

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

DEPARTMENT:

AGENDA DATE:

PUBLIC HEARING DATE:

CONTACT PERSON NAME:

PHONE NUMBER:

2nd CONTACT PERSON NAME:

PHONE NUMBER:

DISTRICT(S) AFFECTED:

STRATEGIC GOAL:

SUBGOAL:

SUBJECT:

BACKGROUND / DISCUSSION:

COMMUNITY AND STAKEHOLDER OUTREACH:

PRIOR COUNCIL ACTION:

AMOUNT AND SOURCE OF FUNDING:

REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:

NAME	AMOUNT (\$)

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

DEPARTMENT HEAD: Kevin Smith for Philip Etiwe

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 29, BLOCK 24, ENCHANTED HILLS UNIT FIVE, 7600 HUNTER FOSTER DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5/C (RESIDENTIAL/CONDITIONS) TO C-1/C (COMMERCIAL/CONDITIONS) AND R-5 (RESIDENTIAL) TO C-1 (COMMERCIAL), AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning of Lot 29, Block 24, Enchanted Hills Unit Five, 7600 Hunter Foster Drive, located in the City of El Paso, El Paso County, Texas, be changed from **R-5/c (Residential/conditions) to C-1/c (Commercial/conditions) and R-5 (Residential) to C-1 (Commercial)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

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

1. *That a minimum 500-foot distance be required between any establishments meeting both of the following criteria:*
 - a. *Establishment deriving 51% or more of their income from the sale of alcoholic beverages for on-premise consumption; and*
 - b. *Providing outdoor amplified sound.*

ORDINANCE NO. _____

HQ25-4522|Trans#6060687|P&I
7600 Hunter Foster
JAQ

Zoning Case No: PZRZ24-00018

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 _____, 2025.

THE CITY OF EL PASO


ATTEST:

Renard U. Johnson
Mayor

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Jesus A. Quintanilla
Assistant City Attorney

 for _____
Philip F. Etiwe, Director
Planning & Inspections Department

7600 Hunter Foster

City Plan Commission — February 13, 2025 **REVISED**

REZONING



CASE NUMBER: PZRZ24-00018
CASE MANAGER: Jose Beltran, (915) 212-1607, BeltranJV@elpasotexas.gov
PROPERTY OWNER: EP Transmountain Residential, LLC
REPRESENTATIVE: Conde, Inc.
LOCATION: 7600 Hunter Foster Dr. (District 1)
PROPERTY AREA: 10.00 acres
REQUEST: Rezone from R-5/c (Residential/conditions) to **C-1/c** (Commercial/conditions) and R-5 (Residential) to **C-1** (Commercial)
RELATED APPLICATIONS: None
PUBLIC INPUT: Received **two (2) letters via email in opposition**, one (1) phone call in opposition and one (1) phone call of inquiry as of **February 12, 2025**

SUMMARY OF REQUEST: The applicant is requesting to rezone the subject property from R-5/c (Commercial/condition) to **C-1/c** (Commercial/condition) and R-5 (Residential) to **C-1** (Commercial) for a proposed retail use.

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

1. *That a minimum 500-foot distance be required between any establishments meeting both of the following criteria:*
 - a. *Establishment deriving 51% or more of their income from the sale of alcoholic beverages for on-premise consumption; and*
 - b. *Providing outdoor amplified sound.*

