

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

**AGENDA DATE:** December 14, 2021

**PUBLIC HEARING DATE:** January 4, 2022

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Philip F. Etiwe, (915) 212-1553  
Luis Zamora, (915) 212-1552

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

**STRATEGIC GOAL:** #3 Promote the Visual Image of El Paso

**SUBGOAL:** 3.2 Set one standard for infrastructure across the city

**SUBJECT:**

An ordinance changing the zoning of the following real property known as: Parcel 1: a portion of Tracts 4B, 4B1, 5A, 5A1, and 6, Laura E. Mundy Survey 237; Tracts 9B and 9B1, Laura E. Mundy Survey No. 238; and portion of Enchanted Hills Unit Five, City of El Paso, El Paso County, Texas, from R-MU (Residential Mixed Use) to R-5 (Residential) and, Parcel 2: a portion of Tracts 9B, 9B1, and 9B2, Laura E. Mundy Survey No. 238; and portion of Lots 2 thru 5, 9 thru 12, and 21 thru 24, Block 23, Enchanted Hills 5, City of El Paso, El Paso County, Texas, from R-3 (Residential), R-5/sp (Residential/special permit), and R-MU (Residential Mixed Use) to C-2 (Commercial); and, Parcel 3: a portion of Tract 9B2, Laura E. Mundy Survey No. 238, City of El Paso, El Paso County, Texas, from R-3 (Residential) to C-3 (Commercial), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

The proposed rezoning meets the intent of the Future Land Use designation for the property and is in accordance with *Plan El Paso*, the City's Comprehensive Plan.

Subject Property: Generally located north of Transmountain Road and east of Interstate 10

Applicant: Conde, Inc., PZRZ21-00024

**BACKGROUND / DISCUSSION:**

The applicant is requesting to rezone Parcel 1 for proposed residential development and Parcel 2 and 3 for proposed commercial development. City Plan Commission recommended 9-0 to approve the proposed rezoning with conditions on November 4, 2021. As of December 7, 2021, the Planning Division has not received any communication in support or opposition to the rezoning request. See attached staff report for additional information.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?**  YES  NO

**PRIMARY DEPARTMENT:** Planning & Inspections, Planning Division

**SECONDARY DEPARTMENT:** N/A

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

**DEPARTMENT HEAD:**

*Philip Etiwe*

Revised 04/09/2021

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

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

**PARCEL 1: A PORTION OF TRACTS 4B, 4B1, 5A, 5A1, AND 6, LAURA E. MUNDY SURVEY 237; TRACTS 9B AND 9B1, LAURA E. MUNDY SURVEY NO. 238; AND PORTION OF ENCHANTED HILLS UNIT FIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-MU (RESIDENTIAL MIXED USE) TO R-5 (RESIDENTIAL) AND,**

**PARCEL 2: A PORTION OF TRACTS 9B, 9B1, AND 9B2, LAURA E. MUNDY SURVEY NO. 238; AND PORTION OF LOTS 2 THRU 5, 9 THRU 12, AND 21 THRU 24, BLOCK 23, ENCHANTED HILLS 5, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-3 (RESIDENTIAL), R-5/SP (RESIDENTIAL/SPECIAL PERMIT), AND R-MU (RESIDENTIAL MIXED USE) TO C-2 (COMMERCIAL); AND,**

**PARCEL 3: A PORTION OF TRACT 9B2, LAURA E. MUNDY SURVEY NO. 238, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL), AND IMPOSING CONDITIONS.**

**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:**

Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning of *Parcel 1: a portion of Tracts 4B, 4B1, 5A, 5A1, and 6, Laura E. Mundy Survey 237; Tracts 9B and 9B1, Laura E. Mundy Survey No. 238; and portion of Enchanted Hills Unit Five*, located in the 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; and, *Parcel 2: a portion of Tracts 9B, 9B1, and 9B2, Laura E. Mundy Survey No. 238; and portion of Lots 2 thru 5, 9 thru 12, and 21 thru 24, Block 23, Enchanted Hills 5*, located in the 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; and, *Parcel 3: a portion of Tract 9B2, Laura E. Mundy Survey No. 238*, located in the 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 as listed for **PARCEL 1: FROM R-MU (RESIDENTIAL MIXED USE) TO R-5 (RESIDENTIAL); PARCEL 2: FROM R-3 (RESIDENTIAL), R-5/SP (RESIDENTIAL/SPECIAL PERMIT), AND R-MU (RESIDENTIAL MIXED USE) TO C-2 (COMMERCIAL); and PARCEL 3: FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL)**, as defined in Section 20.06.020, 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 conditions which are necessitated by and attributable to the increase of use intensity generated by the change of zoning in order to protect the health, safety and welfare of the residents of the City:

1. *On Parcel 2, a ten-foot (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at thirty feet (30') on center along the property lines adjacent to residential zone districts or uses. The landscaped buffer 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.*
2. *That a detailed site development plan shall be reviewed and approved per the El Paso City Code prior to the issuance of building permits for Parcel 2.*
3. *That a detailed site development plan shall be reviewed and approved per the El Paso City Code prior to the issuance of building permits for Parcel 3.*
4. *That prior to the issuance of certificates of occupancy for Parcel 1, 2, and 3, the rezonings for the properties identified as "future commercial" on Exhibit B be submitted and processed by the City.*

The penalties for violating the standards imposed through this rezoning ordinance are found in Section 20.24 of the El Paso City Code.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

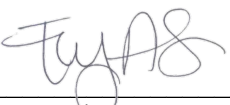
**THE CITY OF EL PASO:**

\_\_\_\_\_  
 Oscar Leeser  
 Mayor

**ATTEST:**

\_\_\_\_\_  
 Laura D. Prine  
 City Clerk

**APPROVED AS TO FORM:**

  
 \_\_\_\_\_  
 Evy A. Sotelo  
 Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
 \_\_\_\_\_  
 Philip F. Etiwe, Director  
 Planning & Inspections Department

EXHIBIT "A"

Prepared for: Southwest Land Development Services  
August 9, 2021. (Parcel I)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Tracts 4B, 4B1, 5A, 5A1, and 6, Laura E. Mundy Survey 237; Tracts 9B and 9B1, Laura E. Mundy Survey No. 238; and portion of Enchanted Hills Unit Five as recorded in Clerks File No. 20210037543, Real Property Records of El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at a City of El Paso brass disk monument at the centerline intersection of Enchanted Path Drive and Enchanted Circle Dr., as shown on plat of Enchanted Hills Unit Three recorded in Clerks File No. 20210037543, Real Property Records of El Paso County, Texas, from which an existing brass disk City monument at the centerline intersection of Enchanted Pass Drive and Enchanted Park Drive bears, North 04°47'05" East a distance of 595.27 feet; Thence North 64°48'49" East a distance of 1241.03 feet to a point for THE "TRUE POINT OF BEGINNING";

Thence, North 03°12'44" East a distance of 242.18 feet to a set ½" rebar with cap marked TX 5152 on the westerly boundary line of Block 23 out of Enchanted Hills 5 recorded in Clerks File No. 20210037543, Real Property Records of El Paso County, Texas;

Thence along said boundary line, North 03°12'50" East a distance of 310.68 feet to a set ½" rebar with cap marked TX 5152;

Thence along said boundary line, North 14°04'05" East a distance of 195.56 feet to a set ½" rebar with cap marked TX 5152 on the southerly right of way line of Hunter Foster Drive;

Thence along said right of way line, 450.82 feet along the arc of a curve to the left, which has a radius of 1292.00 feet, a central angle of 19°59'33", a chord which bears North 82°57'16" West a distance of 448.54 feet to a set ½" rebar with cap marked TX 5152;

Thence along said right of way line, 598.55 feet along the arc of a curve to the right, which has a radius of 1358.00 feet, a central angle of 25°15'13", a chord which bears North 80°19'26" West a distance of 593.72 feet to a set ½" rebar with cap marked TX 5152;

Thence leaving said right of way, North 03°14'26" East a distance of 2803.92 feet to a set ½" rebar with cap marked TX 5152 point;

Thence, North 19°54'58" East a distance of 348.49 feet to a set ½" rebar with cap marked TX 5152;

Thence, North 03°14'26" East a distance of 1202.02 feet to a set ½" rebar with cap marked TX 5152 on the common line of Laura E. Mundy Surveys No. 234 and 237;

Thence along said line, South 86°47'10" East a distance of 2500.24 feet to a set ½" rebar with cap marked TX 5152 on the common line of Laura E. Mundy Surveys No. 234 and 245;

Thence along said line, South 03°12'50" West a distance of 875.00 feet to a set ½" rebar with cap marked TX 5152;

Thence leaving said line, North 86°47'10" West a distance of 790.06 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;


Thence, 3239.16 feet along the arc of a curve to the left, which has a radius of 5250.00 feet, a central angle of 35°21'02", a chord which bears South 04°51'15" East a distance of 3188.03 feet to a set ½" rebar with cap marked TX 5152 for a point of reverse curve;

Thence, 878.35 feet along the arc of a curve to the right, which has a radius of 1250.00 feet, a central angle of 40°15'38", a chord which bears South 02°23'56" East a distance of 860.39 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 17°43'53" West a distance of 621.01 feet to a set ½" rebar with cap marked TX 5152;

Thence, North 72°16'07" West a distance of 1226.61 feet to the "TRUE POINT OF BEGINNING" and containing 10,133,777 square feet or 232.64 acres of land more or less.

