

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

**CONSENT AGENDA DATE:** September 10, 2024

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Philip F. Etiwe, (915) 212-1553  
Jose Beltran, (915) 212-1607

**DISTRICT(S) AFFECTED:** District 7

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

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

**SUBJECT:**

A resolution approving a Detailed Site Development Plan for a portion of Lot 5, Block 2, The Village at Eastpoint, 8250 Burnham Road, City of El Paso, El Paso, County, Texas pursuant to Section 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

The proposed detailed site plan development plan 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: 8250 Burnham  
Applicant: SNAP Partners, L.P., PZDS24-00009

**BACKGROUND / DISCUSSION:**

The applicant is requesting approval of a Detailed Site Development Plan to allow for motor vehicle storage under codified use of automobile (sale, service, storage, and rental). City Plan Commission recommended 8-0 to approve the proposed Detailed Site Development Plan on July 25, 2024. As of August 23, 2024, the Planning Division has not received any communication in support or opposition to the 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*

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## RESOLUTION

**A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR A PORTION OF LOT 5, BLOCK 2, THE VILLAGE AT EASTPOINT, 8250 BURNHAM ROAD, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.150. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS**, SNAP PARTNERS, L.P., (the "Owner") has applied for approval of a detailed site development plan which requires City Plan Commission and City Council approval as per Section 20.04.150. The detailed site development plan is subject to the development standards in the C-4/SC (COMMERCIAL/SPECIAL CONTRACT **District** regulations and subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as **Exhibit "B"** and is incorporated herein by reference for all purposes; and,

**WHEREAS**, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

**WHEREAS**, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

**WHEREAS**, the City Council finds that the detailed site development plan meets all applicable requirements of the El Paso City Code:

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

1. Pursuant to requirements, the City Council hereby approves the detailed site development plan submitted by the Applicant, to **allow for Automobile (sales, service, storage & rental)** as required under the **C-4/SC (Commercial/special contract)** District as per Section **20.04.150**, on the following described property, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, which is located in a **C-4/SC (Commercial/special contract)** District:

**A portion of Lot 5, Block 2, The Village at Eastpoint, 8250 Burnham Road, City of El Paso, El Paso County, Texas.**

2. A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as **Exhibit "B"** and incorporated herein by reference.
3. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C-4/SC (COMMERCIAL/SPECIAL CONTRACT) District regulations.

4. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the C-4/SC (COMMERCIAL/SPECIAL CONTRACT) District regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.
5. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**THE CITY OF EL PASO**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

*Jesus A. Quintanilla*  
\_\_\_\_\_  
Jesus A. Quintanilla  
Assistant City Attorney

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

(Agreement on following page)

**DEVELOPMENT AGREEMENT**

By execution hereof, SNAP PARTNERS, L.P., ("Owner"), identified in the Resolution to which this Development Agreement is attached, hereby covenant and agree, to develop the above-described property in accordance with the approved Detailed Site Development Plan, and in accordance with the standards applicable to the C-4/sc (Commercial/special contract) District located within the City of El Paso.

EXECUTED this 9 day of August, 2024.

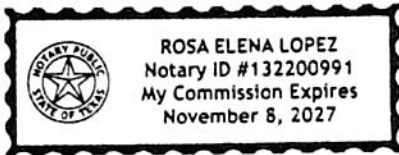
SNAP PARTNERS, L.P.

By: [Signature]

**ACKNOWLEDGMENT**

THE STATE OF TEXAS )  
  )  
COUNTY OF EL PASO )

This instrument is acknowledged before me on this \_\_\_ day of \_\_\_\_\_, 2024, by \_\_\_\_\_, in his legal capacity on behalf of Snap Partners, L.P.



[Signature]  
Notary Public, State of Texas

My Commission Expires:

NOV 8, 2027

2717 E. YANDELL DR. EL PASO, TX 79903 (915) 562-0002 Fax (915) 562-7743

**Portion of Lot 5, Block 2  
The Village at Eastpoint**

Metes and bound description of a portion of Lot 5, Block 2, The Village at Eastpoint Subdivision, City of El Paso, County of El Paso, Texas and being more particularly described as follows;

Beginning at an existing city monument located at the point of intersection (P.I.) of a curve to the right with an arc length of two hundred five and eighty one hundredths (205.81) feet, a radius of five hundred forty nine and no hundredths (549.00) feet, a central angle of  $68^{\circ}31'15''$  a chord bearing of North  $60^{\circ}13'46''$  West and a chord length of two hundred four and sixty one hundredths (204.61) Thence North  $52^{\circ}34'55''$  West along the tangent of mentioned curve a distance of six hundred sixty one and eighty two hundredths (661.82) feet to the point of tangency of said mentioned curve lying on the center of Burnham Road, Thence North  $53^{\circ}27'42''$  West along the center line of Burnham Road a distance of three hundred twenty nine and sixty one hundredths (329.61) feet for a corner; Thence leaving the center line of Burnham Road North  $36^{\circ}32'18''$  East across Burnham Road to the northeasterly corner of a parcel of land being described said corner lying on the southerly right of way line of Burnham Road and also being the point of beginning for this description;

Thence South  $26^{\circ}06'23''$  West along the southerly line of the parcel of land being described to the southeasterly corner of the parcel of land being described said corner lying on the northerly right of way line of an existing twenty (20.00) feet alley;

Thence North  $53^{\circ}22'29''$  West along the northerly right of way line of an existing twenty (20.00) feet alley a distance of one hundred sixty six and sixty five hundredths (166.65) feet to the common southerly corner of Tract 1-B-15-A, Block 6, Ascarate Grant Surveys and a tract of land being a portion of Lot 5, Block 2, The Village at Eastpoint Subdivision;

Thence North  $07^{\circ}53'00''$  East along the common line of Tract 1-B-15-A, Block 6, Ascarate Grant Surveys and a tract of land being a portion of Lot 5, Block 2, The Village at Eastpoint Subdivision a distance of two hundred eighteen and forty seven hundredths (218.47) feet to a point for a curve to the left;

