

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

AGENDA DATE: July 16, 2024
PUBLIC HEARING DATE: August 13, 2024

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Juan C. Naranjo, (915) 212-1604

DISTRICT(S) AFFECTED: District 8

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 Lot 3, Block 1, Coronado del Sol, City of El Paso, El Paso County, Texas, from R-3 (Residential) and R-5/sc (Residential/special contract) to A-3 (Apartment) and A-3/sc (Apartment/special contract). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **THIS IS NOT A 211 CASE AS OF SEPTEMBER 23, 2024.**

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: Mesa Hills and Northwest of Sunland Park
Applicant: Housing Authority of the City of El Paso, PZRZ24-00002

BACKGROUND/DISCUSSION:

The applicant is requesting to rezone the subject property to allow for the proposed use of apartments. City Plan Commission unanimously recommended 5-0 to approve the proposed rezoning on May 16, 2024. As of September 23, 2024, the Planning Division has received forty-one (41) phone calls, sixty (60) emails, four (4) petitions including one thousand, one hundred and seventy-three (1,173) signatures, and one (1) letter in opposition to the request. Staff has also received five (5) phone calls, two (2) emails, and two (2) letters in support of 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

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

DEPARTMENT HEAD:

Philip Etiwe

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 3, BLOCK 1, CORONADO DEL SOL, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) AND R-5/SC (RESIDENTIAL/SPECIAL CONTRACT) TO A-3 (APARTMENT) AND A-3/SC (APARTMENT/SPECIAL CONTRACT), AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning of **Lot 3, Block 1, Coronado del Sol**, located in the City of El Paso, El Paso County, Texas, be changed from **R-3 (Residential) and R-5/sc (Residential/special contract)** to **A-3 (Apartment) and A-3/sc (Apartment/special contract)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following condition which is necessitated by and attributable to the increased density of generated by the change of zoning in order to protect the health, safety and welfare of the residents of the City:

No more than one hundred and four (104) dwelling units shall be permitted on the property.

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 _____, 2024.

THE CITY OF EL PASO

ATTEST:

Oscar Leaser, Mayor

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Russel T. Abeln

Russell T. Abeln
Senior Assistant City Attorney

Philip Etiwe

Philip F. Etiwe, Director
Planning & Inspections Department

Mesa Hills and Northwest of Sunland Park



City Plan Commission — May 16, 2024 — **REVISED 9/23/2024**

CASE NUMBER: PZRZ24-00002
CASE MANAGER: Juan C. Naranjo, (915) 212-1604, NaranjoJC@elpasotexas.gov
PROPERTY OWNER: Housing Authority of the City of El Paso
REPRESENTATIVE: Fred Dalbin
LOCATION: Mesa Hills Dr. and Northwest of Sunland Park Dr. (District 8)
PROPERTY AREA: 6.3 acres
REQUEST: Rezone from R-3 (Residential) and R-5/sc (Residential/special contract) to A-3 (Apartment) and A-3/sc (Apartment/special contract)
RELATED APPLICATIONS: None
PUBLIC INPUT: Forty-one (41) phone calls, sixty (60) emails, four (4) petitions with one thousand, one hundred and seventy-three (1,173) signatures, and one (1) letter in opposition. Staff has also received five (5) phone calls, two (2) emails and two (2) letters in support as of September 23, 2024.

SUMMARY OF REQUEST: The applicant is requesting to rezone from R-3 (Residential) and R-5/sc (Residential/special contract) to A-3 (Apartment) and A-3/sc (Apartment/special contract) to allow for the use of apartments.

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 G-4, Suburban (Walkable) Land Use Designation of *Plan El Paso*, the City's adopted Comprehensive Plan.

