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

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

AGENDA DATE: **Introduction: June 10, 2008**
Public Hearing: July 1, 2008

CONTACT PERSON/PHONE: **Arturo Rubio, 541-4633**

DISTRICT(S) AFFECTED: **8**

SUBJECT:
An Ordinance changing the zoning of the following real property described as: Parcel 1: All of Tract 4, J. Barker Survey No. 10, City of El Paso, El Paso County, Texas, be changed from M-3 (Unrestricted Manufacturing) to C-3 (Commercial) and imposing conditions; and, Parcel 2: All of Tracts 6 and 7, I.F. Harrison Survey No. 54 and Tract 3, J. Barker Survey No. 10, City of El Paso, El Paso County, Texas, be changed from R-3 (Residential), A-2 (Apartment) and M-1 (Light Manufacturing) to C-3 (Commercial) and imposing conditions; and, Parcel 3: A portion of Tracts 6 and 7, I.F. Harrison Survey No. 54, City of El Paso, El Paso County, Texas, be changed from R-3 (Residential) and A-2 (Apartment) to R-5 (Residential); and, Parcel 4: All of Tract 7, I.F. Harrison Survey No. 54, Tracts 3 and 3A, J. Barker Survey No. 10, and Tract 4F2B, A.F. Miller Survey No. 215, City of El Paso, El Paso County, Texas, be changed from M-1 (Light Manufacturing), R-3 (Residential) and A-2 (Apartment) to R-3A (Residential). The penalty is as provided for in Chapter 20.24 of The El Paso City Code. Subject Property: North of Interstate Highway 10 and South of Pete Payan Drive. Applicants: EPT Montecillo Development West, LP, ZON08-00017 (District 8)

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BACKGROUND / DISCUSSION:

PRIOR COUNCIL ACTION:

AMOUNT AND SOURCE OF FUNDING:
N/A

BOARD / COMMISSION ACTION:
Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (6-0)

**********REQUIRED AUTHORIZATION**********

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: for Victor Q. Torres
Director, Development Services

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

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

PARCEL 1: ALL OF TRACT 4, J. BARKER SURVEY NO. 10, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM M-3 (UNRESTRICTED MANUFACTURING) TO C-3 (COMMERCIAL) AND IMPOSING CONDITIONS; AND,

PARCEL 2: ALL OF TRACTS 6 AND 7, I. F. HARRISON SURVEY NO. 54 AND TRACT 3, J. BARKER SURVEY NO. 10, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-3 (RESIDENTIAL), A-2 (APARTMENT) AND M-1 (LIGHT MANUFACTURING) TO C-3 (COMMERCIAL) AND IMPOSING CONDITIONS; AND,

PARCEL 3: A PORTION OF TRACTS 6 AND 7, I. F. HARRISON SURVEY NO. 54, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-3 (RESIDENTIAL) AND A-2 (APARTMENT) TO R-5 (RESIDENTIAL); AND,

PARCEL 4: ALL OF TRACT 7, I.F. HARRISON SURVEY NO. 54, TRACTS 3 AND 3A, J. BARKER SURVEY NO. 10, AND TRACT 4F2B, A. F. MILLER SURVEY 215, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM M-1 (LIGHT MANUFACTURING), R-3 (RESIDENTIAL) AND A-2 (APARTMENT) TO R-3A (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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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: *All of Tract 4, J. Barker Survey No. 10, City of El Paso, El Paso County, Texas,* be changed from **M-3 (Unrestricted Manufacturing)** to **C-3 (Commercial)** and imposing conditions; and,

Parcel 2: *All of Tracts 6 and 7, I. F. Harrison Survey No. 54 and Tract 3, J. Barker Survey No. 10, City of El Paso, El Paso County, Texas,* be changed from **R-3 (Residential), A-2 (Apartment) and M-1 (Light Manufacturing)** to **C-3 (Commercial)** and imposing conditions; and,

Parcel 3: *A portion of Tracts 6 and 7, I. F. Harrison Survey No. 54, City of El Paso, El Paso County, Texas,* and more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from **R-3 (Residential) and A-2 (Apartment)** to **R-5 (Residential);** and,

Parcel 4: *All of Tract 7, I. F. Harrison Survey No. 54, Tracts 3 and 3A, J. Barker Survey No. 10, and Tract 4F2B A. F. Miller Survey 215, City of El Paso, El Paso County, Texas,* be changed from **M-1 (Light Manufacturing), R-3 (Residential) and A-2 (Apartment)** to **R-3A (Residential);** 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:

Parcels 1 and 2

1. The following uses shall not be permitted.
   Recreational Vehicle Park
   Contractor's Yard
   Bus Sales, Service, Storage, and Rental
   Boat and Boat Trailer Sales; Service, Storage, and Rental
   Contractor Equipment Sales, Storage; Repair, and Rental
   Farm Equipment Sales, Storage, Repair, and Rental
   Light Truck Sales, Storage, Repair, and Rental

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2. That a detailed site development plan be submitted and approved per code for commercial zoned districts to include the following:

a) That a 20 foot landscape buffer with evergreen trees 15 foot on center with a 2 inch caliper be required abutting all residential zoned uses. This requirement shall be in addition to the landscape requirements of the City Code.

b) That all off-street parking areas, trash receptacles and air conditioning units be screened to incorporate landscape and other screening materials.

c) That a 10 foot landscape buffer with evergreen trees 15 foot on center with a 2 inch caliper be required abutting Interstate Highway 10, excluding open space areas. This requirement shall be in addition to the landscape requirements of the City Code.

