

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

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

**AGENDA DATE:** Consent Item: November 8, 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 all of Lot 1, Block 42, Ridge View Estates Unit 16, 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: 1452 Redd Road. Applicant: EZAR Properties, L.P. PZDS11-00019 (**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

\*\*\*\*\*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 ALL OF LOT 1, BLOCK 42, RIDGE VIEW ESTATES UNIT 16, 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**

**WHEREAS**, on June 8, 2010, City Council rezoned the property described as All of Lot 1, Block 42, Ridge View Estates Unit 16, City of El Paso, El Paso County, Texas, from **R-3A/sc (Residential/special contract) to C-1/sc (Commercial/special contract) and C-3/sc (Commercial/special contract)** 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, **EZAR Properties, 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-1/sc (Commercial/special contract) and C-3/sc (Commercial/special contract)** 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; and,

**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 property described as *All of Lot 1, Block 42, Ridge View Estates Unit 16, City of El Paso, El Paso County, Texas*, the City Council hereby

approves the detailed site development plan. The detailed site development plan is subject to the development standards in the **C-1/sc (Commercial/special contract) and C-3/sc (Commercial/special contract)** 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-1/sc (Commercial/special contract) and C-3/sc (Commercial/special contract)** 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-1/sc (Commercial/special contract) and C-3/sc (Commercial/special contract)** 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 NEXT PAGE*

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**



Lupe Cuellar  
Assistant City Attorney

---

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

(Agreement on following page)

**DEVELOPMENT AGREEMENT**

By execution hereof, **EZAR Properties, L.P.** ("Owner"), identified in the Resolution to which this Development Agreement is attached, hereby covenant and agree, to develop the above-described property in accordance with the approved Detailed Site Development Plan, and in accordance with the standards applicable to the **C-1/sc (Commercial/special contract) and C-3/sc (Commercial/special contract)** District located within the City of El Paso.

**EXECUTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

EZAR Properties, L.P.

By: \_\_\_\_\_

**ACKNOWLEDGMENT**

**THE STATE OF TEXAS** )

)

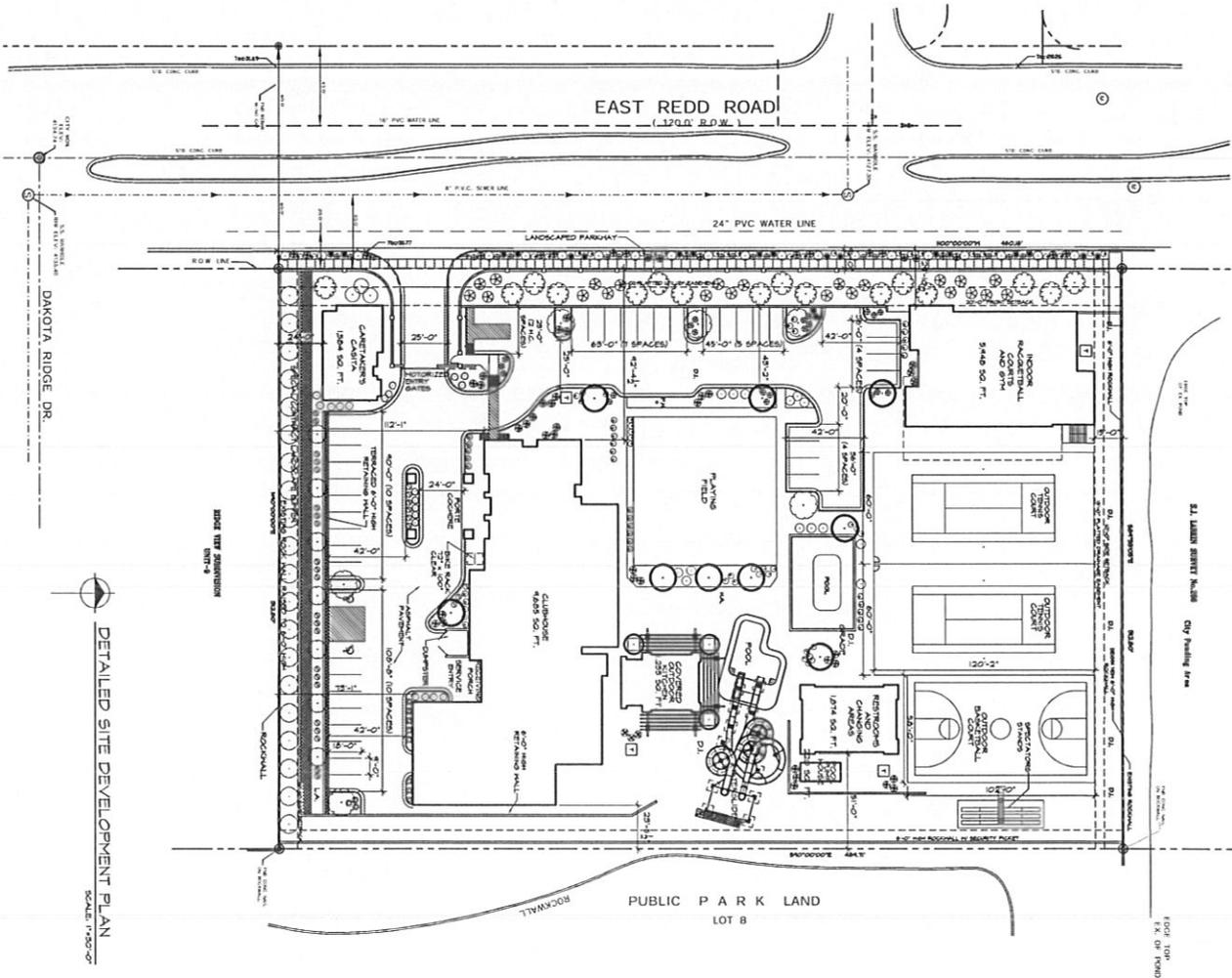
**COUNTY OF EL PASO** )

This instrument is acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by \_\_\_\_\_, in his legal capacity on behalf of EZAR Properties, L.P.