1. No more than one hundred and four (104) dwelling units be permitted on this property.

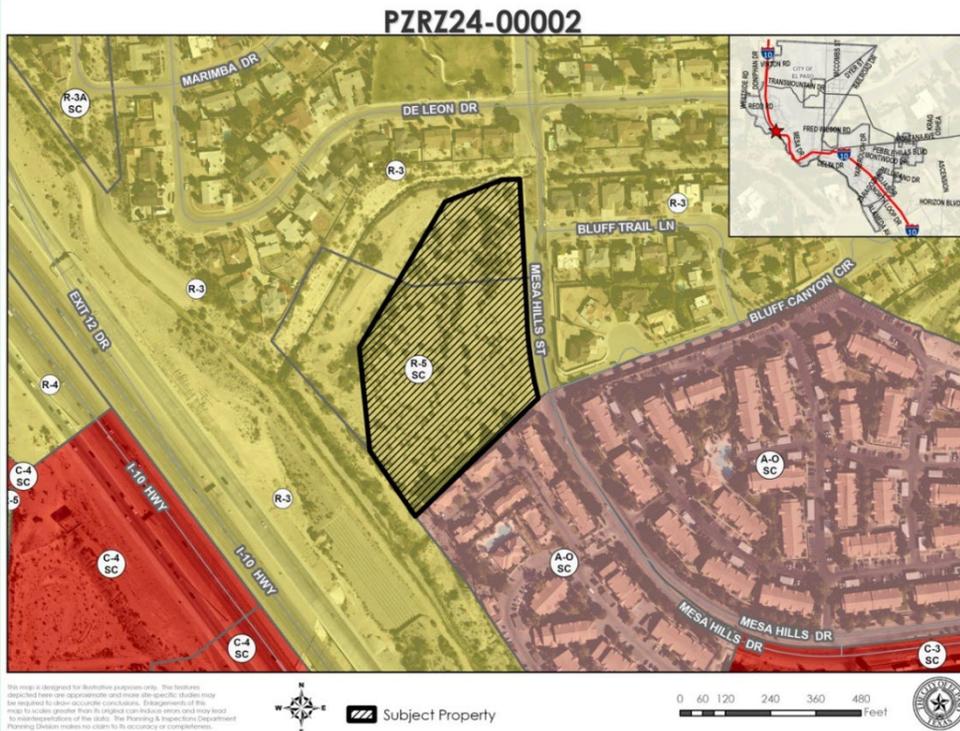


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone the subject property from R-3 (Residential) and R-5/sc (Residential/special contract) to A-3 (Apartment) and A-3/sc (Apartment/special contract) to allow for a proposed apartment complex. The property is approximately 6.3 acres in size. The conceptual site plan shows seven (7) proposed apartment buildings, providing a combined total of **one-hundred and four (104)** apartment units. Access to the subject property is proposed from Mesa Hills Drive. The conceptual plan is not being reviewed for zoning requirements under Title 20 of El Paso City Code with this application

PREVIOUS CASE HISTORY: On June 26, 1984, part of the subject property was rezoned from R-3 (Residential) to R-5/sc (Residential/special contract) as a part of a larger rezoning application that imposed conditions. However, imposed conditions have been met or are not applicable to the subject property (see attachment 3). On January 30, 2024, the El Paso City Council supported this location for an affordable housing development.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed apartment use and the proposed rezoning of the subject property to A-3 (Apartment) is in character with the residential and apartment developments and zone districts in the surrounding area. Properties to the north and east include single-family dwellings zoned R-3 (Residential), properties to the southwest are vacant and zoned R-3 (Residential) and R-5/sc (Residential/special contract) and property to the southeast includes apartments zoned A-O/sc (Apartment/special contract). The nearest school, Putnam Elementary School, is 1.0 mile away and the nearest park, H.T Ponsford Park, is 0.05 mile in proximity to the site.

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
Criteria	Does the Request Comply?
<p>Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p>G-4, Suburban (Walkable): 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>Yes. The proposed development is compatible with the intent of the future land use designations of <i>Plan El Paso</i> as it would supplement the existing housing stock desired of the G-4 (Walkable) land use designation.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>A-3 (Apartment) District: The purpose of these districts is to promote and preserve residential development within the city associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low-density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities.</p>	<p>Yes. The proposed A-3 (Apartment) zoning district is consistent with residential and apartment zoning districts in the neighborhood. The proposed development is within close proximity of other similar light and medium density residential districts.</p>
<p>Preferred Development Locations: Located along an arterial (or greater street classification) or the</p>	<p>Yes. Access to the subject property is provided from Mesa Hills Drive, which is classified as a minor</p>

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
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.	arterial under the City’s Major Thoroughfare Plan (MTP). The classification of this road is appropriate for the proposed development.
THE PROPOSED ZONING DISTRICT’S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
Historic District or Special Designations & Study Area Plans: 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. On June 18, 2024, the Open Space Advisory Board (OSAB) recommended denial of the request.
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	There are no anticipated adverse impacts.
Natural Environment: 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.
Stability: Whether the area is stable or in transition.	The area is stable with no rezoning within the last 10 years.
Socioeconomic & Physical Conditions: 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 Mesa Hills Drive, which is classified as a minor arterial under the City’s Major Thoroughfare Plan (MTP) and is adequate for the proposed development. A sidewalk abutting the property will be required along Mesa Hills Drive to connect to existing infrastructure in the area. There are no bus stops within walking distance (quarter mile) of the subject property. The closest bus stop to the subject property is located approximately 0.53 miles away at Sunland Park Plaza on Mesa Hills Drive.

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

PUBLIC COMMENT: Public notices were mailed to property owners within 300 feet on April 5, 2024. As of September 23, 2024, the Planning Division has received a total of forty-one (41) phone calls, sixty (60) emails, four (4) petitions with one thousand, one hundred and seventy-three (1,173) signatures, and one (1) letter in opposition. These include signatures that are duplicated on the petitions as well as from same household. Staff has also received five (5) phone calls, two (2) emails and two (2) letters in support. On May 8, 2024, HOME held a meeting from 5:30 pm to 7:15 pm with single-family home residents who live within a mile of the proposed project site. Approximately, 65 residents attended the meeting, which was held at one of HOME's properties, Medano Heights.

