

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

**AGENDA DATE:** October 10, 2023  
**PUBLIC HEARING DATE:** November 7, 2023

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Philip F. Etiwe, (915) 212-1553  
Nina Rodriguez, (915) 212-1561

**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 0.367-acre portion of Tract 62E2, W.H. Glenn Survey 241 and Tract 4G2, Nellie D. Mundy Survey 240, City of El Paso, El Paso County, Texas, from C-1 (Commercial) to C-3 (Commercial) and, Parcel 2: A 18.228-acre portion of Tract 1B2, Nellie D. Mundy Survey 242, Tract 62E2, W.H. Glenn Survey 241 and Tracts 4G and 4G2, Nellie D. Mundy Survey 240, City of El Paso, El Paso County, Texas, from C-1 (Commercial), C-3/c (Commercial/conditions), and C-4/c (Commercial/conditions) to R-3A (Residential); and imposing a condition. 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: North of Cimarron Canyon Dr. and East of Resler Dr.  
Applicant: CSA Design Group, Inc., PZRZ23-00002

**BACKGROUND / DISCUSSION:**

The applicant is requesting to rezone the subject parcels into two (2) different zoning districts. Parcel 1 is proposed to be rezoned from C-1 (Commercial) to C-3 (Commercial) to allow for permitted commercial uses; and Parcel 2 is proposed to be rezoned from C-1 (Commercial), C-3/c (Commercial/conditions), and C-4/c (Commercial/conditions) to R-3A (Residential) to allow for single-family residential lots. The Open Space Advisory Board recommended 5-0 to approve the proposed rezoning with a condition on June 14, 2023. City Plan Commission recommended 5-0 to approve the proposed rezoning with a condition on June 15, 2023. As of September 26, 2023, the Planning Division has received one (1) email in opposition and three (3) phone calls in support to the rezoning request. This application is running concurrently with condition release application PZCR23-00002. 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*

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

AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY KNOWN AS: PARCEL 1: A 0.367-ACRE PORTION OF TRACT 62E2, W.H. GLENN SURVEY 241 AND TRACT 4G2, NELLIE D. MUNDY SURVEY 240, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-1 (COMMERCIAL) TO C-3 (COMMERCIAL) AND, PARCEL 2: A 18.228-ACRE PORTION OF TRACT 1B2, NELLIE D. MUNDY SURVEY 242, TRACT 62E2, W.H. GLENN SURVEY 241 AND TRACTS 4G AND 4G2, NELLIE D, MUNDY SURVEY 240, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-1 (COMMERCIAL), C-3/C (COMMERCIAL/CONDITIONS), AND C-4/C (COMMERCIAL/CONDITIONS) TO R-3A (RESIDENTIAL); 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:

Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning of Parcel 1: A 0.367-acre portion of Tract 62E2, W.H. Glenn Survey 241 and Tract 4G2, Nellie D. Mundy Survey 240, 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 18.228-acre portion of Tract 1B2, Nellie D. Mundy Survey 242, Tract 62E2, W.H. Glenn Survey 241 and Tracts 4G and 4G2, Nellie D. Mundy Survey 240, located in the City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached Exhibit “B”, incorporated by reference; be changed as listed for PARCEL 1: FROM C-1 (COMMERCIAL) TO C-3 (COMMERCIAL); AND PARCEL 2: FROM C-1 (COMMERCIAL), C-3/c (COMMERCIAL/CONDITIONS), AND C-4/C (COMMERCIAL/CONDITIONS) TO R-3A (RESIDENTIAL), 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 as Parcel 1 be subject to the following condition which is necessitated by and attributable to the increased intensity of use generated by the change of zoning in order to protect the health, safety and welfare of the residents of the City:

*That 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 twenty feet (20’) 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 or certificates of completion. No landscape buffer shall be required where adjacent to stormwater ponding or open space areas.*

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 \_\_\_\_\_, 2023.

**THE CITY OF EL PASO**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

*Russell Abeln*  
\_\_\_\_\_  
Russell T. Abeln  
Senior Assistant City Attorney

**APPROVED AS TO CONTENT:**

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

(Exhibits on the following pages)

**EXHIBIT "A"**

Property description: A 0.367-acre portion of Tract 62E2, W.H. Glenn Survey 241 and Tract 4G2, Nellie D. Mundy Survey 240, El Paso, El Paso County, Texas

**METES AND BOUNDS DESCRIPTION**

The parcel of land herein described is a 0.367-acre portion of Tract 62E2, W.H. Glenn Survey 241 and Tract 4G2, Nellie D. Mundy Survey 240, El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

**COMMENCING** at the common most westerly corner of Cimarron Canyon Unit One (Clerk’s File No. 20180052184, Plat Records, El Paso County, Texas) and Cimarron Canyon Unit Two (Clerk’s File No. 20220003665, Plat Records, El Paso County, Texas); Thence, South 13°32’48” East, along the westerly boundary of Cimarron Canyon Unit One, a distance of 818.90 feet to the north right-of-way of Cimarron Canyon Drive (varied-width right-of-way; Cimarron Canyon Unit One); Thence, South 76°27’12” West, along said right-of-way, a distance of 341.47 feet; Thence, 31.42 feet along the arc of a curve to the left, having a radius of 20.00 feet, a central angle of 90°00’04” and a chord which bears North 31°27’10” East, a distance of 28.28 feet; Thence, North 13°32’52” West, a distance of 192.18 feet; Thence, South 76°27’08” West, a distance of 139.96 feet; Thence, North 13°33’07” West, a distance of 100.58 feet to the northerly boundary of that certain parcel of land described January 20, 2004, in Book 4825, Page 1944, Parcel 1, Deed Records, El Paso County, Texas, for the **POINT OF BEGINNING** of this description;

**THENCE**, South 76°26’41” West, along said boundary, a distance of 133.50 feet to the east right-of-way of Resler Drive (varied width right-of-way; January 8, 2002, Book 4158, Page 910, Deed Records, El Paso County, Texas);

**THENCE**, along said right-of-way the following courses and distances:

North 13°32’48” West, a distance of 0.42 feet;

70.07 feet along the arc of a curve to the right, having a radius of 90.00 feet, a central angle of 44°36’35”, and a chord which bears North 8°45’30” East, a distance of 68.32 feet;

126.89 feet along the arc of a curve to the left, having a radius of 205.00 feet, a central angle of 35°27’50”, and a chord which bears North 13°19’53” East, a distance of 124.87 feet;

**THENCE**, North 76°27’08” East, a distance of 51.10 feet;

**THENCE**, South 13°33’07” East, a distance of 174.98 feet to the **POINT OF BEGINNING** of this description.

Said parcel of land contains 0.367 acres (16,003 square feet) of land more or less.

NOTE: THIS DESCRIPTION IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY.

ROBERT SEIPEL ASSOCIATES, INC.  
Professional Land Surveyors  
Texas Reg. Surveying Firm 10060500

Mark U. Balansay, R.E.L.S. 6489  
President  
Texas License No. 6489



Job Number 22-0009B  
January 19, 2023

EXHIBIT "A"

CURVE TABLE					
CURVE #	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	90°00'04"	20.00	31.42'	N31°27'10"E	28.28'
C2	44°36'35"	90.00	70.07'	N8°45'30"E	68.32'
C3	35°27'50"	205.00	126.89'	N13°19'53"E	124.87'

0.194-ACRE PARCEL OF LAND DESCRIBED NOVEMBER 9, 2020, IN CLERK'S FILE NO. 20200092121, DEED RECORDS, EL PASO COUNTY, TEXAS

**PARCEL AREA**  
0.367 ACRES  
16,003 SQ. FT.

LINE TABLE		
LINE #	BEARING	DISTANCE
T1	S76°27'12"W	341.47'
T2	N13°32'52"W	192.18'
T3	S76°27'08"W	139.96'
T4	N13°33'07"W	100.58'
T5	S76°26'41"W	133.50'
T6	N13°32'48"W	0.42'
T7	N76°27'08"E	51.10'
T8	S13°33'07"E	174.98'

NOTE:

1. THIS SURVEY IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A NARRATIVE METES AND BOUNDS DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS PLAT.
2. BASIS OF BEARINGS IS THE MONUMENTED CENTERLINE OF NORTHWESTERN DRIVE FROM THE PLAT OF EL PASO WEST UNIT ONE IN BOOK 57, PAGE 5, PLAT RECORDS, EL PASO COUNTY, TEXAS.
3. NELLIE D. MUNDY SURVEY 242 IS DESCRIBED SEPTEMBER 10, 1949, IN BOOK 945, PAGE 411, DEED RECORDS, EL PASO COUNTY, TEXAS.
4. RESLER DRIVE IS DESCRIBED JANUARY 8, 2002, IN BOOK 415B, PAGE 910, DEED RECORDS, EL PASO COUNTY, TEXAS.
5. CIMARRON CANYON DRIVE, HAVING A VARIED WIDTH RIGHT-OF-WAY, IS FROM THE PLAT OF CIMARRON CANYON UNIT ONE RECORDED IN CLERK'S FILE NO. 20180052184, PLAT RECORDS, EL PASO COUNTY, TEXAS.
6. CIMARRON CANYON UNIT TWO IS RECORDED IN CLERK'S FILE NO. 20220003665, PLAT RECORDS, EL PASO COUNTY, TEXAS.
7. THIS LINE IS DESCRIBED JANUARY 20, 2004, IN BOOK 4825, PAGE 1944, DEED RECORDS, EL PASO COUNTY, TEXAS (PARCEL 1).
8. THIS SURVEY WAS MADE WITHOUT BENEFIT OF A CURRENT TITLE REPORT AND MAY BE SUBJECT TO EASEMENTS OR OTHER RESTRICTIONS OF RECORD.
9. THIS LINE (DEED: N60°06'08"E) DESCRIBED DECEMBER 15, 2000, IN BOOK 3902, EXHIBIT A, PAGE 2012, DEED RECORDS, EL PASO COUNTY, TEXAS