NOTE: A drawings of even date accompanies this description.

  
Ron R. Conde  
R.P.L.S. No. 5152  
Job# 621-10



### METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Tracts 9B, 9B1, and 9B2, Laura E. Mundy Survey No. 238; and portion of lots 2 thru 5, 9 thru 12, and 21 thru 24, block 23, Enchanted Hills 5 as described in deed recorded in Clerks File No. 20210037543, Real property records of El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at a City of El Paso brass disk monument at the centerline intersection of Enchanted Path Drive and Enchanted Circle Dr., as shown on plat of Enchanted Hills Unit Three recorded in Clerks File No. 20210037543, Real Property Records of El Paso County, Texas, from which an existing brass disk City monument at the centerline intersection of Enchanted Pass Drive and Enchanted Park Drive bears, North  $04^{\circ}47'05''$  East a distance of 595.27 feet; Thence North  $04^{\circ}22'16''$  East a distance of 832.62 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152 for THE "TRUE POINT OF BEGINNING";

Thence, North  $03^{\circ}12'50''$  East a distance of 15.00 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152 for a point of curve;

Thence 139.90 feet along the arc of a curve to the right, which has a radius of 500.00 feet, a central angle of  $16^{\circ}01'53''$ , a chord which bears North  $11^{\circ}13'46''$  East a distance of 139.44 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence 111.92 feet along the arc of a curve to the left, which has a radius of 400.00 feet, a central angle of  $16^{\circ}01'53''$ , a chord which bears North  $11^{\circ}13'46''$  East a distance of 111.55 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence, North  $03^{\circ}12'50''$  East a distance of 216.72 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence 118.57 feet along the arc of a curve to the right, which has a radius of 400.00 feet, a central angle of  $16^{\circ}59'02''$ , a chord which bears North  $11^{\circ}42'21''$  East a distance of 118.14 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence 9.57 feet along the arc of a curve to the left, which has a radius of 500.00 feet, a central angle of  $01^{\circ}05'48''$ , a chord which bears North  $19^{\circ}38'58''$  East a distance of 9.57 feet to a point on the southerly right of way line on Hunter Foster Dr. as referenced on plat of Enchanted Hills Five recorded in Clerks File No. 20210037543, Real property records of El Paso County, Texas;

Thence along said right of way line the following 3 courses:

20.19 feet along the arc of a curve to the left, which has a radius of 1358.00 feet, a central angle of  $00^{\circ}51'07''$ , a chord which bears South  $67^{\circ}16'16''$  East a distance of 20.16 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

598.55 feet along the arc of a curve to the left, which has a radius of 1358.00 feet, a central angle of  $25^{\circ}15'13''$ , a chord which bears South  $80^{\circ}19'26''$  East a distance of 593.72 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

450.82 feet along the arc of a curve to the right, which has a radius of 1292.00 feet, a central angle of  $19^{\circ}59'33''$ , a chord which bears South  $82^{\circ}57'16''$  East a distance of 448.54 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence leaving said right of way line and along the westerly line of Block 23, Enchanted Hills Unit Five, South  $14^{\circ}04'05''$  West a distance of 195.56 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence along said line, South  $03^{\circ}12'50''$  West a distance of 310.68 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence along said line, South  $06^{\circ}33'45''$  West a distance of 103.69 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

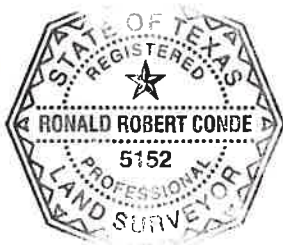
Thence leaving said line, North  $81^{\circ}07'01''$  West a distance of 1047.91 feet to a point;

Thence, North  $86^{\circ}47'10''$  West a distance of 26.00 feet to the "TRUE POINT OF BEGINNING" and containing 625,722.06 square feet or 14.365 acres of land more or less.

NOTE: A drawings of even date accompanies this description.



Ron R. Conde  
R.P.L.S. No. 5152  
Job# 621-10



Prepared for: Southwest Land Development Services  
August 9, 2021. (Parcel III)

### METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Tract 9B2, Laura E. Mundy Survey No. 238, City of El Paso, el Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at a City of El Paso brass disk monument at the centerline intersection of Enchanted Path Drive and Enchanted Circle Dr., as shown on plat of Enchanted Hills Unit Three recorded in Clerks File No. 20210037543, Real Property Records of El Paso County, Texas, from which an existing brass disk City monument at the centerline intersection of Enchanted Pass Drive and Enchanted Park Drive bears, North 04°47'05" East a distance of 595.27 feet; Thence North 04°22'16" East a distance of 832.62 feet to a set ½" rebar with cap marked TX 5152 for THE "TRUE POINT OF BEGINNING";

Thence, North 86°47'10" West a distance of 551.09 feet to a point on the westerly right of way line of U.S. Interstate Highway No. 10;

Thence along said right of way line, North 03°14'26" East a distance of 310.68 feet to a point;

Thence leaving said right of way line, South 86°47'10" East a distance of 585.95 feet to a set ½" rebar with cap marked TX 5152;


Thence, South 03°12'50" West a distance of 47.13 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence 111.92 feet along the arc of a curve to the right, which has a radius of 400.00 feet, a central angle of 16°01'53", a chord which bears South 11°13'46" West a distance of 111.55 feet to a set ½" rebar with cap marked TX 5152;

Thence 139.90 feet along the arc of a curve to the left, which has a radius of 500.00 feet, a central angle of 16°01'53", a chord which bears South 11°13'46" West a distance of 139.44 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 03°12'50" West a distance of 15.00 feet to the "TRUE POINT OF BEGINNING" and containing 177,026.93 square feet or 4.064 acres of land more or less.

NOTE: A drawings of even date accompanies this description.

  
Ron R. Conde  
R.P.L.S. No. 5152  
Job# 621-10



**CONDE, INC.**  
**ENGINEERING / LAND SURVEYING / PLANNING**  
**6080 SURETY DRIVE SUITE 100 / EL PASO, TEXAS 79936 / (915) 592-0283 FAX (915) 592-0286**  
**FIRM NO. 10078100**



NOTES:  
 1. PARCELS SHOWN ARE BASED ON THE LATEST AVAILABLE AERIAL PHOTOGRAPHS.  
 2. A METERS AND SQUARE FEET OF EACH DATE ACCORDING TO THE SURVEY.

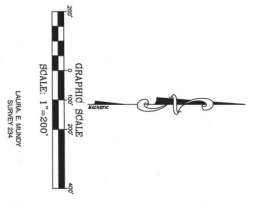
NEILED MAP  
 SHEET NO. 1  
 TRACT 5

# REZONING PLAN

BEING A PORTION OF TRACTS 4B, 4B1, 5A, 5B, AND 6, LAURA E. MONDY SURVEY 237, PORTION OF TRACTS 9B, 9B1, AND 9B2, LAURA E. MONDY SURVEY 238, AND PORTION OF ENCHANTED HILLS UNIT FIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS

CHUTE TABLE

CHUTE NUMBER	LENGTH	MINIMUM CHUTE	MAXIMUM CHUTE
C1	100.00'	10.00'	15.00'
C2	100.00'	10.00'	15.00'
C3	100.00'	10.00'	15.00'
C4	100.00'	10.00'	15.00'
C5	100.00'	10.00'	15.00'
C6	100.00'	10.00'	15.00'
C7	100.00'	10.00'	15.00'
C8	100.00'	10.00'	15.00'
C9	100.00'	10.00'	15.00'
C10	100.00'	10.00'	15.00'