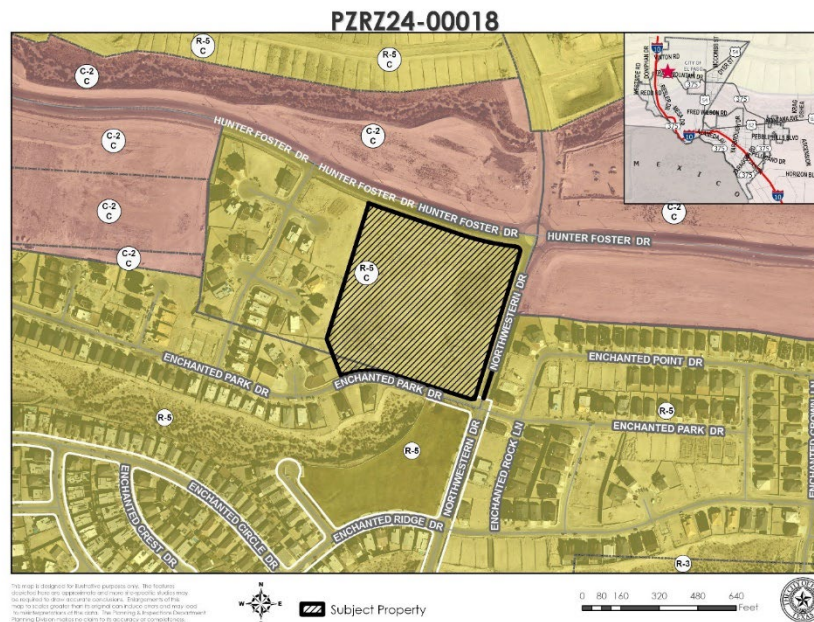


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone the subject property from R-5/c (Residential/conditions) to **C-1/c** (Commercial/conditions) and R-5 (Residential) to **C-1** (Commercial) to allow for proposed retail use. The property is 10.00 acres in size. The conceptual site plan shows four (4) proposed buildings. Access to the property is proposed from Hunter Foster Drive and Northwestern Drive.

PREVIOUS CASE HISTORY: Ordinance No. 19286 (attachment 4) approved by City Council on February 1, 2022, rezoned the subject property (Parcel I) from R-MU (Residential Mixed Use) to R-5 (Residential) with the following applicable condition:

4. That prior to the issuance of certificates of occupancy for Parcel 1, 2, and 3, the rezonings for the properties identified as “future commercial” on Exhibit B be submitted and processed by the City.

Note: Condition 4 has already been satisfied with rezoning case PZRZ22-00009 approved by City Council on August 2, 2022.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed rezoning is consistent with the area and will match the current zoning districts for properties to the north along Hunter Foster Drive. Properties to the north across Hunter Foster Drive are zoned C-2/c (Commercial/conditions) and are vacant. Properties to the South across Enchanted Park Drive are zoned R-5 (Residential) are single family dwellings and a park. Properties to the east across Northwestern Drive are zoned C-2/c (Commercial/conditions) and R-5 (Residential) and include vacant lots and single-family dwellings. Properties to the west are zoned R-5/c (Residential/conditions) and are single-family homes and vacant lots. The nearest school is Jose. J. Alderete Middle School located 2.47 miles away and the nearest park is Enchanted Hills Park located 0.01 miles away.

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 subject property and the proposed development meet the intent of the G-4, Suburban (Walkable) Future Land Use designation of <i>Plan El Paso</i>. The proposed zoning is compatible with the future land use designation.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>C-1 (Commercial) District: is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood convenience goods and services that serve day-to-day needs. The regulations of the districts will permit location of business and professional offices and retail category uses within adjacent residential areas of medium and high densities.</p>	<p>Yes. The proposed C-1 (Commercial) zoning district will complement the existing C-2 (Commercial) and R-5 (Residential) zoning districts in the immediate area.</p>

Preferred Development Locations: 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.	Yes. The proposed C-1 (Commercial) zoning district will have access from Hunter Foster Drive and Northwestern Drive, which are classified as collectors in the City's Major Thoroughfare Plan (MTP). The classifications of these roads are appropriate for the proposed developments.
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. The Open Space Advisory Board (OSAB) recommended approval of the rezoning at the meeting held on February 5, 2025.
Potential Adverse Effects: 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.
Natural Environment: Anticipated effects on the natural environment.	The subject property lies within the Hillside Development Area. There are no anticipated effects on the natural environment. Furthermore, the Open Space Advisory Board (OSAB) recommended approval of the rezoning at the meeting held on February 5, 2025.
Stability: Whether the area is stable or in transition.	The area is in transition and is currently under development. It is expected to be developed into a residential and commercial area along Northwestern Drive, Hunter Foster Drive, and Interstate 10.
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 proposed from Northwestern Drive and Hunter Foster Drive which are designated as collector's in the City's Major Thoroughfare (MTP). The classification of these roads is suitable for the proposed development. Sidewalks are currently present abutting the subject property along Hunter Foster Drive but not along Northwestern Drive. There are currently no bus stops located within walking distance of the subject property.