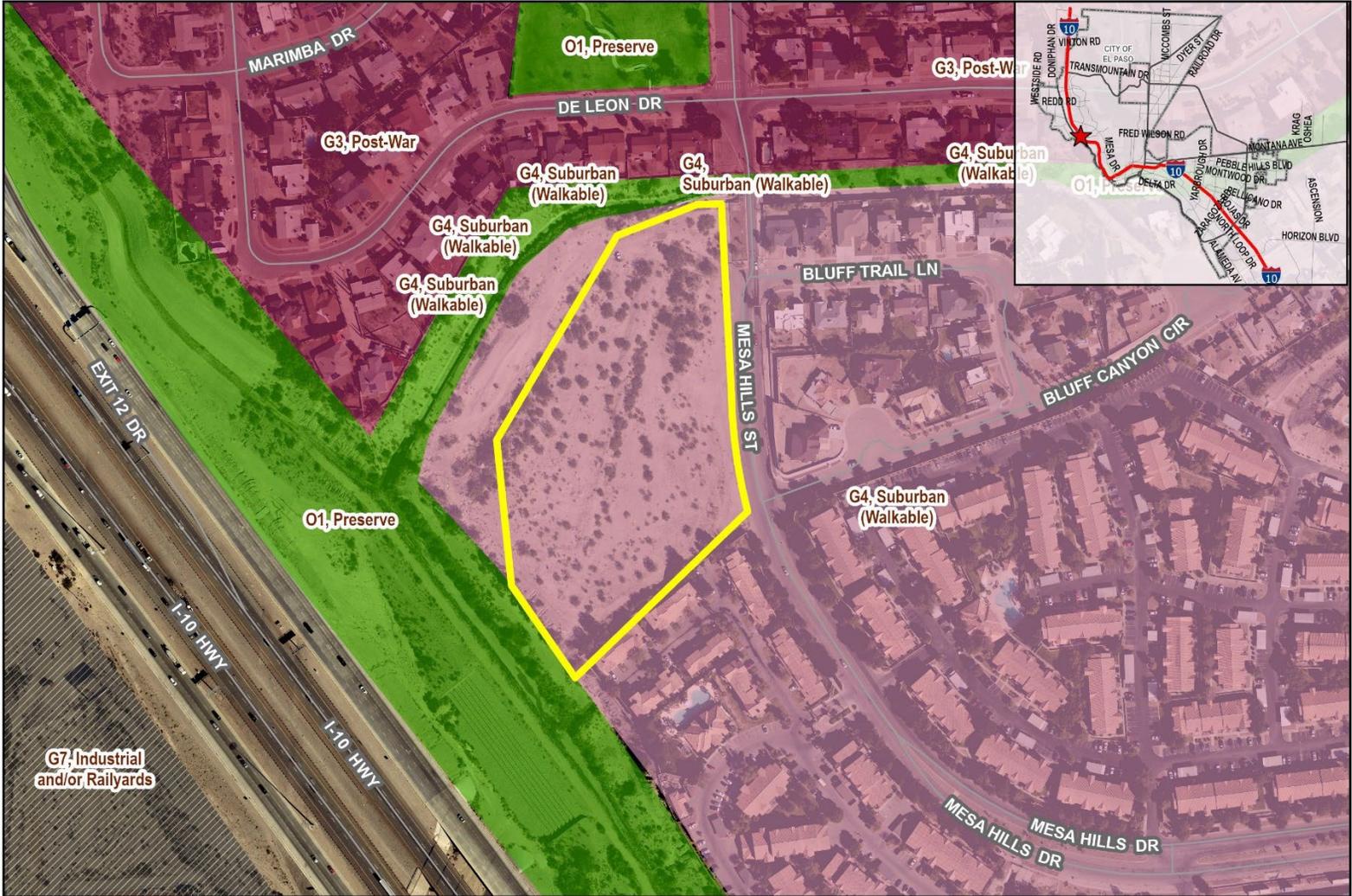
CITY PLAN COMMISSION OPTIONS: The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

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. Ordinance No. 8088
4. Department Comments
5. Neighborhood Notification Boundary Map
6. **Public Input**

PZRZ24-00002



ATTACHMENT 1

PZRZ24-00002

5

May 16, 2024

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 & Inspections Department Planning Division makes no claim to its accuracy or completeness.



Subject Property



ATTACHMENT 3

ORD. 2088
Date of Introduction 6-5-84
Date of ADOPTION 6-26-84
City Clerk WR

008088

AN ORDINANCE CHANGING THE ZONING
OF A PORTION OF TRACT 16A, A.F. MILLER SURVEY #213;
A PORTION OF TRACT 8, H.A. CHADWICK #252, AND
A PORTION OF TRACT 4A, T.F. WHITE #3,
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 Tract 16A, A.F. Miller Survey #213, a portion of Tract 8, H.A. Chadwick #252, and a portion of Tract 4A, T.F. White #3, as more particularly described in the attached Exhibits "A" through "F," made a part hereof by reference, be changed in the following manner:

- Parcel 1 to C-3 (Commercial) - 39.8 acres
- Parcel 2 to A-0 (Apartment/Office) - 10.3 acres
- Parcel 3 to A-0 (Apartment Office) - 31.7 acres
- Parcel 4 to R-5 (Residential) - 7.1 acres
- Parcel 5 to A-2 (Apartment) - 14.5 acres
- Parcel 6 to C-1 (Commercial) - 9.41 acres

within the meaning of the zoning ordinance and the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this 26th day of June, 1984.

[Signature]
Mayor

ATTEST:
[Signature]
City Clerk

APPROVED AS TO FORM:
[Signature]
Assistant City Attorney

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

008088

Property Description: A portion of Tract 8, H.A. Chadwick Survey No. 252 and a portion of Tract 4A, T.F. White Survey No. 3, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a portion of Tract 8, H.A. Chadwick Survey No. 252 and a portion of Tract 4A, T.F. White Survey No. 3, El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

Commencing at a point, said point being a concrete monument lying on the common northerly section corner of Tract 8, H.A. Chadwick Survey No. 252 and Tract 33C, A.F. Miller Survey No. 214; Thence, South $44^{\circ} 58' 30''$ East, along the common boundary line of H.A. Chadwick Survey No. 252 and A.F. Miller Survey No. 214, a distance of 716.11 feet to a point for a curve, said point lying on the northerly right-of-way line of Sunland Park Drive; Thence, 415.03 feet along said right-of-way line and along the arc of a curve to the right, having a radius of 1850.08 feet, a central angle of $12^{\circ} 51' 12''$ and a chord which bears South $68^{\circ} 37' 24''$ West, a distance of 414.16 feet to a point for a corner; Thence, South $75^{\circ} 03' 00''$ West, continuing along said right-of-way line, a distance of 91.44 feet to a point, said point also being the TRUE POINT OF BEGINNING of this description;

THENCE, continuing along said right-of-way line the following courses:

South $75^{\circ} 03' 00''$ West, a distance of 115.65 feet to a point for a curve;

813.57 feet along the arc of a curve to the left, having a radius of 1853.40 feet, a central angle of $25^{\circ} 09' 02''$ and a chord which bears South $62^{\circ} 28' 29''$ West, a distance of 807.05 feet to a point for a corner;