RESLER DRIVE  
(VARIED WIDTH RIGHT-OF-WAY)

TRACT 4G2  
NELLIE D. MUNDY  
SURVEY 240

CIMARRON CANYON

UNIT TWO

CIMARRON CANYON

UNIT ONE

TRACT 1B2

NELLIE D. MUNDY  
SURVEY 242

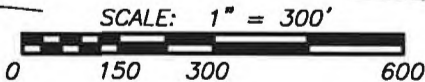
W.H. GLENN  
SURVEY 241

CIMARRON CANYON DRIVE

THE VILLAGE  
AT CIMARRON  
UNIT THREE

POINT OF COMMENCING

POINT OF BEGINNING



**ROBERT SEIPEL ASSOCIATES, INC.**  
**PROFESSIONAL LAND SURVEYORS**

1845 NORTHWESTERN DR. SUITE C EL PASO, TX 79912 915-877-1928



A 0.367-ACRE PORTION OF TRACT 62E2, W.H. GLENN SURVEY 241 AND TRACT 4G2, NELLIE D. MUNDY SURVEY 240, EL PASO, EL PASO COUNTY, TEXAS.

TEXAS REG. SURVEYING FIRM 10060500

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ALL RIGHTS RESERVED

DATE:	01-19-23
SCALE:	1" = 300'
DRAWN BY:	MUB
CHK'D BY:	MUB
FB:	~
FILE #:	22-0009B
REVISED:	

## EXHIBIT "B"

Property description: A 18.228-acre portion of Tract 1B2, Nellie D. Mundy Survey 242, Tract 62E2, W.H. Glenn Survey 241 and Tracts 4G and 4G2, Nellie D. Mundy Survey 240, El Paso, El Paso County, Texas

### METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a 18.228-acre portion of Tract 1B2, Nellie D. Mundy Survey 242 (September 10, 1949, Book 945, Page 411, Deed Records, El Paso County, Texas), Tract 62E2, W.H. Glenn Survey 241 and Tracts 4G and 4G2, Nellie D. Mundy Survey 240, El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

**COMMENCING** at the common most westerly corner of Cimarron Canyon Unit One (Clerk's File No. 20180052184, Plat Records, El Paso County, Texas) and Cimarron Canyon Unit Two (Clerk's File No. 20220003665, Plat Records, El Paso County, Texas) and the **POINT OF BEGINNING** of this description;

**THENCE**, South  $13^{\circ}32'48''$  East, along the westerly boundary of Cimarron Canyon Unit One, a distance of 818.90 feet to the north right-of-way of Cimarron Canyon Drive (varied-width right-of-way; Cimarron Canyon Unit One);

**THENCE**, South  $76^{\circ}27'12''$  West, along said right-of-way, a distance of 341.47 feet;

**THENCE**, 31.42 feet along the arc of a curve to the left, having a radius of 20.00 feet, a central angle of  $90^{\circ}00'04''$  and a chord which bears North  $31^{\circ}27'10''$  East, a distance of 28.28 feet;

**THENCE**, North  $13^{\circ}32'52''$  West, a distance of 192.18 feet;

**THENCE**, South  $76^{\circ}27'08''$  West, a distance of 139.96 feet;

**THENCE**, North  $13^{\circ}33'07''$  West, a distance of 275.56 feet;

**THENCE**, South  $76^{\circ}27'08''$  West, a distance of 51.10 feet to the east right-of-way of Resler Drive (varied width right-of-way; January 8, 2002, Book 4158, Page 910, Deed Records, El Paso County, Texas);

**THENCE**, along said right-of-way the following courses and distances:

32.74 feet along the arc of a curve to the left, having a radius of 205.00 feet, a central angle of  $9^{\circ}09'01''$  and a chord which bears North  $8^{\circ}58'33''$  West, a distance of 32.70 feet;

North  $13^{\circ}33'03''$  West, a distance of 10.99 feet;

South  $76^{\circ}26'57''$  West, a distance of 25.00 feet;

North  $13^{\circ}33'03''$  West, a distance of 789.15 feet;

198.69 feet along the arc of a curve to the right, having a radius of 1875.00 feet, a central angle of  $6^{\circ}04'17''$  and a chord which bears North  $10^{\circ}30'55''$  West, a distance of 198.59 feet to the northerly boundary of that certain parcel of land described December 15, 2000, in Book 3902, Page 2012, Exhibit A, Deed Records, El Paso County, Texas;

**THENCE**, North  $60^{\circ}08'16''$  East (Deed: North  $60^{\circ}06'08''$  East) along said boundary, a distance of 188.27 feet to the northerly boundary of that 0.194-acre parcel of land described November 9, 2020, in Clerk's File No. 20200092121, Deed Records, El Paso County, Texas;

**THENCE**, along said boundary the following courses and distances:

North  $40^{\circ}25'25''$  East, a distance of 54.96 feet;

North  $62^{\circ}04'57''$  East, a distance of 93.91 feet;

North  $48^{\circ}53'58''$  East, a distance of 147.14 feet;

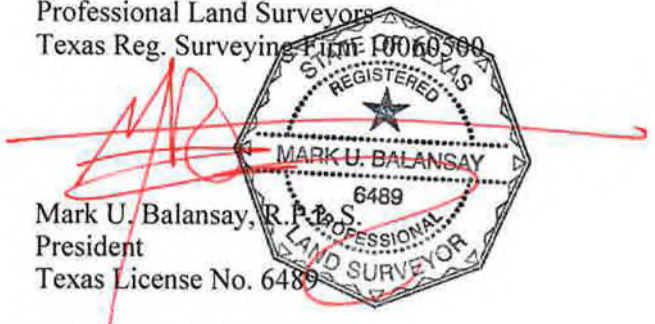
North  $82^{\circ}38'32''$  East, a distance of 78.42 feet to the westerly boundary of Cimarron Canyon Unit Two;

**THENCE**, South  $13^{\circ}32'48''$  East, along said boundary, a distance of 868.04 feet to the **POINT OF BEGINNING** of this description.

Said parcel of land contains 18.228 acres (794,011 square feet) of land more or less.

NOTE: THIS DESCRIPTION IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY.

ROBERT SEIPEL ASSOCIATES, INC.  
Professional Land Surveyors  
Texas Reg. Surveying License No. 0060500



Mark U. Balansay, R.P.L.S.  
President  
Texas License No. 6489

Job Number 22-0009A  
January 19, 2023

CURVE TABLE					
CURVE #	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	90°00'04"	20.00	31.42'	N31°27'10"E	28.28'
C2	9°09'01"	205.00	32.74'	N8°58'33"W	32.70'
C3	6°04'17"	1875.00	198.69'	N10°30'55"W	198.59'

EXHIBIT "B"

**PARCEL AREA**  
18.228 ACRES  
794,011 SQ. FT.

LINE TABLE		
LINE #	BEARING	DISTANCE
T1	S76°27'12"W	341.47'
T2	N13°32'52"W	192.18'
T3	S76°27'08"W	139.96'
T4	N13°33'07"W	275.56'
T5	S76°27'08"W	51.10'
T6	N13°33'03"W	10.99'
T7	S76°26'57"W	25.00'
T8	N60°08'16"E	188.27'
T9	N40°25'25"E	54.96'
T10	N62°04'57"E	93.91'
T11	N48°53'58"E	147.14'
T12	N82°38'32"E	78.42'

NOTE:

1. THIS SURVEY IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A NARRATIVE METES AND BOUNDS DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS PLAT.
2. BASIS OF BEARINGS IS THE MONUMENTED CENTERLINE OF NORTHWESTERN DRIVE FROM THE PLAT OF EL PASO WEST UNIT ONE IN BOOK 57, PAGE 5, PLAT RECORDS, EL PASO COUNTY, TEXAS.
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9. THIS LINE (DEED: N60°06'08"E) DESCRIBED DECEMBER 15, 2000, IN BOOK 3902, EXHIBIT A, PAGE 2012, DEED RECORDS, EL PASO COUNTY, TEXAS

0.194-ACRE PARCEL OF LAND DESCRIBED NOVEMBER 9, 2020, IN CLERK'S FILE NO. 20200092121, DEED RECORDS, EL PASO COUNTY, TEXAS

RESLER DRIVE  
51'69" W 788.10' N  
N13°33'03"W  
(VARIED WIDTH RIGHT-OF-WAY)

TRACT 4G2  
NELLIE D. MUNDY  
SURVEY 240

CIMARRON CANYON

UNIT TWO

POINT OF COMMENCING &  
POINT OF BEGINNING

CIMARRON CANYON

UNIT ONE

TRACT 1B2

NELLIE D. MUNDY  
SURVEY 242

TRACT 62E2

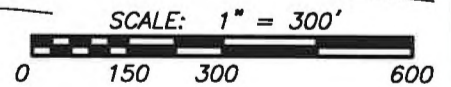
W.H. GLENN  
SURVEY 241

CIMARRON CANYON DRIVE

THE VILLAGE

AT CIMARRON

UNIT THREE



**ROBERT SEIPEL ASSOCIATES, INC.**  
**PROFESSIONAL LAND SURVEYORS**

1845 NORTHWESTERN DR. SUITE C EL PASO, TX 79912 915-877-1928



A 18.228-ACRE PORTION OF TRACT 1B2, NELLIE D. MUNDY SURVEY 242, TRACT 62E2, W.H. GLENN SURVEY 241 AND TRACTS 4G AND 4G2, NELLIE D. MUNDY SURVEY 240, EL PASO, EL PASO COUNTY, TEXAS.