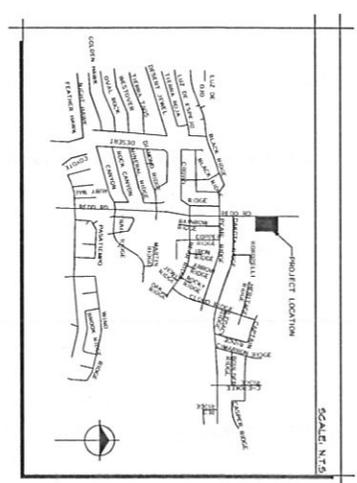
\_\_\_\_\_  
Notary Public, State of Texas

My Commission Expires:

\_\_\_\_\_



DETAILED SITE DEVELOPMENT PLAN  
SCALE: 1"=50'-0"



**PARKING SUMMARY**

<b>PLAYING AREAS:</b>	
NORMAN MACDONALD COURT AND OTHER 5448 SQ. FEET	42 SPACES
CLUBHOUSE 4689 SQ. FEET	30 SPACES
TOTAL ANTHETIC FACILITY	72 SPACES
CONTRIBUTION CARVA	10 SPACES
CONTRIBUTION STATION	10 SPACES
<b>TOTAL REQUIRED PARKING:</b>	<b>82 SPACES</b>
<b>PROVIDED PARKING:</b>	<b>82 SPACES</b>

<b>LANDSCAPE AREA CALCULATIONS:</b>	
LOT 1, BLOCK 42	143,266 SQ. FT.
RISEVIEW SUBDIVISION UNIT 16	10,719 SQ. FT.
CITY OF EL PASO	12,200 SQ. FT. (1/4)
EL PASO COUNTY, TEXAS	

**LEGAL DESCRIPTION**  
LOT 1, BLOCK 42  
RISEVIEW SUBDIVISION UNIT 16  
CITY OF EL PASO  
EL PASO COUNTY, TEXAS

**PLANTS REQUIRED:**  
FRONTAGE TREES: 10 REQUIRED  
CANOPY TREES: 5 REQUIRED  
SHALLON GROUND COVER PLANTS: 110 REQUIRED  
FINAL LANDSCAPE DESIGN TO BE IN COMPLIANCE WITH THE CITY OF EL PASO MUNICIPAL CODE

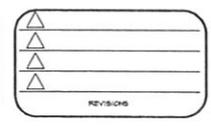
A1.0

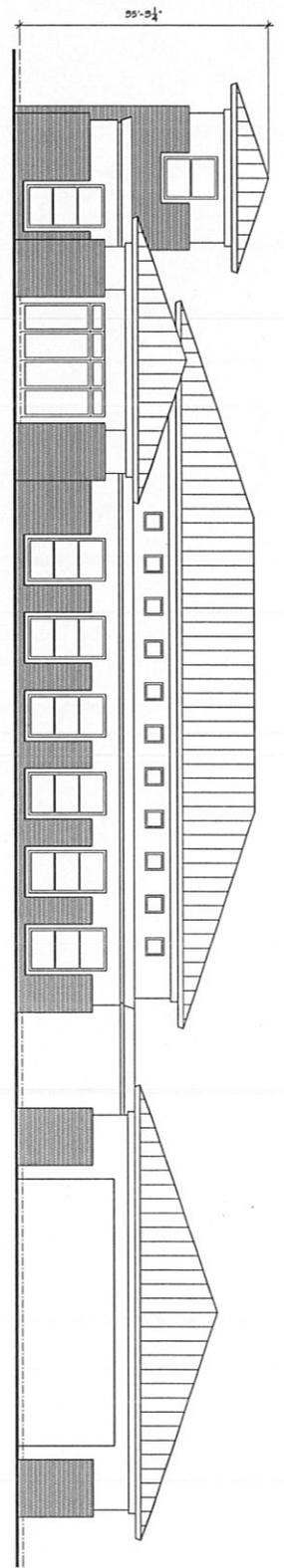


**DESIGN ALLIANCE**  
2720 E. VANDERL  
EL PASO, TEXAS  
PH (915) 833-9633  
FX (915) 664-6533

**SITE IMPROVEMENT PLAN**  
FOR A  
**PRIVATE RECREATIONAL FACILITY**  
1452 REDD ROAD  
EL PASO, TX 79911

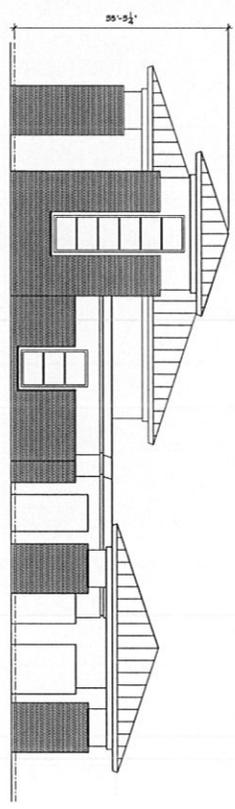
**PROJECT INFORMATION**  
PROJECT NAME: PRIVATE RECREATIONAL FACILITY  
DATE: 04/20/2011





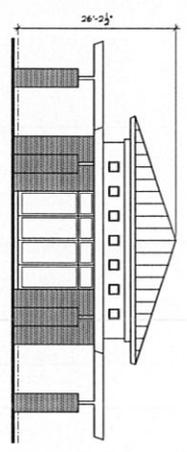
SOUTH ELEVATION - CLUBHOUSE

SCALE: 1/8" = 1'-0"



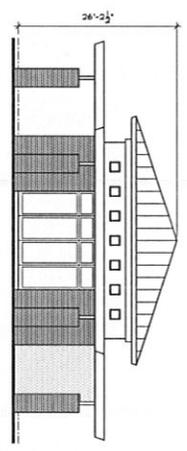
WEST ELEVATION - CLUBHOUSE

SCALE: 1/8" = 1'-0"



WEST ELEVATION - COVERED OUTDOOR KITCHEN

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION - COVERED OUTDOOR KITCHEN

SCALE: 1/8" = 1'-0"

NO.	DATE	REVISIONS

PROJECT ARCHITECT  
 OCTOBER 30, 2018  
 DATE  
 PROJECT NUMBER

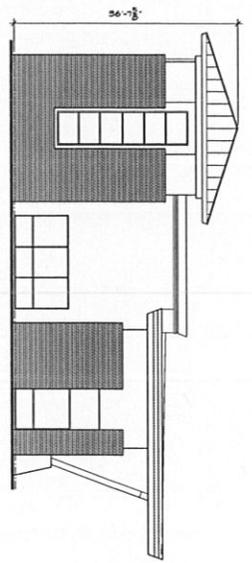
ELEVATIONS  
 FOR A  
 PRIVATE RECREATIONAL FACILITY  
 1452 REDDO ROAD EL PASO, TX 79911

**DESIGN ALLIANCE**  
 2729 E. VANDERL  
 EL PASO, TEXAS  
 79903  
 PH: (915) 835-8833  
 FX: (915) 582-8833

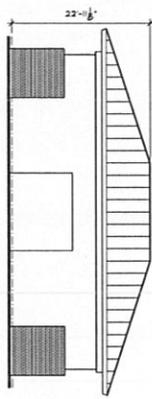


A3.0

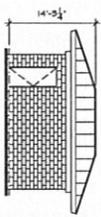




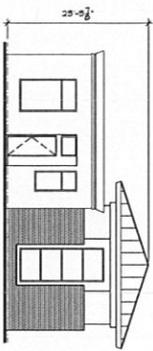
WEST ELEVATION - RACQUETBALL COURTS & GYM  
SCALE: 1/8" = 1'-0"