South $49^{\circ} 53' 58''$ West, a distance of 757.07 feet to a point for a corner, said point lying on the easterly right-of-way line of Interstate Highway No. 10;

THENCE, North $40^{\circ} 06' 02''$ West, along said right-of-way line, a distance of 40.19 feet to a point for a corner;

THENCE, South $49^{\circ} 53' 58''$ West, continuing along said right-of-way line, a distance of 190.64 feet to a point for a corner, said point lying on the easterly right-of-way line of a City of El Paso Diversion Channel;

THENCE, North $60^{\circ} 41' 11''$ West, along said right-of-way line, a distance of 167.38 feet to a point for a corner;

THENCE, North $47^{\circ} 08' 17''$ West, continuing along said right-of-way line, a distance of 359.00 feet to a point for a corner;

THENCE, North $37^{\circ} 08' 17''$ West, continuing along said right-of-way line, a distance of 446.19 feet to a point for a corner;

THENCE, North $31^{\circ} 21' 36''$ East, a distance of 328.22 feet to a point for a corner;

THENCE, North $18^{\circ} 37' 25''$ East, a distance of 294.67 feet to a point for a curve;

THENCE, 302.35 feet along the arc of a curve to the left, having a radius of 600.00 feet, a central angle of $28^{\circ} 52' 20''$ and a chord which bears South $85^{\circ} 48' 45''$ East, a distance of 299.16 feet to a point for a corner;

PARCEL 1

FROM R-3 TO C-3

84-4953

MAY 16 1984

DEPARTMENT
OF PLANNING

EXHIBIT "A"

THENCE, North 79° 45' 05" East, a distance of 1025.98 feet to a point for a curve;

THENCE, 626.82 feet along the arc of a curve to the right, having a radius of 550.00 feet, a central angle of 65° 17' 55" and a chord which bears South 67° 35' 58" East, a distance of 593.45 feet to a point for a corner;

THENCE, South 34° 57' 00" East, a distance of 235.94 feet to the TRUE POINT OF BEGINNING of this description.

Said parcel of land contains 39.86911 acres (1,736,698.37 sq. ft.) of land more or less.

NOTE: THIS DESCRIPTION IS INTENDED FOR REZONING PURPOSES ONLY AND IS NOT BASED ON A FIELD SURVEY.

SUB-LAND, INC.
Consulting Engineers -- Land Surveyors

Robert R. Seipel

Robert R. Seipel
Registered Public Surveyor
Texas License No. 4178

May 15, 1984
Job Number 01-84-4639
3073A

C-3

8-1-495

MAY 16 1984
DEPARTMENT
OF PLANNING

Property Description: A portion of Tract 16A, A.F. Miller Survey No. 213 and a portion of Tract 4A, T.F. White Survey No. 3, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a portion of Tract 16A, A.F. Miller Survey No. 213 and a portion of Tract 4A, T.F. White Survey No. 3, El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

Commencing at a point, said point being a concrete monument lying on the common northerly section corner of Tract 8, H.A. Chadwick Survey No. 252 and Tract 33C, A.F. Miller Survey No. 214; Thence, South 77° 50' 21" West, a distance of 2004.66 feet to the TRUE POINT OF BEGINNING of this description;

THENCE, South 18° 37' 25" West, a distance of 294.67 feet to a point for a corner;

THENCE, South 31° 21' 36" West, a distance of 328.22 feet to a point for a corner, said point lying on the easterly right-of-way line of a City of El Paso Diversion Channel;

THENCE, North 37° 08' 17" West, along said right-of-way line, a distance of 819.99 feet to a point for a corner;

THENCE, North 41° 35' 46" West, continuing along said right-of-way line, a distance of 225.00 feet to a point for a corner;

THENCE, North 48° 24' 14" East, a distance of 495.37 feet to a point for a curve;

THENCE, 210.39 feet along the arc of a curve to the left, having a radius of 700.00 feet, a central angle of 17° 13' 15" and a chord which bears South 28° 31' 39" East, a distance of 209.60 feet to a point for a corner;

THENCE, South 37° 08' 17" East, a distance of 251.89 feet to a point for a curve;

THENCE, 358.54 feet along the arc of a curve to the left, having a radius of 600.00 feet, a central angle of 34° 14' 18" and a chord which bears South 54° 15' 26" East, a distance of 353.23 feet to the TRUE POINT OF BEGINNING of this description.

Said parcel of land contains 10.33669 acres (450,266.25 sq. ft.) of land more or less.

NOTE: THIS DESCRIPTION IS INTENDED FOR REZONING PURPOSES ONLY AND IS NOT BASED ON A FIELD SURVEY.

SUB-LAND, INC.
Consulting Engineers -- Land Surveyors

Robert R. Seipel

Robert R. Seipel
Registered Public Surveyor
Texas License No. 4178

March 28, 1984
Job Number 01-84-4639
2972A

84-4953

PARCEL 2
FROM R-3 TO A-0
EXHIBIT "B"

Property Description: A portion of Tract 16A, A.F. Miller Survey No. 213 and a portion of Tract 4A, T.F. White Survey No. 3, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a portion of Tract 16A, A.F. Miller Survey No. 213 and a portion of Tract 4A, T.F. White Survey No. 3, El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

Commencing at a point, said point being a concrete monument lying on the common northerly section corner of Tract 8, H. A. Chadwick Survey No. 252 and Tract 33C, A.F. Miller Survey No. 214; Thence, South 67° 46' 07" West, a distance of 683.10 feet to the TRUE POINT OF BEGINNING of this description;