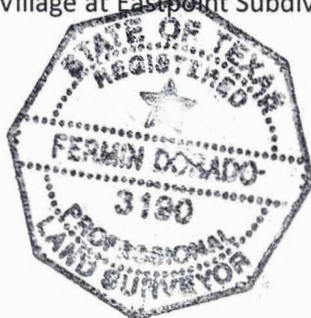
Thence along the arc of a curve to the left a distance thirty six and nine hundredths (36.09) feet, said curve has a radius of thirty three and seventy six hundredths (33.76) feet a central angle of  $28^{\circ}44'32''$  with a chord bearing of North  $22^{\circ}44'44''$  West and a chord distance of thirty four and forty hundredths (34.40) feet for a corner on the southerly right of way line of Burnham Road;

Thence South  $53^{\circ}22'29''$  East along the southerly right of way of Burnham Road a distance of two hundred sixty nine and ninety nine hundredths (269.99) feet for a corner, said corner being the point of beginning for this description;

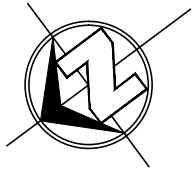
Said portion of Lot 5, Block 2, The Village at Eastpoint Subdivision contains 43,621.87 square feet or 1.001 acres of land more or less.

Prepared by,

*Fermin Dorado*  
Fermin Dorado, R.P.L.S.



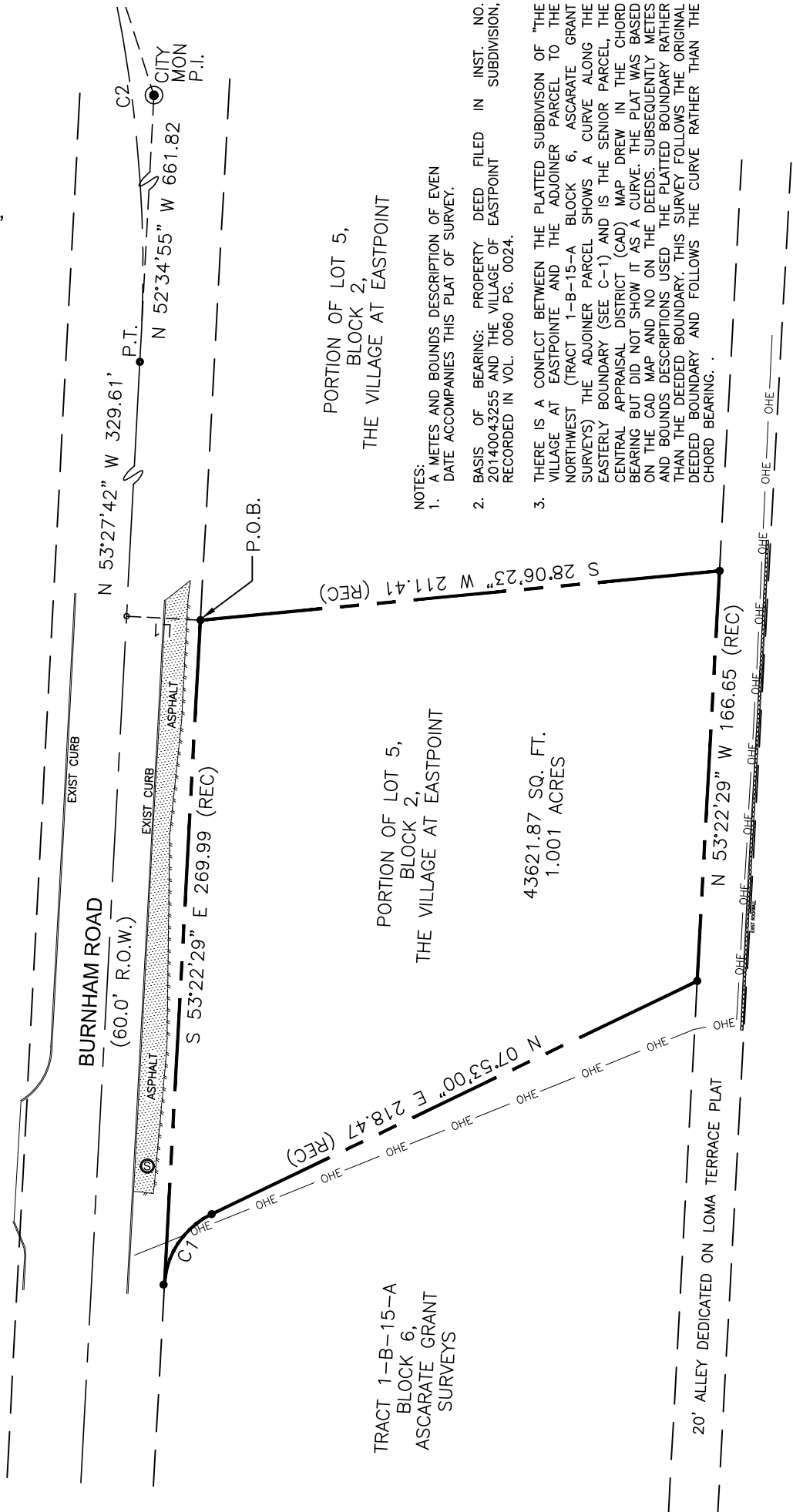
March 1, 2024



SCALE: 1" = 60'

LINE	LENGTH	BEARING
L1	30.00	N 36°32'18" E

CURVE	DELTA	CHD BEARING	TANGENT	RADIUS	ARC LENGTH	CHD LENGTH
C1	28°44'32"	N 22°44'44" W	19.99	33.76	36.09	34.40
C2	68°31'15"	S 60°13'46" E	104.13	549.00	205.81	204.61



- NOTES:
1. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT OF SURVEY.
  2. BASIS OF BEARING: PROPERTY DEED FILED IN INST. NO. 20140043255 AND THE VILLAGE OF EASTPOINT RECORDED IN VOL. 0060 PG. 0024.
  3. THERE IS A CONFLICT BETWEEN THE PLATTED SUBDIVISION OF "THE VILLAGE AT EASTPOINT AND THE ADJOINER PARCEL TO THE NORTHWEST (TRACT 1-B-15-A BLOCK 6, ASCARATE GRANT SURVEYS) THE ADJOINER PARCEL SHOWS A CURVE ALONG THE EASTERLY BOUNDARY (SEE C-1) AND IS THE SENIOR PARCEL, THE CENTRAL APPRAISAL DISTRICT (CAD) MAP DREW IN THE CHORD BEARING BUT DID NOT SHOW IT AS A CURVE. THE PLAT WAS BASED ON THE CAD MAP AND NO ON THE DEEDS. SUBSEQUENTLY METES AND BOUNDS DESCRIPTIONS USED THE PLATTED BOUNDARY RATHER THAN THE DEEDED BOUNDARY. THIS SURVEY FOLLOWS THE ORIGINAL DEEDED BOUNDARY AND FOLLOWS THE CURVE RATHER THAN THE CHORD BEARING.