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:

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

Doc #39403/Planning/Ord/ZON08-00017 (Rezoning)/LCUE

ORDINANCE NO. _____

Zoning Case No: ZON08-00017

Being **Tract 4,**
J. Barker Survey No. 10,
City Of El Paso, El Paso County, Texas
February 26, 2008
(Parcel 1 C-3)

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being **Tract 4, J. Barker Survey No. 10**, City Of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at a found brass disk marking the northeast corner of tract 3A, John Barker survey No. 10, Thence along the line between tract 1 and 3, John Barker No. 10, **South 00°49'08" West** a distance of **2,252.05** feet to a set ½" rebar with cap "5152" set for the northeasterly corner of tract 4 as described in Book 3712, Page 1055, from which a found E.P.E.C. brass cap bears North 00°48'24" East a distance of 200.13 feet;

Thence along the easterly line of said tract 4, **South 00°48'24" West** (South 00°01'45" West, Bk. 3712, Pg. 1055) a distance of **1,283.08** feet (1283.47 feet, Bk. 3712, Pg. 1055) to a found TX.D.O.T. sheared concrete monument at the easterly right of way line of Interstate 10 as per R.O.W. Map Control No. 2121, Sect. 2, Job No. 27;

Thence with said right of way line, **North 21°16'42" West** (North 18°07'32" West, Cont 2121, Sect. 2, Job No. 27) a distance of **663.74** feet (661.79 feet, Cont 2121, Sect. 2, Job No. 27) to a found TX.D.O.T. brass cap;

Thence with said right of way line, **North 71°39'13" East** (North 71°52'28" East, Cont 2121, Sect. 2, Job No. 27) a distance of **49.73** feet (50.00 feet, Cont 2121, Sect. 2, Job No. 27) to a found TX.D.O.T. brass cap;

Thence with said right of way line, **North 21°53'42" West** (North 18°39'33" West, Cont 2121, Sect. 2, Job No. 27) a distance of **537.26** feet (536.77 feet, Cont 2121, Sect. 2, Job No. 27) to a found TX.D.O.T. brass cap;

Thence with said right of way line, **North 37°37'35" West** (North 34°27'12" West, Cont 2121, Sect. 2, Job No. 27) a distance of **175.03** feet (175.26 feet, Cont 2121, Sect. 2, Job No. 27) to a point the southerly line of 175 foot El Paso Electric Company Right of Way as described by Book 1357, Page 385, Book 1324, Page 273, and Book 552, Page 446, recorded with the El Paso County Deed Records, from which a found 1/2" rebar bears North 30°35'53" West a distance of 0.23 feet;

Thence leaving said right of way line, **North 88°42'39" East** (North 87°59' 00" East, Bk. 1324, Pg. 273) a distance of **519.06** feet to the "TRUE POINT OF BEGINNING" and containing in all 300,801.16 square feet or 6.90 acres of land more or less.

Bearing basis is true north for a transverse Mercator surface projection as determined by GPS methods centered at an El Paso Electric Company brass disk.

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STATE OF TEXAS
REGISTERED
RONALD ROBERT CONDE
5152
PROFESSIONAL
LAND SURVEYOR

3-3-08

job #108-72

Ron R. Conde
R.P.L.S. No. 5152

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

Being a portion of **Tracts 6 & 7,**
I.F. Harrison Survey No. 54 and Tract 3,
J. Barker Survey No. 10
City Of El Paso, El Paso County, Texas
PREPARED FOR: EPT LAND ASSETS L.P.
February 26, 2008
(Parcel 2 C-3)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of **Tracts 6 & 7, I.F. Harrison Survey No. 54 and Tract 3, J. Barker Survey No. 10,** City Of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at a found chiseled "X" at the most easterly corner of Rubin Heights Unit Two Replat "A" Amending Plat recorded in Volume 75, Page 53 of the El Paso County Plat Records, from which a found city monument disk at the intersection of Suncrest Drive and Rubin Drive bears, North 00°27'58" West a distance of 534.99 feet, Thence South 36°27'23" East a distance of 772.31 feet to a point for the "TRUE POINT OF BEGINNING".

Thence **152.51** feet along the arc of a curve to the right which has a radius of 405.30 feet, a central angle of **21°33'38"** and a chord which bears **South 05°51'06" West** a distance of **151.62 feet** to a point;

Thence **South 16°37'55" West** a distance of **83.06** feet to a point;

Thence **South 73°22'05" East** a distance of **95.63** feet to a point of curve;

Thence **149.35** feet along the arc of a curve to the right which has a radius of **432.00** feet, a central angle of **19°48'31"**, and a chord of **148.61** feet that bears **South 63°27'49" East**;

Thence **South 53°33'34" East** a distance of **839.39** feet to a point of curve;

Thence **388.71** feet along the arc of a curve to the right which has a radius of **456.00** feet, a central angle of **48°50'29"**, and a chord of **377.05** feet that bears **South 29°08'19" East**;

Thence **16.15** feet along the arc of a curve to the left which has a radius of **397.75** feet, a central angle of **02°19'34"**, and a chord of **16.15** feet that bears **South 05°52'52" East to a point on the southerly line of Tract 3, J. Barker Survey No. 10**;