LINE TABLE

LINE NUMBER	BEARING	LENGTH
L1	N 89° 58' 00\"/>	

PARCEL	ACRES	PROPOSED ZONING	EXISTING ZONING
I	232.840	R-5	RHU
II	14.395	C-2	R-5
III	4.084	C-3	R-3





# EXHIBIT B

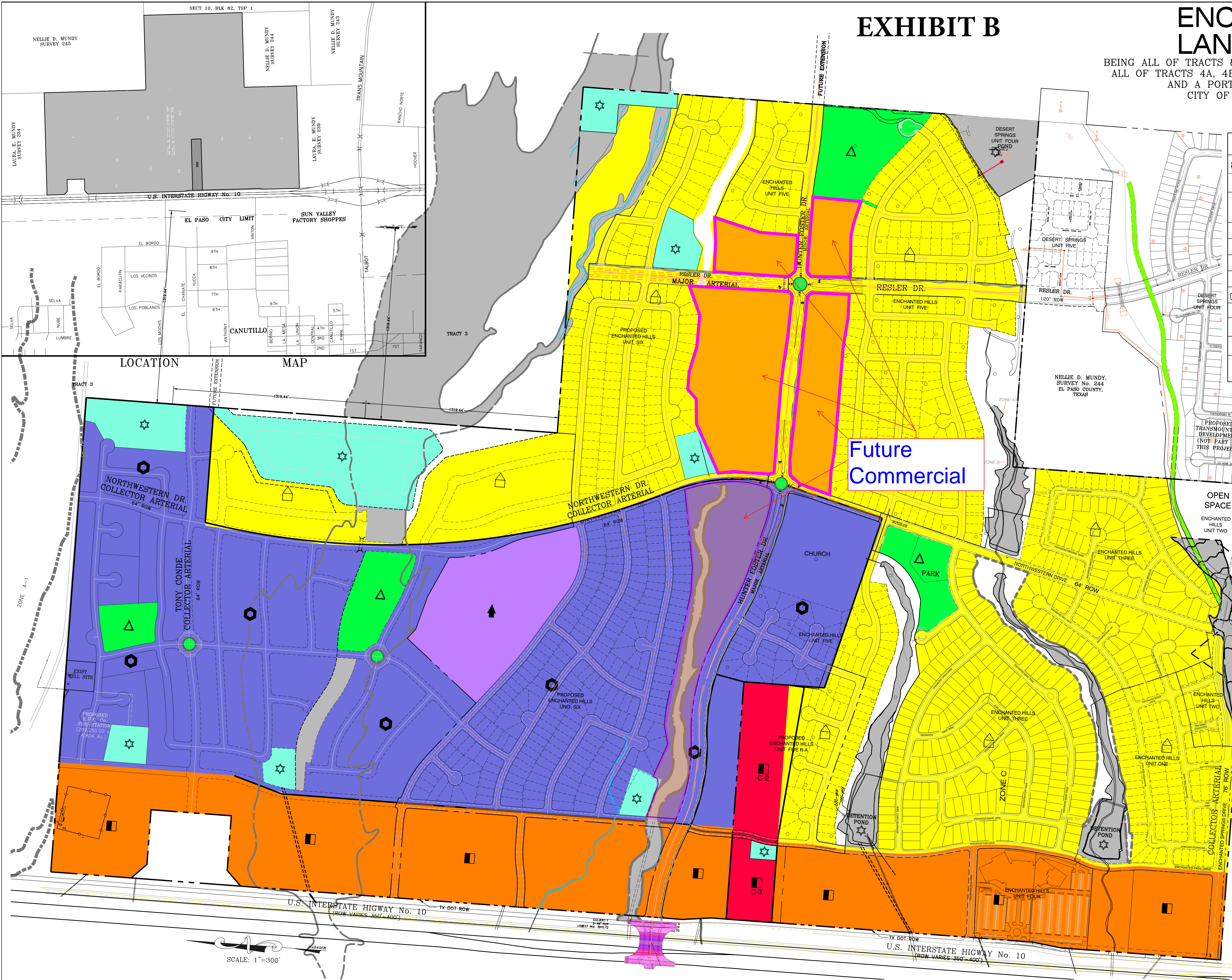
# ENCHANTED HILLS LAND STUDY PLAN

BEING ALL OF TRACTS 8, 9A, 9B, 9B1, 9C, LAURA E. MUNDY SURVEY 238,  
 ALL OF TRACTS 4A, 4B, 4B1, 5A, 5B, 6, LAURA E. MUNDY SURVEY 237,  
 AND A PORTION OF NELLIE D. MUNDY SURVEY 244  
 CITY OF EL PASO, EL PASO COUNTY, TEXAS

LEGEND			
SYMBOL	LAND USE	* AREA ac. (INCLUDING STREETS)	
	RESIDENTIAL	* 320.555	1,071 UNITS OR 3.5 UNITS PER AC.
	MIXED-USE	* 198.944	5% OFFICE=9,933 AC=77 UNITS 10% TWO FAMILY=19,865 AC=119 UNITS 10% RETAIL = 19,865 AC 65% SINGLES=129,125 AC=452 UNITS
	COMMERCIAL	* 108.008	
	DETENTION PONDS	23.681	
	SCHOOL	* 19.543	
	PARK	27.005	
	OPEN SPACE	50.293	
	FIRE STATION	1.500	
TOTAL AREA		749.529	
	NEW LAND C-2 & C-3	* 11.596	

\* ASSUME 30% OF AREAS TO BE STREET AND DRAINAGE R.O.W.

- RESIDENTIAL
- MIXED-USE
- COMMERCIAL
- DETENTION PONDS
- SCHOOL
- PARK
- OPEN SPACE
- NEW LAND



LOCATION MAP

S:\CIVIL\DATA\CT\ENCHANTEDHILLS-AMENDING-for-SHEDS.dwg LAND-STUDY, 1/7/2022 1:22:13 PM, C:\Cortez

SCALE: 1"=300'

**CONDE INC.**  
 ENGINEERING / PLANNING  
 GIS / SURVEYING / CAD  
 6080 SURETY DR. STE 100  
 EL PASO, TEXAS 79905  
 PHONE: (915) 592-0263  
 FAX: (915) 592-0266 PIRM# 10078100



# Northwestern, Hunter Foster, Enchanted Pass



City Plan Commission — November 4, 2021 **REVISED**

<b>CASE NUMBER:</b>	<b>PZRZ21-00024</b>
<b>CASE MANAGER:</b>	Luis Zamora, (915) 212-1552, <a href="mailto:ZamoraLF@elpasotexas.gov">ZamoraLF@elpasotexas.gov</a>
<b>PROPERTY OWNER:</b>	EP Transmountain Residential, LLC
<b>REPRESENTATIVE:</b>	Conde, Inc.
<b>LOCATION:</b>	Generally north of Transmountain Rd. and east of Interstate 10 (District 1)
<b>PROPERTY AREA:</b>	232.64 acres
<b>REQUEST:</b>	Parcel 1: Rezone from R-MU (Residential Mixed Use) to R-5 (Residential); Parcel 2: Rezone from R-3 (Residential), R-5/sp (Residential/special permit), and R-MU (Residential Mixed Use) to C-2 (Commercial); Parcel 3: Rezone from R-3 (Residential) to C-3 (Commercial)
<b>RELATED APPLICATIONS:</b>	None
<b>PUBLIC INPUT:</b>	None received as of October 28, 2021

**SUMMARY OF REQUEST:** The applicant is requesting to rezone the subject property into three (3) different zoning districts. Parcel 1 is proposed to rezone from R-MU (Residential Mixed Use) to R-5 (Residential) for proposed residential development; Parcel 2 proposed to rezone from R-3 (Residential), R-5 (Residential), and R-MU (Residential Mixed Use) to C-2 (Commercial) for proposed commercial development; and Parcel 3 proposed to rezone from R-3 (Residential) to C-3 (Commercial) for proposed commercial development.

**SUMMARY OF STAFF'S RECOMMENDATION:** Staff recommends **APPROVAL WITH CONDITIONS** of the rezoning request as the proposed rezoning is in keeping with the policies of the G-4 Suburban (walkable) Land Use Designation of *Plan El Paso*, the City's adopted Comprehensive Plan. The conditions are the following:

1. On Parcel 2, a ten-foot (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at fifteen feet (15') on center along the property lines adjacent to residential zone districts or uses. The landscaped buffer 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.
2. That a detailed site development plan shall be reviewed and approved per the El Paso City Code prior to the issuance of building permits for Parcel 2.
3. That a detailed site development plan shall be reviewed and approved per the El Paso City Code prior to the issuance of building permits for Parcel 3.

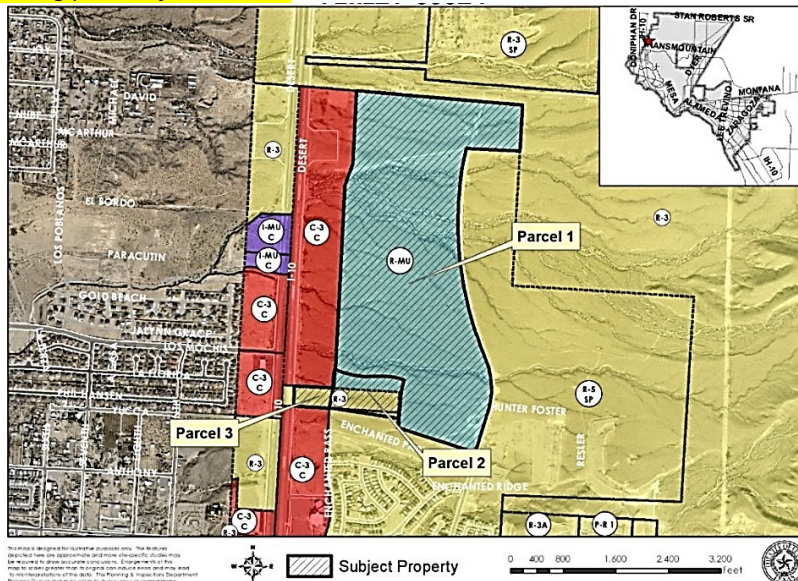


Figure A. Subject Property & Immediate Surroundings

**DESCRIPTION OF REQUEST:** The applicant is requesting to rezone the subject property into three (3) different zoning districts. Parcel 1 is proposed to rezone from R-MU (Residential Mixed Use) to R-5 (Residential) for proposed residential development; Parcel 2 proposed to rezone from R-3 (Residential), R-5/sp (Residential/special permit), and R-MU (Residential Mixed Use) to C-2 (Commercial) for proposed commercial development; and Parcel 3 proposed to rezone from R-3 (Residential) to C-3 (Commercial) for proposed commercial development. The property consists of 232.64 acres.