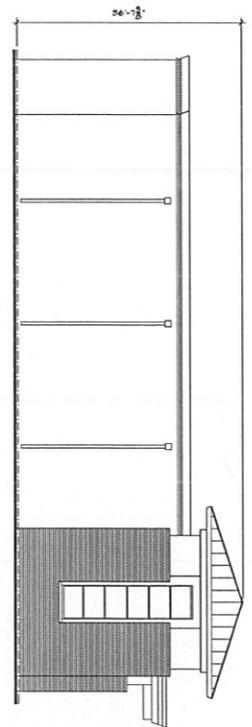
WEST ELEVATION - RESTROOMS & CHANGING AREA  
SCALE: 1/8" = 1'-0"



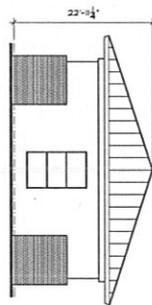
WEST ELEVATION - POOL EQUIPMENT SHED  
SCALE: 1/8" = 1'-0"



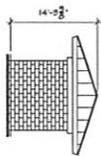
NORTH ELEVATION - CARETAKER'S CASITA  
SCALE: 1/8" = 1'-0"



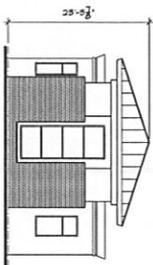
SOUTH ELEVATION - RACQUETBALL COURTS & GYM  
SCALE: 1/8" = 1'-0"



SOUTH ELEV. - RESTROOMS & CHANGING AREA  
SCALE: 1/8" = 1'-0"



SOUTH ELEV. - POOL EQUIPMENT SHED  
SCALE: 1/8" = 1'-0"



WEST ELEVATION - CARETAKER'S CASITA  
SCALE: 1/8" = 1'-0"

NO.	DATE	REVISIONS

DATE: OCTOBER 20, 2011  
PROJECT NUMBER:  

ELEVATIONS  
FOR A  
PRIVATE RECREATIONAL FACILITY  
1452 REDD ROAD EL PASO, TX 79911

DESIGN ALLIANCE  
2720 E. VANDEL  
EL PASO, TEXAS  
PH (979) 790-6333  
FX (979) 564-9339



A3.1

**MEMORANDUM**

**DATE:** October 27, 2011

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

**FROM:** Andrew Salloum, Planner

**SUBJECT:** PZDS11-00019

---

The City Plan Commission (CPC), on October 20, 2011, voted 4-0 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:** PZDS11-00019  
**Application Type** Detailed Site Development Plan Review  
**CPC Hearing Date** October 20, 2011  
**Staff Planner** Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

**Location** 1452 Redd Road  
**Legal Description** Lot 1, Block 42, Ridge View Estates Unit 16, City of El Paso, El Paso County, Texas  
**Acreage** 3.30 acres  
**Rep District** 1  
**Existing Use** Vacant  
**Existing Zoning** C-1/sc (Commercial/special contract) and C-3/sc (Commercial/special contract)  
**Request** Detailed Site Plan Review per Ordinance No. 9363  
**Propose Use** Private Recreation Facility

**Property Owner** EZAR Properties, L.P.  
**Applicant** Elsa Esther Carrillo  
**Representative** Design Alliance, LLC

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

**North:** C-3/c (Commercial/conditions) / Pond Area  
**South:** R-3A/sc (Residential/special contract) / Single-family dwellings  
**East:** C-3/sc (Commercial/special contract) / South Dakota Park  
**West:** R-3A/sc (Residential/special contract) / Single-family dwellings

**THE PLAN FOR EL PASO DESIGNATION:** Residential (Northwest Planning Area)

**Nearest Park:** South Dakota Park (525feet)

**Nearest School:** Tippin Elementary (3,174 feet)

### **NEIGHBORHOOD INPUT**

Detailed Site Development Plan Review does not require public notification as per Section 20.04.520, Notice.

### **HISTORY CASE**

On May 5, 2011, CPC approved a detailed site development plan review for this subject property and on June 3, 2011, City Council also approved the detailed site plan; however, the applicant has modified the approved site plan which requires a review and approval of the modified plan.

### **APPLICATION DESCRIPTION**

The request is for a Detailed Site Development Plan Review as required by Ordinance No. 9363, Condition No. 9, dated June 8, 2010, (see Attachment 6, page 14). The site plan includes changes from a previously approved site plan dated June 3, 2011 as follows: the clubhouse has decreased in size from 10,953 sq.ft. to 9,685 sq.ft., the indoor racquetball courts and gym has increased in size from 4,930 sq.ft. to 5,948 sq.ft., the covered outdoor kitchen has increased in size from 780 sq.ft. to 1,255 sq.ft., the restroom/changing area has increased in size from 1,336 sq.ft. to 1,874 sq.ft, the caretaker's dwelling has increased in size from 1,170 sq.ft. to 1,584 sq.ft., A 220 sq. ft. pool pump house was added and a hammerhead turn around required by Fire Department, has been added.

The development requires 30 parking spaces; and the applicant is providing 42 parking spaces and 4 bicycle parking spaces under the previous parking minimum requirements. Access to the subject property is proposed from Redd Road.

The following condition was imposed by Ordinance No. 17341, dated June 8, 2010, for a landscaped buffer on the southerly portion of the subject property abutting the residential district at the time property rezoned from R-3A/sc (Residential/special contract) to C-1/sc (Commercial) (see Attachment 6, page 19):

*That a ten (10) foot landscaped buffer with high-profile native trees of at least two (2) inch caliper and ten (10) feet in height shall be placed at fifteen (15) feet on center along the southerly property line adjacent to any residential or apartment zoning district. The landscaped buffer shall be in addition to the landscape requirements of Title 18 of the El Paso City Code, shall be irrigated and maintained by the property owner at all times, and shall be installed prior to the issuance of any certificates of occupancy. The existing slope shall be preserved within the ten (10) feet of the property line in order to accommodate the landscaped buffer.*

The site plan complies with this condition.

#### **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. Planning recommends landscaping the parkway with trees and shrubs.

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

All applications for detailed site development plan 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: develop a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.
- c. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- d. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.

The purpose of the C-1 (Commercial) district is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood convenience goods and services that serve day-to-day needs. The regulations of the districts will permit location of business and professional offices and retail category uses within adjacent residential areas of medium and high densities.

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**. Planning recommends landscaping the parkway with trees and shrubs.

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

No comments received.

**Engineering & Construction Management Service Department – Landscaping**

This project meets code under 18.46 of the current landscape ordinance.

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

General Comments:

1. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.\*
2. Grading plan and permit shall be required. \*
3. Storm Water Pollution Prevention Plan and/or permit required\*
4. Drainage plans must be approved by the Engineering and Construction Management Department, Land Development Section. \*
5. The Subdivision is within Flood Zone C – “Areas determined to be outside the 0.2% annual chance floodplain.” – Panel # 480214 0017C, dated February 5, 1986. \*

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

**Department of Transportation**

Department of Transportation does not object to the proposed revisions of the detailed site plan.