TEXAS REG. SURVEYING FIRM 10060500

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DATE: 01-19-23  
SCALE: 1" = 300'  
DRAWN BY: MUB  
CHK'D BY: MUB  
FB: ~  
FILE #: 22-0009A  
REVISED:



# Cimarron Canyon and Resler

City Plan Commission — June 15, 2023 (REVISED)

REZONING



<b>CASE NUMBER:</b>	<b>PZRZ23-00002</b>
<b>CASE MANAGER:</b>	Nina Rodriguez, (915) 212-1561, <a href="mailto:RodriguezNA@elpasotexas.gov">RodriguezNA@elpasotexas.gov</a>
<b>PROPERTY OWNER:</b>	Cimarron Hunt Communities, LLC
<b>REPRESENTATIVE:</b>	CSA Design Group, Inc.
<b>LOCATION:</b>	North of Cimarron Canyon Dr. and East of Resler Dr. (District 1)
<b>PROPERTY AREA:</b>	18.6 acres
<b>REQUEST:</b>	Parcel 1: Rezone from C-1 (Commercial) to C-3 (Commercial); Parcel 2: Rezone from C-1 (Commercial), C-3/c (Commercial/conditions), and C-4/c (Commercial/conditions) to R-3A (Residential)
<b>RELATED APPLICATIONS:</b>	PZCR23-00002 – Resler and Cimarron Canyon
<b>PUBLIC INPUT:</b>	One (1) email in opposition and <span style="background-color: yellow;">three (3) phone calls in support</span> received as of <span style="background-color: yellow;">August 10, 2023</span>

**SUMMARY OF REQUEST:** The applicant is requesting to rezone the subject property into two (2) different zoning districts. Parcel 1 is proposed to be rezoned from C-1 (Commercial) to C-3 (Commercial) for permitted commercial uses; and Parcel 2 is proposed to be rezoned from C-1 (Commercial), C-3/c (Commercial/conditions), and C-4/c (Commercial/conditions) to R-3A (Residential) for proposed single-family residential lots.

**SUMMARY OF STAFF'S RECOMMENDATION:** Staff recommends **APPROVAL WITH CONDITION** of the request as the proposed development is in keeping with the policies of the G7, Industrial and/or Railyards and G-4, Suburban (Walkable) Land Use Designation of *Plan El Paso*, the City's adopted Comprehensive Plan. Staff recommends imposing the following condition on Parcel 1:

*That 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 twenty feet (20') 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 or certificates of completion. No landscape buffer shall be required where adjacent to stormwater ponding or open space areas.*

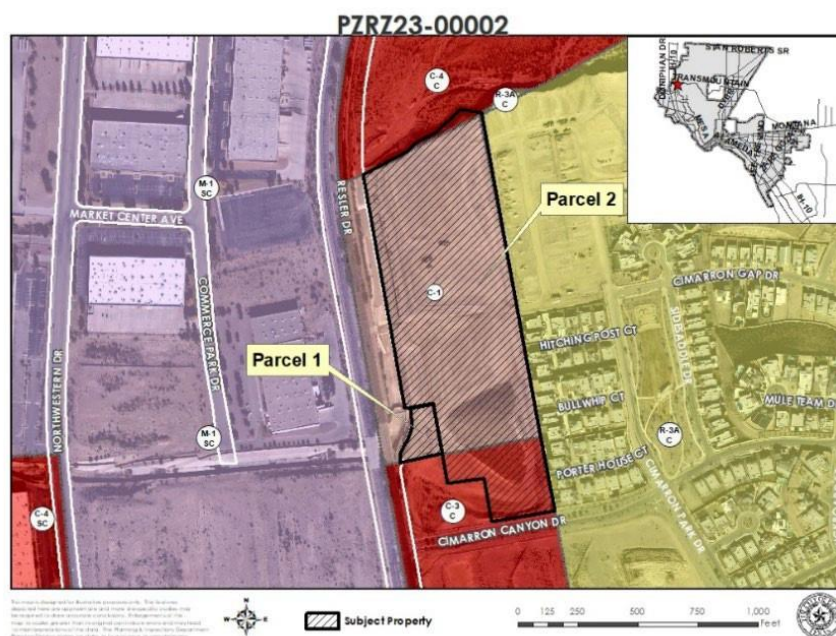


Figure A. Subject Property & Immediate Surroundings

**DESCRIPTION OF REQUEST:** The applicant is proposing to rezone the subject property into two (2) different zoning districts. Parcel 1 is proposed to be rezoned from C-1 (Commercial) to C-3 (Commercial) for permissible commercial uses; and Parcel 2 is proposed to be rezoned from C-1 (Commercial), C-3/c (Commercial/conditions), and C-4/c (Commercial/conditions) to R-3A (Residential) for a proposal of fifty-four (54) single-family residential lots. Parcel 1 consists of 0.37 acres and Parcel 2 consists of 18.2 acres, for a combined total of 18.6 acres. Main access to the subject property is provided from Cimarron Canyon Drive, Cimarron Gap Drive, and Caveson Court.

**PREVIOUS CASE HISTORY:** On February 23, 2023, a major combination subdivision application (SUSU23-00009) for Cimarron Canyon Unit 8 was approved by the City Plan Commission with condition that the rezoning be approved prior to recordation.

On March 2, 2004, the northern portion of Parcel 2 was rezoned to C-4/c (Commercial/conditions) and the following condition was imposed via Ordinance No. 15708 (**Attachment 4**):

*A ten (10) foot wide landscaped buffer to include, but not limited to, evergreen trees placed at fifteen (15) feet on center shall be required along any property line abutting residential or apartment zoning districts, except where abutting El Paso Natural Gas Company right-of-way, or a twenty-five (25) foot setback shall be required where abutting residential or apartment zoning districts. This shall be in addition to the landscaping requirements of the Chapter 20.65 of the El Paso Municipal Code and shall be required prior to the issuance of any building permits.*

**Note: Condition requested to be released by application PZCR23-00002**

On January 20, 2004, the southern portion of Parcel 2 was rezoned to C-3/c (Commercial/conditions), and the following condition was imposed via Ordinance No. 15672 (**Attachment 5**):

*A ten-foot (10') wide landscaped buffer to include, but not limited to, evergreen trees placed at fifteen (15) feet on center shall be required along the property line where abutting residential or apartment zoning districts. This shall be in addition to the landscaping requirements of Chapter 20.65 of the El Paso Municipal Code and shall be required prior to the issuance of any building permits.*

**Note: Condition requested to be amended by application PZCR23-00002**

**COMPATIBILITY WITH NEIGHBORHOOD CHARACTER:** The subject property is proposed to be developed into commercial and single-family residential developments. The adjacent properties to the north and south are vacant lots zoned C-4/c (Commercial/conditions) and C-3/c (Commercial/conditions), while the adjacent properties to the east are zoned R-3A/c (Residential/conditions) and consist of single-family residential lots. The adjacent properties to the west are zoned M-1/sc (Light Manufacturing/special contract) and include vacant land, a warehouse, and parking lot uses. Access to the subject property is provided from Cimarron Canyon Drive, Cimarron Gap Drive, and Caveson Court, which are designated as a local streets, per El Paso's Major Thoroughfare Plan. The closest school, Reyes Elementary School is located 0.74 miles from the subject property and the closest park, Cimarron Canyon Unit 1 Park is located 0.08 miles from the subject property.

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

Criteria	Does the Request Comply?
<p><b>Future Land Use Map:</b> Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p><b><u>G-4, Suburban (Walkable):</u></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><u>G7, Industrial and/or Railyards</u></b> This sector applies to industrial parks, large free-standing industrial uses, refineries, non-military airfields, trucking terminals, and mines, all on large tracts in areas dominated by vehicles. This sector is essential to El Paso’s economy; however, when an industrial use becomes obsolete, there can be potential for mixed-use redevelopment of the site. This sector also includes the existing rail yards which could be redeveloped as mixed-use communities if the rail yards were moved out of town.</p>	<p>Yes. The subject property is proposed to be developed for residential and commercial use, both of which align with the intent of the future land use designations of <i>Plan El Paso</i>. The proposed uses of the subject property align with the G-4, Suburban (Walkable) land use designation, while exemplifying the potential for mixed use development of the G7, Industrial and/or Railyards land use designation.</p>
<p><b>Compatibility with Surroundings:</b> The proposed zoning district is compatible with those surrounding the site:</p> <p><b><u>C-3 (Commercial) District:</u></b> The purpose of the district is to accommodate establishments providing goods and 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 district 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><u>R-3A (Residential):</u></b> The purpose of these districts 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>Yes. The proposed C-3 (Commercial) and R-3A (Residential) zoning districts are the same as adjacent zoning districts. The proposed residential and commercial developments are in character with the spirit of the C-3 (Commercial) and R-3A (Residential) zoning districts.</p>
<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>Yes. Access to the subject property is provided from Cimarron Canyon Drive, Cimarron Gap Drive, and Caveson Court, which are classified as local streets. Cimarron Canyon Drive leads to Resler Drive, a major arterial as classified under the City’s Major Thoroughfare Plan (MTP). The classification of these roads is appropriate for the proposed development.</p>

THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
<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.	The property lies within the Hillside Development Area. Open Space Advisory Board (OSAB) recommended approval of the rezoning request at their June 14, 2023 meeting.
<b>Potential Adverse Effects:</b> Potential adverse effects that might be caused by approval or denial of the requested rezoning.	No adverse effects are anticipated by the rezoning of the subject property.
<b>Natural Environment:</b> Anticipated effects on the natural environment.	The property lies within the Hillside Development Area and adjacent to existing development. There are no anticipated effects on the natural environment.
<b>Stability:</b> Whether the area is stable or in transition.	This area is stable with no rezoning happening in the last 10 years, besides the current application.
<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:** Access to the subject property is provided from Cimarron Canyon Drive, Cimarron Gap Drive, and Caveson Court, which are classified as a local streets. Cimarron Canyon Drive which leads to Resler Drive, a major arterial as classified under the City's Major Thoroughfare Plan (MTP). The classification of these roads is appropriate for the proposed development. There is an existing shared use path along Resler Drive and Cimarron Canyon Drive. Additionally, the subject property will need to provide adequate infrastructure at the time of development. The nearest bus stop is located 0.08 miles from the subject property on Resler Drive.

**SUMMARY OF DEPARTMENTAL REVIEW COMMENTS:** No adverse comments were received for the rezoning request from the reviewing departments.

**PUBLIC COMMENT:** The subject property does not lie within any neighborhood associations. Property owners within 300 feet of subject property were notified of the rezone request on June 2, 2023. As of August 10, 2023, the Planning Division has received one (1) email in opposition and three (3) phone calls in support to the rezoning request.

**RELATED APPLICATIONS:** There is a condition release application (PZCR23-00002) running concurrently with the current rezoning application to release conditions at the southern portion at the northern portions of the property.

### **CITY PLAN COMMISSION OPTIONS:**

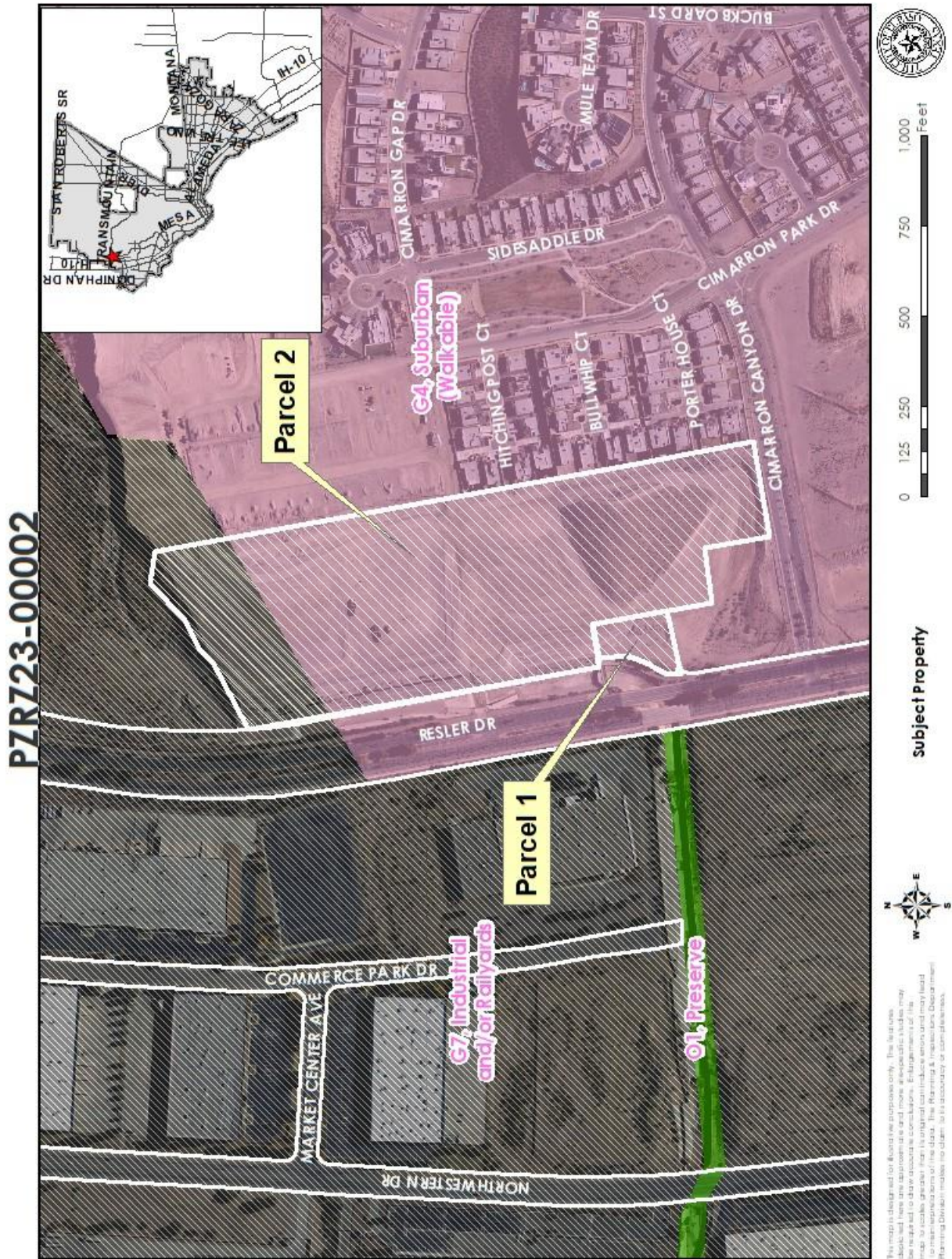
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

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. Generalized Plot Plan
3. **Proposed Plat (for reference purposes only)**
4. Ordinance No. 15708, March 2, 2004
5. Ordinance No. 15672, January 20, 2004
6. Department Comments
7. Neighborhood Notification Boundary Map
8. Received opposition

# ATTACHMENT 1



# ATTACHMENT 2

**LEGAL DESCRIPTIONS**

**PART 2** A 0.930-ACRE PORTION OF TRACT 62E2, W.H. GLENN SURVEY 241 AND TRACT 402, NELLIE D. MUNDY SURVEY 240, EL PASO, EL PASO COUNTY, TEXAS

**PART 3** A 17.343-ACRE PORTION OF TRACT 1B2, NELLIE D. MUNDY SURVEY 242, TRACT 62E2, W.H. GLENN SURVEY 241 AND TRACTS 4C AND 4G2, NELLIE D. MUNDY SURVEY 240 EL PASO, EL PASO COUNTY, TEXAS