THENCE, 19.63 feet along the arc of a curve to the left, having a radius of 550.00 feet, a central angle of 02° 02' 42" and a chord which bears South 80° 46' 26" West, a distance of 19.63 feet to a point for a corner;

THENCE, South 79° 45' 05" West, a distance of 1025.98 feet to a point for a curve;

THENCE, 660.89 feet along the arc of a curve to the right, having a radius of 600.00 feet, a central angle of 63° 06' 38" and a chord which bears North 68° 41' 36" West, a distance of 627.99 feet to a point for a corner;

THENCE, North 37° 08' 17" West, a distance of 251.89 feet to a point for a curve;

THENCE, 210.39 feet along the arc of a curve to the right, having a radius of 700.00 feet, a central angle of 17° 13' 15" and a chord which bears North 28° 31' 39" West, a distance of 209.60 feet to a point for a corner;

THENCE, North 48° 24' 14" East, a distance of 57.68 feet to a point for a curve;

THENCE, 177.85 feet along the arc of a curve to the right, having a radius of 530.11 feet, a central angle of 19° 13' 22" and a chord which bears North 58° 00' 55" East, a distance of 177.02 feet to a point for a corner;

THENCE, North 67° 37' 36" East, a distance of 485.52 feet to a point for a curve;

THENCE, 79.62 feet along the arc of a curve to the left, having a radius of 189.59 feet, a central angle of 24° 03' 41" and a chord which bears North 55° 35' 46" East, a distance of 79.04 feet to a point for a corner;

THENCE, South 46° 26' 05" East, a distance of 20.00 feet to a point for a corner;

THENCE, South 65° 06' 27" East, a distance of 257.05 feet to a point for a corner;

THENCE, South 72° 15' 19" East, a distance of 162.08 feet to a point for a corner;

THENCE, North 88° 04' 43" East, a distance of 193.84 feet to a point for a corner;

THENCE, North 71° 33' 08" East, a distance of 162.38 feet to a point for a corner;

THENCE, North 59° 54' 24" East, a distance of 378.87 feet to a point for a corner;

THENCE, South 30° 05' 36" East, a distance of 61.23 feet to a point for a curve;

84-4953

PARCEL 3
FROM R-3 TO A-0
EXHIBIT "C"

THENCE, 415.62 feet along the arc of a curve to the right, having a radius of 600.00 feet, a central angle of $39^{\circ} 41' 20''$ and a chord which bears South $10^{\circ} 14' 56''$ East, a distance of 407.36 feet to a point for a corner;

THENCE, South $09^{\circ} 35' 44''$ West, a distance of 154.98 feet to a point for a curve;

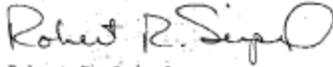
THENCE, 215.15 feet along the arc of a curve to the left, having a radius of 692.58 feet, a central angle of $17^{\circ} 47' 57''$ and a chord which bears South $00^{\circ} 41' 46''$ West, a distance of 214.29 feet to a point for a corner;

THENCE, South $08^{\circ} 12' 13''$ East, a distance of 45.00 feet to the TRUE POINT OF BEGINNING of this description.

Said parcel of land contains 31.71865 acres (1,381,664.34 sq. ft.) of land more or less.

NOTE: THIS DESCRIPTION IS INTENDED FOR REZONING PURPOSES ONLY AND IS NOT BASED ON A FIELD SURVEY.

SUE-LAND, INC.
Consulting Engineers -- Land Surveyors



Robert R. Scipel
Registered Public Surveyor
Texas License No. 4178

March 29, 1984
Job Number 01-84-4639
2973A

Revised May 29, 1984

Property Description: A portion of Tract 16A, A.F. Miller Survey No. 213, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a portion of Tract 16A, A.F. Miller Survey No. 213, El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

Commencing at a point, said point being a concrete monument lying on the common northerly section corner of Tract 8, H.A. Chadwick Survey No. 252 and Tract 33C, A.F. Miller Survey No. 214; Thence, North $86^{\circ} 07' 49''$ West, a distance of 2504.26 feet to the TRUE POINT OF BEGINNING of this description;

THENCE, South $48^{\circ} 24' 14''$ West, a distance of 495.37 feet to a point for a corner, said point lying on the easterly right-of-way line of a City of El Paso Diversion Channel;

THENCE, North $41^{\circ} 35' 46''$ West, along said right-of-way line, a distance of 576.44 feet to a point for a corner, said point lying on the common boundary line of Tract 16A, A.F. Miller Survey No. 213 and Coronado Hills Unit Eight;

THENCE, North $26^{\circ} 13' 00''$ East, along said boundary line, a distance of 306.51 feet to a point for a corner;

THENCE, South $60^{\circ} 19' 22''$ East, a distance of 278.60 feet to a point for a corner;

THENCE, North $67^{\circ} 06' 22''$ East, a distance of 144.29 feet to a point for a corner;

THENCE, North $84^{\circ} 00' 00''$ East, a distance of 190.00 feet to a point for a corner;

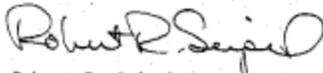
THENCE, South $06^{\circ} 00' 00''$ East, a distance of 150.79 feet to a point for a curve;

THENCE, 170.03 feet along the arc of a curve to the left, having a radius of 700.00 feet, a central angle of $130^{\circ} 55' 02''$ and a chord which bears South $12^{\circ} 57' 31''$ East, a distance of 169.61 feet to the TRUE POINT OF BEGINNING of this description.

Said parcel of land contains 7.13783 acres (310,923.93 sq. ft.) of land more or less.

NOTE: THIS DESCRIPTION IS INTENDED FOR REZONING PURPOSES ONLY AND IS NOT BASED ON A FIELD SURVEY.