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

PUBLIC COMMENT: The subject property lies within the Enchanted Hills Neighborhood Association, which was notified of the rezoning request by the applicant. Public notices were sent to property owners within 300 feet on January 30, 2025. The original proposed request to rezone the subject property to C-3 (Commercial) for the proposed use of a supermarket received twenty-four (24) phone calls, of which seven (7) were in opposition and fourteen (14) were of inquiry. The request changed initially to rezone the subject property to C-2 (Commercial) for the proposed use of retail establishment, but has now been requested to rezone to C-1 (Commercial). As of February 12, 2025, the Planning Division has received two (2) letters via email in opposition, one (1) phone call in opposition and one (1) phone call of inquiry to the rezoning request to C-1 (Commercial).

RELATED APPLICATIONS: None.

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

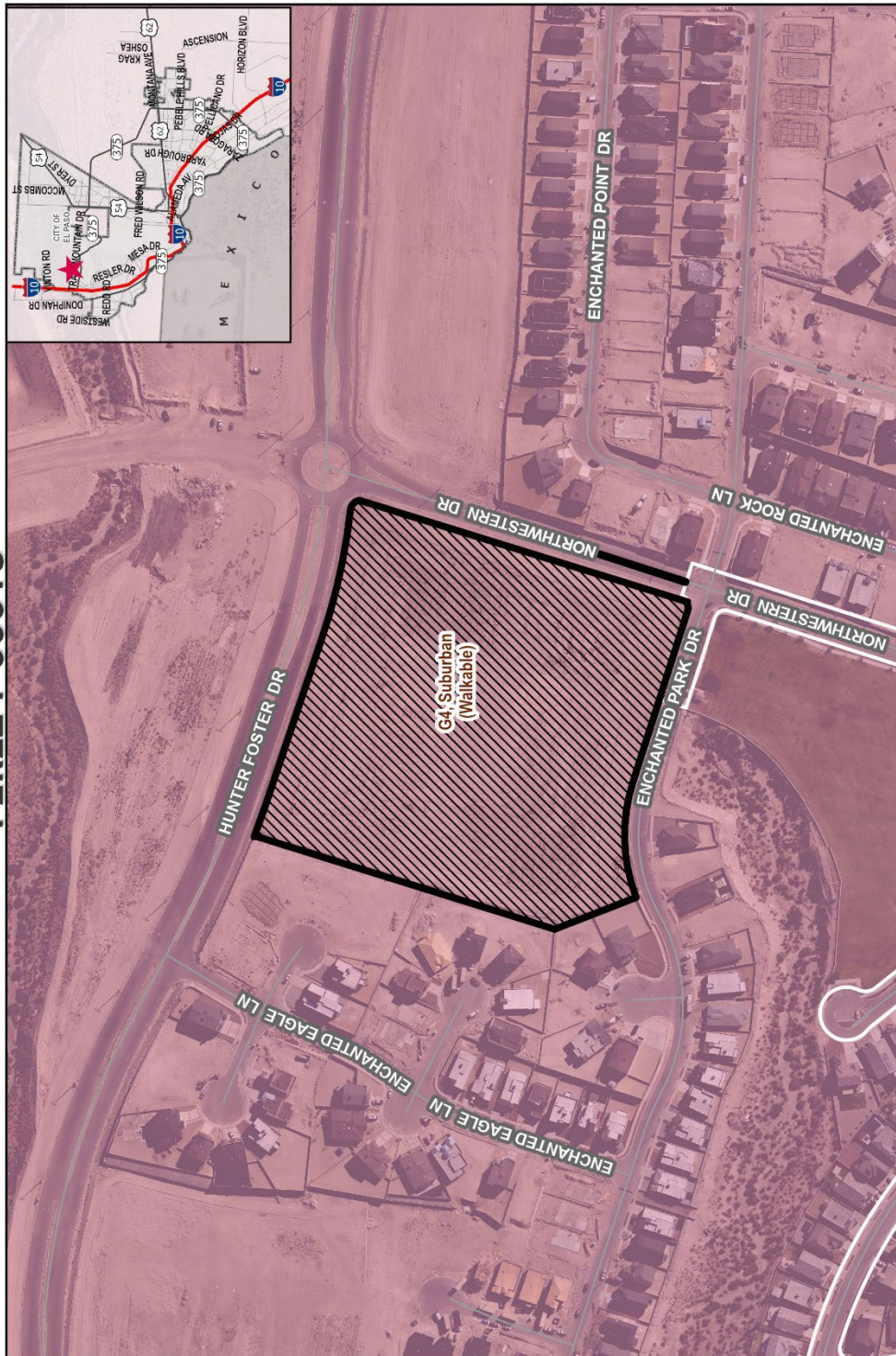
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan.
2. **Recommend Approval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