Notes:

All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

**Fire Department**

Fire review passed. Turn around on access required as agreed.

**Sun Metro**

Sun Metro does not oppose this request. Recommends the construction of sidewalks along Redd Road to provide accessibility to mass transit opportunities.

**El Paso Water Utilities**

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

1. EPWU does not object to this request.

EPWU-PSB Comments

Water:

2. There is an existing 24-inch diameter water transmission main on the east side of Redd Road. Also, there is an existing 16-inch diameter water transmission main along the west side of Redd Road. No direct service connections are allowed to these mains as per the El Paso Water Utilities – Public Service Board Rules and Regulations. A water distribution main extension will be required to provide service to the subject property.

Sewer:

3. There is an existing 8-inch diameter sanitary sewer main along Redd Road fronting the subject property.

General:

4. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat with street names and addresses; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current 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 October 12, 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 special permit and detailed site development plan application:

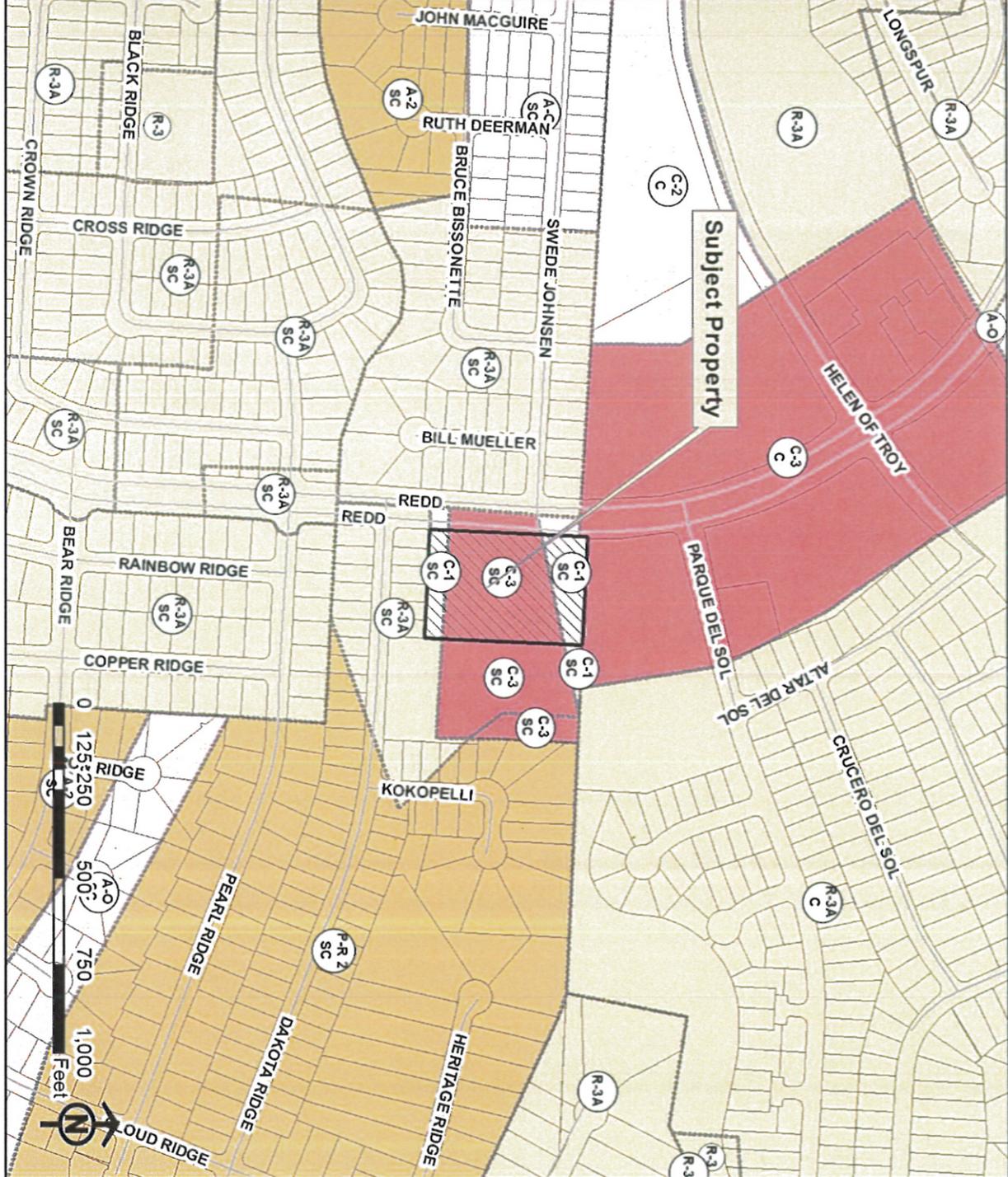
1. Recommend approval of the application finding that the detailed site development plan is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan
2. Recommend approval of the application with modifications to 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. Previously Approved Detailed Site Development Plan, dated June 3, 2011
4. New Detailed Site Development Plan
5. Elevations
6. Ordinance No. 9363, dated April 26, 1988
7. Ordinance No. 17341. dated June 8, 2010