Thence along said line **South 88°42'39" West** a distance of **143.68** feet to a point on the northeasterly right of way line of Interstate Highway No. 10;

Thence along said right of way line **North 37°37'35" West** a distance of **86.51** feet to a point;

Thence along said right of way line **North 53°33'34" West** a distance of **1031.67** feet to a point;

Thence along said right of way line **North 73°22'05" West** a distance of **596.01** feet to a point;

Thence along said right of way line **North 89°50'45" West** a distance of **1156.06** feet to a point;

Thence leaving said right of way line **North 57°42'45" East** a distance of **364.55** feet to a point;

Thence **South 21°57'44" East** a distance of **51.42** feet to a point;

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Thence **North 48°10'04" East** a distance of **472.49** feet to a point;

Thence **South 89°50'45" East** a distance of **545.02** feet to a point;

Thence **South 73°22'05" East** a distance of **504.29** feet to the "TRUE POINT OF BEGINNING" and containing **20.97** acres of land more or less.

Bearing basis is true north for a transverse Mercator surface projection as determined by GPS methods centered at an El Paso Electric Company brass disk.

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STATE OF TEXAS
REGISTERED
RONALD ROBERT CONDE
5152
PROFESSIONAL
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3-3-08

job #108-72

Ron R. Conde
R.P.L.S. No. 5152

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

Being a portion of **Tracts 6 & 7,**
I.F. Harrison Survey No. 54,
City Of El Paso, El Paso County, Texas
PREPARED FOR: EPT LAND ASSETS L.P.
February 26, 2008
(Parcel 3 R-5)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of **Tracts 6 & 7, I.F. Harrison Survey No. 54,** City Of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at a found chiseled "X" at the most easterly corner of Rubin Heights Unit Two Replat "A" Amending Plat recorded in Volume 75, Page 53 of the El Paso County Plat Records, from which a found city monument disk at the intersection of Suncrest Drive and Rubin Drive bears, North 00°27'58" West a distance of 534.99 feet, said chiseled "X" being the "TRUE POINT OF BEGINNING".

Thence along the westerly right of way extension of Suncrest Drive described as northeasterly line of Tract 6, I.F. Harrison Survey No. 54 recorded in Book 3019, Page 1895 with the El Paso County Deed Records, **378.95** feet along the arc of a curve to the left which has a radius of 695.00 feet, a central angle of **31°14'25"** and a chord which bears **South 36°00'23" East** a distance of **374.27 feet** to a set ½" rebar with cap "5152" at a point of tangency;

Thence along said right of way extension, **South 51°37'35" East** a distance of **90.00** feet to a found ⅝" rebar with cap "2998" at the common line between Tract 7 and Tract 6;

Thence with the westerly line of Tract 7, I.F. Harrison Survey No. 54 described in Book 3019, Page 1895 with the El Paso County Deed Records, **North 38°22'25" East** a distance of 26.00 feet to a point;

Thence **330.33** feet along the arc of a curve to the right which has a radius of **405.30** feet, a central angle of **46°41'53"**, and a chord of **321.26** feet that bears **South 28°16'39" East**;

Thence **North 73°22'05" West** a distance of **504.29** feet to a point at the southeasterly line of Rubin Heights Unit Two;

Thence **North 89°50'45" West** a distance of **545.02** feet to a point;

Thence **North 48°10'04" East** a distance of **476.66** feet to a point;

Thence **North 53°40'20" East** a distance of **265.80** feet to the "TRUE POINT OF BEGINNING" and containing **5.99** acres of land more or less.

Bearing basis is true north for a transverse Mercator surface projection as determined by GPS methods centered at an El Paso Electric Company brass disk.

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STATE OF TEXAS
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Ron R. Conde
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CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

Being **Tracts 7, I.F. Harrison Survey No. 54, Tracts 3 & 3A, J. Barker Survey No. 10, and Tract 4F2B, A. F. Miller Survey No. 215,**
City Of El Paso, El Paso County, Texas
PREPARED FOR: EPT LAND ASSETS L.P.
February 25, 2008
(Parcel 4 R-3A)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being **Tracts 7, I.F. Harrison Survey No. 54, Tracts 3 & 3A, J. Barker Survey No. 10, and Tract 4F2B, A. F. Miller Survey No. 215**, City Of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing city monument at the centerline intersection of Festival Dr and New Orleans Dr.; Thence North 75°39'29" West a distance of 121.29 feet , said chiseled "X" being the "TRUE POINT OF BEGINNING".

Thence, **South 00°04'14" West** a distance of **171.00** feet to a point at the north line of Tract 1, J. Barker Survey No. 10 as described by Book 1177, Page 0599 recorded with the El Paso County Deed Records;

Thence along said north line, **North 89°10'00" West** a distance of **633.05** feet to a found brass cap at the northwesterly corner of said Tract 1;

Thence along the west line of said Tract 1, **South 00°49'12" West** a distance of **1,976.87** feet to a point at the southeast corner of Tract 3, J. Barker Survey No. 10;

Thence, **South 88°42'39" West** a distance of **587.75** feet to a point;

Thence **16.15** feet along the arc of a curve to the right which has a radius of **397.75** feet, a central angle of **02°19'34"**, and a chord of **16.15** feet that bears **North 05°52'52" West**;