ATTACHMENTS:

1. Future Land Use Map
2. Generalized Plot Plan
3. Ordinance No. 19286
4. Department Comments
5. Neighborhood Notification Boundary Map
6. Letter via Email in Opposition
7. Letter via Email in Opposition

ATTACHMENT 1

PZRZ24-00018



Subject Property



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 may be made for informational purposes only and are not to be used for interpretations of the data. The Planning & Inspection Department Planning Division makes no claim to its accuracy or completeness.

ATTACHMENT 2



ATTACHMENT 3

47

019286

ORDINANCE NO. _____

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

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

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

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

THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning of *Parcel 1: a portion of Tracts 4B, 4B1, 5A, 5A1, and 6, Laura E. Mundy Survey 237; Tracts 9B and 9B1, Laura E. Mundy Survey No. 238; and portion of Enchanted Hills Unit Five*, located in the City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached **Exhibit "A"**, incorporated by reference; and, *Parcel 2: a portion of Tracts 9B, 9B1, and 9B2, Laura E. Mundy Survey No. 238; and portion of Lots 2 thru 5, 9 thru 12, and 21 thru 24, Block 23, Enchanted Hills 5*, located in the City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached **Exhibit "A"**, incorporated by reference; and, *Parcel 3: a portion of Tract 9B2, Laura E. Mundy Survey No. 238*, located in the City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached **Exhibit "A"**, incorporated by reference; be changed as listed for **PARCEL 1:** FROM R-MU (RESIDENTIAL MIXED USE) TO R-5 (RESIDENTIAL); **PARCEL 2:** FROM R-3 (RESIDENTIAL), R-5/SP (RESIDENTIAL/SPECIAL PERMIT), AND R-MU (RESIDENTIAL MIXED USE) TO C-2 (COMMERCIAL); and **PARCEL 3:** FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL), as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following conditions which are necessitated by and attributable to the increase of use intensity generated by the change of zoning in order to protect the health, safety and welfare of the residents of the City:

ORDINANCE NO. _____

019286

Zoning Case No: PZRZ21-00024

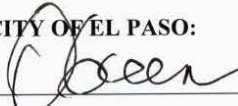
Rezoning Ordinance | PZRZ21-00024 | Northwestern | Hunter Foster | Enchanted Pass
21-1007-2823 | 1133725 | EAS

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



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

ADOPTED this 1st day of February, 2022.