TRACT 1-B-15-A  
BLOCK 6,  
ASCARATE GRANT  
SURVEYS

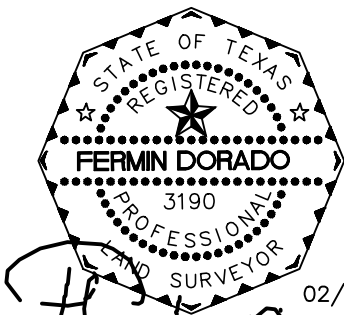
43621.87 SQ. FT.  
1.001 ACRES

PORTION OF LOT 5,  
BLOCK 2,  
THE VILLAGE AT EASTPOINT

PORTION OF LOT 5,  
BLOCK 2,  
THE VILLAGE AT EASTPOINT

20' ALLEY DEDICATED ON LOMA TERRACE PLAT

THIS IS TO CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL FIELD SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION



02/29/24

*Fermin Dorado*  
REGISTERED SURVEYOR

PORTION OF LOT 5  
BLOCK 2  
THE VILLAGE AT EASTPOINT  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

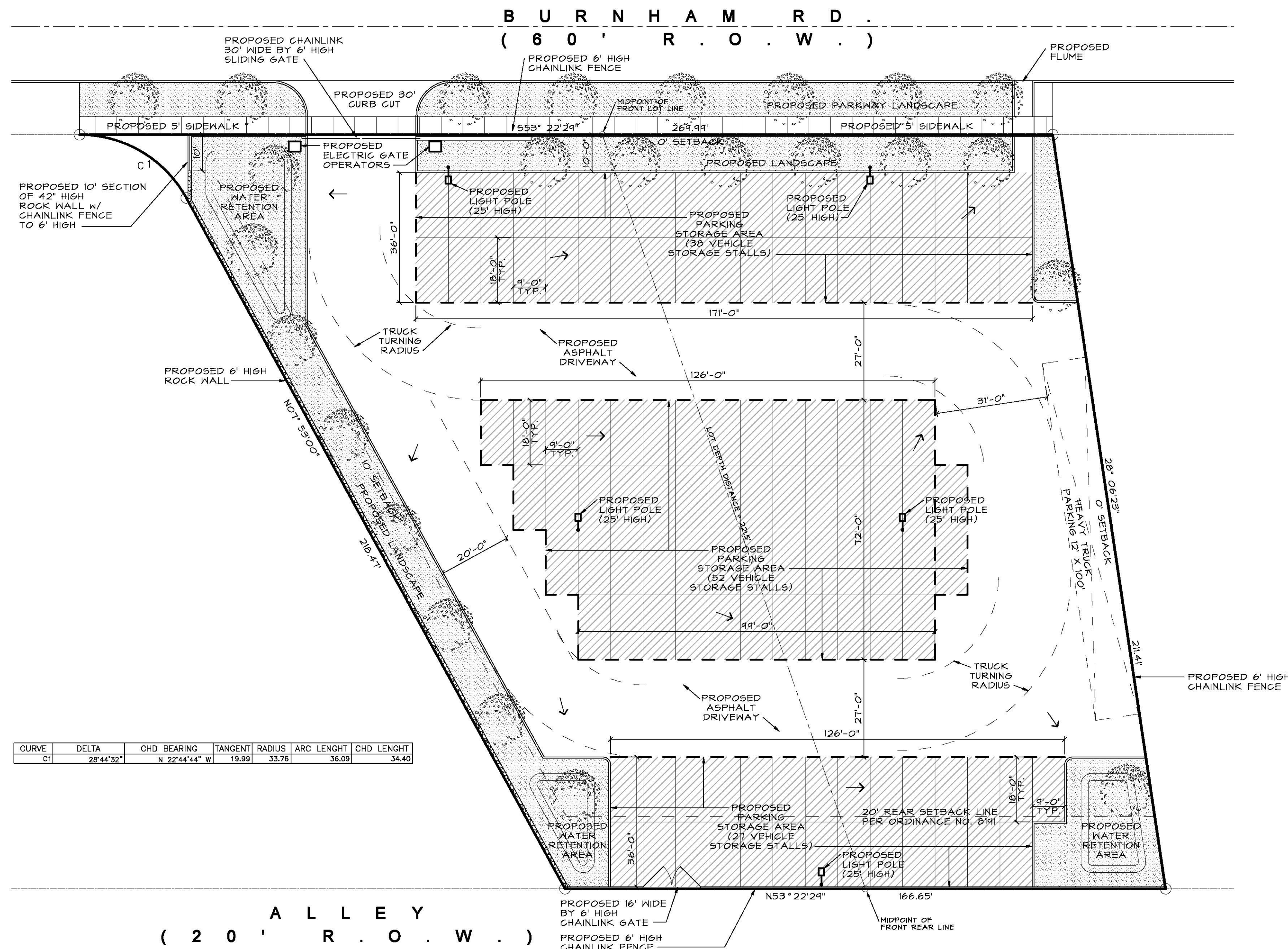
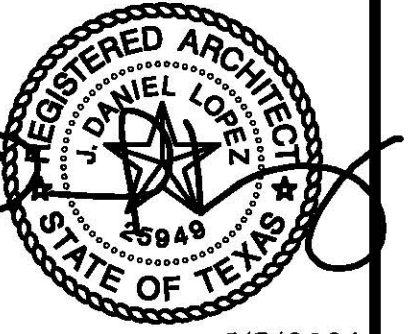