Thence **388.71** feet along the arc of a curve to the left which has a radius of **456.00** feet, a central angle of **48°50'29"**, and a chord of **377.05** feet that bears **North 29°08'19" West**;

Thence, **North 53°33'34" West** a distance of **839.39** feet to a point;

Thence **149.35** feet along the arc of a curve to the left which has a radius of **432.00** feet, a central angle of **19°48'31"**, and a chord of **148.61** feet that bears **North 63°27'49" West**;

Thence, **North 73°22'05" West** a distance of **95.63** feet to a point;

Thence, **North 16°37'55" East** a distance of **83.06** feet to a point;

Thence **482.85** feet along the arc of a curve to the left which has a radius of **405.30** feet, a central angle of **68°15'31"**, and a chord of **454.79** feet that bears **North 17°29'50" West**;

Thence, **North 38°22'25" East** a distance of **9.00** feet to a point;

Thence, **North 51°37'35" West** a distance of **90.00** feet to a point;

Thence **360.00** feet along the arc of a curve to the right which has a radius of **660.00** feet, a central angle of **31°15'08"**, and a chord of **355.55** feet that bears **North 36°00'01" West**;

Thence **North 69°37'36" East** a distance of **35.00** feet to a point at the southwesterly corner of Lot 1, Block 2, Rubin Heights Unit One recorded in Volume 37, Page 8 with the El Paso County Plat Records;

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Thence with the southerly line of said lot, **North 85°08'41" East** a distance of **665.73** feet to a point;

Thence continuing with the southerly line of said lot, **North 68°51'17" East** a distance of **480.17** feet to a point at the common line between I.F. Harrison No. 54 and A.F. Miller Survey No. 215;

Thence with said common line, **North 00°50'42" East** a distance of **23.28** feet to a point;

Thence continuing with said common line, **North 00°48'05" East** a distance of **22.00** feet to a point on the southerly line of Fiesta Hills Addition Unit Three recorded in Volume 19, Page 28 with the El Paso County Plat Records;

Thence along the southerly line of said Fiesta Hills Addition Unit Three, **North 77°12'38" East** a distance of **1,463.16** feet to a point on the westerly line of Fiesta Hills Addition Unit Four recorded in Volume 52, Page 11, of the El Paso County Plat Records,

Thence with said westerly line, **South 00°48'00" West** a distance of **260.73** feet to a point at the southwest corner of Lot 36, Block 3, Fiesta Hills Addition Unit Four;

Thence along the southerly line of said lot 36, **South 89°55'57" East** a distance of **153.25** feet to the "TRUE POINT OF BEGINNING" and containing in all **4,325,020.78** square feet or **72.33** acres of land more or less.

Bearing basis is true north for a transverse Mercator surface projection as determined by GPS methods centered at an El Paso Electric Company brass disk.

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

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

VICTOR Q. TORRES
DIRECTOR, DEVELOPMENT SERVICES

MATHEW S. MCELROY
DEPUTY DIRECTOR, PLANNING

CITY COUNCIL

ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN, JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

DEVELOPMENT SERVICES
PLANNING DIVISION

M E M O R A N D U M

DATE: June 2, 2008

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

FROM: Arturo Rubio, Planner

SUBJECT: **ZON08-00017**

The City Plan Commission (CPC), on June 19, 2008, voted **6-0** to recommend **APPROVAL** of rezoning the subject property as follows, Parcel 1: From M-3 (Unrestricted Manufacturing) to C-3 (Commercial), Parcel 2; From R-3 (Residential), A-2 (Apartment) and M-1 (Light Manufacturing) to C-3 (Commercial), Parcel 3: From R-3 (Residential) and A-2 (Apartment) to R-3A (Residential) and Parcel 4: From M-1 (Light Manufacturing), R-3 (Residential) and A-2 (Apartment) with conditions on parcels 1 and 2.

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 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 was approved by the CPC on May 22, 2008 and submitted for reconsideration on June 19, 2008. The Rezoning case was submitted for reconsideration to correct an error on the existing zoning districts on subject property advertised on the original CPC agenda and public notice.

There were two calls and one letter in opposition.