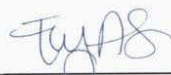
THE CITY OF EL PASO:


Oscar Lesser
Mayor


ATTEST:



Laura D. Prine
City Clerk

APPROVED AS TO FORM:


Evy A. Sotelo
Assistant City Attorney

APPROVED AS TO CONTENT:


Philip F. Etiwe, Director
Planning & Inspections Department

019286

ORDINANCE NO.

Rezoning Ordinance | PZRZ21-00024 | Northwestern | Hunter Foster | Enchanted Pass
21-1007-2823 | 1133725 | EAS

Zoning Case No: PZRZ21-00024

EXHIBIT "A"

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

METES AND BOUNDS DESCRIPTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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


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

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

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

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

NOTE: A drawings of even date accompanies this description.


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



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

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

METES AND BOUNDS DESCRIPTION

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

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

Thence, North 03°12'50" East a distance of 15.00 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

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

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

Thence, North 03°12'50" East a distance of 216.72 feet to a set ½" rebar with cap marked TX 5152;

Thence 118.57 feet along the arc of a curve to the right, which has a radius of 400.00 feet, a central angle of 16°59'02", a chord which bears North 11°42'21" East a distance of 118.14 feet to a set ½" rebar with cap marked TX 5152;

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

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

20.19 feet along the arc of a curve to the left, which has a radius of 1358.00 feet, a central angle of 00°51'07", a chord which bears South 67°16'16" East a distance of 20.16 feet to a set ½" rebar with cap marked TX 5152;

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FIRM NO. 10078100

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

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

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


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

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

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

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

NOTE: A drawings of even date accompanies this description.


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



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

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

METES AND BOUNDS DESCRIPTION

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

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

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

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

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


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

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

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

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

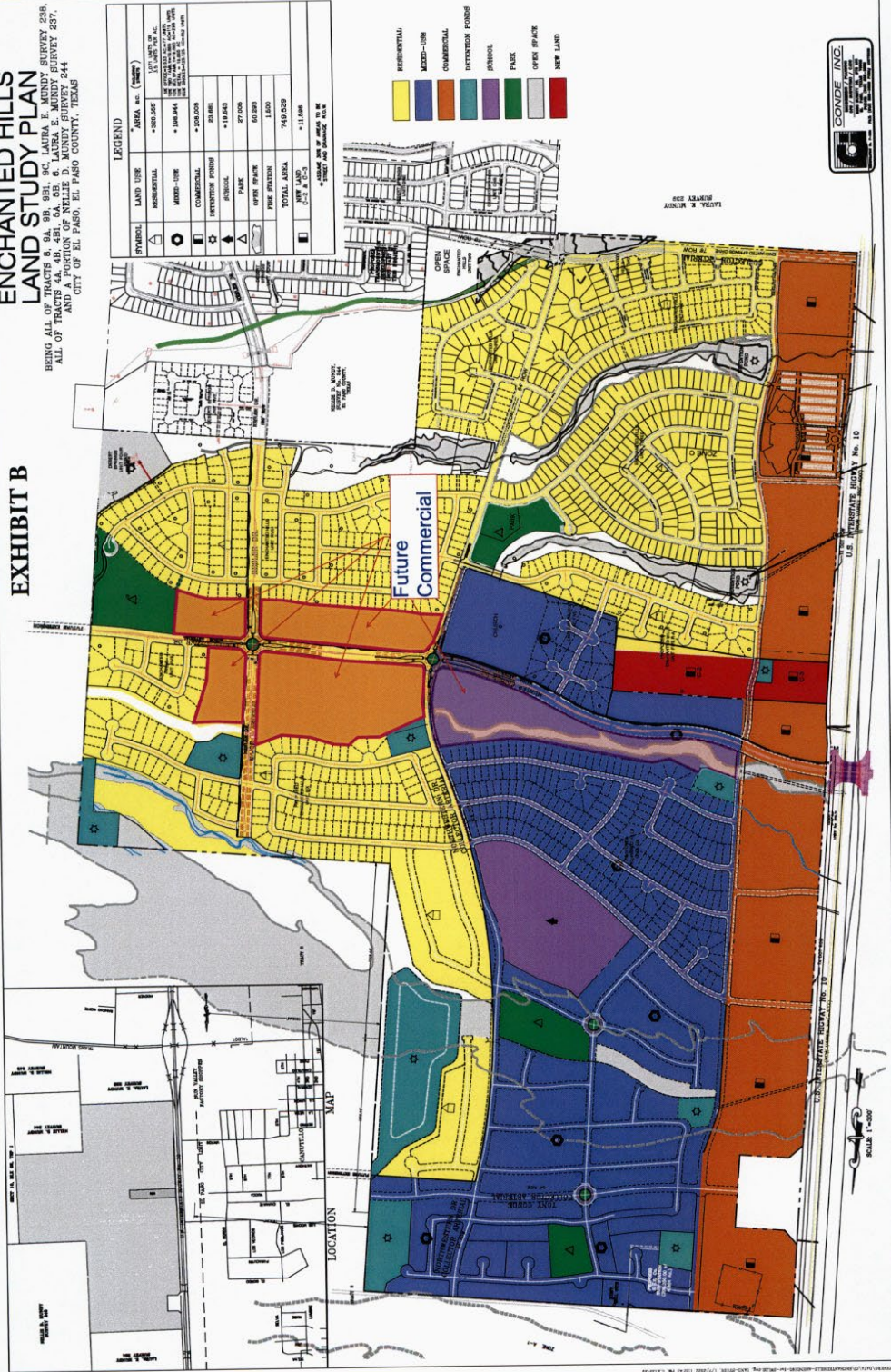
NOTE: A drawings of even date accompanies this description.