ATTACHMENT 1: ZONING MAP

PZDS11-00019

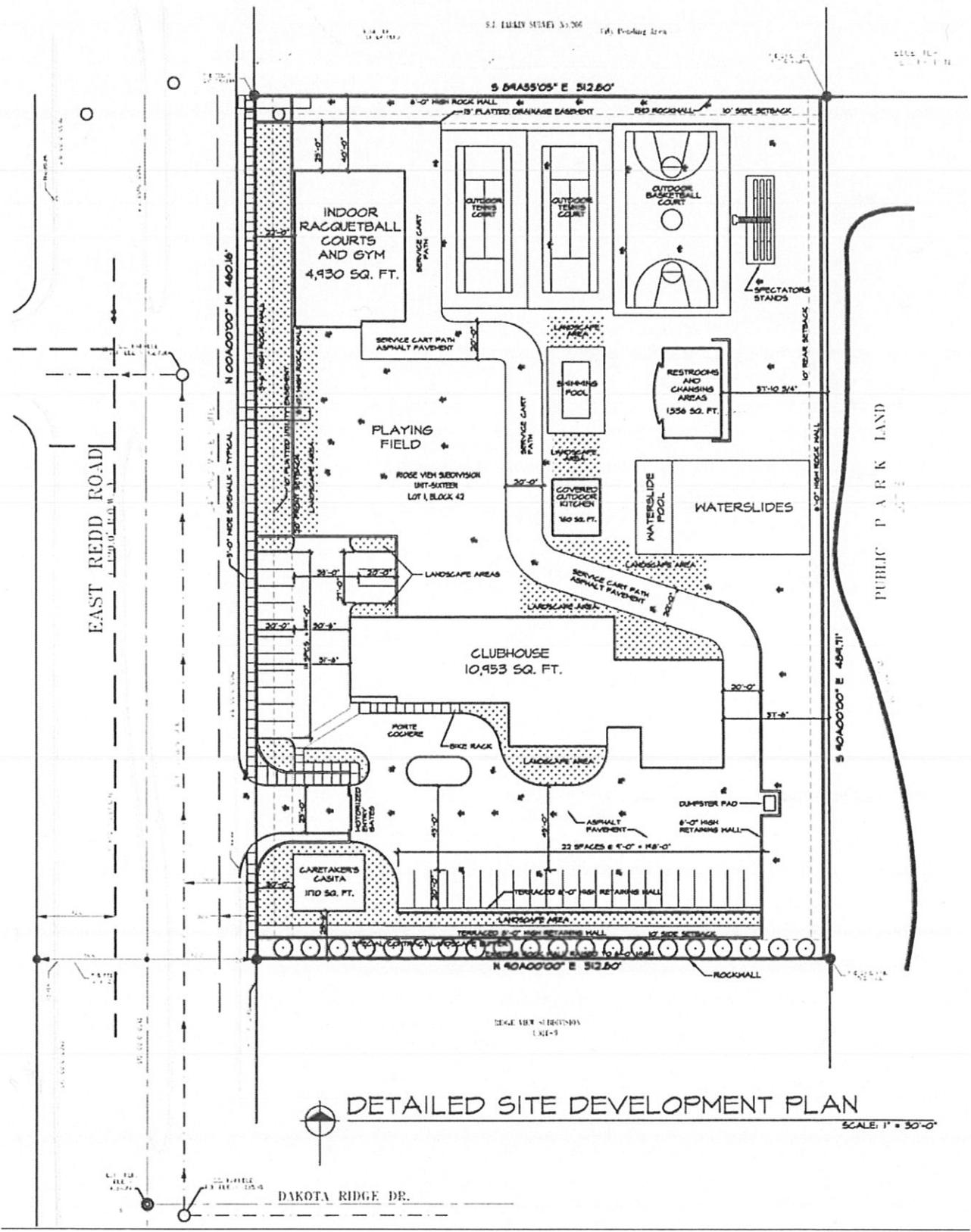


ATTACHMENT 2: AERIAL MAP

PZDS11-00019



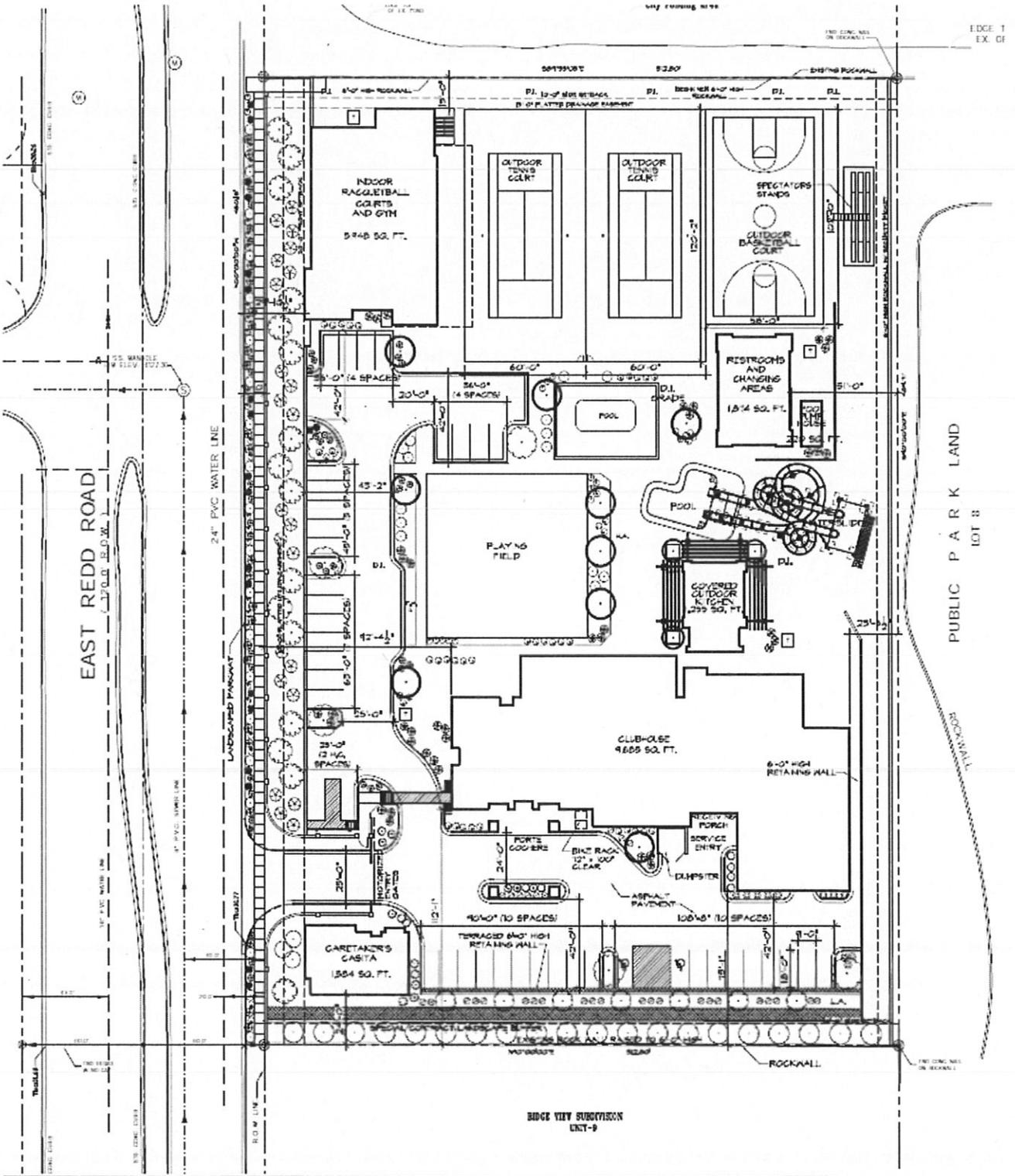
**ATTACHMENT 3: PREVIOUSLY APPROVED DETAILED SITE DEVELOPMENT PLAN,  
DATED JUNE 3, 2011**



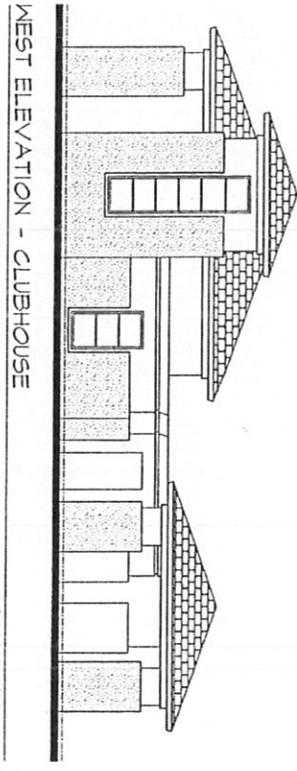
**DETAILED SITE DEVELOPMENT PLAN**

SCALE: 1" = 30'-0"