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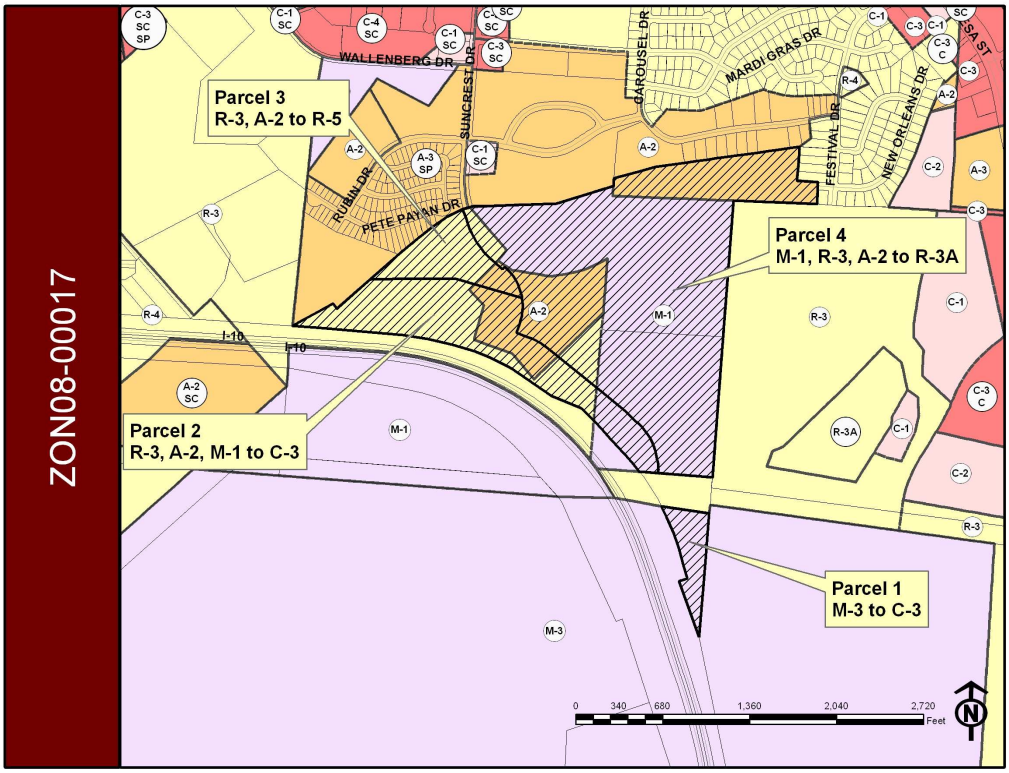
Attachment: Staff Report

Application Type:	Rezoning
Property Owners:	EPT Monticello Development West, LP
Representatives:	Conde Inc.
Legal Description:	Tracts 6 & 7, I.F. Harrison Survey No. 54, Tracts 3 & 3A, J. Barker Survey No. 10, and Tract 4F2B, A.F. Miller Survey No. 215, Tract 4, J. Barker Survey No. 10, City of El Paso, El Paso County, Texas
Location:	North of Interstate-10 and South of Pete Payan Drive
Representative District:	8 ***Area:*** 106.19 acres ***Present Use:*** Vacant
Proposed Use:	Residential and commercial development
Present/ Proposed Zoning:	Parcel 1: M-3 to C-3 Parcel 2: R-3, A-2 and M-1 to C-3 Parcel 3: R-3 and A-2 to R-5 Parcel 4: M-1, R-3 and A-2 to R-3A
Recognized Neighborhood Associations Contacted:	Save the Valley, Coronado Neighborhood Association, Upper Mesa Hills Neighborhood Association , Mesa Hills Neighborhood Association and Upper Valley Improvement Association
Public Response:	Two phone calls and one letter in opposition.
Surrounding Land Uses:	**North:** A-3/sp Apartments; **South:** M-1, M-3 Asarco; **East:** R-3, single-family residential; **West:** R-3, single-family residential
Year 2025 Designation:	**Residential/Commercial/Industrial** (North West Planning Area)



General Information:
The applicant is requesting a rezoning of Parcel 1: M-3 (Unrestricted Manufacturing) to C-3 (Commercial), Parcel 2: R-3 (Residential), A-2 (Apartment) and M-1 (Light Manufacturing) to C-3 (Commercial), Parcel 3: R-3 (Residential) and A-2 (Apartment) to R-5 (Residential), and Parcel 4: M-1 (Light Manufacturing), R-3 (Residential) and A-2 (Apartment) to R-3A (Residential). The property is a total of 106.19 acres and is currently vacant. There are no existing conditions on properties. Access is proposed via New Orleans Drive and Suncrest Drive and commercial access through proposed collector arterial Monte Casino.

Staff Recommendation:
The Development Coordinating Committee (DCC) recommends **Approval** of this request with conditions on parcels 1 and 2, proposed C-3.

1. That the following uses be restricted:

    1. Recreational Vehicle Park
    2. Contractor's Yard
    3. Bus Sales, Service, Storage, and Rental
    4. Boat and Boat Trailer Sales; Service, Storage, and Rental
    5. Contractor Equipment Sales, Storage; Repair, and Rental
    6. Farm Equipment Sales, Storage, Repair, and Rental
    7. Light Truck Sales, Storage, Repair, and Rental

2. That a detailed site development plan be submitted and approved per code for commercial zoned districts.

3. That a 20 foot landscape buffer with evergreen trees 15 foot on center with a 2 inch caliper be required abutting all residential zoned uses. This requirement shall be in addition to the landscape requirements of the City Code.

4. That all off-street parking areas, trash receptacles and air conditioning units be screened to incorporate landscape and other screening materials.

5. That a 10 foot landscape buffer with evergreen trees 15 foot on center with a 2 inch caliper be required abutting Interstate Highway 10 excluding open space areas. This requirement shall be in addition to the landscape requirements of the City Code.

The recommendation is based on the following:

- **The Plan for El Paso** City-Wide Land Use Goals recommends that El Paso "Provide a wide rage of housing types that respond to the needs of all economic segments of the community."

- ***The Plan for El Paso*** City-Wide Land Use Goals recommends that El Paso "provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development."

- **The Year 2025 Projected General Land Use Map** for the **North West Planning Area** designates this property for **Residential, Commercial and Industrial** land uses.

- **C-3, R-5 and R-3A** zoning districts permit commercial and residential development and **are compatible** with adjacent residential and manufacturing districts.

Findings:
The Commission must determine the following:

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

Development Services Department - Building Permits and Inspections Division:
Zoning Review*:* No objection to the proposed re-zoning request.
Landscape Review*:* No comments received.