ENGINEERS SURVEYORS PLANNERS

2717 E. YANDELL, EL PASO, TEXAS 79903 (915)562-0002

DATE: 02/26/24
SCALE: 1" = 60'
DRAWN BY: FDJ
CHECKED BY: FD
FLOOD ZONE: X
PANEL NUMBER: 480214-0045C
DATED: 02/16/06
ZONING: C-4/SC
VOLUME:
PAGE:





**PLANNING & INSPECTIONS DEPARTMENT  
 PLANNING DIVISION  
 DETAILED SITE DEVELOPMENT PLAN  
 APPROVED BY CITY COUNCIL**  
 08/12/24

DATE  
 APPLICANT

Kevin Smith

EXECUTIVE SECRETARY, CITY PLAN COMMISSION

CITY MANAGER

**PROJECT SITE SUMMARY**

LEGAL DESCRIPTION:  
 PORTION OF LOT 5, BLOCK 2, THE VILLAGE AT EASTPOINT,  
 CITY OF EL PASO, TEXAS, EL PASO COUNTY, TEXAS

LOT SIZE:  
 43,621.07 S.F., (1.001) ACRES

LOT DEPTH:  
 221.5'

AVERAGE LOT WIDTH (LOT AREA DIVIDED BY LOT DEPTH):  
 192.1'

MAXIMUM HEIGHT LIMITATION:  
 60' (NO BUILDING IS PROPOSED)

ZONING:  
 C-4, SC

PROPOSED USE:  
 AUTOMOBILE STORAGE (6.02)

PROPOSED BUILDING AREA:  
 NO BUILDING, NOT APPLICABLE

SETBACKS:  
 FRONT - 0'  
 SIDE - 10' WHEN ABUTTING A RESIDENTIAL  
 OR APARTMENT DISTRICT  
 REAR - 20' PER ORDINANCE 0141

LANDSCAPE:  
 REQUIRED - 43,622 SF x 15% = 6,543.3 SF  
 PROPOSED - 6,141 SF

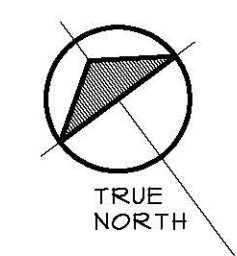
PARKING:  
 REQUIRED - ZERO, NO PARKING IS REQUIRED  
 117 VEHICLE STORAGE STALLS

BICYCLE PARKING:  
 REQUIRED - NOT REQUIRED

HEAVY TRUCK TRAILER:  
 REQUIRED - ONE  
 PROPOSED - ONE (SEE SITE PLAN)

**LEGEND**

- - PROPOSED DRAINAGE DIRECTION
- ▨ - PROPOSED PARKING STORAGE STALL AREA, STALL IS 4' X 10'
- NOTE: STORAGE STALLS WILL NOT BE STRIPED



**DETAILED SITE DEVELOPMENT PLAN**

1" = 20'-0"

