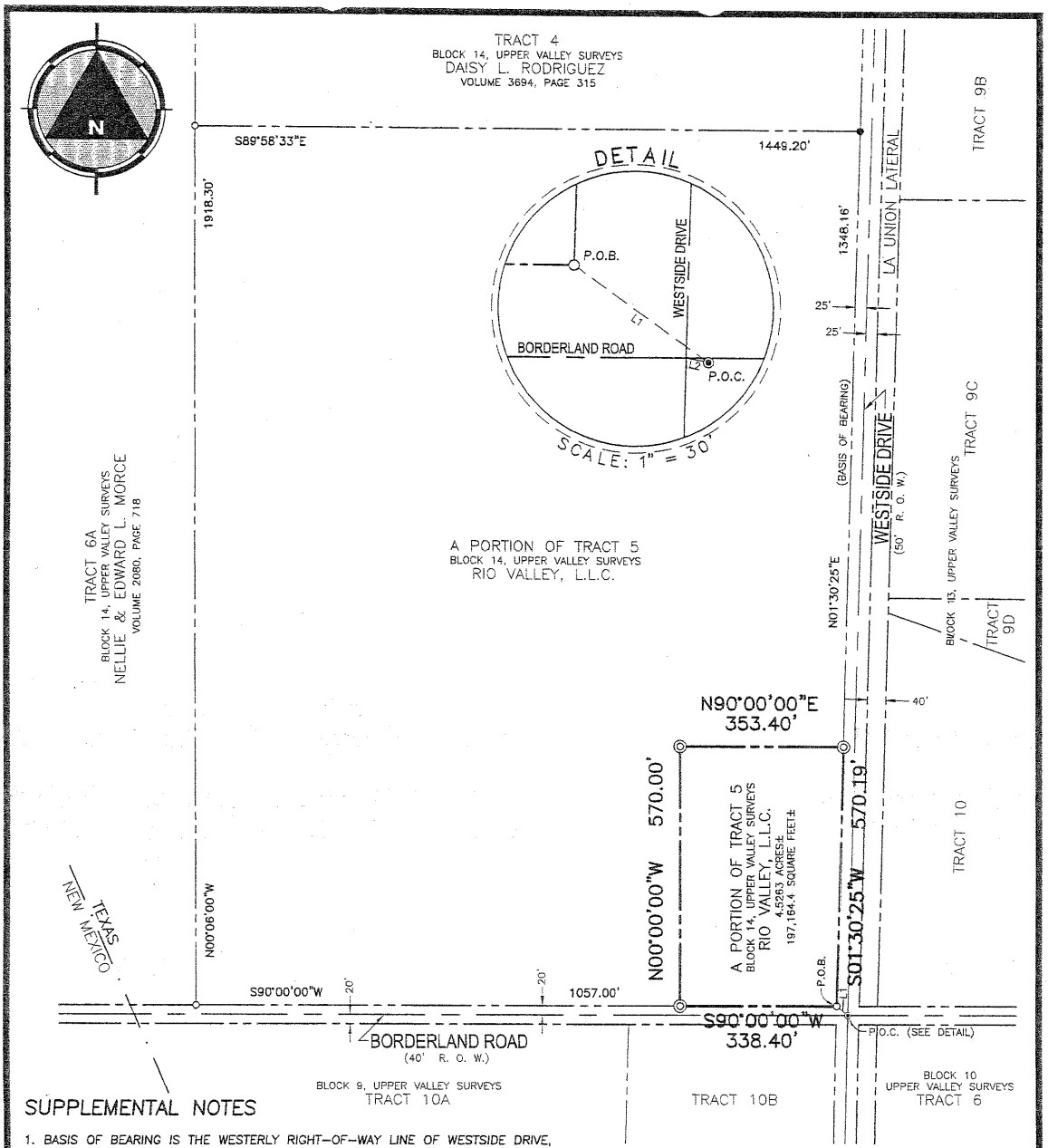
EXHIBIT B 2 OF 2



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STATE OF TEXAS REGISTERED ISAAC CAMACHO 5337 PROFESSIONAL LAND SURVEYOR

BOUNDARY SURVEY

DRAWN BY: E.R. CHECKED BY: I.C. DATE: 05-09-2007 SCALE: 1" = 300'

A PORTION OF TRACT 5, BLOCK 14, UPPER VALLEY SURVEYS, EL PASO COUNTY, TEXAS.

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