Development Services Department - Planning Division:
Current Planning: Recommends **approval** of request to rezone Parcels 1, 2, 3 and 4 with conditions on parcels 1 and 2, proposed C-3.

Land Development:
No comments received.

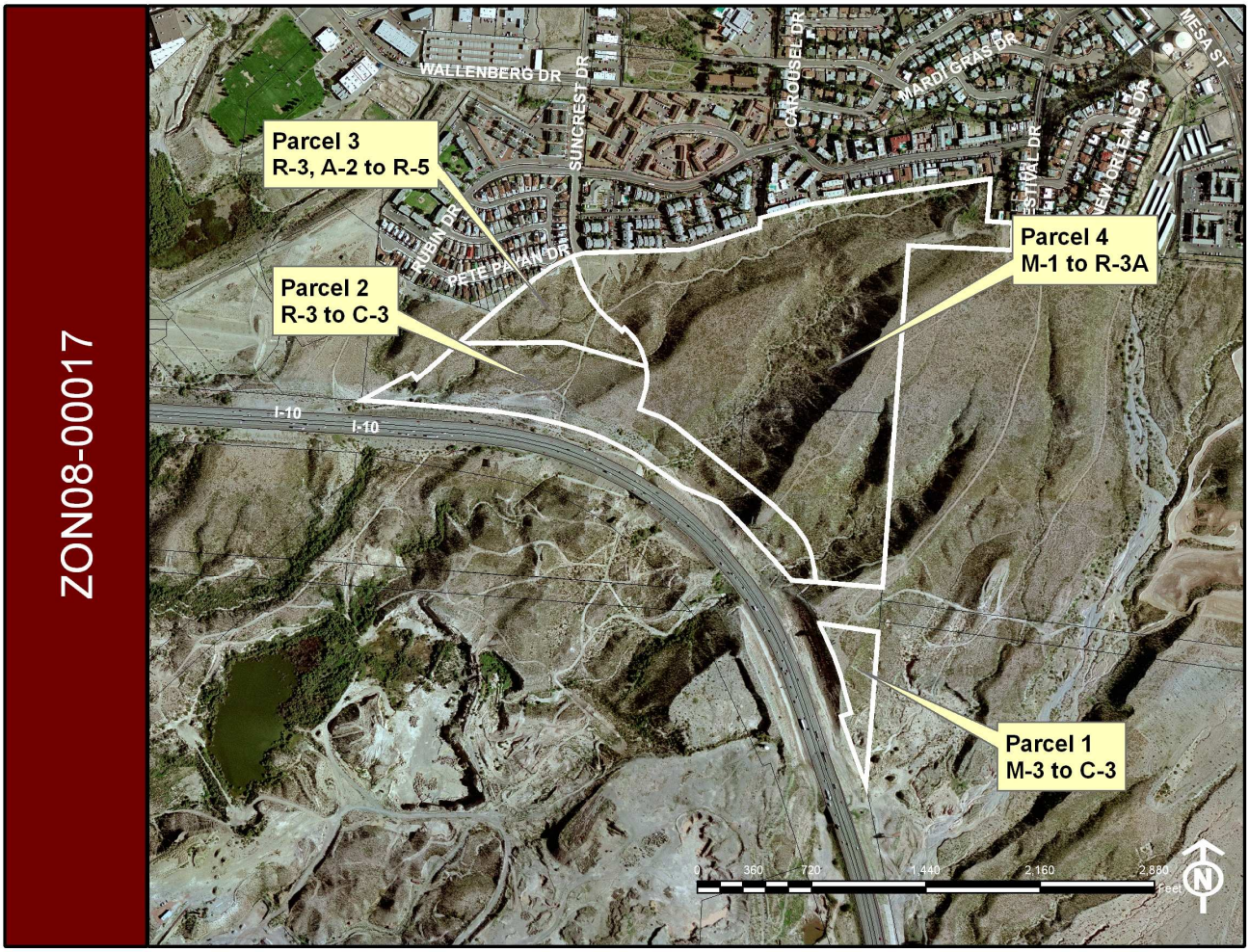
Engineering Department-Traffic Division:
Traffic has no objections to rezoning request.

Fire Department
No comments received.

El Paso Water Utilities:
EPWU-PSB does not object to this request.