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



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

EXHIBIT B **ENCHANTED HILLS** **LAND STUDY PLAN** BEING ALL OF TRACTS 8, 9A, 9B, 9C, LAURA E. MUNDY SURVEY 236, 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4I, 4J, 4K, 4L, 4M, 4N, 4O, 4P, ALL OF TRACTS 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4I, 4J, 4K, 4L, 4M, 4N, 4O, 4P, AND A PORTION OF TRACTS 8, 9A, 9B, 9C, LAURA E. MUNDY SURVEY 244 CITY OF EL PASO, EL PASO COUNTY, TEXAS



ATTACHMENT 4

Planning and Inspections Department - Planning Division

Staff recommends approval with a condition of the rezoning request:

1. *That a minimum 500-foot distance be required between any establishments meeting both of the following criteria:*
 - a. *Establishment deriving 51% or more of their income from the sale of alcoholic beverages for on-premise consumption; and*
 - b. *Providing outdoor amplified sound.*

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. It is recommended harvesting area on the property.
2. 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, including calculations at the time of grading permit.

Note: Not applicable. Plan is conceptual.

Fire Department

No adverse comments.

Police Department

The district has no comments or concerns regarding this rezoning.

Environment Services

No comments received.

Streets and Maintenance Department

TIA is approved pending an update to the report.

Sun Metro

No comments received.

El Paso Water

There is an existing 12-inch diameter water main that extends along Hunter Foster Dr., located approximately 29-feet south of the north right-of-way line. This water main is available for service.

There is an existing 12-inch diameter water main that extends along Northwestern Dr, located approximately 22-feet west of the east right-of-way line. This water main is available for service.

There is an existing 8-inch diameter water main that extends along Enchanted Park Dr., located approximately 18-feet south of the north right-of-way line. This water main is available for service.

EPWU-PSB Comments

EPWater-PSB does not object to this request.

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

Sanitary Sewer

There is an existing 12-inch diameter sewer main that extends along Northwestern Dr., located approximately 27-feet east of the west right-of-way line. This sewer main is available for service.

There is an existing 8-inch diameter sewer main that extends along Enchanted Park Dr. This main dead-ends approximately 375-feet east of Enchanted Dove Wy. This main is available for service.

General

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.