**LEGEND**

**PART 2** REZONE FROM C-1 TO C-3C

**PART 3** REZONE FROM C-1, C-3C, & C-4C TO R-34

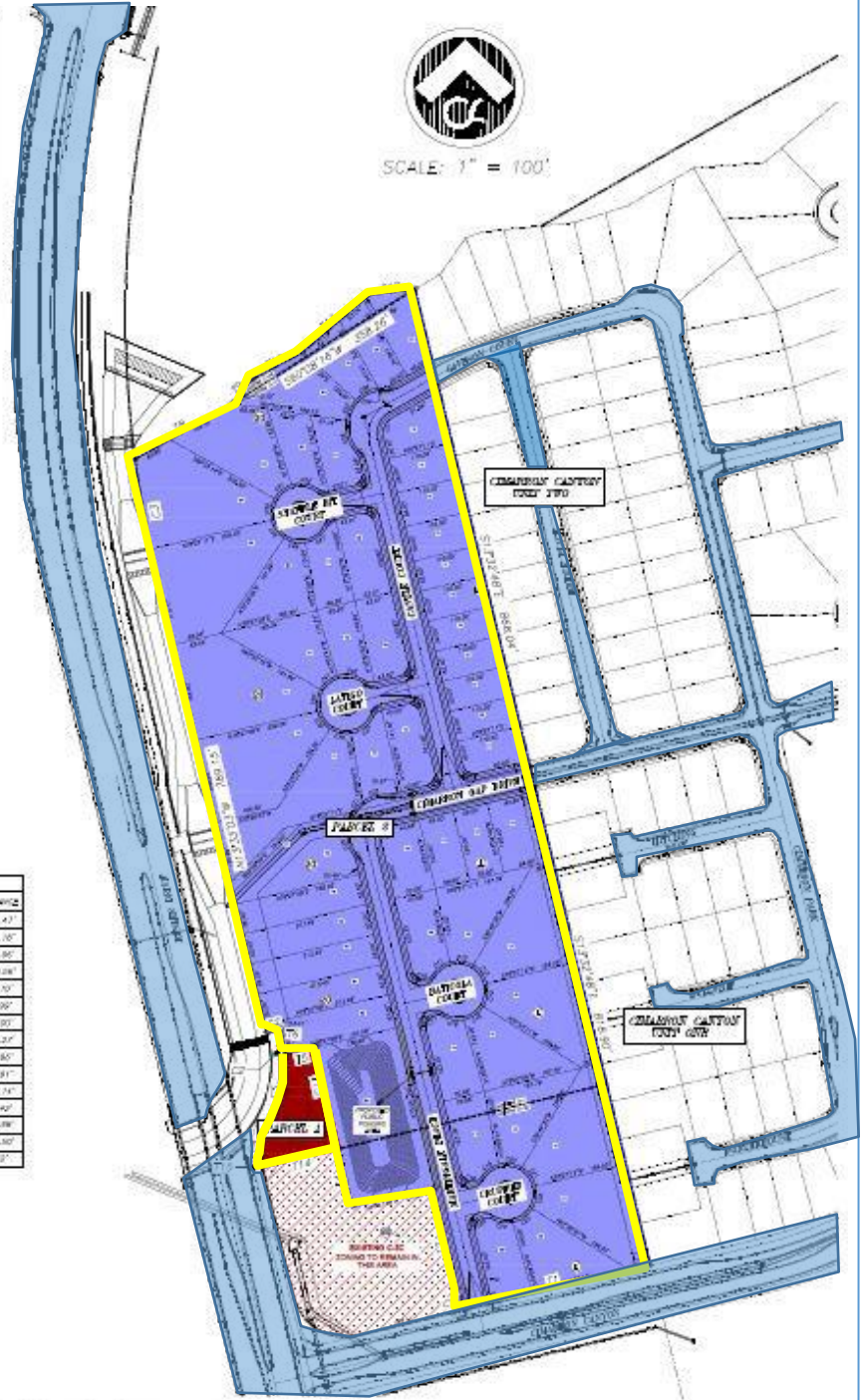
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LOT NUMBER	SQ FT	ACRES	LOT NUMBER	SQ FT	ACRES	LOT NUMBER	SQ FT	ACRES
Lot 10 Block 2011	0.297		Lot 73 Block 19	8179	0.188	Lot 27 Block 20	9480	0.218
Lot 19 Block 2080	0.219		Lot 74 Block 19	8490	0.193	Lot 28 Block 20	7392	0.170
Lot 40 Block 2804	0.441		Lot 75 Block 19	8490	0.193	Lot 29 Block 20	7600	0.173
Lot 41 Block 2807	0.441		Lot 76 Block 19	8490	0.193	Lot 48 Block 20	31078	0.714
Lot 42 Block 2821	0.420		Lot 77 Block 19	8100	0.183	Lot 47 Block 20	4891	0.112
Lot 43 Block 2821	0.420		Lot 78 Block 19	8100	0.183	Lot 42 Block 20	4645	0.106
Lot 44 Block 2822	0.420		Lot 79 Block 19	8100	0.183	Lot 41 Block 20	17134	0.391
Lot 45 Block 2821	0.420		Lot 20 Block 18	8100	0.183	Lot 44 Block 20	26343	0.602
Lot 46 Block 2822	0.441		Lot 21 Block 19	8100	0.183	Lot 45 Block 20	22061	0.506
Lot 47 Block 2822	0.441		Lot 22 Block 19	8100	0.183	Lot 46 Block 20	12891	0.293
Lot 48 Block 2821	0.320		Lot 23 Block 19	8104	0.185	Lot 47 Block 20	7100	0.161
Lot 49 Block 2822	0.320					Lot 48 Block 20	8187	0.186
Lot 50 Block 2822	0.320					Lot 49 Block 20	8087	0.184
Lot 51 Block 2822	0.320					Lot 50 Block 20	7790	0.177
Lot 52 Block 2822	0.320					Lot 51 Block 20	10991	0.248
Lot 53 Block 2822	0.320					Lot 52 Block 20	12254	0.280
						Lot 53 Block 20	25143	0.576
						Lot 54 Block 20	23829	0.544
						Lot 55 Block 20	7831	0.178
						Lot 56 Block 20	8712	0.197
						Lot 57 Block 20	8678	0.196

**TRIP DATA**

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03	07/05/14	180.00	03/06/17	4173700	03/05/17	
04	04/28/18	30.00	05/07/18	4874028	06/27/18	
05	03/03/20	205.00	03/08/20	4171815	03/04/20	

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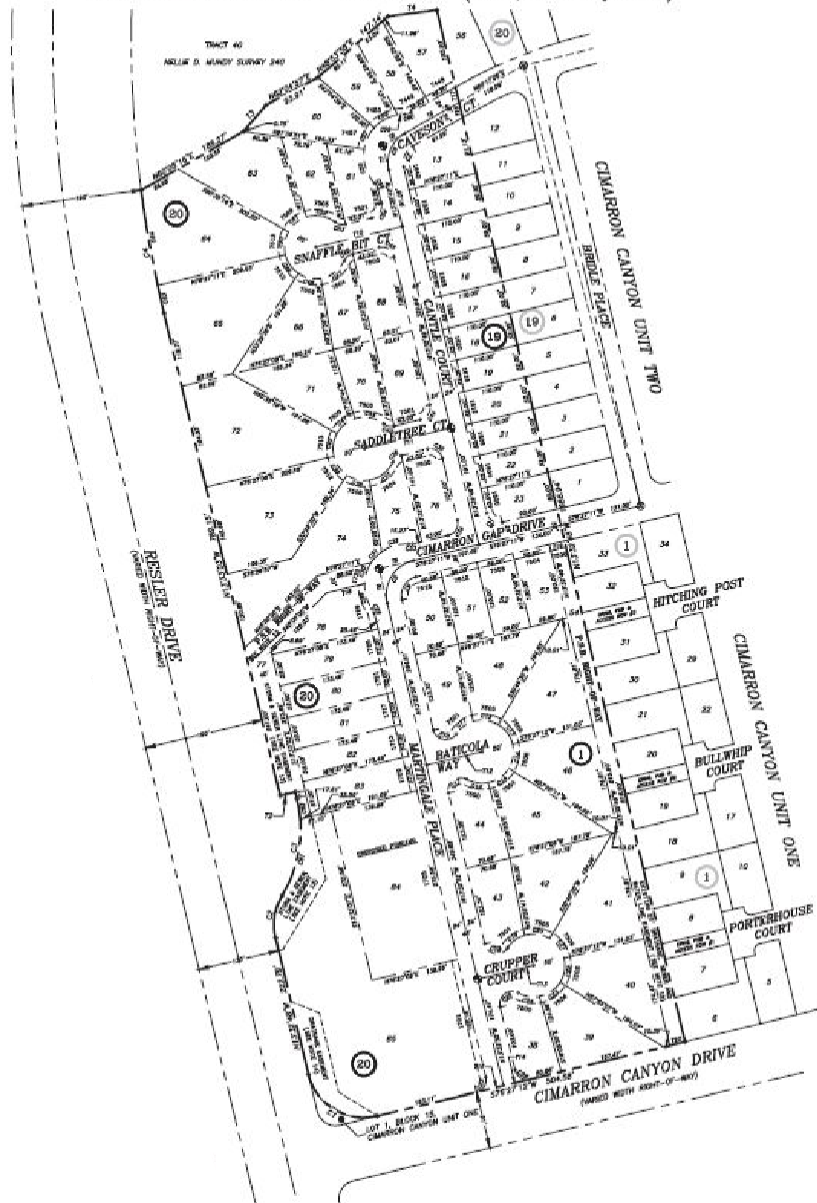
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05	03/03/20	51.00	03/04/20
06	03/03/20	10.00	03/04/20
07	03/03/20	25.00	03/04/20
08	03/03/20	108.27	03/04/20
09	03/03/20	54.80	03/04/20
10	03/03/20	23.81	03/04/20
11	03/03/20	147.74	03/04/20
12	03/03/20	18.47	03/04/20
13	03/03/20	176.08	03/04/20
14	03/03/20	143.80	03/04/20
15	03/03/20	0.00	03/04/20



# ATTACHMENT 3

## CIMARRON CANYON UNIT EIGHT

BEING A PORTION OF TRACT 1B2, NELLIE D. MUNDY SURVEY 242,  
TRACT 62E2, W.H. GLENN SURVEY 241 AND TRACT 4G, NELLIE D.  
MUNDY SURVEY 240, CITY OF EL PASO, EL PASO COUNTY, TEXAS  
CONTAINING 20.194 ± ACRES (879,631 SQ. FT.)