Sun Metro: No comments

Parks: No comments

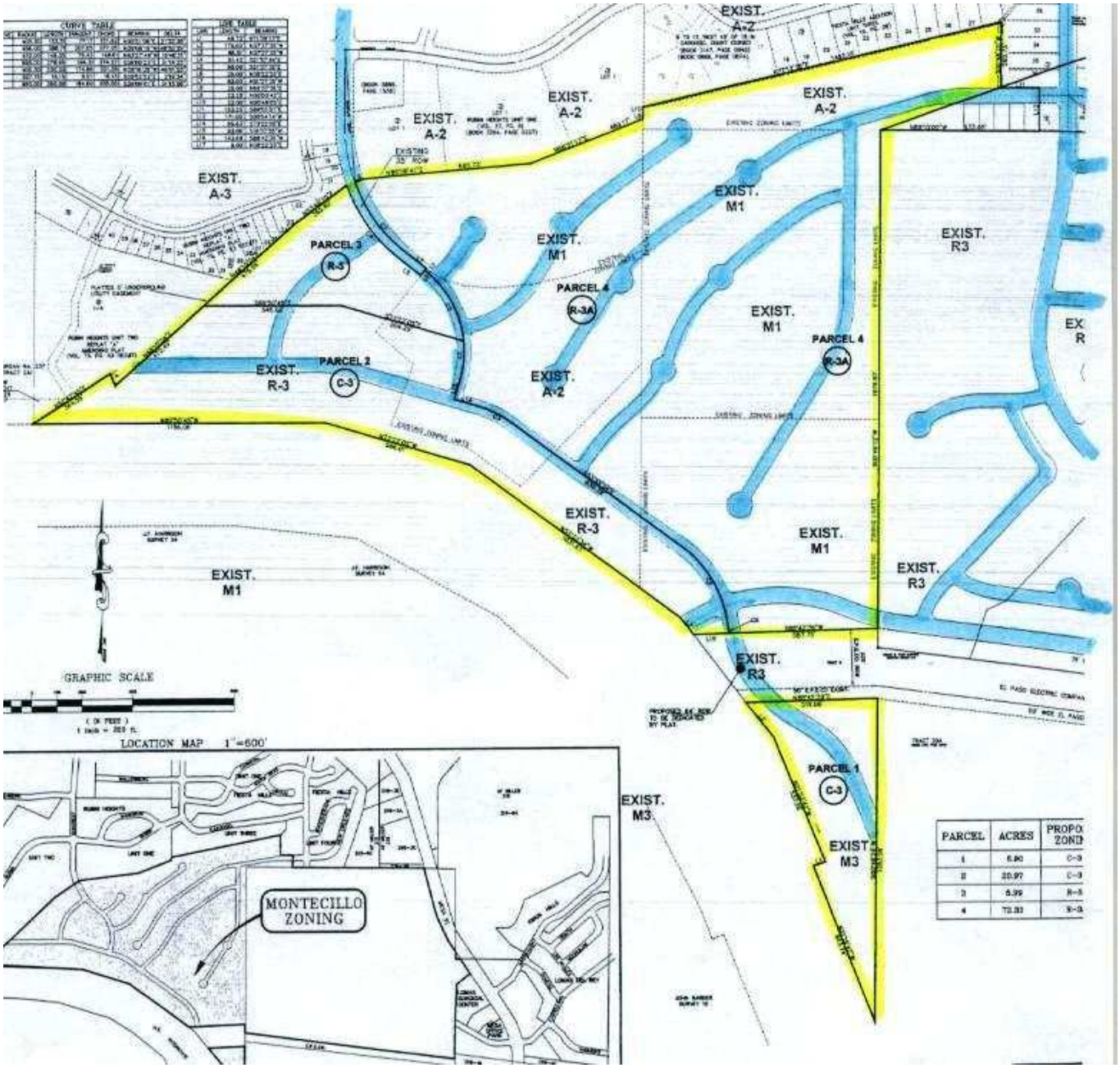


Attachments:

Attachment 1: Conceptual Site Plan
Attachment 2: Boundary Site Survey
Attachment 3: Letter of Opposition
Attachment 4: Application

Attachment 1: Conceptual Site Plan

Attachment 2: Boundary Site Survey



Rubio, Arturo

From: Manuel Perez
Sent: Wednesday, June 18, 2008 3:58 PM
To: Rubio, Arturo
Cc: Mr. Jerry Jarvis; Ms. Robbie Paul CPA
Subject: Case ZON08-00017

Dear Mr. Rubio,

I want to file my opposition to this rezoning case on my behalf and on behalf of the Mesa Hills Neighborhood Association. We are an association recognized by the City, bound by I-10, Executive Center, Mesa St and Sunland Park Dr. As you can see, this rezoning application is in the heart of our neighborhood, but despite this, we have not been contacted regarding this application. Due to previous commitments we can not be represented at this hearing. Therefore we request that this case be postponed until we are notified and we have time to review the details of this application.

The MHNA President is Jerry Jarvis and the Treasurer is Robbie D. Paul. Please contact them at the e-mails listed.

Manuel Perez, P.E.
121 Masquerade Ln

CITY CLERK DEPT.
08 JUN 27 AM 11:14

6/18/2008

Attachment 4: Application

03/03/2008 13:35 FAX 915 592 0286 CONDE INC 002

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

CITY OF EL PASO PAID MAR 11 2008 DEVELOPMENT SERVICES DEPT.

1. CONTACT INFORMATION

PROPERTY OWNER(S): EPT Montecillo Development West, LP
ADDRESS: 8201 Lockheed, Stie. 235 ZIP CODE: 79925 PHONE: 915-779-7271
APPLICANT(S): EPT Mesa Development
ADDRESS: 8201 Lockheed, Stie. 235 ZIP CODE: 79925 PHONE: 915-779-7271
REPRESENTATIVE(S): Conde, Inc.
ADDRESS: 1790 Lee Trevino, Suite 400 ZIP CODE: 79936 PHONE: 592-0288
E-MAIL ADDRESS: cconrad@elp.rr.com

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: ~~X010-999-0000-0100~~ X010-999-0000-0400 mc
LEGAL DESCRIPTION: Being Tract 4, J. Barker Survey No. 10, City of El Paso, El Paso County, Texas
STREET ADDRESS OR LOCATION: U. S. Interstate Highway 10
ACREAGE: 6.90 ac PRESENT ZONING: M-3 PRESENT LAND USE: VACANT
PROPOSED ZONING C-3 PROPOSED LAND USE: To Allow for Commercial Development
ADDRESS: ZIP CODE: PHONE:
E-MAIL ADDRESS: cconrad@elp.rr.com