Stormwater:

EP Water-SW reviewed the property described above and provide the following comments:

EPWater-SW recommends using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavement) to reduce the amount of developed stormwater runoff.

El Paso County 911 District

No comments received.

Texas Department of Transportation

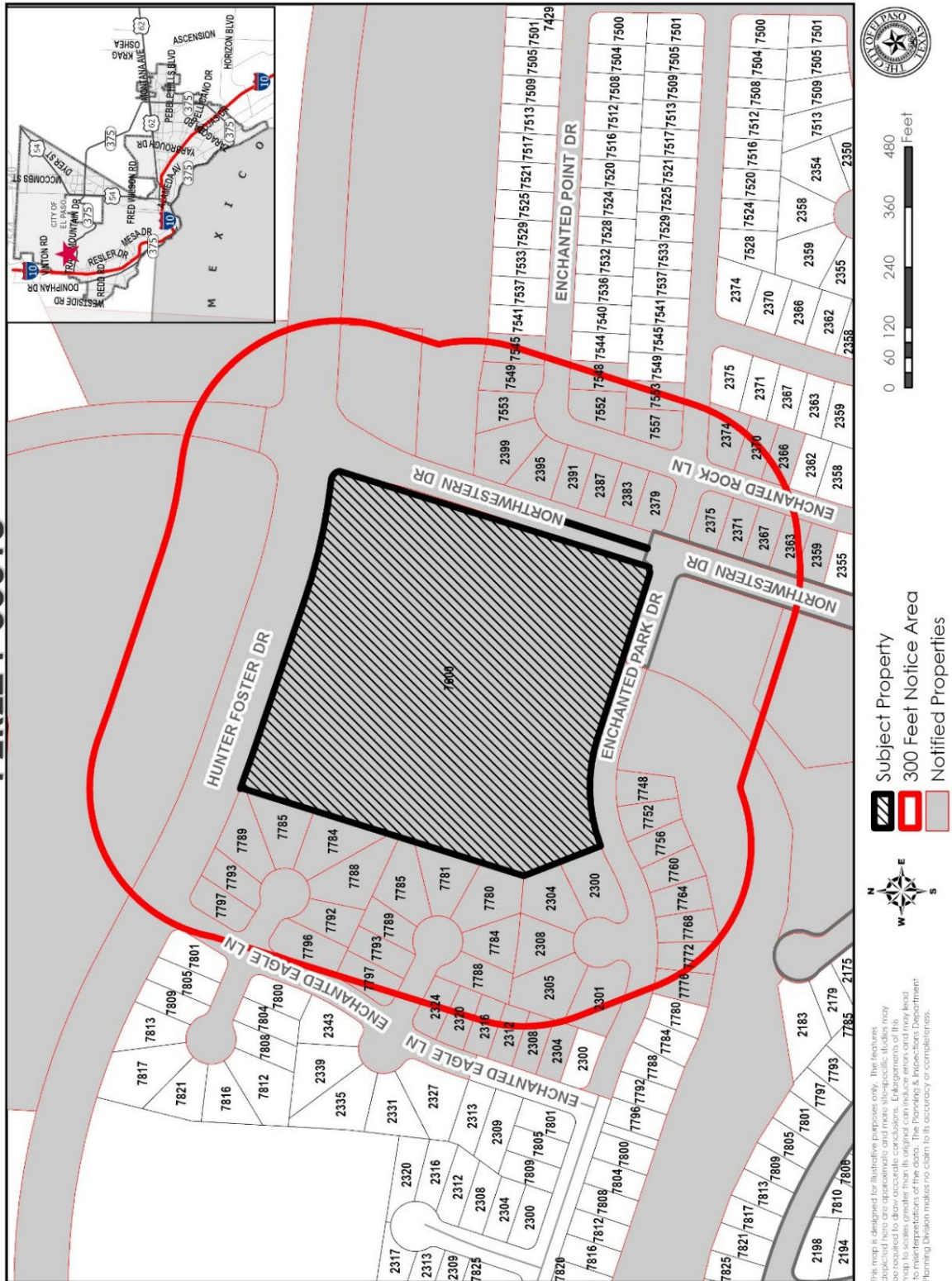
No comments received.