**PREVIOUS CASE HISTORY:** Ordinance No. 16948, dated July 29, 2008, rezoned portions of the subject property into C-3 (Commercial), R-5/sp (Residential/special permit), and R-MU (Residential Mixed Use). Additionally, a Master Zoning Plan was approved for the R-MU (Residential Mixed Use) properties and conditions were imposed for the C-3 (Commercial) zoned properties. The conditions are the following:

- *A detailed site development plan shall be reviewed approved per the El Paso City Code prior to the issuance of building permits.*
- *A ten (10) foot landscaped buffer be placed abutting all residential uses.*

Additionally, the Enchanted Hills Land Study (SUB08-00038) was approved by City Plan Commission on June 5, 2008. The approved Land Study proposed to develop the area into multiple commercial and residential developments with a portion of Parcel 2 and Parcel 3 not having been part of such study.

**COMPATIBILITY WITH NEIGHBORHOOD CHARACTER:** The subject property is proposed to be developed into residential and commercial developments. Surrounding properties are undeveloped with abutting properties to the north and east zoned R-3 and R-5 (Residential). Properties to the south are zoned R-3 and R-5 (Residential), with a portion zoned C-3 (Commercial) along I-10. Properties to the west are zoned C-3 (Commercial). Proposed commercial developments will have access to North Desert Boulevard, which is designated as a major arterial, and to the proposed Hunter Foster Drive, which is designated as a proposed collector as per El Paso’s Major Thoroughfare Plan (MTP). Proposed residential developments will have access to the existing and proposed extension of Northwestern Drive, which is designated and proposed to continue as a collector per the MTP. The classification of these roads are appropriate for the proposed developments.

<b>COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with Plan El Paso, consider the following factors:</b>	
<b>Criteria</b>	<b>Does the Request Comply?</b>
<p><b>Future Land Use Map:</b> Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p><b>G-4, Suburban (Walkable):</b> This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.</p>	<p><b>Yes.</b> The subject property is proposed to be developed into residential and commercial developments, which are in character with the future land use designation of Plan El Paso.</p>

**COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with *Plan El Paso*, consider the following factors:**

<p><b>Compatibility with Surroundings:</b> The proposed zoning district is compatible with those surrounding the site:</p> <p><b>R-5 (Residential):</b> The purpose of this district is to promote and preserve residential development within the city to create basic neighborhood units. It is intended that the district regulations maintain a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations. The regulations of the districts will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.</p> <p><b>C-2 (Commercial) &amp; C-3 (Commercial):</b> The purpose of these districts 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.</p>	<p><b>Yes.</b> The proposed C-3 (Commercial) and R-5 (Residential) zoning districts are the same as the adjacent zoning districts. The proposed C-2 (Commercial) zoning district will be adjacent to C-3 (Commercial) and be of lower intensity as it will abut residential. The proposed residential and commercial developments are in character with the spirit of the R-5 (Residential), C-2 (Commercial), and C-3 (Commercial) zone districts.</p>
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<p><b>Preferred Development Locations:</b> Located along an arterial (or greater street classification) or the intersection of two collectors (or greater street classification). The site for proposed rezoning is not located mid-block, resulting in it being the only property on the block with an alternative zoning district, density, use and/or land use.</p>	<p><b>Yes.</b> Proposed commercial developments will have access to North Desert Boulevard, which is designated as a major arterial, and to the proposed Hunter Foster Drive, which is designated as a proposed collector as per El Paso's MTP. Proposed residential developments will have access to the existing and proposed extension of Northwestern Drive, which is designated and proposed to continue as a collector per the MTP. The classification of these roads are appropriate for the proposed developments.</p>
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**THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:**

<p><b>Historic District or Special Designations &amp; Study Area Plans:</b> Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.</p>	<p>The property lies within the Hillside Development Area. The Open Space Advisory Board (OSAB) recommended approval of the rezoning on October 13, 2021.</p>
<p><b>Potential Adverse Effects:</b> Potential adverse effects that might be caused by approval or denial of the requested rezoning.</p>	<p>No adverse effects are anticipated by the rezoning of the subject property.</p>
<p><b>Natural Environment:</b> Anticipated effects on the natural environment.</p>	<p>The subject property lies within the Hillside Development Area. There are no anticipated effects on the natural environment. Furthermore, the Open Space Advisory Board (OSAB) recommended approval of the rezoning on October 13, 2021.</p>
<p><b>Stability:</b> Whether the area is stable or in transition.</p>	<p>The area is in transition as is currently under development. It is expected to be developed into a residential subdivisions along Northwestern Drive and as commercial developments along Interstate 10.</p>

**COMPLIANCE WITH *PLAN EL PASO*/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with *Plan El Paso*, consider the following factors:**

<b>Socioeconomic &amp; Physical Conditions:</b> Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	None
---	------

**ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE:** Proposed commercial developments will have access to North Desert Boulevard, which is designated as a major arterial, and to the proposed Hunter Foster Drive, which is designated as a proposed collector as per El Paso’s MTP. Proposed residential developments will have access to the existing and proposed extension of Northwestern Drive, which is designated and proposed to continue as a collector per the MTP. The classification of these roads are appropriate for the proposed developments. Additionally, the subject property will need to provide adequate infrastructure at the time of platting and prior to development.

**SUMMARY OF DEPARTMENTAL REVIEW COMMENTS:** No adverse comments from reviewing departments.

**PUBLIC COMMENT:** The property does not lie within any neighborhood associations. Public notices were mailed to property owners within 300 feet on October 20, 2021. Staff has received no communication in support nor opposition to the rezoning request as of October 28, 2021.

**RELATED APPLICATIONS:** None.

**CITY PLAN COMMISSION OPTIONS:**

The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

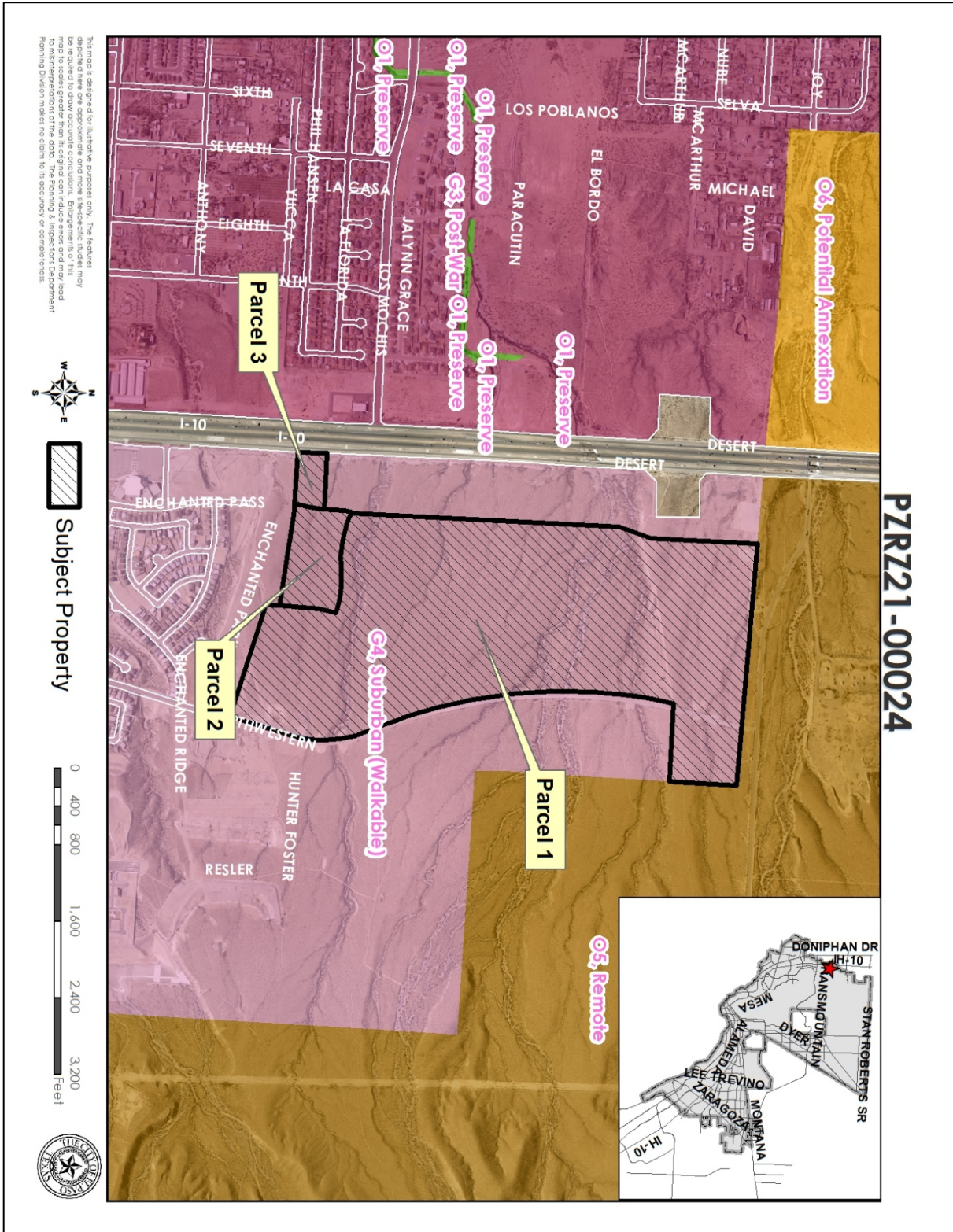
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan.
2. **Recommend Approval of the rezoning request With Modifications** to bring the request into conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**
3. **Recommend Denial** of the rezoning request, finding that the request does not conform to the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