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: ~~X010-999-0000-0100~~ X010-999-0000-0800 mc
LEGAL DESCRIPTION: Being Tracts 6 and 7, I. F. Harrison Survey No. 54 and Tract 3, J. Barker Survey No. 10, City of El Paso, El Paso County, Texas
STREET ADDRESS OR LOCATION: U. S. Interstate Highway 10
ACREAGE: 20.97 ac. PRESENT ZONING: R-3, A-2, M-1 PRESENT LAND USE: VACANT
PROPOSED ZONING: C-3 PROPOSED LAND USE: To Allow for Commercial Development
ADDRESS: ZIP CODE: PHONE:
E-MAIL ADDRESS: cconrad@elp.rr.com

4. PARCEL THREE INFORMATION

PROPERTY IDENTIFICATION NUMBER: ~~X010-999-0000-0100~~ X215-999-0000-6400 mc
LEGAL DESCRIPTION: Being a portion of Tracts 6 & 7, I. F. Harrison Survey No. 54, City of El Paso, El Paso County, Texas
STREET ADDRESS OR LOCATION: U. S. Interstate Highway 10
ACREAGE: 5.99 ac PRESENT ZONING: R-3 / A-2 PRESENT LAND USE: VACANT
PROPOSED ZONING R-5 PROPOSED LAND USE To Allow for Residential Development
ADDRESS: ZIP CODE: PHONE:
E-MAIL ADDRESS: cconrad@elp.rr.com

5. ADDITIONAL INFORMATION

OWNER (S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
Printed Name: EPT Montecillo Dev. W. LP Signature:
Printed Name: Richard Aguilar 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 08-00017 RECEIVED DATE: 03/11/08 APPLICATION FEE: $1385.00
DCC REVIEW DATE: 04/09/08 (8:30 am. Planning Department Conference Room, 2nd Floor, City Hall Building)
CPC REVIEW DATE: 05/08/08 (1:30 pm. City Council Chambers, 2nd Floor, City Hall Building)
ACCEPTED BY: FUND -01101, DEPT ID -99010335, ACCOUNT -404126

03/03/2008 13:35 FAX 915 592 0286 CONDE INC 003

REZONI[illegible] APPLICATION
PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT
CITY OF EL PASO

1. CONTACT INFORMATION

PROPERTY OWNER(S): EPT Montecillo Development West, LP
ADDRESS: 8201 Lockheed, Stie. 235 ZIP CODE: 79925 PHONE: 915-779-7271
APPLICANT(S): EPT Mesa Development
ADDRESS: 8201 Lockheed, Stie. 235 ZIP CODE: 79925 PHONE: 915-779-7271
REPRESENTATIVE(S): Conde, Inc.
ADDRESS: 1790 Lee Trevino, Suite 400 ZIP CODE: 79936 PHONE: 592-0283
E-MAIL ADDRESS: cconrad@elp.rr.com

2. PARCEL FOUR INFORMATION

PROPERTY IDENTIFICATION NUMBER: ~~X010-999-0000-0100~~ X010-999-000D-0300 mk
LEGAL DESCRIPTION: Being Tracts 7, I.F. Harrison Survey No.54, Tracts 3 & 3A,J. Barker Svy No. 10, and Tract 4F2B A. F. Miller Svy 215 City of El Paso, El Paso County, TX
STREET ADDRESS OR LOCATION: U. S. Interstate Highway 10
ACREAGE: 72.33 ac PRESENT ZONING: A-2 / R-3 PRESENT LAND USE: VACANT
PROPOSED ZONING R-3A PROPOSED LAND USE: To Allow for
ADDRESS: ZIP CODE: PHONE:
E-MAIL ADDRESS: cconrad@elp.rr.com

3. PARCEL FIVE INFORMATION

PROPERTY IDENTIFICATION NUMBER:
LEGAL DESCRIPTION:
STREET ADDRESS OR LOCATION:
ACREAGE: PRESENT ZONING: PRESENT LAND USE:
PROPOSED ZONING: PROPOSED LAND USE:
ADDRESS: ZIP CODE: PHONE:
E-MAIL ADDRESS:

4. PARCEL SIX INFORMATION

PROPERTY IDENTIFICATION NUMBER:
LEGAL DESCRIPTION:
STREET ADDRESS OR LOCATION:
ACREAGE: PRESENT ZONING: PRESENT LAND USE:
PROPOSED ZONING PROPOSED LAND USE
ADDRESS: ZIP CODE: PHONE:
E-MAIL ADDRESS:

5. ADDITIONAL INFORMATION

OWNER (S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
Printed Name: EPT Montecillo Dev. W. LP Signature:
Printed Name: Richard Aguilar 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: 03/11/08 APPLICATION FEE:$ 1
DCC REVIEW DATE: __/__/__ (8:30 am. Planning Department Conference Room. 2nd Floor. City Hall Building)
CPC REVIEW DATE: __/__/__ (9:30 am. City Council Chambers. 2nd Floor. City Hall Building)
ACCEPTED BY: FUND -01101. DEPT ID -99010335. ACCOUNT -404126