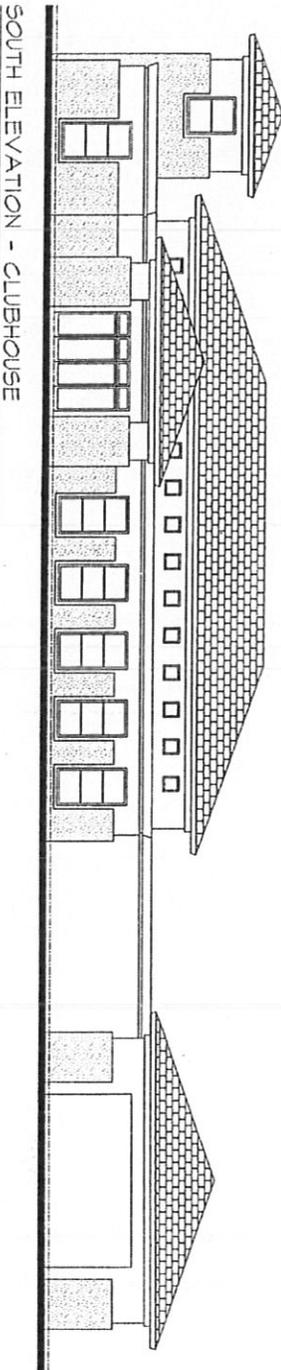
**ATTACHMENT 4: NEW DETAILED SITE DEVELOPMENT PLAN**



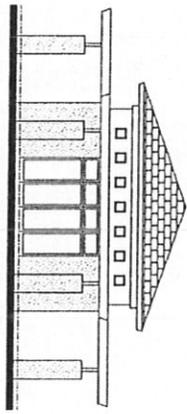
**ATTACHMENT 5: ELEVATIONS**



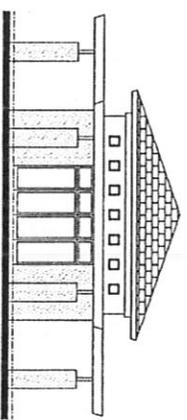
WEST ELEVATION - CLUBHOUSE  
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION - CLUBHOUSE  
SCALE: 1/8" = 1'-0"

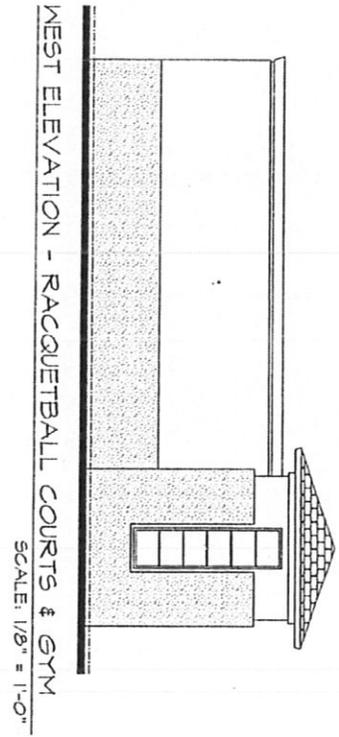


WEST ELEVATION - COVERED OUTDOOR KITCHEN  
SCALE: 1/8" = 1'-0"

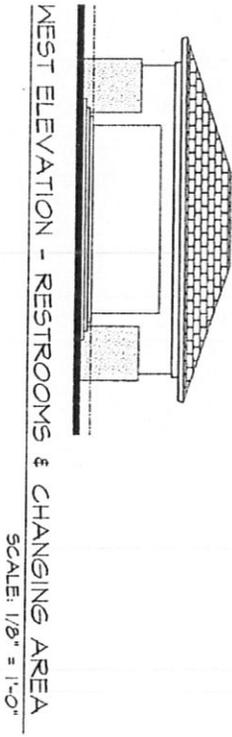


SOUTH ELEVATION - COVERED OUTDOOR KITCHEN  
SCALE: 1/8" = 1'-0"

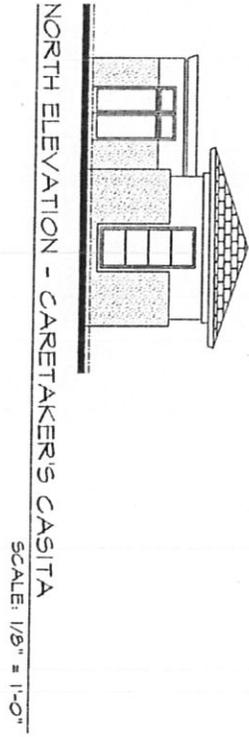
<p>A3.0</p>		<p>2700 E. VANDERLIND SUITE 1700 EL PASO, TEXAS 79902 PH: (915) 832-8833 FX: (915) 834-9233</p> <p><b>DESIGN ALLIANCE</b></p>	<p>THE ZARAGOSA PRIVATE FAMILY RETREAT REDD ROAD, EL PASO, TX 79912</p>	<p>PROJECT ARCHITECT DESIGNED BY DATE PROJECT NUMBER</p>	
-------------	--	---	---	--	--



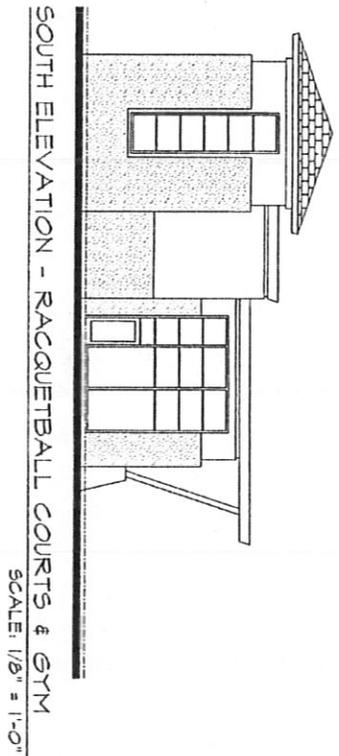
WEST ELEVATION - RACQUETBALL COURTS & GYM  
SCALE: 1/8" = 1'-0"



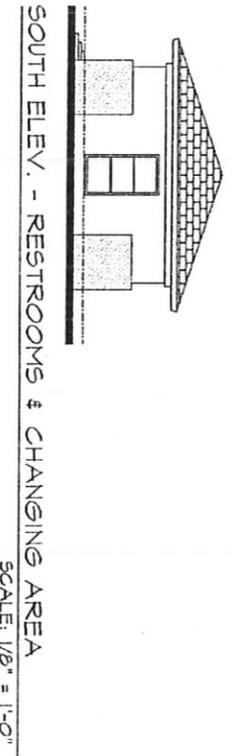
WEST ELEVATION - RESTROOMS & CHANGING AREA  
SCALE: 1/8" = 1'-0"