**ATTACHMENTS:**

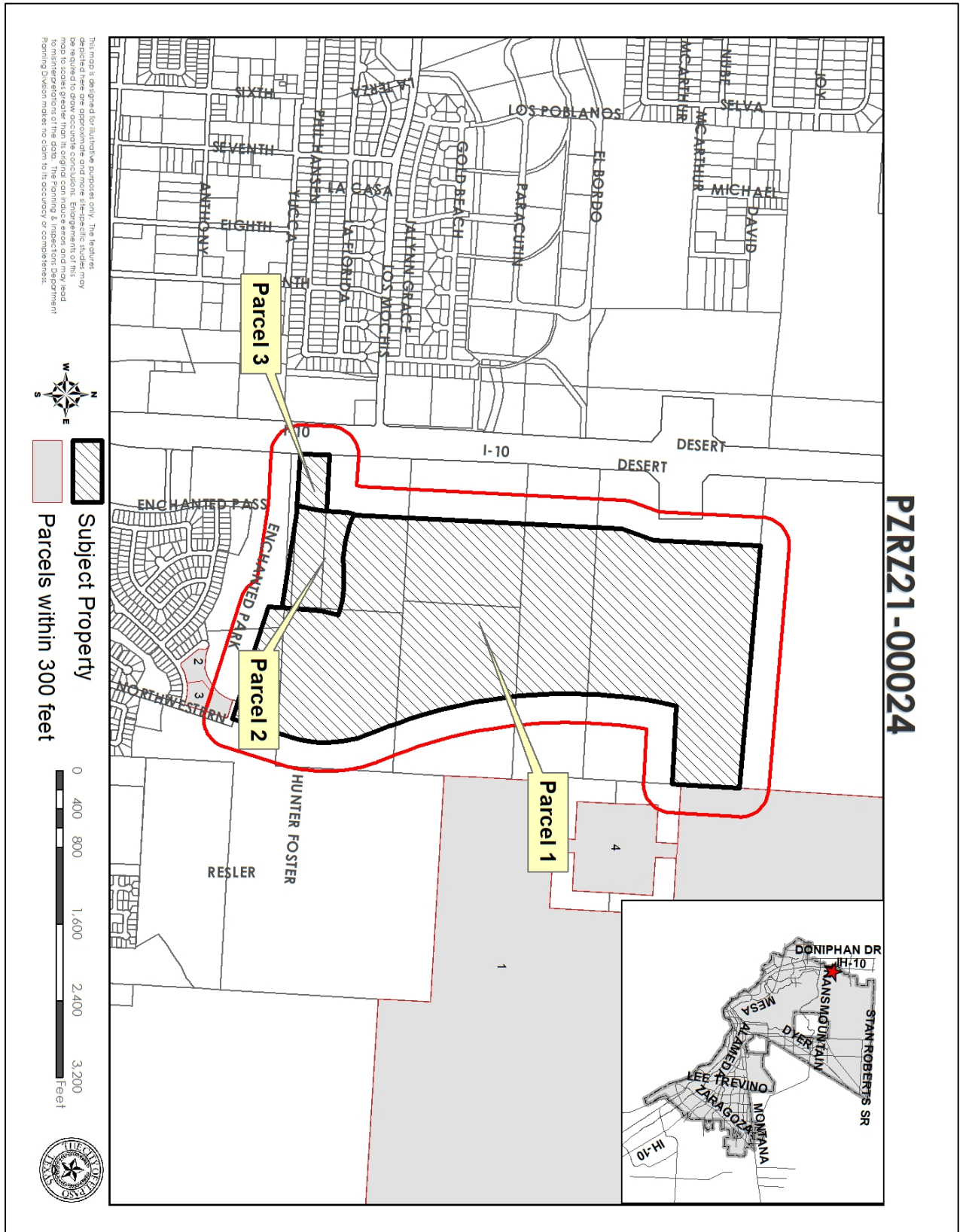
1. Future Land Use Map
2. Neighborhood Notification Boundary Map
3. Generalized Plot Plan
4. Department Comments
5. Ordinance No. 16948



# ATTACHMENT 1

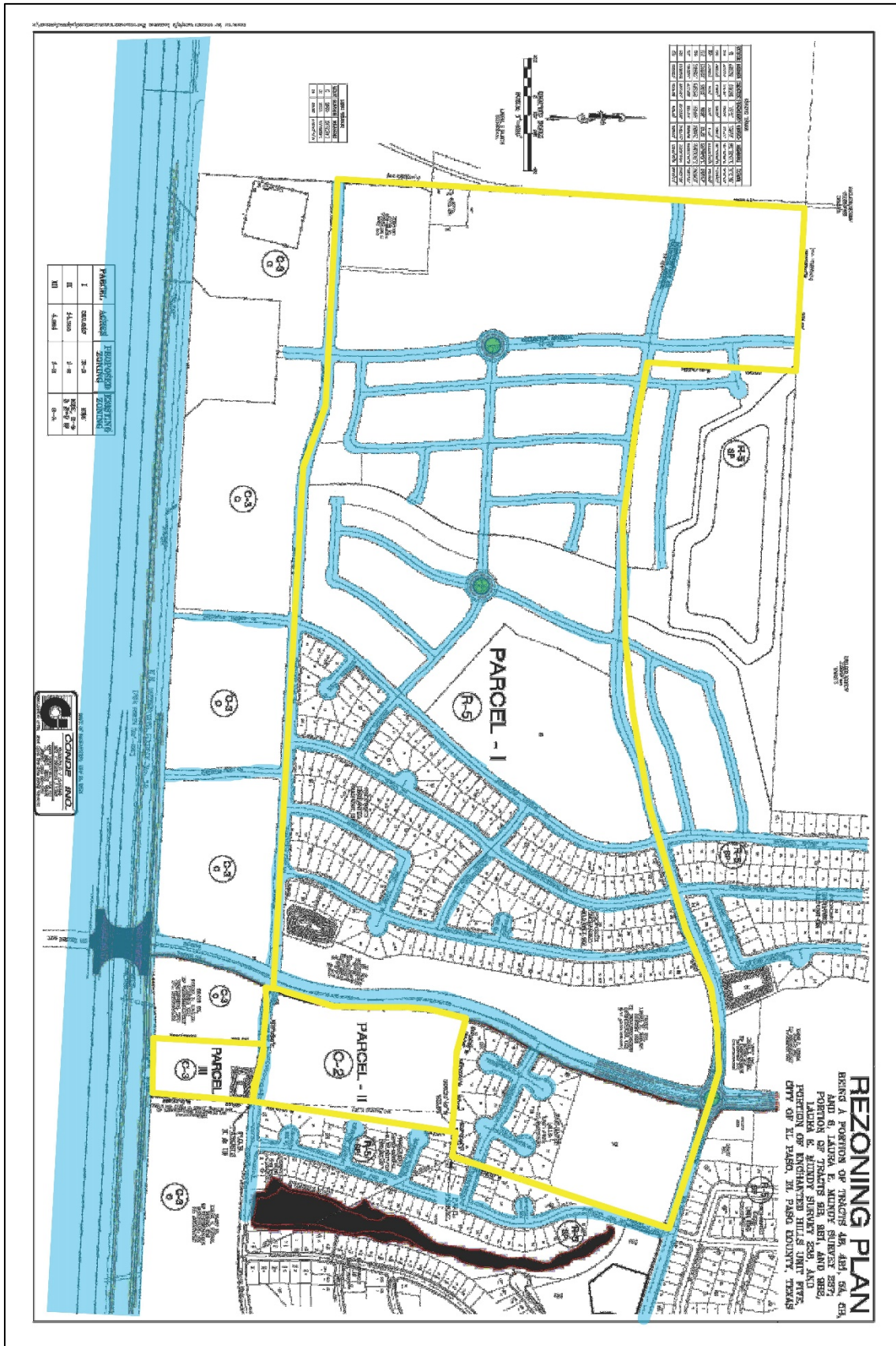


# ATTACHMENT 2





# ATTACHMENT 3



# **ATTACHMENT 4**

## **Planning and Inspections Department - Planning Division**

Recommend approval.

## **Planning and Inspections Department – Plan Review & Landscaping Division**

Recommend approval.

## **Planning and Inspections Department – Land Development**

No objections to proposed rezoning.

## **Fire Department**

Recommend approval. No adverse comments.

## **Police Department**

No comments received.

## **Environment Services**

No adverse comments.

## **Streets and Maintenance Department**

No further objections since a TIA was previously completed for this case and an update is not required.

## **Sun Metro**

Recommend approval. No objections.

## **El Paso Water Utilities**

EPWater-PSB does not object to this request.

The subject property is located within the City of El Paso Westside Impact Fee Service Area. Impact fees will be assessed at the time of plat and collected after the El Paso Water receives an application for water and/or sanitary sewer services.

Water and sanitary sewer main extensions within Enchanted Hills Unit Five must be installed and Final Acceptance must be issued before mains are available for extension.

### **Water:**

A 16-inch diameter water transmission main is to be constructed within a PSB easement east of and parallel to Desert Blvd North. EPWater requests for the owner to coordinate so that the required water main is installed ahead of or in parallel with development.

Water service can be made available to the subdivision up to elevation 4060 (PSB Datum). Water pressure between 35-psi and 50-psi is anticipated between ground elevation 4,094-feet and 4,060-feet. (PSB Datum).