El Paso County Water Improvement District #1

No comments received.

ATTACHMENT 5

PZRZ24-00018



ATTACHMENT 6

From: [Karen Blough](#)
To: [Beltran, Jose V.](#)
Subject: Case PZRZ24-00018 - 7600 Hunter Foster
Date: Monday, February 10, 2025 10:59:40 AM

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Dear Mr. Beltran,

I live at 7730 Enchanted Ridge Drive. From my front door, the parcel at 7600 Hunter Foster is clearly visible. Any development on that property will affect me. The Enchanted Hills Neighborhood Association representative has informed members of this organization that the developer claims that this parcel was "never designed for homes." Nevertheless, it is in fact zoned residential. Had I been informed that the parcel would be rezoned for commercial use, I would not have bought a house in this location.

Any commercial/retail enterprise would bring with it increased traffic for which this neighborhood is absolutely not equipped: access is possible only via Bluff Creek and North Desert (the latter in one direction only) and these together can barely handle rush hour traffic and Sunday traffic (because of Abundant) as it is. Resler, Northwestern, and Hunter Foster itself are a long ways from being finished. The neighborhood association seeks to build a playground in Enchanted Hills Park. An increase in vehicular traffic in this area presents a danger especially to children, but also to anyone who likes to walk in the neighborhood. In addition to the traffic issue, one or more commercial/retail spaces would certainly increase the noise level in the neighborhood and very likely result in more trash and vermin.

I and those neighbors with whom I have discussed the rezoning scheme are adamantly opposed to it and I would hope that our concerns will be taken into account.

Karen Blough
7730 Enchanted Ridge Drive
El Paso, TX 79911
518.569.1617

ATTACHMENT 7

From: [Shyam Patel](#)
To: [Beltran, Jose V.](#)
Subject: Case PZRZ24-00018 – 7600 Hunter Foster; Shyam Patel; 7748 Enchanted Park Dr.
Date: Monday, February 10, 2025 4:22:12 PM

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Case PZRZ24-00018 – 7600 Hunter Foster

Dear Members of the CPC:

I am a homeowner, specifically of 7748 Enchanted Park Dr, in the Enchanted Hills neighborhood. In fact, my home directly faces the 7600 Hunter Foster property.

To be clear, I am against rezoning 7600 Hunter Foster from residential to commercial.

When my neighbors and I purchased our homes in Enchanted Hills, we did so knowing that we were in the middle of a quiet residential neighborhood. I expect none of us living adjacent to or having a view of 7600 Hunter Foster would have purchased if it were commercially zoned at the time.

I believe it would be disingenuous for the CPC to rezone 7600 Hunter Foster as commercial after-the-fact that dozens of families have invested in what they knew to be a residential only neighborhood.

If our homes are now adjacent to or have a view of 10 acres of supermarket and parking lot:

<!--[if !supportLists]--> <!--[endif]-->Our property values will suffer.
<!--[if !supportLists]--> <!--[endif]-->Our quiet and kid-friendly neighborhood
will have significantly increased traffic, noise, litter, and potential risk to
children.

What I do not understand is why the developer would even consider locating a supermarket or strip mall in this area. Consider Cimarron or such neighborhoods. There are no supermarkets in the middle of these neighborhoods. The commercial areas are concentrated along high traffic roadways.

As 7600 Hunter Foster is in the heart of the Enchanted Hills neighborhood, I politely suggest that the owner seek to develop the land as intended, as a church or other residential entities. .

I will close by restating that I strongly oppose rezoning the 7600 Hunter Foster property. Please keep our neighborhood a safe, family-friendly.

My regards,

Dr. Shyam Patel
CPT (P), US ARMY
Owner of 7748 Enchnated Park Dr.