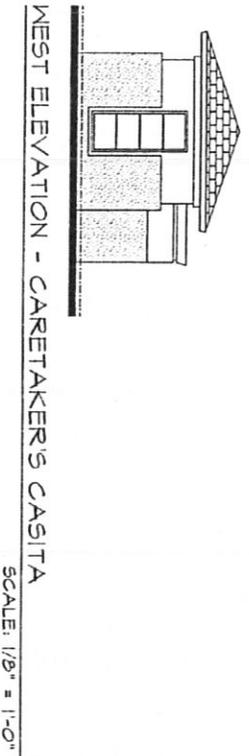
NORTH ELEVATION - CARETAKERS CASITA  
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION - RACQUETBALL COURTS & GYM  
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION - RESTROOMS & CHANGING AREA  
SCALE: 1/8" = 1'-0"



WEST ELEVATION - CARETAKERS CASITA  
SCALE: 1/8" = 1'-0"

A3.1			<p>THE ZARAGOSA PRIVATE FAMILY RETREAT</p> <p>REGO ROAD, EL PASO, TX 79912</p>		
------	--	--	--	--	--

ATTACHMENT 6: ORDINANCE NO. 9363, DATED APRIL 26, 1988

9363  
009363

AN ORDINANCE CHANGING THE ZONING OF  
A PORTION OF TRACT 1A, S.J. LARKIN SURVEY NO. 265.  
THE PENALTY BEING AS PROVIDED IN  
SECTION 20.68.010 OF THE EL PASO CITY CODE.

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

That the zoning of a portion of Tract 1A, S.J. Larkin Survey No. 265, as more particularly described by metes and bounds in the attached Exhibit "A", be changed as follows:

Parcels 1, 11, 12, 13 and 17: from R-3 (Residential) to A-O (Apartment/Office)

Parcels 2, 3, 6, 9 and 10: from R-3 (Residential) to C-1 (Commercial)

Parcel 4: from R-3 (Residential) to PR-11 (Planned Residential)

Parcel 7: from R-3 (Residential) to C-3 (Commercial)

Parcels 5, 8, 14, 15 and 16: from R-3 (Residential) to A-2 (Apartment)

within the meaning of the zoning ordinance, subject to a special contract placing certain restrictions, conditions and covenants on the property, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this 26<sup>th</sup> day of April, 1988.

Jonathan W. Rogers  
Mayor

SIGNATURES CONTINUED ON NEXT PAGE

Contract 1 (4-26-88)

009363  
Ord. 9363

87-5316  
**RECEIVED**

AUG 3 1988

PLANNING DEPT.  
LAND DEVELOPMENT

TEST:  
*Carole Hunter*  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

*C. Attanasio*  
\_\_\_\_\_  
Assistant City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Department of Planning,  
Research and Development

ZNG6:5316.87

000300

THE STATE OF TEXAS )  
 )  
COUNTY OF EL PASO )

CONTRACT

THIS CONTRACT made this 26<sup>th</sup> day of April,  
1988, by and between DERRICK & SCHAEFER, INC., First Party,  
MORTGAGE & TRUST, INC., Second Party, and the CITY OF EL PASO,  
Third Party, witnesseth:

Application has been made to the City of El Paso for the  
rezoning of a portion of Tract 1A, S.J. Larkin Survey No. 265,  
City and County of El Paso, Texas, which is more particularly  
described by metes and bounds in the attached Exhibit "A" which  
is made a part hereof by reference. To remove certain objections  
to such rezoning, First Party covenants that if the property is  
rezoned as follows:

Parcels 1, 11, 12, 13 and 17: from R-3 (Residential)  
to A-0 (Apartment/Office)

Parcels 2, 3, 6, 9 and 10: from R-3 (Residential) to  
C-1 (Commercial)

Parcel 4: from R-3 (Residential) to PR-11 (Planned  
Residential)

Parcel 7: from R-3 (Residential) to C-3 (Commercial)

Parcels 5, 8, 14, 15 and 16: from R-3 (Residential) to  
A-2 (Apartment)

within the meaning of the zoning ordinance of the City of El  
Paso, it shall be subject to the following restrictions,  
conditions and covenants:

*Ordinance # 9363*

**RECEIVED**

AUG 3 1988

PLANNING DEPT.  
LAND DEVELOPMENT

#9363

1. Any residential uses, including apartments, constructed on Parcels 5, 8, 14, 15 and 16 (A-2, Apartment), or Parcels 1, 11, 12, 13 and 17 (A-O, Apartment), shall be limited to a density of fourteen dwelling units per acre.
2. No single family or duplex uses shall front ~~on~~ a major or minor arterial.
3. <sup>WPE</sup> Prior to the issuance of a building permit for any parcel, Redd Road or Westport Drive must be improved and extended through the adjacent properties to give access to the properties being rezoned by this ordinance.
4. Prior to the issuance of a building permit for any parcel, Resler Drive or Westwind Drive must be connected to Redd Road.
5. Prior to the issuance of a building permit for any parcel, the property owners shall dedicate to the City a fire station site (175 feet frontage x 158 feet deep), the exact location of which shall be determined by the City and the property owners.
6. Prior to the issuance of a building permit for any parcel, a subdivision plat must be filed for record for said parcel.
7. Prior to the issuance of a building permit for Parcels 2, 3, 6, 7, 9, 10, 11 and 17, the property owners must obtain a Special Privilege from the City to landscape the parkway adjacent to Redd Road.
8. Prior to the issuance of a building permit for Parcel 4 (PR-II), adequate and useable access must be provided to Tract 2, S.J. Larkin Survey No. 266 (110.64 +/- acres).
9. Prior to the issuance of any building permits for the C-1 (Parcels 2, 3, 6, 9 and 10) and C-3 (Parcel 7) zoned properties, a detailed site development plan must be approved by the Mayor and City Council, upon recommendation by the City Plan Commission.

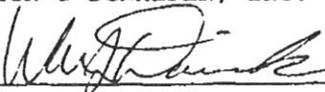
This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Party and its successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express reference.

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby, and without affecting the validity or necessitating the amendment of the ordinance passed by the City Council embodying this change of zoning and subject to this contract.

Second party is the owner and holder of a recorded lien on the property and consents to this contract.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

FIRST PARTY:  
DERRICK & SCHAEFER, INC.

By   
Title PRESIDENT

ATTEST:

  
Secretary (NO SEAL REQUIRED)

SIGNATURES CONTINUED ON NEXT PAGE

SECOND PARTY:  
MORTGAGE & TRUST, INC.