### **Sanitary Sewer:**

A 15-inch diameter sanitary sewer main is to be constructed within a PSB easement east of and parallel to Desert Blvd North. EPWater requests for the owner to coordinate so that the required water main is installed ahead or in parallel with development.

**General:**

Water and sewer main extensions will be required within the proposed Subdivision. Water and sanitary sewers mains are to be extend along a PSB easement or a dedicated street. Water mains are to be extended creating a looped system. Owner is responsible for all main extension costs.

EPWater requires a new service application to provide additional services to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater Rules and Regulations. The applicant 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.

**Stormwater:**

No objections to the rezoning proposal.

**El Paso County 911 District**

No comments received.

**Texas Department of Transportation**

No comments received.

**El Paso County Water Improvement District #1**

Not within the boundaries of EPCWID1.

# **ATTACHMENT 5**

**(See next pages)**

CITY CLERK DEPT.

08 JUL 30 AM 8:50

ORDINANCE NO. 016948

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

**PARCEL 1:** A PORTION OF TRACTS 8, 9A, 9B1 AND 9C, LAURA E. MUNDY SURVEY NO. 238, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL) AND IMPOSING CONDITIONS; AND,

**PARCEL 2:** A PORTION OF TRACTS 8, 9A, 9B1 AND 9C, LAURA E. MUNDY SURVEY NO. 238, AND A PORTION OF TRACTS 5A, 5B AND 6, LAURA E. MUNDY SURVEY NO. 237 AND A PORTION OF NELLIE D. MUNDY SURVEY NO. 244, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-3 (RESIDENTIAL) TO R-5 (RESIDENTIAL) AND FROM R-3/SP (RESIDENTIAL/SPECIAL PERMIT) TO R-5/SP (RESIDENTIAL/SPECIAL PERMIT); AND,

**PARCEL 3:** A PORTION OF TRACTS 9A, 9B1 AND 9B, LAURA E. MUNDY SURVEY NO. 238 AND A PORTION OF TRACT 4B, 4B1, 5A, 5B AN 6, LAURA E. MUNDY SURVEY NO. 237, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-3 (RESIDENTIAL) TO R-MU (RESIDENTIAL MIXED USE) AND APPROVING A MASTER ZONING PLAN; AND,

**PARCEL 4:** A PORTION OF TRACTS 9B, LAURA E. MUNDY SURVEY NO. 238, AND A PORTION OF TRACTS 4A, 4B, 4B1, AND 6, LAURA E. MUNDY SURVEY NO. 237 CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL) AND IMPOSING CONDITIONS. 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 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 Tracts 8, 9A, 9B1 and 9C, Laura E. Mundy Survey No. 238, 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) to C-3 (Commercial) and imposing conditions; and,*

**Parcel 2:** A portion of Tracts 8, 9A, 9B1 and 9C, Laura E. Mundy Survey No. 238, and a portion of Tracts 5A, 5B and 6, Laura E. Mundy Survey No. 237 and a portion of Nellie D. Mundy Survey No. 244, City of El Paso, El Paso County, Texas, and more particularly described by metes and bounds on the attached Exhibit "B", incorporated by reference, be changed from **R-3 (Residential)** to **R-5 (Residential)** and from **R-3/sp (Residential/special permit)** to **R-5/sp (Residential/special permit)**; and,

**Parcel 3:** A portion of Tracts 9A, 9B1, and 9B, Laura E. Mundy Survey No. 238, and a portion of Tracts 4B, 4B1, 5A, 5B, and 6, Laura E. Mundy Survey No. 237, City of El Paso, El Paso County, Texas, and more particularly described by metes and bounds on the attached Exhibit "C", incorporated by reference, be changed from **R-3 (Residential)** to **R-MU (Residential Mixed Use)** and approving a Master Zoning Plan, included as Exhibit "E" to this Ordinance; and,

**Parcel 4:** A portion of Tracts 9B, Laura E. Mundy Survey No. 238, and a portion of Tracts 4A, 4B, 4B1, and 6, Laura E. Mundy Survey No. 237, City of El Paso, El Paso County, Texas, and more particularly described by metes and bounds on the attached Exhibit "D", incorporated by reference, be changed from **R-3 (Residential)** to **C-3 (Commercial)** and imposing conditions.

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 4

*A detailed site development plan shall be reviewed approved per the El Paso City Code prior to the issuance of building permits.*

*A ten (10) foot landscaped buffer be placed abutting all residential uses.*

**PASSED AND APPROVED** this 29<sup>th</sup> day of July, 2008.

THE CITY OF EL PASO

John F. Cook  
John F. Cook  
Mayor

CITY CLERK DEPT.  
08 JUL 30 AM 8:50

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. McElroy  
Mathew S. McElroy  
Deputy Director – Planning  
Development Services Department

**Exhibit "A"**

**Parcel 1 (C-4)**

Being a **42.11 acre** portion of Tracts 8, 9A, 9B1, and 9C,  
Laura E. Mundy Survey #238,  
City of El Paso, El Paso County, Texas,  
February 15, 2008

**METES AND BOUNDS DESCRIPTION**

Description of a parcel of land being a **42.11 acre** portion of Tracts 8, 9A, 9B1, and 9C, Laura E. Mundy Survey #238, 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 2" pipe held for the southeast corner of Laura E. Mundy Survey #238 and the northeast corner of Nellie D. Mundy Survey #239, from which a found 1" pipe held for the southeast corner of Nellie D. Mundy Survey #239 bears South 00°00'02" West a distance of 4,100.21 feet, a found 1" pipe held for the northeast corner of Laura E. Mundy Survey #238 bears North 00°00'02" East a distance of 4,047.02 feet, and a found 1" pipe held for the northwest corner of Nellie D. Mundy Survey #244 bears North 00°00'02" East a distance of 4,790.13 feet; Thence with the common line of Surveys #239 and #238, North 89°59'58" West a distance of 2,654.05 feet to the "**TRUE POINT OF BEGINNING**".

Thence continuing along said line, **North 89°59'58" West** a distance of **599.59** feet to a point at the westerly right of way line of U.S. Highway No. 10;

Thence with said right of way, **North 00°01'47" East** a distance of **1,091.00** feet to a point of inverse;

Thence with said right of way, **North 07°09'17" East** a distance of **201.56** feet to a point of inverse;

Thence with said right of way, **North 00°01'47" East** a distance of **1,789.53** feet to a point the southwest corner of Tract 9B2;

Thence along a line common to said Tract 9B2 and Tract 9B1, **North 89°59'55" East** a distance of **559.44** feet to a point;

Thence leaving said common line, **South 00°01'37" West** a distance of **960.78** feet to a point of curvature;

Thence, **243.55** feet along the arc of a curve to the left which has a radius of **750.00** feet, a central angle of **18°36'21"**, a tangent of 122.86 feet, and a chord which bears South 09°16'33" East a distance of 242.48 feet to a point of tangency;

Thence, **South 18°34'44" East** a distance of **34.63** feet to a point of curvature;

CITY OF EL PASO  
COUNTY CLERK  
EL PASO COUNTY, TEXAS

**Exhibit "A"**

Thence, **567.48** feet along the arc of a curve to the right which has a radius of **1,000.00** feet, a central angle of **32°30'51"**, a tangent of 291.61 feet, and a chord which bears South 02°19'18" East a distance of 559.90 feet to a point of tangency;

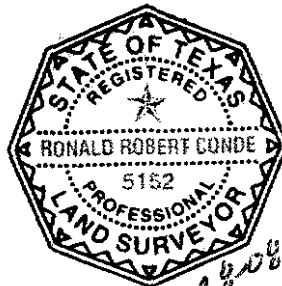
Thence, **South 13°56'07" West** a distance of **120.12** feet to a point of curvature;

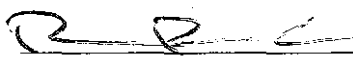
Thence, **242.75** feet along the arc of a curve to the left which has a radius of **1,000.00** feet, a central angle of **13°54'31"**, a tangent of 121.98 feet, and a chord which bears South 06°58'52" West a distance of 242.16 feet to a point of tangency;

Thence, **South 00°01'36" West** a distance of **931.24** feet to "**TRUE POINT OF BEGINNING**" and containing in all **1,834,203 square feet** or **42.11 acres** of land more or less.

A Zoning Map dated February 15, 2008 accompanies this metes and bounds description.