DETAILED SITE DEVELOPMENT PLAN  
**8250 BURNHAM RD.**  
 EL PASO, TEXAS 79907

REVISIONS  
 △ -

23.1201

DETAILED SITE DEVELOPMENT PLAN

**DSDP**



# 8250 Burnham Road

City Plan Commission — July 25, 2024

## SITE PLAN

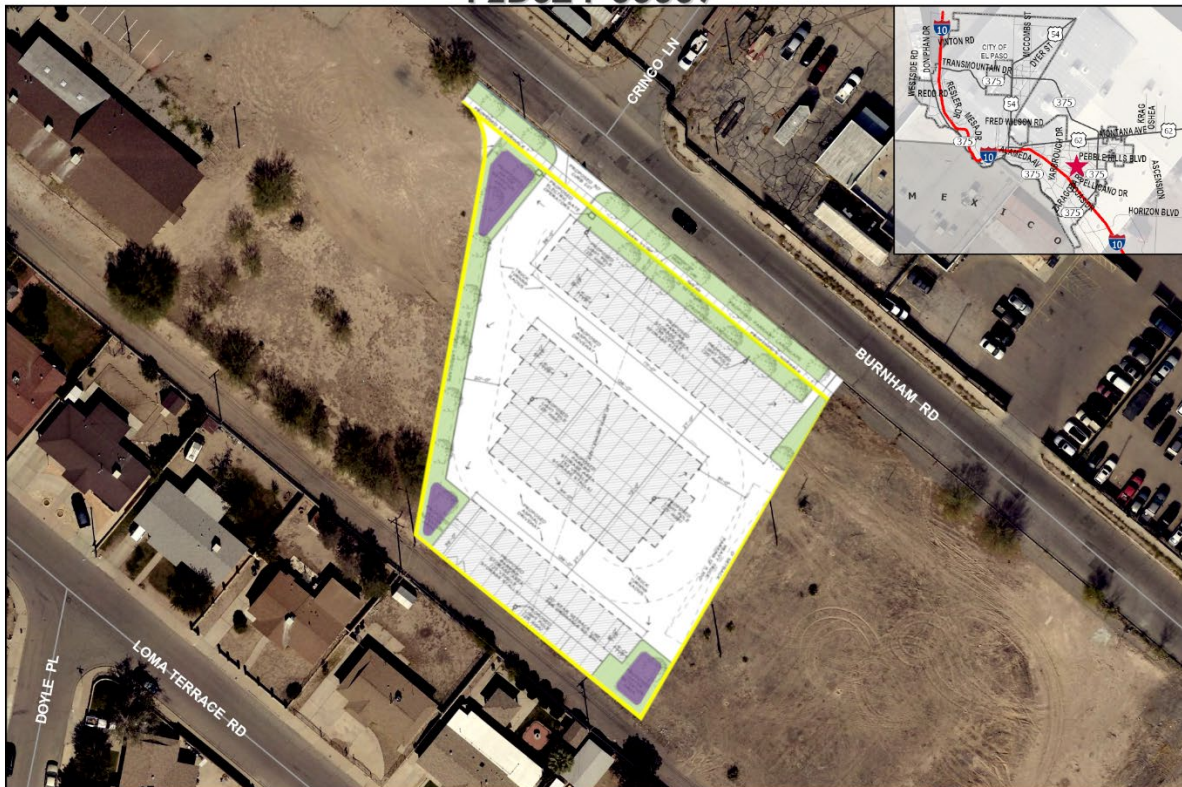


<b>CASE NUMBER:</b>	<b>PZDS24-00009</b>
<b>CASE MANAGER:</b>	Jose Beltran, (915) 212-1607, <a href="mailto:BeltranJV@elpasotexas.gov">BeltranJV@elpasotexas.gov</a>
<b>PROPERTY OWNER:</b>	Snap Partners LP
<b>REPRESENTATIVE:</b>	Dale Denny
<b>LOCATION:</b>	8250 Burnham Road (District 7)
<b>PROPERTY AREA:</b>	1.01 acres
<b>REQUEST:</b>	Detailed Site Development Plan Approval per Ordinance No. 8191
<b>RELATED APPLICATIONS:</b>	None
<b>PUBLIC INPUT:</b>	None

**SUMMARY OF REQUEST:** The applicant is requesting approval of a Detailed Site Development Plan as required per Ordinance No. 8191, dated October 30, 1984, which requires approval from the City Plan Commission and City Council prior to the issuance of any building permits. The applicant proposes to develop the subject property for motor vehicle storage.

**SUMMARY OF STAFF'S RECOMMENDATION:** Staff recommends **APPROVAL** of the request. The proposed use is permissible by right in the C-4/sc (Commercial/special contract) zone and is compatible with surrounding commercial uses. The proposed development meets the requirements of El Paso City Code Section 20.04.150 Detailed Site Development Plan. Furthermore, the development complies with the G-7, Industrial and/or Railyards future land use designation of *Plan El Paso*, the City's adopted Comprehensive Plan.

### PZDS24-00009



This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspection Department Planning Division makes no claim to its accuracy or completeness.



Figure A. Site Plan Superimposed on Aerial Imagery



**DESCRIPTION OF REQUEST:** The applicant is requesting approval of a Detailed Site Development Plan as required per Ordinance No. 8191, dated October 30, 1984. The Detailed Site Development Plan shows the proposed development of the 1.01-acre lot for motor vehicle storage under the codified use of automobile (sale, service, storage, and rental) located at 8250 Burnham Road. The development is in compliance with Title 18.46 of the Landscaping Ordinance. In addition, the development complies with Ordinance No. 8191 to provide a twenty-foot (20') setback along the southerly property line of what is described as Parcel 3 adjacent to the residential properties in Loma Terrace Subdivision Unit Four "C", restricting the development to 2 ½ stories in height, and restricting access from Lomita Drive as demonstrated on the detailed site development plan. Access to the subject property is proposed from Burnham Road.

**PREVIOUS CASE HISTORY:** On October 30, 1984, the subject property was rezoned from A-M (Apartment/Mobile Home) to C-4/sc (Commercial/special contract). The following conditions were imposed via Ordinance No. 8191 (Attachment 3) and summarized as follows:

1. Prior to the issuance of any building permits, a subdivision plat must be filed or record.

**Note: Condition has been satisfied.**

2. Prior to the issuance of any building permits, a detailed site development plan must be approved by the Commission and the City Council.

**Note: Condition will be satisfied once City Council approves this request.**

3. A 20-foot setback must be provided along the southerly property line of Parcels 2 and 3 adjacent to the residential properties in Loma Terrace Subdivision Unit Four "C".

**Note: The request complies with this condition.**

4. No building shall exceed two and a half stories (2 ½) in height.

**Note: The request complies with this condition**

5. Burnham Road must be dedicated and improved through Parcels 1 and 2 prior to the issuance of certificates of occupancy for any construction on these parcels.

**Note: This condition has been satisfied or is not applicable.**

6. There shall be no vehicular access from these parcels to Mallet Drive, Lomita Drive, and Cornelius Drive.

**Note: The request complies with this condition.**

**COMPATIBILITY WITH NEIGHBORHOOD CHARACTER:** The proposed development is compatible with similarly-zoned, abutting commercial and industrial developments. The adjacent properties to the north are an automotive repair garage, zoned C-3/sc (Commercial/special contract); to the south are single-family dwellings, zoned R-3 (Residential); to the east is a general warehouse in development, zoned C-4/sc (Commercial/special contract) and to the west is a church, zoned A-2 (Apartment). The nearest school, Loma Terrace Elementary School, is 0.60 miles away and the nearest park, Ralph T. Cloud Park is 0.77 miles away.

<b>COMPLIANCE WITH THE ZONING ORDINANCE – When evaluating whether a proposed Detailed Site Development Plan is in accordance with the Zoning Ordinance, consider following factors:</b>	
<b>Criteria</b>	<b>Does the Request Comply?</b>
<b>El Paso City Code Section 20.04.140 – When Required.</b> Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.	Yes. The Detailed Site Development Plan requirement is per Ordinance No. 8191 dated October 30, 1984 and requires approval from the City Plan Commission and City Council prior to the issuance of any building permits for the subject property.
<b>Compatibility with Zoning Regulations:</b> The zoning district permits the proposed use, and all applicable regulations are met <b>C-4 (Commercial) District:</b> The purpose of these districts is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities.	Yes. The subject property is proposing the use of automobile (sale, service, storage, and rental), which is permitted by right in the C-4/sc (Commercial/special contract) zone district. There are applicable supplemental use regulations per Section 20.10.090-automotive uses, and imposed conditions are being satisfied.
<b>THE PROPOSED ZONING DISTRICT’S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:</b>	
<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.	There are no Historic Districts or Special Designations on the subject property.
<b>Potential Adverse Effects:</b> Potential adverse effects that might be caused by approval or denial of the special permit.	There are no anticipated adverse impacts from the approval of the Detailed Site Development Plan request.
<b>Natural Environment:</b> Anticipated effects on the natural environment.	None. The subject property does not involve greenfield or environmentally sensitive land or arroyo disturbance.

**ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE:** Access to the proposed development is from Burnham Road, which is designated as a local street per the City of El Paso’s Major Thoroughfare Plan (MTP). The roadway is appropriate to serve the proposed development. The nearest bus stop is 0.08 miles way from the subject property on Burnham Road located between Lomaland Drive and Lee Trevino Drive. Sidewalks will be installed along Burnham Drive.

**SUMMARY OF DEPARTMENTAL REVIEW COMMENTS:** There are no adverse comments from the reviewing departments.

**PUBLIC COMMENT:** Notices are not required per El Paso City Code Section 20.04.150.

**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:

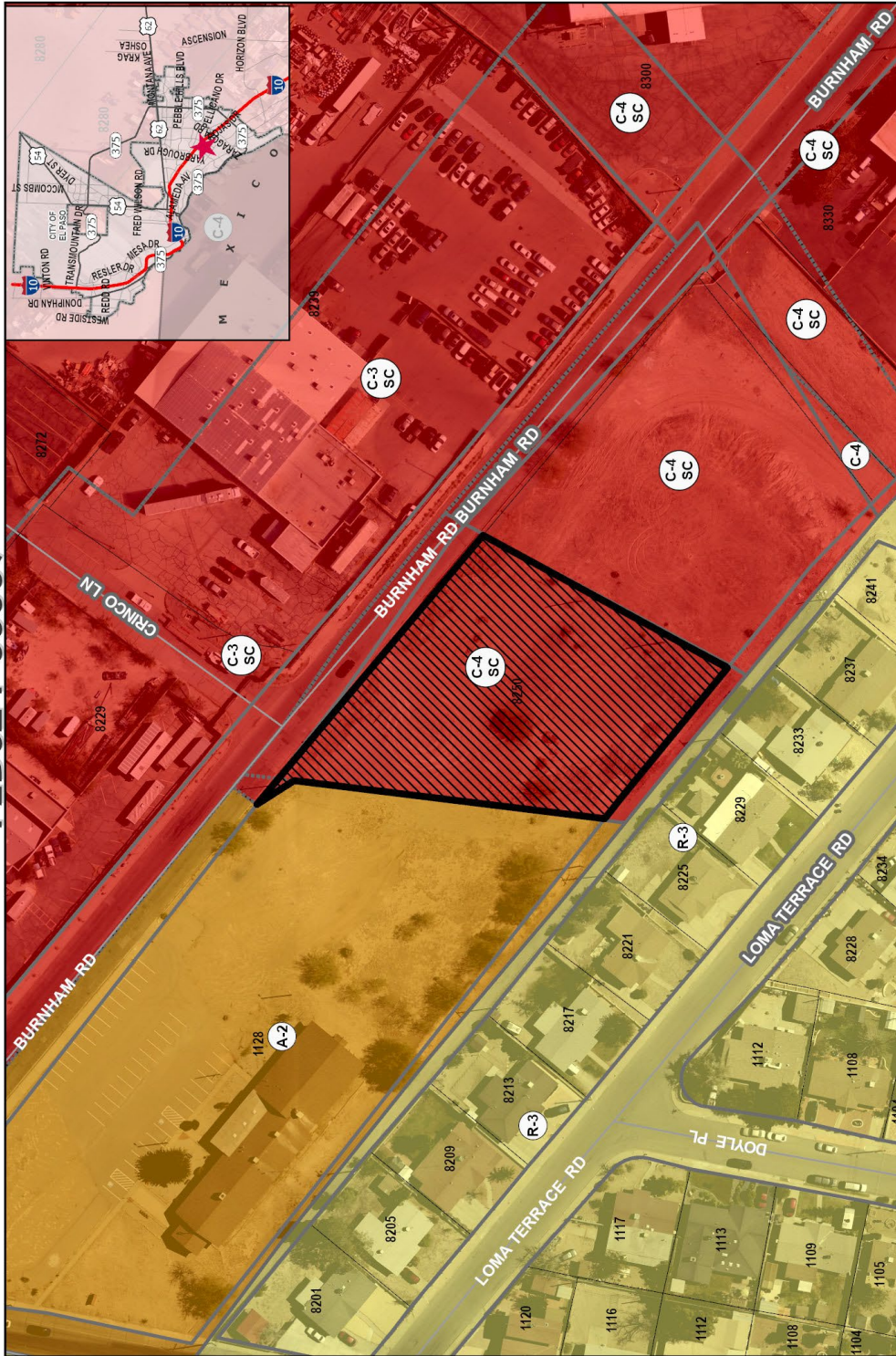
1. **Approve/Recommend Approval** of the Detailed Site Development Plan, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**
2. **Approve/Recommend Approval of the Detailed Site Development Plan 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.
3. **Deny/Recommend Denial** of the Detailed Site Development Plan, 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. Zoning Map
2. Detailed Site Plan
3. Ordinance No. 8191
4. Department Comments