# ATTACHMENT 4

300

ORDINANCE NO. 15708

AN ORDINANCE CHANGING THE ZONING OF PARCEL 1: A PORTION OF TRACT 1A1, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-4 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 2: A PORTION OF TRACT 1A1, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM PMD (PLANNED MOUNTAIN DEVELOPMENT) TO C-4 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 3: A PORTION OF TRACT 1D, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO R-3A (RESIDENTIAL), PARCEL 4: A PORTION OF TRACT 1D, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM PMD (PLANNED MOUNTAIN DEVELOPMENT) TO C-3 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 5: A PORTION OF TRACT 10B4, NELLIE D. MUNDY SURVEY NO. 239 AND A PORTION OF TRACT 2D, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM M-1 (LIGHT MANUFACTURING) TO C-4 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 6: A PORTION OF RESLER DRIVE AND A PORTION OF TRACT 2E, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM PMD (PLANNED MOUNTAIN DEVELOPMENT) TO C-4 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 7: RESLER DRIVE AND A PORTION OF TRACTS 2E & 4G, A PORTION OF NELLIE D. MUNDY SURVEY NO. 240 AND A PORTION OF TRACT 1B, NELLIE D. MUNDY SURVEY NO. 242 AND ALL OF TRACT 2A & A PORTION OF TRACT 2E, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-4 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 8: A PORTION OF TRACT 2C, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM PMD (PLANNED MOUNTAIN DEVELOPMENT) TO C-3 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 9: A PORTION OF TRACT 3B, NELLIE D. MUNDY SURVEY NO. 242 AND A PORTION OF TRACT 2C, NELLIE D. MUNDY SURVEY NO. 243, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

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

That the zoning of *Parcels 1 - 9*, as more particularly described by metes and bounds in the attached Exhibit "A", be changed within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; as follows:

ORDINANCE NO. 15708

1

3/30/2004

Zoning Case No: ZON03-00047

That the properties described as **Parcel 5** be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning from **M-1 (Light Manufacturing)** to **C-4 (Commercial)** in order to protect the health, safety and welfare of adjacent property owners and the residents of this City:

*A forty (40) foot wide buffer shall be required abutting Loop 375 right-of-way and any future frontage roads. Within this forty (40) foot buffer, a minimum twenty-five (25) foot landscaped area to include a twelve (12) foot bike trail, except for any ingress or egress access locations, shall be required. The additional fifteen (15) foot buffer can include the requirements of Chapter 20.65 of the El Paso Municipal Code. This forty (40) foot buffer shall be developed in accordance with the plan identified in the attached Exhibit "B" and shall be completed prior to the issuance of any certificates of occupancy.*

That the properties described as **Parcels 4 and 8** be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning from **PMD (Planned Mountain Development)** to **C-3 (Commercial)** in order to protect the health, safety and welfare of adjacent property owners and the residents of this City:

*A forty (40) foot wide buffer shall be required abutting Loop 375 right-of-way and any future frontage roads. Within this forty (40) foot buffer, a minimum twenty-five (25) foot landscaped area to include a twelve (12) foot bike trail, except for any ingress or egress access locations, shall be required. The additional fifteen (15) foot buffer can include the requirements of Chapter 20.65 of the El Paso Municipal Code. This forty (40) foot buffer shall be developed in accordance with the plan identified in the attached Exhibit "B" and shall be completed prior to the issuance of any certificates of occupancy.*

That the properties described as **Parcel 7** be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning from **R-3 (Residential)** to **C-4 (Commercial)** in order to protect the health, safety and welfare of adjacent property owners and the residents of this City:

*A ten (10) foot wide landscaped buffer to include, but not limited to, evergreen trees placed at fifteen (15) feet on center shall be required along any property line abutting residential or apartment zoning districts, except where abutting El Paso Natural Gas Company right-of-way, or a twenty-five (25) foot setback shall be required where abutting residential or apartment zoning districts. This shall be in addition to the landscaping requirements of the Chapter 20.65 of the El Paso Municipal Code and shall be required prior to the issuance of any building permits.*

15708

3

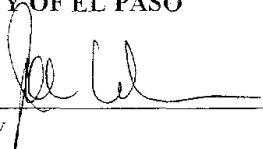
3/30/2004

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


Zoning Case No: ZON03-00047

PASSED AND APPROVED this 2<sup>nd</sup> day of March, 2004.


THE CITY OF EL PASO

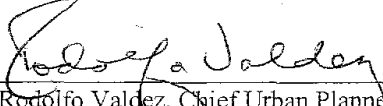
  
\_\_\_\_\_  
Joe Wardy  
Mayor

ATTEST:

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

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Fred Lopez, Zoning Coordinator  
Planning, Research & Development

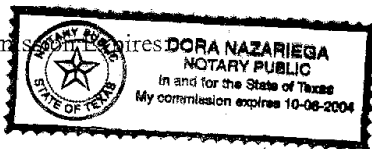
  
\_\_\_\_\_  
Rodolfo Valdez, Chief Urban Planner  
Planning, Research & Development

Acknowledgment


THE STATE OF TEXAS    )  
  )  
COUNTY OF EL PASO    )

This instrument is acknowledged before me on this 12<sup>th</sup> day of April, 2004, by **JOE WARDY** as **MAYOR** of **THE CITY OF EL PASO**.

My Commission Expires



**DORA NAZARIEGA**  
NOTARY PUBLIC  
In and for the State of Texas  
My commission expires 10-06-2004

  
\_\_\_\_\_  
Notary Public, State of Texas  
Notary's Printed or Typed Name:

Dora Nazariega

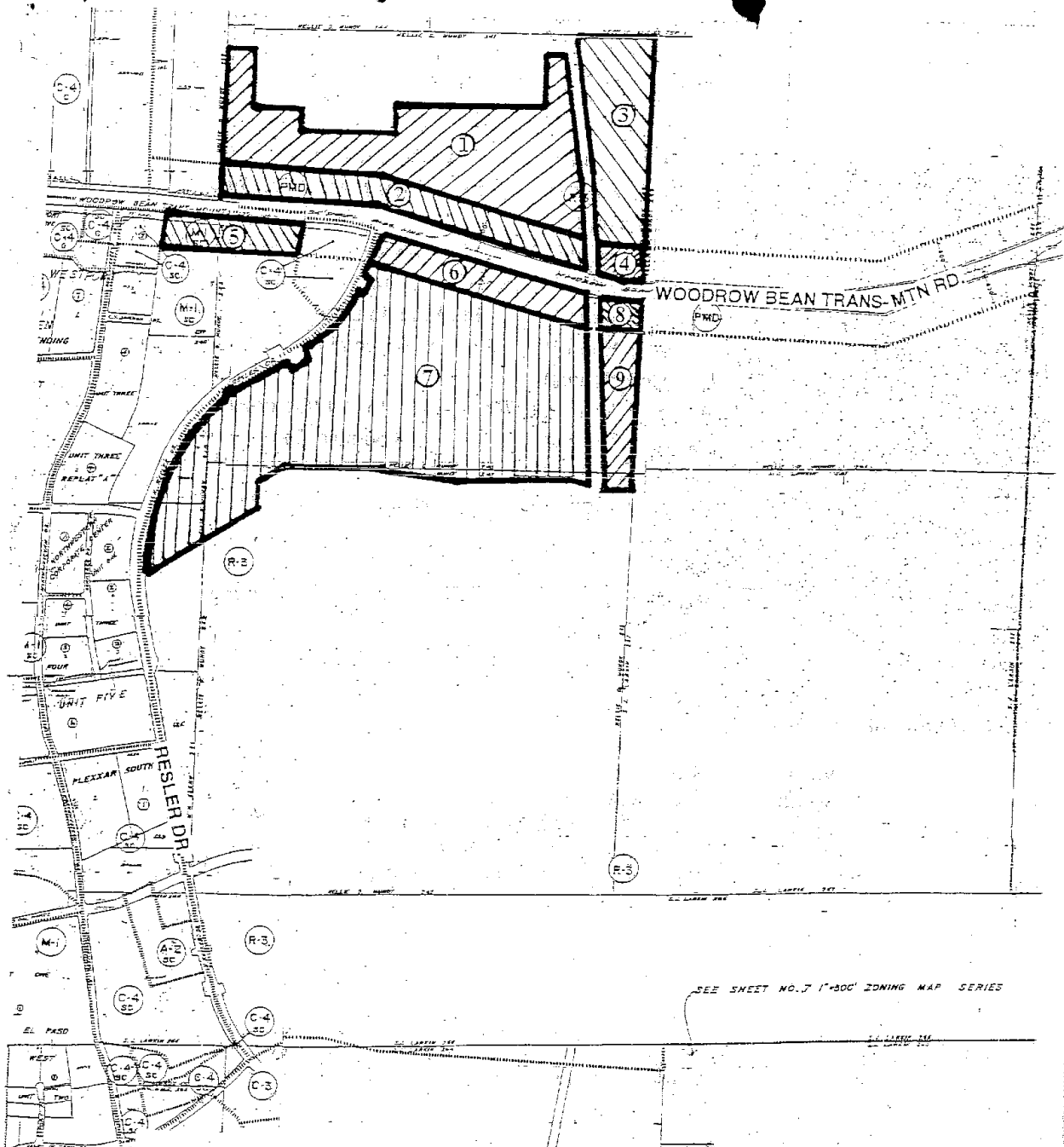
15708

5

3/30/2004


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

Zoning Case No: ZON03-00047



SEE SHEET NO. 7 1"-300' ZONING MAP SERIES

PUBLIC NOTICE: Sign Language Interpreters will be provided for this hearing upon request. Requests must be made to the Planning, Research & Development Dept. at a minimum of 24 hours prior to the date and time of this hearing. Copies of this agenda will be provided in braille, large print or audio tape upon request. Requests must be made a minimum of 48 hours prior to the date and time of this hearing at either of the following numbers, 541-4634 or 4903.