STATE OF TEXAS  
COUNTY OF EL PASO  
FEB 12 2008



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

job 1207-76

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

**016948**



**Exhibit "B"**

**Parcel 2 (R-5)**

Being a portion of Tracts 8, 9A, 9B1, and 9C,  
Laura E. Mundy Survey #238, and  
A portion of Tracts 5A, 5B, and 6,  
Laura E. Mundy Survey #237, and  
A portion of Nellie D. Mundy Survey #244,  
City of El Paso, El Paso County, Texas,  
February 15, 2008

CITY CLERK  
EL PASO, TEXAS  
2008 FEB 15

**METES AND BOUNDS DESCRIPTION**

Description of a parcel of land being a portion of Tracts 8, 9A, 9B1, and 9C, Laura E. Mundy Survey #238, and a portion of Tracts 5A, 5B, and 6, Laura E. Mundy Survey #237, and a portion of Nellie D. Mundy Survey #244, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

The **"TRUE POINT OF BEGINNING"** being a found 2" pipe held for the southeast corner of Laura E. Mundy Survey #238 and the northeast corner of Nellie D. Mundy Survey #239, from which a found 1" pipe held for the southeast corner of Nellie D. Mundy Survey #239 bears South 00°00'02" West a distance of 4,100.21 feet, a found 1" pipe held for the northeast corner of Laura E. Mundy Survey #238 bears North 00°00'02" East a distance of 4,047.02 feet, and a found 1" pipe held for the northwest corner of Nellie D. Mundy Survey #244 bears North 00°00'02" East a distance of 4,790.13 feet;

Thence with the common line of Surveys #239 and 238, **North 89°59'58" West** a distance of **2,654.05** feet to a point;

Thence leaving said line, **North 00°01'36" East** a distance of **931.24** feet to a point of curvature;

Thence, **242.75** feet along the arc of a curve to the right which has a radius of **1,000.00** feet, a central angle of **13°54'31"**, a tangent of 121.98 feet, and a chord which bears North 06°58'52" East a distance of 242.16 feet to a point of tangency;

Thence, **North 13°56'07" East** a distance of **120.12** feet to a point of curvature;

Thence, **567.48** feet along the arc of a curve to the left which has a radius of **1,000.00** feet, a central angle of **32°30'51"**, a tangent of 291.61 feet, and a chord which bears North 02°19'18" West a distance of 559.90 feet to a point of tangency;

Thence, **North 18°34'44" West** a distance of **34.63** feet to a point of curvature;

Thence, **243.55** feet along the arc of a curve to the right which has a radius of **750.00** feet, a central angle of **18°36'21"**, a tangent of 122.86 feet, and a chord which bears North 09°16'33" West a distance of 242.48 feet to a point of tangency;

Thence, **North 00°01'37" East** a distance of **960.78** feet to a point at the south line of Tract 9B2;

Thence along a line common to said Tract 9B2 and Tract 9B1, **North 89°59'55" East** a distance of **1,065.94** feet to a point at the southeast corner of Tract 9B2;

Thence leaving said line, **South 00°00'05" East** a distance of **242.13** feet to a point;

Thence, **South 75°28'56" East** a distance of **1,226.61** feet to a point;

Thence, **North 14°31'04" East** a distance of **621.01** feet to a point of curvature;

**Exhibit "B"**

Thence, **878.36** feet along the arc of a curve to the left which has a radius of **1,250.00** feet, a central angle of **40°15'39"**, a tangent of 458.18 feet, and a chord which bears North 05°36'46" West a distance of 860.39 feet to a point of reverse curvature;

Thence, **3239.16** feet along the arc of a curve to the right which has a radius of **5,250.00** feet, a central angle of **35°21'02"**, a tangent of 1672.99 feet, and a chord which bears North 08°04'04" West a distance of 3188.03 feet to a point;

Thence, **South 89°59'59" East** a distance of **790.09** feet to a point at a line common to Laura E. Mundy Survey #237 and Nellie D. Mundy Survey #245;

Thence with said common line, **South 00°00'05" East** a distance of **2,354.76** feet to a found 1" pipe held for the northwest corner of Nellie D. Mundy Survey #244 and the southwest corner of Nellie D. Mundy Survey #245;

Thence with the common line of said Surveys #244 and #245, **North 89°59'36" East** a distance of **2,371.12** feet to a found 1 ½" pipe held for the northeast corner of Nellie D. Mundy Survey #244;

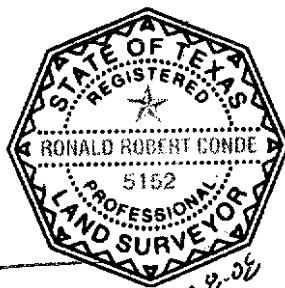
Thence with the east line of said Survey #244, **South 00°00'19" West** a distance of **3,122.87** feet to a found 1" pipe held for the southeast corner of the northerly 170 acres of Nellie D. Mundy Survey #244 as referenced by that parcel described in Book 2354, Page 1678, recorded with the El Paso County Real Property Records;

Thence with the south line said parcel, **South 89°59'35" West** a distance of **2,370.86** feet to a point at a line common to Nellie D. Mundy Survey #244 and Laura E. Mundy Survey #238, from which a found 1 ½" pipe bears North 89°59'35" East a distance of 0.23 feet;

Thence with said common line, **South 00°00'02" West** a distance of **1,667.24** feet to **"TRUE POINT OF BEGINNING"** and containing in all **17,578,546 square feet** or **403.55 acres** of land more or less.

A Zoning Map dated February 15, 2008 accompanies this metes and bounds description.

RECORDED  
2008 JUN 13 PM 12:06



job 1207-76

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**

**Exhibit "C"**

CITY OF EL PASO  
COUNTY CLERK  
OFFICE  
1000 N. EL PASO STREET  
EL PASO, TEXAS 79901

**Parcel 3 (RMU)**

Being a portion of Tracts 9A, 9B1, and 9B,  
Laura E. Mundy Survey #238, and  
a portion of Tracts 4B, 4B1, 5A, 5B, and 6,  
Laura E. Mundy Survey #237,  
City of El Paso, El Paso County, Texas,  
February 15, 2008

**METES AND BOUNDS DESCRIPTION**

Description of a parcel of land being a portion of Tracts 9A, 9B1, and 9B, Laura E. Mundy Survey #238, and a portion of Tracts 4B, 4B1, 5A, 5B, and 6, Laura E. Mundy Survey #237, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

The **"TRUE POINT OF BEGINNING"** being a found  $\frac{5}{8}$ " rebar with cap "TX 4869" at the northeast corner of Laura E. Mundy Survey #237 and the southeast corner of Laura E. Mundy Survey #234, from which a found 1" pipe held for the northwest corner of Nellie D. Mundy Survey #244 bears North 00°00'02" East a distance of 4,790.13 feet;

Thence with the east line of said Survey #237, **South 00°00'05" East** a distance of **875.00** feet to a point;

Thence leaving said survey line, **North 89°59'59" West** a distance of **790.09** feet to a point on a curve;

Thence, **3,239.16** feet along the arc of a curve to the left which has a radius of **5,250.00** feet, a central angle of **35°21'02"**, a tangent of 1672.99 feet, and a chord which bears South 08°04'04" East a distance of 3188.03 feet to a point of reverse curvature;

Thence, **878.36** feet along the arc of a curve to the right which has a radius of **1,250.00** feet, a central angle of **40°15'39"**, a tangent of 458.18 feet, and a chord which bears South 05°36'46" East a distance of 860.39 feet to a point of tangency;

Thence, **South 14°31'04" West** a distance of **621.01** feet to a point;

Thence, **North 75°28'56" West** a distance of **1,226.61** feet to a found  $\frac{1}{2}$ " rebar with cap "TX 2027" at the northeast corner of Tract 9B2 and the southeast corner of Tract 9B;

Thence along a line common to said Tracts 9B2 and Tract 9B, **North 00°00'05" West** a distance of **552.81** feet to a point;

**Exhibit "C"**

Thence leaving said line, **South 89°59'55" West** a distance of **1,000.78** feet to a point;

Thence, **North 00°01'37" East** a distance of **3,092.86** feet to a point;

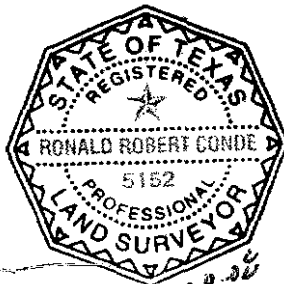
Thence, **North 16°42'09" East** a distance of **348.49** feet to a point;

Thence, **North 00°01'37" East** a distance of **1,201.94** feet to a point at a line common to Laura E. Mundy Survey #237 and Laura E. Mundy Survey #234;


Thence with said common line, **North 89°59'55" East** a distance of **2,500.24** feet to **"TRUE POINT OF BEGINNING"** and containing in all **10,366,445** square feet or **237.98** acres of land more or less.

A Zoning Map dated February 15, 2008 accompanies this metes and bounds description.

CITY OF EL PASO  
OFFICE OF THE CITY CLERK  
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\_\_\_\_\_  
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**

**016948**

**Exhibit "D"**

**Parcel 4 (C-4)**

Being a portion of Tracts 9B,  
Laura E. Mundy Survey #238, and  
a portion of Tracts 4A, 4B, 4B1, and 6,  
Laura E. Mundy Survey #237,  
City of El Paso, El Paso County, Texas,  
February 15, 2008

**METES AND BOUNDS DESCRIPTION**

Description of a parcel of land being a portion of Tracts 9B, Laura E. Mundy Survey #238, and a portion of Tracts 4A, 4B, 4B1, and 6, Laura E. Mundy Survey #237, 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  $\frac{5}{8}$ " rebar with cap "TX 4869" at the northeast corner of Laura E. Mundy Survey #237 and the southeast corner of Laura E. Mundy Survey #234, from which a found 1" pipe held for the northwest corner of Nellie D. Mundy Survey #244 bears North 00°00'02" East a distance of 4,790.13 feet; Thence along a line common to Laura E. Mundy Survey #237 and Laura E. Mundy Survey #234, South 89°59'55" West a distance of 2,500.24 feet to the "**TRUE POINT OF BEGINNING**".