# ATTACHMENT 1

PZDS24-00009



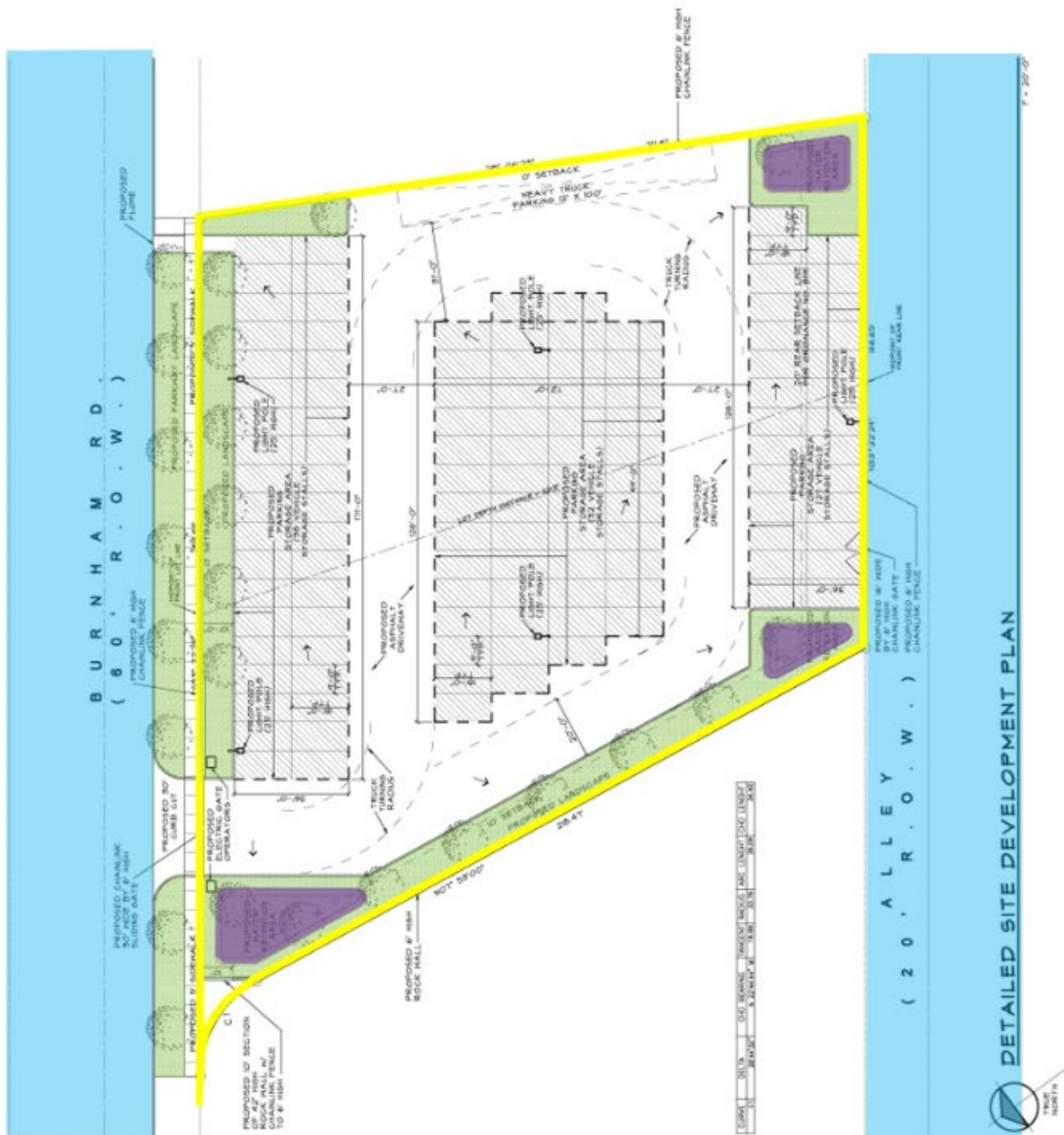
Subject Property



This map is delivered for illustrative purposes only. The features depicted here are approximate and more detailed studies may be required to draw accurate conclusions. Errors on this map to scales greater than 1:10,000 can induce errors and may lead to misinterpretation. The City of Mesa and its Planning Division make no claim to its accuracy or completeness.



# ATTACHMENT 2



# ATTACHMENT 3

8191  
008191

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACTS 1B, 1B20 AND 1B22, BLOCK 6, ASCARATE GRANT; TRACTS 1F AND 2C, BLOCK 54, YSLETA GRANT THE PENALTY BEING AS PROVIDED IN SECTION 25-96 OF THE EL PASO CITY CODE

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

That the zoning of a portion of Tracts 1B, 1B20 and 1B22, Block 6, ASCARATE GRANT; Tracts 1F and 2C, Block 54, YSLETA GRANT, as more particularly described by metes and bounds in the attached Exhibit "A" (Parcel 1), Exhibit "B" (Parcel 2), and Exhibit "C" (Parcel 3) made a part hereof by reference be changed from A-M (Apartment/Mobile Home) District and A-2 (Apartment) District to C-4 (Commercial) District within the meaning of the zoning ordinance and the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this 30<sup>th</sup> day of October, 1984.

*Jonathan W. Ryan*  
Mayor

ATTEST:  
*W. H. Lopez*  
City Clerk

APPROVED AS TO FORM:  
*[Signature]*  
Assistant City Attorney

APPROVED AS TO CONTENT:  
*Ray Gilyard*  
Planning, Research and Development

I certify that the zoning map has been revised to reflect the amendment of ordinance #8191  
*Ray Gilyard* Dets. 12-5-84

I CERTIFY THAT THE FOLLOWING ZONING MAPS HAVE BEEN REVISED: L.D.  
12-5-84 CONTROL  
12-5-84 CONTROL  
12-5-84 Bldg. Inspection  
12-5-84 CONTROL  
*Ray Gilyard*

008191  
Contract (10/30/84)

84-4996  
DEPARTMENT OF PLANNING

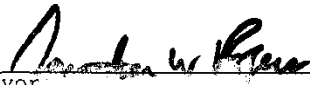


RESOLUTION


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

That the Mayor be authorized to sign a contract with SURETY SAVINGS ASSOCIATION, JOHN H. LIVINGSTON, AND MICHAEL TODD LIVINGSTON, placing certain restrictions, conditions, and covenants on the property being rezoned by Ordinance No. 008191.

PASSED AND APPROVED this 30<sup>th</sup> day of October, 1984.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Assistant City Attorney

84-4996  
NOV 15 1984  
DEPARTMENT  
OF PLANNING

CONTRACT

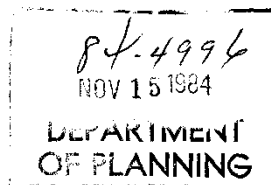
THIS CONTRACT, made this 30<sup>th</sup> day of October  
1984, by and between SURETY SAVINGS ASSOCIATION, JOHN H. LIVINGSTON,  
AND MICHAEL TODD LIVINGSTON, First Parties, and the CITY OF EL PASO,  
Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning a portion of Tracts 1B, 1B20 and 1B22, Block 6, ASCARATE GRANT, Tracts 1F and 2C, Block 54, YSLETA GRANT, City and County of El Paso, Texas which are more particularly described by metes and bounds in the attached Exhibits "A" (Parcel 1), "B" (Parcel 2), and "C" (Parcel 3) which are made a part hereof by reference. To remove certain objections to such rezoning, First Party covenants that if the property is rezoned to C-4 (Commercial) District within the meaning of the zoning ordinance of the City of El Paso, it shall be subject to the following restrictions, conditions and covenants:

1. Prior to the issuance of any building permits, a subdivision plat must be filed of record.
2. Prior to the issuance of any building permits, a detailed site development plan must be approved by the Commission and the City Council.
3. A 20-foot setback must be provided along the southerly property line of Parcels 2 and 3 adjacent to the residential properties in Loma Terrace Subdivision Unit Four "C".
4. No building shall exceed two and a half stories (2 1/2) in height.
5. Burnham Road must be dedicated and improved through Parcels 1 and 2 prior to the issuance of certificates of occupancy for any construction on these parcels.
6. There shall be no vehicular access from these parcels to Mallet Drive, Lomita Drive and Cornelius Drive.