SUB-LAND, INC.
Consulting Engineers -- Land Surveyors



Robert R. Seipel
Registered Public Surveyor
Texas License No. 4178

March 29, 1984
Job Number 01-84-4639
2974A

PARCEL 4
FROM R-3 TO R-5
EXHIBIT "D"

84-4953

Property Description: A portion of Tract 4A, T.F.White Survey No. 3, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a portion of Tract 4A, T.F.White Survey No. 3, El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

Commencing at a point, said point being a concrete monument lying on the common northerly section corner of Tract 33C, A.F. Miller Survey No. 214 and Tract 8, H.A. Chadwick Survey No. 252, said point also being the TRUE POINT OF BEGINNING of this description;

THENCE, North 44° 58' 30" West, a distance of 20.00 feet to a point for a corner;

THENCE, South 88° 43' 48" West, a distance of 622.16 feet to a point for a corner;

THENCE, North 09° 35' 44" East, a distance of 154.98 feet to a point for a curve;

THENCE, 285.35 feet along the arc of a curve to the left, having a radius of 600.00 feet, a central angle of 27° 14' 58" and a chord which bears North 04° 01' 45" West, a distance of 282.67 feet to a point for a corner;

THENCE, North 73° 09' 50" East, a distance of 280.97 feet to a point for a corner;

THENCE, North 32° 04' 36" East, a distance of 121.26 feet to a point for a corner;

THENCE, North 08° 32' 31" West, a distance of 140.65 feet to a point for a corner;

THENCE, North 30° 14' 38" East, a distance of 67.68 feet to a point for a corner;

THENCE, North 72° 01' 13" East, a distance of 215.81 feet to a point for a corner;

THENCE, South 25° 34' 24" East, a distance of 179.42 feet to a point for a corner;

THENCE, North 65° 38' 34" East, a distance of 225.84 feet to a point for a corner;

THENCE, South 44° 57' 00" East, a distance of 431.93 feet to a point for a corner, said point lying on the common boundary line of Tract 4A, T.F. White Survey No. 3, and Tract 33C, A.F. Miller Survey No. 214;

THENCE, South 45° 03' 00" West, along said boundary line, a distance of 720.56 feet to the TRUE POINT OF BEGINNING of this description.

Said parcel of land contains 14.51374 acres (632,218.32 sq. ft.) of land more or less.

NOTE: THIS DESCRIPTION IS INTENDED FOR REZONING PURPOSES ONLY AND IS NOT BASED ON A FIELD SURVEY.

SUB-LAND, INC.
Consulting Engineers -- Land Surveyors

Robert R. Seipel

Robert R. Seipel
Registered Public Surveyor
Texas License No. 4178

March 29, 1984
Job Number 01-84-4639
2977A

PARCEL 5
FROM R-3 TO A-2

EXHIBIT "E"

84-4953

Property Description: A portion of Tract 8, H.A. Chadwick Survey No. 252 and a portion of Tract 4A, T.F. White Survey No. 3, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a portion of Tract 8, H.A. Chadwick Survey No. 252 and a portion of Tract 4A, T.F. White Survey No. 3, El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

Commencing at a point, said point being a concrete monument lying on the common northerly section corner of Tract 8, H.A. Chadwick Survey No. 252 and Tract 33C, A.F. Miller Survey No. 214, said point also being the TRUE POINT OF BEGINNING of this description;

THENCE, South 44° 58' 30" East, along the common boundary line of H.A. Chadwick Survey No. 252 and A.F. Miller Survey No. 214, a distance of 716.11 feet to a point for a curve, said point lying on the northerly right-of-way line of Sunland Park Drive;

THENCE, along said right-of-way line the following courses:

415.03 feet along the arc of a curve to the right, having a radius of 1850.08 feet, a central angle of 12° 51' 12" and a chord which bears South 68° 37' 24" West, a distance of 414.16 feet to a point for a corner;

South 75° 03' 00" West, a distance of 91.44 feet to a point for a corner;

THENCE, North 34° 57' 00" West, a distance of 235.94 feet to a point for a curve;

THENCE, 607.19 feet along the arc of a curve to the left, having a radius of 550.00 feet, a central angle of 63° 15' 13" and a chord which bears North 66° 34' 36" West, a distance of 576.82 feet to a point for a corner;

THENCE, North 08° 12' 13" West, a distance of 45.00 feet to a point for a curve;

THENCE, 215.15 feet along the arc of a curve to the right, having a radius of 692.58 feet, a central angle of 17° 47' 57" and a chord which bears North 00° 41' 46" East, a distance of 214.29 feet to a point for a corner;

THENCE, North 88° 43' 48" East, a distance of 622.16 feet to a point for a corner;

THENCE, South 44° 58' 30" East, a distance of 20.00 feet to the TRUE POINT OF BEGINNING of this description.

Said parcel of land contains 9.41776 acres (410,237.63 sq. ft.) of land more or less.

NOTE: THIS DESCRIPTION IS INTENDED FOR REZONING PURPOSES ONLY AND IS NOT BASED ON A FIELD SURVEY.