Thence leaving said line, **South 00°01'37" West** a distance of **1,201.94** feet to a point;

Thence, **South 16°42'09" West** a distance of **348.49** feet to a point;

Thence, **South 00°01'37" West** a distance of **3,092.86** feet to a point at a line common to Tracts 9B2 and Tract 9B;

Thence with said common line, **South 89°59'55" West** a distance of **624.42** feet to a point at the westerly right of way line of U.S. Highway No. 10;

Thence with said right of way, **North 00°01'47" East** a distance of **100.41** feet to a point;

Thence with said right of way, **North 07°05'43" West** a distance of **201.56** feet to a point;

Thence with said right of way, **North 00°01'47" East** a distance of **3,025.86** feet to a point;

Thence with said right of way, **North 45°01'47" East** a distance of **141.42** feet to a found 4"x 4" concrete TX.D.O.T right of way marker;

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COUNTY CLERK

**Exhibit "D"**

Thence with said right of way, **South 89°58'13" East** a distance of **375.00** feet to a found 4"x 4" concrete TX.D.O.T right of way marker;

Thence with said right of way, **North 00°01'47" East** a distance of **550.15** feet to a found 4"x 4" concrete TX.D.O.T right of way marker;

Thence with said right of way, **North 89°58'13" West** a distance of **375.00** feet to a found 4"x 4" concrete TX.D.O.T right of way marker;

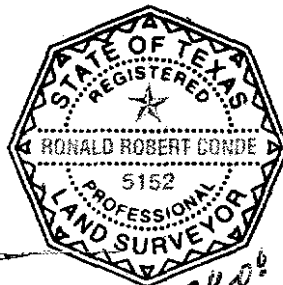
Thence with said right of way, **North 44°58'13" West** a distance of **141.42** feet to a found 4"x 4" concrete TX.D.O.T right of way marker;

Thence with said right of way, **North 00°01'47" East** a distance of **552.15** feet to a point at the intersection of said right of way line with the common line of Laura E. Mundy Survey #237 and Laura E. Mundy Survey #234;

Thence with said common line, **North 89°59'55" East** a distance of **749.20** feet to "**TRUE POINT OF BEGINNING**" and containing in all **2,865,943** square feet or **65.79** acres of land more or less.

A Zoning Map dated revised February 15, 2008 accompanies this metes and bounds description.

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R R C  
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**

**016948**

Exhibit "E"

ENCHANTED HILLS  
MASTER ZONING PLAN

Date: February 18, 2008

b. To encourage the following: mixture of Housing types and densities, preserve open space areas, provide multi-modal form of transportation (pedestrian friendly), mixed use (residential, office, commercial), and to provide form and continuity of building and street scapes.

The 2025 El Paso Comprehensive Plan designates this area as Mixed-Use and a portion as Industrial. The proposed Enchanted Hills Master Plan does Relationship to Comprehensive designate the I-10 Frontage as Heavy Commercial / Industrial, then the Mixed Use area, transitioned to and Single Family as we move toward the Franklin Plan: Mountains.

Proposed Land Use	Percentage Development	Density	Lot Sizes	Lot Coverage	Yard Setbacks	Building Height	Buffers	Phase	Timing
1.00 Agricultural	n/a	n/a	1/2 Acre Minimum	50%	10' Front / 10' Side	25' Maximum	Landscape Only	10	10 years
Veterinary Treatment (Small)									
2.00 Commercial Storage:	n/a	n/a	1/2 Acre Minimum	75%	n/a	25' Maximum	Landscape Only	10	10 years
Self Storage									
3.00 Educational:	1%	n/a	n/a	75%	n/a	45' Maximum	n/a	10	10 years
Art Gallery									
Child Care Facility			1/2 Acre Minimum	50%	n/a	25' Maximum	n/a	5	5 years
Church			1 Acre Minimum	50%	20' Front / 10' Side / 20' Rear	45' Maximum	Landscape Only	10	10 years
Community Recreational Center			1 Acre Minimum	50%	n/a	45' Maximum	Landscape Only	10	10 years
Library / Museum			1/2 Acre Minimum	75%	n/a	45' Maximum	n/a	10	10 years
School			5 Acre Minimum	50%	20' Front / 10' Side / 20' Rear	45' Maximum	Landscape Only	10	10 years
4.00 Office	3%	n/a	1/2 Acre Minimum	75%	20' Rear	25' Maximum	Landscape Only	5	5 years
Bank / ATM									
Offices (Business, Medical, Professional)			n/a	75%	n/a	45' Maximum	n/a	5	5 years
Studio (Dance/Music/Photography)			n/a	75%	n/a	45' Maximum	n/a	5	5 years
6.00 Medical	2%	n/a	n/a	75%	n/a	25' Maximum	Landscape Only	10	10 years
Clinic									
Drug Store/Pharmacy			n/a	75%	n/a	25' Maximum	Landscape Only	5	5 years

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ENCHANTED HILLS  
MASTER ZONING PLAN

Proposed Land Use	Percent of Development	Density	Lot Sizes	Lot Coverage	Yard Setbacks	Building Height	Buffers	Phase	Timing
Hospital		n/a	1 Acre Minimum	50%	20' Front / 10' Side / 20' Rear	45' Maximum	Landscape Only	10	10 years
Assisted Living (Elderly Care)			1 Acre Minimum	50%	n/a	25' Maximum	Landscape Only	5	5 years
<b>10.00</b> <b>Personal Services</b>	<b>2%</b>								
Barber Shop/Beauty Salon		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Dry Cleaning		n/a	2,500 Sq. Ft.	75%	n/a	25' Maximum	n/a	5	5 years
Laundromat		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Shoe Shop Repair		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
<b>11.00</b> <b>Recreational</b>	<b>25%</b>								
Athletic Facility		n/a	n/a	50%	n/a	45' Maximum	Landscape Only	5	5 years
Open Space		n/a	n/a	50%	n/a	n/a	n/a	1	1 years
Park		n/a	n/a		n/a	n/a	n/a	3	3 years
Racquetball Club		n/a	1 Acre Maximum	75%	n/a	45' Maximum	Landscape Only	10	10 years
Swimming Pool		n/a	2 Acre Maximum	75%	10' Front / 10' Side / 20' Rear	45' Maximum	Landscape Only	10	10 years
Tennis Club		n/a	4 Acre Maximum	75%	10' Front / 10' Side / 20' Rear	25' Maximum	Landscape Only	10	10 years
<b>13.00</b> <b>Residential</b>	<b>60%</b>								
Apartments		14 / Acres	n/a	75%	n/a	45' Maximum	n/a	1	1 year
Duplex		6 / Acres	6,000 Sq. Ft. Minimum	50%	10' Front / 15' Rear	25' Maximum	n/a	1	1 year
Quadrplex		10 / Acres	8,000 Sq. Ft. Minimum	50%	10' Front / 15' Rear	25' Maximum	n/a	1	1 year
Single Family (Attached/Detached)		14 / Acres	5,000 Sq. Ft. / 4,000 Sq. Ft. Minimum	50%	10' Front / 15' Rear	25' Maximum	n/a	1	1 year
Triplex		8 / Acres	7,000 Sq. Ft. Minimum	50%	10' Front / 15' Rear	25' Maximum	n/a	1	1 year
<b>14.00</b> <b>Sales</b>	<b>7%</b>								
Bakery		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Book Store		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Boutique		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Convenience Store w/ Gas Pump		n/a	½ Acre Minimum	50%	10' Front / 10' Side / 20' Rear	25' Maximum	n/a	5	5 years
Delicatessen		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years

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ENCHANTED HILLS  
MASTER ZONING PLAN

Date: February 18, 2008

Proposed Land Use	Percent of Development	Density	Lot Sizes	Lot Coverage	Yard Setbacks	Building Height	Buffers	Phase	Timing
Flower Shop		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Grocery		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Ice Cream Parlor		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Music Store		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Nursery (Green House)		n/a	½ Acre Minimum	25%	10' Front / 10' Side / 20' Rear	25' Maximum	n/a	5	5 years
Other Retail (Low Volume)		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Pakcage Liquor Store		n/a	n/a	50%	n/a	25' Maximum	n/a	5	5 years
Shopping Center Community		n/a	8 Acre Minimum		10' Front / 10' Side / 20' Rear	25' Maximum	Landscape Only	5	5 years
<b>17.00</b> <b>Towers</b> Personal Services Wireless Facility (17.02-17.05)		n/a	n/a	n/a	n/a	n/a	Landscape Only	5	5 years
<b>19.00</b> <b>Utility &amp; Miscellaneous</b> Government Use Building		n/a	n/a	75%	n/a	25' Maximum	Landscape Only	5	5 years
Major Utility Facility		n/a	n/a	75%	n/a	25' Maximum	Landscape Only	5	5 years

Proposed mix of uses:

A. Residential/ Office/Retail: to include 13.0 (Single Family, Duplex and Triplex); 4.0 (Business office); 14.0 (other retail low volume, convenience store)

B. Multi-Family/ Office/ Commercial: to include 1.0; 2.0; 4.0; 6.0; 10.0; 13.0 (Apartment, and Quadraplex); 14.0; 17.0; and 19.0

C. Educational/ Recreational/ Office/ Retail: to include 3.0; 11.0; 4.0 (Studio); 14.0 (book store, delicatessen, Ice Cream Parlor)

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