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

*Ord. 8191 (10/30/84)*



The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby.

WITNESS THE FOLLOWING SIGNATURES AND SEAL:

SURETY SAVINGS ASSOCIATION  
First Parties

By [Signature]  
Title

By [Signature]  
John H. Livingston

By [Signature]  
Michael Todd Livingston

THE CITY OF EL PASO  
Second Party

By [Signature]  
Mayor

ATTEST:

[Signature]  
City Clerk

APPROVED AS TO CONTENT:

[Signature]  
Planning, Research and  
Development

APPROVED AS TO FORM:

[Signature]  
Assistant City Attorney

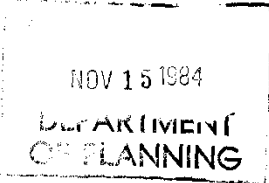
THE STATE OF TEXAS )  
                                  )  
COUNTY OF EL PASO )

This instrument was acknowledged before me on this 7<sup>th</sup> day of November, 1984, by RT Dempsey, as a representative of Surety Savings Association.

[Signature]  
Notary Public, State of Texas

My Commission Expires:

BARBARA SAUNDERS, Notary Public  
In and for the State of Texas  
My commission expires March 13, 1985





THE STATE OF TEXAS )  
 )  
COUNTY OF EL PASO )

This instrument was acknowledged before me on this 9<sup>th</sup> day of NOVEMBER, 1984, by JOHN H. LIVINGSTON.

Amelia T. Rueda  
Notary Public, State of Texas

My Commission Expires:  
MAY 30, 1985

THE STATE OF TEXAS )  
 )  
COUNTY OF EL PASO )

This instrument was acknowledged before me on this 9<sup>th</sup> day of NOVEMBER, 1984, by MICHAEL TODD LIVINGSTON.

Amelia T. Rueda  
Notary Public, State of Texas

My Commission Expires:  
MAY 30, 1985

THE STATE OF TEXAS )  
 )  
COUNTY OF EL PASO )

This instrument was acknowledged before me on this \_\_\_ day of \_\_\_\_\_, 1984, by JONATHAN W. ROGERS, as Mayor of the City of El Paso.

Carole Hunter  
Notary Public, State of Texas

My Commission Expires:  
7-19-86

NOV 15 1984  
DEPARTMENT  
OF PLANNING

PROPERTY DESCRIPTION  
zoning Parcel 3

Being the description of 2.001 acres of land known as Tract 1822B, Block 6, Ascarate Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

BEGINNING at the southerly common corner of Tracts 1815A and 1822B of said Block 6;

THENCE, along the boundary line between said Tracts 1815A and 1822B the following two courses:

North 07°53'00" East a distance of 219.45 feet to a point

North 24°58'30" West a distance of 33.92 feet to a point on the southerly line of Burnham Drive;

THENCE, South 53°24'00" East a distance of 521.19 feet along the southerly line of Burnham Drive to a point;

THENCE, South 50°36'00" West a distance of 214.99 feet along the boundary line between Tracts 1822A and 1822B of said Block 6 to a point;

THENCE North 53°24'00" West a distance of 333.91 feet along the southerly boundary line of said Tract 1822B to the POINT OF BEGINNING.

Prepared By;  
TURNER COLLIE & BRADEN INC.  
El Paso, Texas  
March 15, 1984  
TC&B Job No. 4737-02

8-1-2996

EXHIBIT "C"





# **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**

Recommend approval.

Note:

The proposed ponding area(s) shall have enough capacity to hold all stormwater runoff for a designed 100-yr. storm event.

On site ponding is required as per Municipal Code. New developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also encourages the use of nonstructural storm water management such as the preservation of greenspace, water harvesting, and other conservation efforts, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, and Subparagraph A-2 & A-5.

## **Fire Department**

Recommend approval, no adverse comments.

## **Police Department**

No comments received.

## **Environment Services**

ESD does not have any comments for this application.

## **Streets and Maintenance Department**

No comments received.

## **Sun Metro**

No comments received.

## **El Paso Water**

EPWater does not object to this request.

## **EPWU-PSB Comments**

Between Crinco Ln and Lomaland Dr., there is an existing 6-inch diameter water main extending along Burnham Dr. approximately 4-feet south of the northern right-of-way line. This main is available service and main extension. There is an existing 42-inch diameter water main extending along Burnham Dr. approximately 14-feet south of the northern right-of-way line. No direct service connections are allowed to this main as per the El Paso Water – Public Service Board (EPWater-PSB) Rules and Regulations.

Previous water pressure reading from fire hydrant 5781, located at the northeast corner of Burnham Dr. and Camelot Ln. has yielded a static pressure of 62 (psi), a residual pressure of 50 (psi), and a discharge of 787 (gpm).

## **Sanitary Sewer**

Between Crinco Ln and Lomaland Dr., there is an existing 8-inch diameter sanitary sewer main extending along Burnham Dr. approximately 6.5-feet north of the southern right-of-way line. This main is available for service.

**General**

Water main extension along the entire frontage of Burnham Rd. will be required. Water main extension is to cover the entire Burnham frontage. Owner is responsible for main extension cost.

EPWater requires a new service application to provide 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:**

No comments received.

**El Paso County 911 District**

No comments received.

**Texas Department of Transportation**

No comments received.