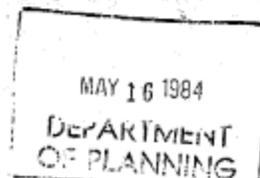
SUB-LAND, INC.
Consulting Engineers -- Land Surveyors

Robert R. Seipel
Robert R. Seipel
Registered Public Surveyor
Texas License No. 4178

May 15, 1984
Job Number 01-84-4639
3080A

84-4953

PARCEL 6
FROM R-3 TO C-1
EXHIBIT "F"



CONTRACT

THIS CONTRACT, made this ¹¹14 day of September, 1984, by and between EL PASO NATIONAL BANK (Independent Executor of the Estate of Mary White Boykin), First Party, and the CITY OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for the rezoning of a portion of Tract 16A, A.F. Miller Survey #213, a portion of Tract 8, H.A. Chadwick #252, and a portion of Tract 4A, T.F. White #3, City and County of El Paso, Texas, which are more particularly described by metes and bounds in the attached Exhibits "A" through "F," which are made a part hereof by reference, and that the zoning be changed in the following manner:

Parcel 1 to C-3 - 39.8 acres
Parcel 2 to A-0 - 10.3 acres
Parcel 3 to A-0 - 31.7 acres
Parcel 4 to R-5 - 7.1 acres
Parcel 5 to A-2 - 14.5 acres
Parcel 6 to C-1 - 9.41 acres

To remove certain objections to such rezoning, First Party covenants that if the above-described amendments to the zoning map are approved, the property shall be subject to the following restrictions, conditions and covenants:

1. a) First Party agrees not to extend Marcena Drive beyond Lot 22, Block 67, Coronado Hills Unit Four and Lot 1, Block 79, Coronado Hills Unit Eight.
b) First Party agrees not to extend Heath Way beyond Lot 1, Block 64, and Lot 1, Block 67, Coronado Hills Unit Four.
c) First Party agrees not to extend Balboa Drive beyond Lot 1, Block 51, and Lot 1, Block 47, Coronado Hills Unit Three.
2. *done* No building permits will be issued for construction on Parcel 1 until a detailed site development plan is approved by the City Plan Commission and City Council and a subdivision plat is filed of record.
3. First Party agrees to dedicate the necessary right-of-way for the redesign of the Sunland Park Interchange with IH-11 and to release access to said property, which is shown on Exhibit "G." It is understood that some adjustment in the right-of-way may be necessary when the proposed design for the interchange is given final approval by the State Department of Highway and Public Transportation (SDHPT) and the Federal Highway Administration.

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4. First Party agrees to dedicate the right-of-way for the above-mentioned Interchange before final approval of any subdivision plats for Parcel 1 which is shown on the attached map Exhibit "A." In the event that First Party does not file a subdivision plat with the Second Party following the rezoning of the property, First Party agrees to dedicate the right-of-way for the Interchange to the Second Party by deed either upon demand by the Second Party or within one year from the date of the signing of this contract, whichever event occurs first.
5. First Party agrees not to grade on the property to be dedicated for the above-mentioned Interchange or on property lying within 50 feet of the proposed right-of-way to be dedicated for the Interchange unless grading plans have been reviewed and approved by the Second Party's Engineering Department and Department of Traffic and Transportation and the SDHPT.
6. First Party agrees to dedicate the right-of-way and pay all costs for the widening of the southwest bound lanes of that portion of Sunland Park Drive from the beginning of the IH-10 on-ramp, as it will be redesigned, to the northeast boundary of First Party's property, including the establishment of right-turn lanes adjacent to Parcels 1 and 6. Prior to the issuance of building permits for either Parcels 1 or 6, First Party shall submit plans for the improvements to Sunland Park Drive to the Second Party's Department of Traffic and Transportation and Engineering Department for review and approval. First Party agrees to dedicate the right-of-way and to complete construction for the widening of the above-mentioned southwest bound lanes of Sunland Park Drive within twelve months after the building permits for either Parcels 1 or 6 are issued and prior to the issuance of any certificates of occupancy for said parcels.

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

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may 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:

ATTEST


Secretary

EL PASO NATIONAL BANK
(Independent Executor of the
Estate of Mary White Boykin)
First Party

By William C. Logan
Title Trustee

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ATTACHMENT 4

Planning and Inspections Department - Planning Division

1. Staff recommends approval of the request as the proposed development is in keeping with the policies of the G-4, Suburban (Walkable) Land Use Designation of *Plan El Paso*, the City's adopted Comprehensive Plan.

Planning and Inspections Department – Plan Review & Landscaping Division

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.

1. Show proposed drainage flow patterns on the site plan and identify the discharge and/or storage location(s) for all storm-water runoff within the subdivision. Show roof runoff discharge locations. Label storm sewer systems and pond if private or public.
2. The proposed ponding areas shall have enough capacity to hold all stormwater runoff for a designed 100-yr. storm event.
3. 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.
4. Dimension driveway widths of both access points.

Note: Comments will be addressed at permitting stage.

Fire Department

Recommend approval, no adverse comments.

Police Department

No comments received.

Environment Services

No comments received.

Streets and Maintenance Department

No TIA required

Sun Metro

No comments received.

El Paso Water

EP Water-PSB does not object to this request.

The site plan shall show the existing 30-foot PSB easement, the existing 30-inch diameter water main, and the existing 12-inch sanitary sewer main west of the property.

The subject subdivision will be located within an Intermediate Pressure Zone. Private water pressure regulating devices will be required at the discharge side of each water meter. The Developer shall include in the sale of contract documents that the lot/home buyer shall acquire ownership of the above-described water pressure regulating devices to be located at the discharge side of the water meters. Additionally, the lot/home buyer shall be responsible for the operation and maintenance of the above-described privately-owned water pressure regulating devices.

Water:

There is an existing 8-inch diameter water main that extends along Mesa Hills Dr., located approximately 70-feet east of the west right-of-way line. This main is available for service.

There is an existing 30-inch diameter water transmission main that extends within a 30-foot PSB easement parallel to the western property line. No direct service connections are allowed to this main as per EPWater-PSB Rules and Regulations.

Previous water pressure readings from fire hydrant #5884, located at the southeast corner of Mesa Hills Dr. and Bluff Trial Ln., have yielded a static pressure of 74 (psi), a residual pressure of 60 (psi), and a discharge flow of 750 (gpm).

Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main that extends along Mesa Hills Dr., located approximately 40-feet east of the west right-of-way line. This main is available for service.

There is an existing 12-inch diameter sanitary sewer main that extends within a 30-foot PSB easement parallel to the western property line. This main is available for service.

Reclaimed:

There is an existing 6-inch diameter reclaimed water main that extends along Mesa Hills Dr., located approximately 47-feet east of the west right-of-way line. No direct service connections are allowed to this main.

General:

No building, reservoir, structure, parking stalls, or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced EPWater-PSB easement without the written consent of EPWater-PSB. The Developer shall refrain from constructing rock walls, signs, trees, buildings, curbs, or any structure that will interfere with the access to the PSB easement(s). There shall be at least a 5-foot setback from the easement line to any building, sign, or structure. All easements dedicated to public water and/or sanitary sewer facilities shall comply with EPWater-PSB Easement Policy. The PSB easement(s) shall be improved to allow the operation of EPWater-PSB maintenance vehicles. EPWater-PSB requires access to the proposed water facilities, sanitary sewer facilities, appurtenances, and meters within the easement 24 hours a day, seven (7) days a week.

During the site improvement work, the Owner/Developer shall safeguard all existing water mains, sanitary sewer mains, and appurtenant structures located within the subdivision. The Owner/Developer shall minimize changes in grade above or near the vicinity of the existing EPWater-PSB facilities and is responsible for the costs of setting appurtenant structures to final grade.

EPWater-PSB 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.

El Paso County 911 District

No comments received.

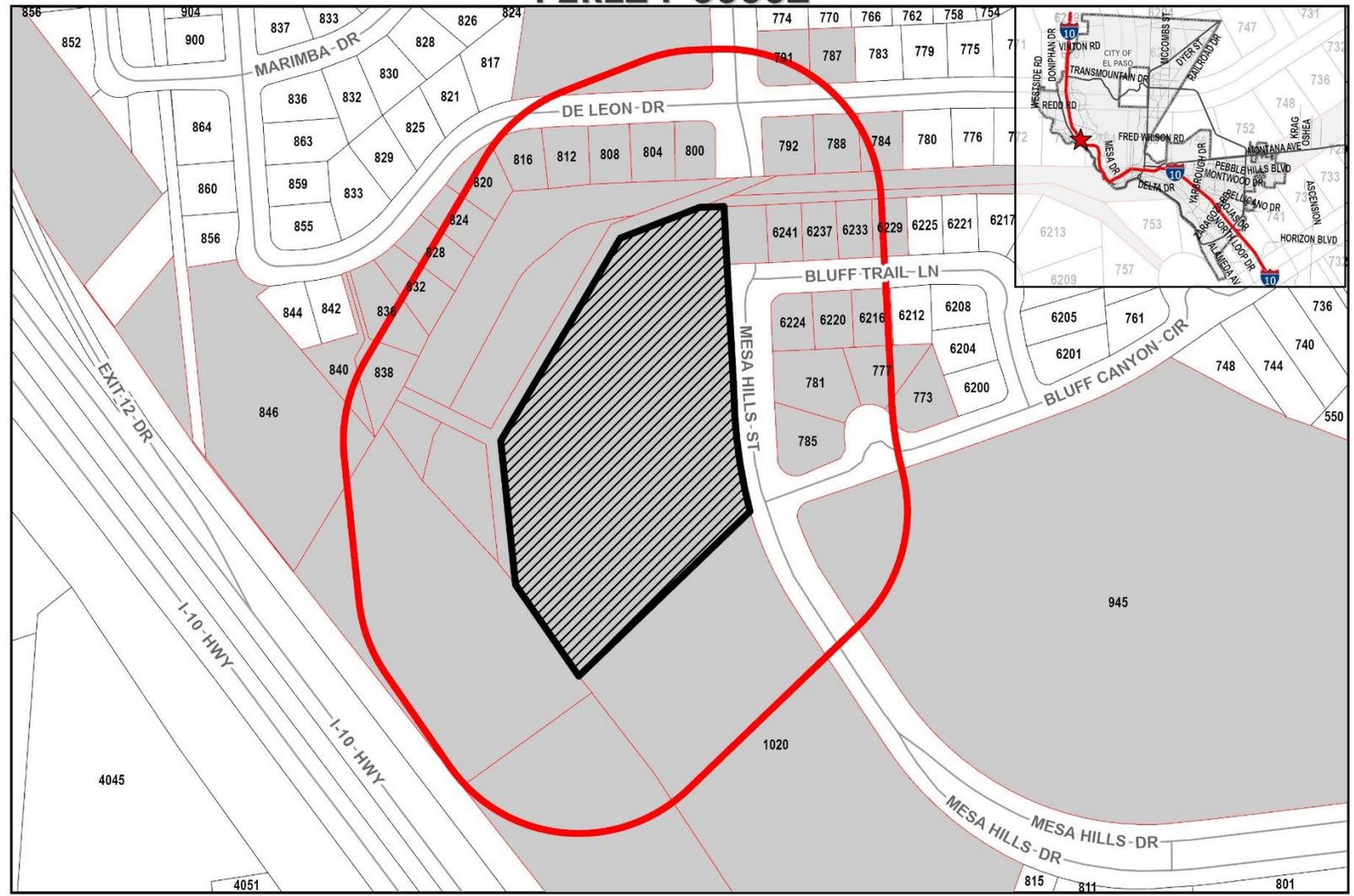
Texas Department of Transportation

No comments received.

El Paso County Water Improvement District #1

No comments received.

PZR24-00002



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 & Inspections Department Planning Division makes no claim to its accuracy or completeness.



-  Subject Property
-  300 Feet Notice Area
-  Notified Properties



ATTACHMENT 5