 NORTH	SCALE not to scale	GENERAL LOCATION MAP	CASE NUMBER ZON03-00017
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# ATTACHMENT 5

18

ORDINANCE NO. 15672

AN ORDINANCE CHANGING THE ZONING OF PARCEL 1: A PORTION OF NELLIE D. MUNDY SURVEY NO. 240, NELLIE D. MUNDY SURVEY NO. 242 AND W.H. GLENN SURVEY NO. 241, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-1 (COMMERCIAL), PARCEL 2: A PORTION OF NELLIE D. MUNDY SURVEY NO. 241, NELLIE D. MUNDY SURVEY NO. 242 AND W.H. GLENN SURVEY NO. 241, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 3: A PORTION OF S.J. LARKIN SURVEY NO. 264 AND S.J. LARKIN SURVEY NO. 266, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-1 (COMMERCIAL), PARCEL 4: A PORTION OF S.J. LARKIN SURVEY NO. 266, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO R-3A (RESIDENTIAL), PARCEL 5: A PORTION OF NELLIE D. MUNDY SURVEY NO. 242 AND S.J. LARKIN SURVEY NO. 266, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-1 (COMMERCIAL), PARCEL 6: A PORTION OF NELLIE D. MUNDY SURVEY NO. 242 AND S.J. LARKIN SURVEY NO. 266, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 7: A PORTION OF NELLIE D. MUNDY SURVEY NO. 240 AND NELLIE D. MUNDY SURVEY NO. 242, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO R-3A (RESIDENTIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 8: A PORTION OF NELLIE D. MUNDY SURVEY NO. 242, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO R-3A (RESIDENTIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 9: A PORTION OF NELLIE D. MUNDY SURVEY NO. 242 AND S.J. LARKIN SURVEY NO. 266, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 10: A PORTION OF S.J. LARKIN SURVEY NO. 266, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO A-O (APARTMENT/OFFICE), PARCEL 11: A PORTION OF S.J. LARKIN SURVEY NO. 266, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS, PARCEL 12: A PORTION OF S.J. LARKIN SURVEY NO. 266, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO R-3A (RESIDENTIAL), AND PARCEL 13: A PORTION OF S.J. LARKIN SURVEY NO. 266, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO R-3A (RESIDENTIAL) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY IS AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

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

ORDINANCE NO. 15672

1/21/2004  
Zoning Case No: ZON03-00046

That the zoning of *Parcels 1 - 13*, as more particularly described by metes and bounds in the attached Exhibit "A", be changed within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; as follows:

- Parcel 1: From R-3 (Residential) to C-1 (Commercial)
- Parcel 2: From R-3 (Residential) to C-3/c (Commercial/conditions)
- Parcel 3: From R-3 (Residential) to C-1 (Commercial)
- Parcel 4: From R-3 (Residential) to R-3A (Residential)
- Parcel 5: From R-3 (Residential) to C-1 (Commercial)
- Parcel 6: From R-3 (Residential) to C-3/c (Commercial/conditions)
- Parcel 7: From R-3 (Residential) to R-3A/c (Residential/conditions)
- Parcel 8: From R-3 (Residential) to R-3A/c (Residential/conditions)
- Parcel 9: From R-3 (Residential) to C-3/c (Commercial/conditions)
- Parcel 10: From R-3 (Residential) to A-O (Apartment/Office)
- Parcel 11: From R-3 (Residential) to C-3/c (Commercial/conditions)
- Parcel 12: From R-3 (Residential) to R-3A (Residential)
- Parcel 13: From R-3 (Residential) to R-3A/c (Residential/conditions)

That the properties described as **Parcels 2, 6, 9, and 11** be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning **from R-3 (Residential) to C-3 (Commercial)** in order to protect the health, safety and welfare of adjacent property owners and the residents of this City:

*A ten-foot (10') wide landscaped buffer to include, but not limited to, evergreen trees placed at fifteen (15) feet on center shall be required along the property line where abutting residential or apartment zoning districts. This shall be in addition to the landscaping requirements of Chapter 20.65 of the El Paso Municipal Code and shall be required prior to the issuance of any building permits.*

That the properties described as **Parcel 7** be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning **from R-3 (Residential) to R-3A (Residential)** in order to protect the health, safety and welfare of adjacent property owners and the residents of this City:

1. *Sixty percent (60%) of the land area within Parcel 7 shall not exceed the gross density of the R-3 (Residential) zoning district. The sixty percent (60%) shall be calculated based on the entire acreage within each subdivision plat recorded within this parcel, and shall only count toward the sixty percent (60%) required if the gross density for the subdivision plat does not exceed 7.26 units to the gross acre. Should the gross density exceed 7.26 units per acre, the entire acreage represented within the subdivision plat shall not count toward the sixty percent (60%) requirement stated herein.*
2. *For lots within subdivision plats meeting the density requirements of Condition No. 1, the minimum front yard setback shall be at least twenty-five (25) feet.*

That the properties described as **Parcels 8 and 13** be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning **from R-3 (Residential) to R-3A (Residential)** in order to protect the health, safety and welfare of adjacent property owners and the residents of this City:

*The land area within these parcels shall not exceed the gross density of the R-3 (Residential) zoning district.*

These conditions shall run with the land, are a charge and servitude thereon, and bind the current property owner and any successors in title. The City may enforce these conditions by injunction, by rescission of the zoning which is made appropriate as a result of these conditions, or by any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above conditions in its discretion without the consent of any third person who may be benefited thereby, and without affecting the validity of this Ordinance.

**PASSED AND APPROVED** this 20<sup>th</sup> day of **January, 2004**.

(signatures on the next page)

ORDINANCE NO. 15672

3

1/21/2004

Zoning Case No: ZON03-00046

THE CITY OF EL PASO

[Signature]  
Joe Wardy  
Mayor

ATTEST:

[Signature]  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO CONTENT:

[Signature]  
Fred Lopez, Zoning Coordinator  
Planning, Research & Development

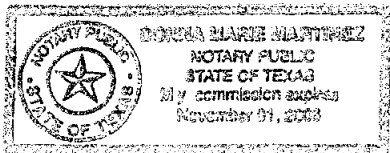
[Signature]  
Rodolfo Valdez, Chief Urban Planner  
Planning, Research & Development

Acknowledgment

THE STATE OF TEXAS )  
COUNTY OF EL PASO )

This instrument is acknowledged before me on this 23rd day of July, 2004, by **JOE WARDY**, as **MAYOR** of **THE CITY OF EL PASO**.

My Commission Expires:

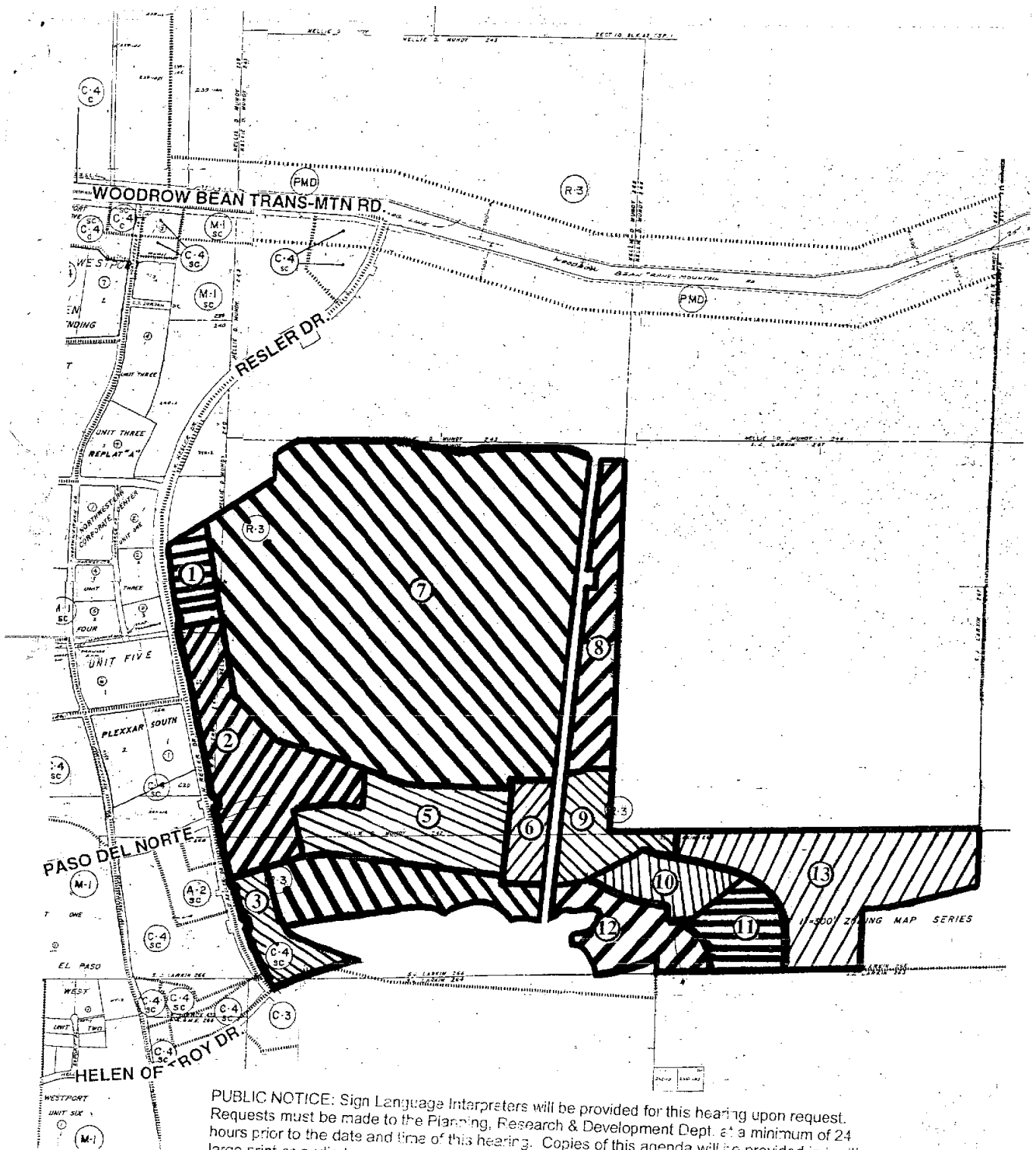


[Signature]  
Notary Public, State of Texas  
Notary's Printed or Typed Name:  
[Signature]

ORDINANCE NO. 15672

1/21/2004  
Zoning Case No: ZON03-00046





PUBLIC NOTICE: Sign Language Interpreters will be provided for this hearing upon request. Requests must be made to the Planning, Research & Development Dept. at a minimum of 24 hours prior to the date and time of this hearing. Copies of this agenda will be provided in braille, large print or audio tape upon request. Requests must be made a minimum of 48 hours prior to the date and time of this hearing at either of the following numbers, 541-4634 or 4903.