By J. Dickson Rogers  
Title Sr. Vice President



Mary-Ann L. Ashe  
Asst. Secretary - Mary-Ann L. Ashe

THIRD PARTY:  
THE CITY OF EL PASO

By [Signature]  
Mayor

ATTEST:  
[Signature]  
City Clerk

APPROVED AS TO FORM:  
[Signature]  
Assistant City Attorney

APPROVED AS TO CONTENT:  
[Signature]  
Department of Planning,  
Research and Development

THE STATE OF TEXAS )  
                                  )  
COUNTY OF EL PASO )

This instrument was acknowledged before me on this 13<sup>th</sup> day  
of May, 1988, by [Signature] as  
[Signature] on behalf of DERRICK & SCHAEFER,  
INC.

[Signature]  
Notary Public, State of Texas

My Commission Expires:  
7-3-89

SIGNATURES CONTINUED ON NEXT PAGE







Doc# 20100040746

ORDINANCE NO. 017341

11/7  
151/4

CITY CLERK DEPT.

10 MAY -6 AM 11:22

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 1, BLOCK 42, RIDGE VIEW ESTATES UNIT SIXTEEN, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3A/SC (RESIDENTIAL/SPECIAL CONTRACT) TO C-1/SC (COMMERCIAL/SPECIAL CONTRACT), AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

That the zoning of a portion of Lot 1, Block 42, Ridge View Estates Unit Sixteen, 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-3A/sc (Residential/special contract) to C-1/sc (Commercial/special contract), within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following condition which is 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:

That a ten (10) foot landscaped buffer with high-profile native trees of at least two (2) inch caliper and ten (10) feet in height shall be placed at fifteen (15) feet on center along the southerly property line adjacent to any residential or apartment zoning district. The landscaped buffer shall be in addition to the landscape requirements of Title 18 of the El Paso City Code, shall be irrigated and maintained by the property owner at all times, and shall be installed prior to the issuance of any certificates of occupancy. The existing slope shall be preserved within the ten (10) feet of the property line in order to accommodate the landscaped buffer.



PASSED AND APPROVED this 8<sup>th</sup> day of June, 2010.

THE CITY OF EL PASO

John F. Cook  
John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen  
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

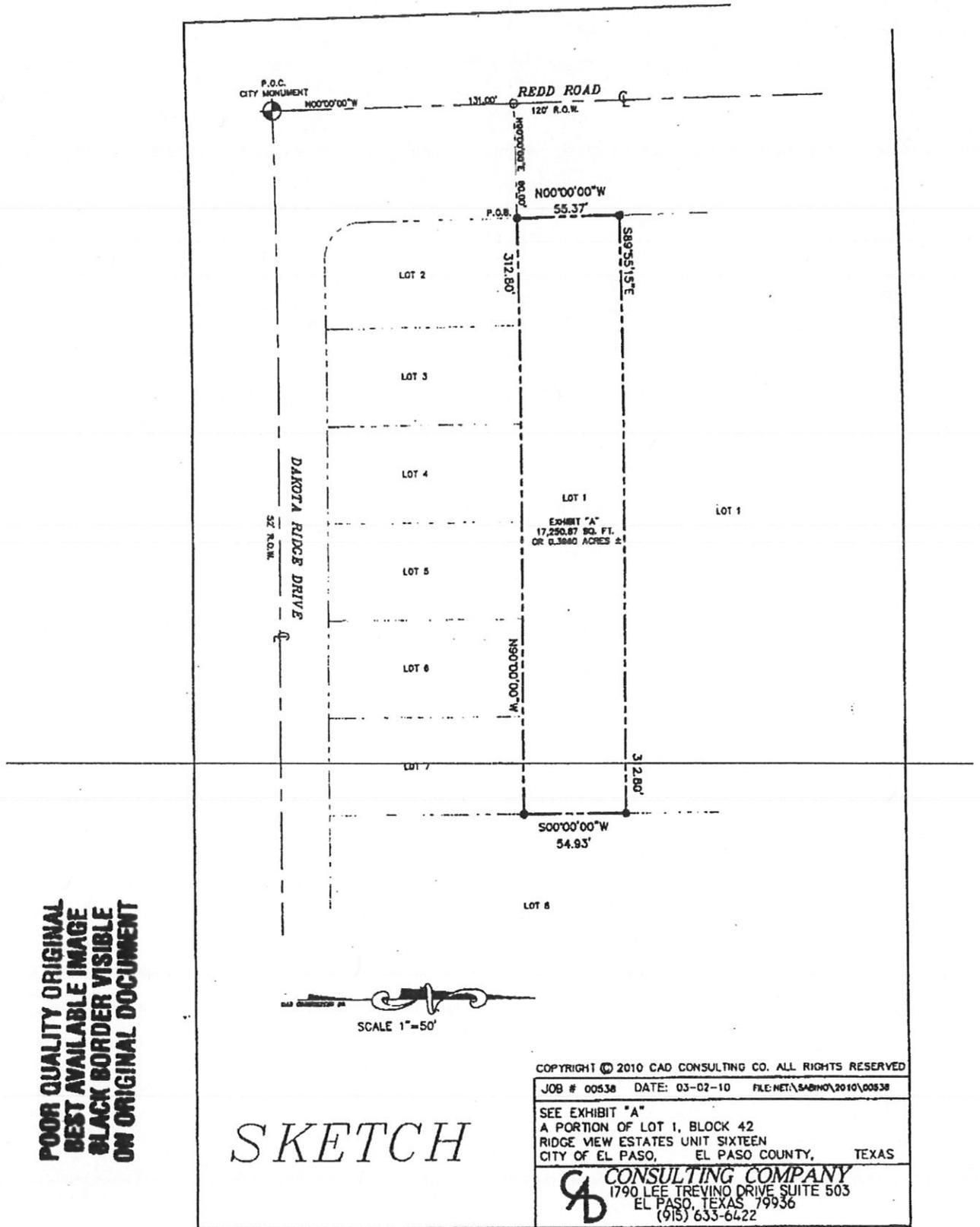
Lupe Cuellar  
Lupe Cuellar  
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElfoy  
Mathew S. McElfoy  
Deputy Director - Planning  
Development Services Department

55834/Planning/ORD/ZON10-00010/Rezoning  
ORDINANCE NO. 017341

Document Author: LCUE  
ZON10-00010



POOR QUALITY ORIGINAL  
BEST AVAILABLE IMAGE  
BLACK BORDER VISIBLE  
ON ORIGINAL DOCUMENT

SKETCH

COPYRIGHT © 2010 CAD CONSULTING CO. ALL RIGHTS RESERVED  
JOB # 00538 DATE: 03-02-10 FILE: NET\54810\2010\00538

SEE EXHIBIT "A"  
A PORTION OF LOT 1, BLOCK 42  
RIDGE VIEW ESTATES UNIT SIXTEEN  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

**CD** CONSULTING COMPANY  
1790 LEE TREVINO DRIVE SUITE 503  
EL PASO, TEXAS 79936  
(915) 633-6422

017341