↑	SCALE	GENERAL LOCATION MAP	CASE NUMBER
NORTH	not to scale		ZON03-00046

# ATTACHMENT 6

## Planning and Inspections Department - Planning Division

1. Staff recommends approval of the rezoning with the following condition applicable to Parcel 1:  
*That 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 twenty feet (20') 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 or certificates of completion. No landscape buffer shall be required where adjacent to stormwater ponding or open space areas.*
2. This item is scheduled to be reviewed by the Open Space Advisory Board (OSAB) on June 14, 2023.
3. Applicant to coordinate with El Paso Water for the easement request prior to plat recordation.

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

Recommend approval. The generalized site plan is not being reviewed for conformance due to conceptual nature. No objections to proposed rezoning. At the time of submittal for building permit, the project will need to comply with all applicable provisions of the ICC, TAS and Municipal Code.

## Planning and Inspections Department – Land Development

Recommend approval. A portion of the property will be in Flood zone according to the future maps.

## Fire Department

Recommend approval. No adverse comments.

## Police Department

No comments received.

## Environmental Services

ESD has no comments regarding the rezoning or condition release or condition amendment.

## Streets and Maintenance Department

No comments received.

## Sun Metro

Sun Metro does not have any issues or exceptions with this application.

## El Paso Water

EPWater does not object to the rezoning request as long as the changes on the enclosed plat (attachment 3) are incorporated in the final recorded document.

The subject property is located within the Westside Impact Fee Service Area. Impact fees for will be assessed and collected at the time the El Paso Water Utilities receive an application for water and sanitary sewer services.

EPWater requests for the easement at blocks 1 & 20 to be PSB Right-of-Way to allow access to the existing facilities.

**Note: Applicant to coordinate with El Paso Water prior to recordation of the plat in process.**

## EPWU-PSB Comments

There is an existing 12-inch diameter water main along Cimarron Canyon Drive. This main is available for main extension.

There is an existing 12-inch diameter water main along Caveson Court. This main is available for main extension.

There is an existing 8-inch diameter water main along Cimarron Gap Drive. This main is available for main extension. There is an existing 8-inch diameter water main along the 25-foot Drainage Utility & Access Row. This main is available for main extension.

Water pressure between 35-psi and 50-psi is expected between ground elevation 4,094-feet and 4,060-feet. The EPWU requests that the Developer construct single level houses between ground elevation 4,060-feet and 4,094-feet, until a high-pressure water main that extends from the C.C.C. 2 Pressure Zone is constructed. Water service to lots located above elevation 4,094-feet cannot be provided until the high-pressure water main is installed.

Previous water pressure from fire hydrant #11668 located at 412-feet northeast corner of Resler Drive and Cimarron Canyon Drive, has yielded a static pressure of 124 psi, a residual pressure of 110 psi, and a discharge of 1,404 gallons per minute. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

### **Sanitary Sewer**

There is an existing 12-inch diameter sanitary sewer main along Cimarron Canyon Drive. This main is available for main extension.

There is an existing 8-inch diameter sanitary sewer main along Cimarron Gap Drive and then there is an existing 12-inch diameter sanitary sewer along 30/40 PSB Easement. This main will be available for main extension.

There is an existing 8-inch diameter sanitary sewer main along Caveson Court. This main will be available for main extension.

There is an existing 8-inch diameter sanitary sewer main along the 25-foot Drainage Utility & Access Row. This main is available for main extension.

### **General**

Owner is responsible for all main extension costs.

EPWater requires a new service application to provide additional service 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 – PSB 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:**

EPWater-SW did a CPC review on this property, and has no issues with the request.

### **Texas Department of Transportation**

No comments received.

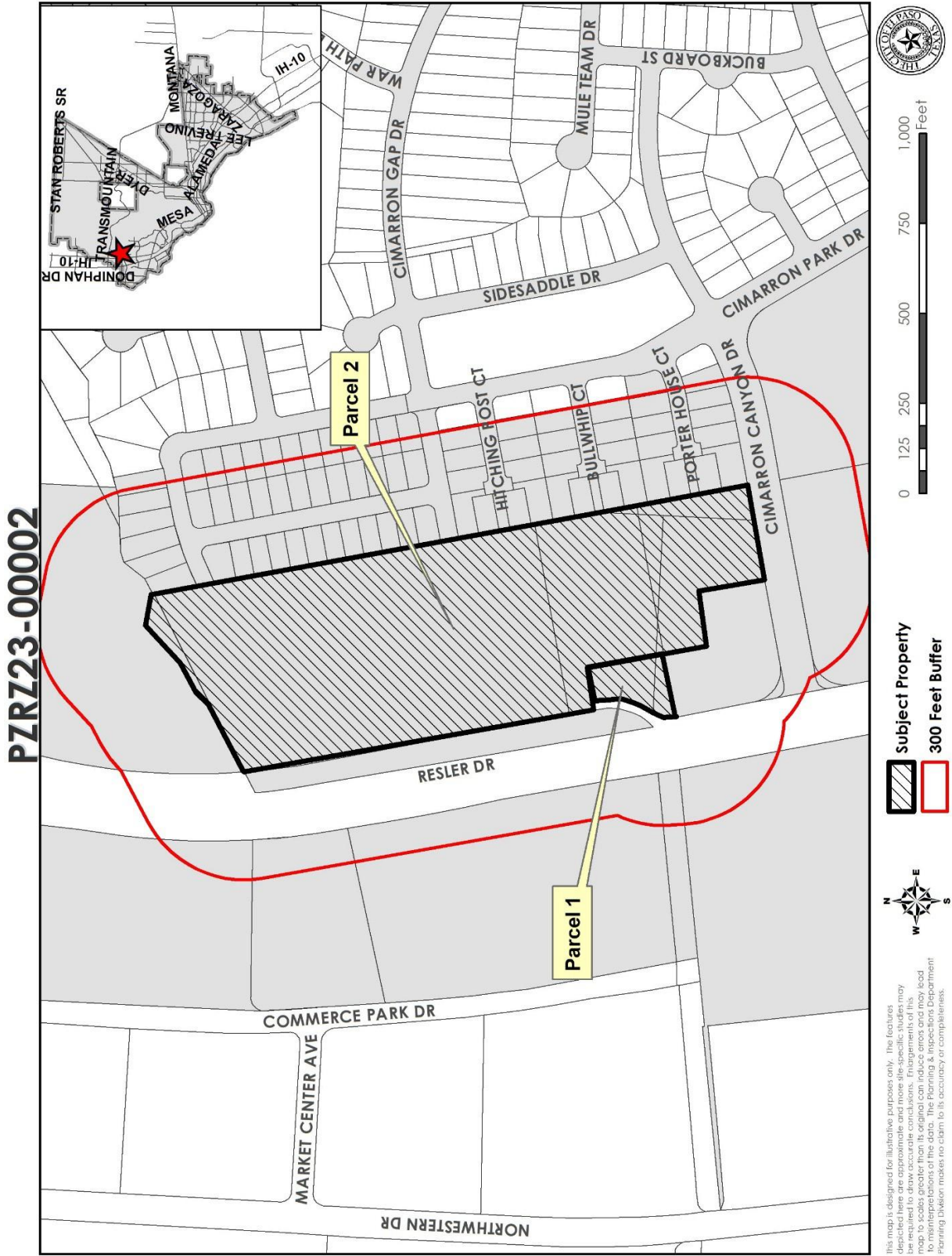
### **El Paso 9-1-1 District**

No comments received.

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

No comments received.

# ATTACHMENT 7



# ATTACHMENT 8

**Zamora, Luis F.**

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**From:** Tamina Brighton <tamina.brighton@hotmail.com>  
**Sent:** Tuesday, June 6, 2023 4:23 PM  
**To:** Zamora, Luis F.  
**Subject:** Re: Objection: Case PZCR23-00002

You don't often get email from tamina.brighton@hotmail.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the City of El Paso. Do not click links or open attachments unless you recognize the sender and know the content is safe. If suspicious, use **Phish Alert** or forward to [SpamReport@elpasotexas.gov](mailto:SpamReport@elpasotexas.gov).

Rezoning for single family homes only is acceptable to me. Thank you.

---

**From:** Tamina Brighton <tamina.brighton@hotmail.com>  
**Sent:** Tuesday, June 6, 2023 1:25 PM  
**To:** ZamoraLF@elpasotexas.gov <ZamoraLF@elpasotexas.gov>  
**Subject:** Objection: Case PZCR23-00002

Dear Ms. Rodriguez and Mr. Zamora

I am 100% against rezoning Parcel 1 and Parcel 2 Resler and Cimarron Canyon Case PZRZ23-0002.

My property abuts Parcel 2, and I am very concerned and upset that any rezoning is being considered. This will certainly detract from the quality of life and peaceful enjoyment of Cimarron residents.

I object to the request for rezoning.

Tamina Brighton  
7520 Bullwhip Ct  
El Paso, TX 79911