

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

**AGENDA DATE:** September 28, 2021  
**PUBLIC HEARING DATE:** September 28, 2021

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

**DISTRICT(S) AFFECTED:** District 5

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

**SUBGOAL:** 3.1 Provide business friendly permitting and inspection processes  
3.2 Improve the visual impression of the community

**SUBJECT:**

A resolution approving a Detailed Site Development Plan for Lot 27, Block 1, 12300 Montwood, Montwood Heights Unit Four, 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 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: 12300 Montwood Drive  
Applicant: CAD Consulting Co., PZDS21-00016

**BACKGROUND / DISCUSSION:**

The applicant is requesting approval of a detailed site development application as required per Ordinance No. 11446, dated April 11, 1996. City Plan Commission recommended 5-0 to approve the proposed detailed site development plan on July 15, 2021. 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 LOT 27, BLOCK 1, 12300 MONTWOOD, MONTWOOD HEIGHTS UNIT FOUR, 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, MONTWOOD HEIGHTS OFFICE BUILDING , LLC, (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/c (Commercial/conditions) 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 an office warehouse** as required under the **C-4/c (Commercial/conditions) District** as per Section **20.04.150**, on the following described property which is located in a **C-4/c (Commercial/conditions) District**:

LOT 27, BLOCK 1, 12300 MONTWOOD, MONTWOOD HEIGHTS UNIT FOUR,  
*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/c (Commercial/conditions) 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/c (Commercial/conditions) District**. 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 \_\_\_\_\_, 2021.

**THE CITY OF EL PASO:**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

*Wendi N. Vineyard*  
\_\_\_\_\_  
Wendi N. Vineyard  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

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

(Agreement on following page)

DEVELOPMENT AGREEMENT

By execution hereof, MONTWOOD HEIGHTS OFFICE BUILDING , LLC, ("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/c (Commercial/conditions) District located within the City of El Paso.

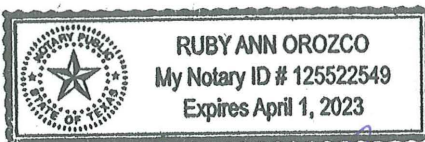
EXECUTED this 20th day of August, 2021.

MONTWOOD HEIGHTS OFFICE BUILDING , LLC

By: [Signature]

ACKNOWLEDGMENT

THE STATE OF TEXAS )
COUNTY OF EL PASO )



This instrument is acknowledged before me on this 20th day of August, 2021, by CARLOS D. BOMBACH, in his legal capacity on behalf of MONTWOOD HEIGHTS OFFICE BUILDING , LLC.

[Signature]
Notary Public, State of Texas

My Commission Expires:

4/1/2023

**EXHIBIT "A"**  
**Metes and Bounds**

METES AND BOUNDS DESCRIPTION  
12300 Montwood Drive  
Exhibit "A"

FIELD NOTE DESCRIPTION of a parcel of land being all of Lot 27, Block 1, Montwood Heights Unit Four, City of El Paso, El Paso County, Texas, particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a Found  $\frac{1}{2}$  Rebar at the common boundary corner of Lots 26 and 27, Block 1, same being the southerly right-of-way line of Montwood Drive (120' R.O.W.), and the POINT OF BEGINNING of the herein described parcel;

THENCE, leaving said common southerly right-of-way line of Montwood Drive, along the common boundary line of Lots 26 and 27, South 00°31'00" East, a distance of 270.00 feet to a found Nail for corner at the common boundary line of Lot 12, Block 1, Montwood Heights Unit One;

THENCE, along the common boundary line of Lots 11, 12 and 27, South 89°29'00" West, a distance of 158.96 feet to a Found Nail for corner at the common boundary corner of Lots 11 and 27 and the common boundary line of El Paso Market Place;

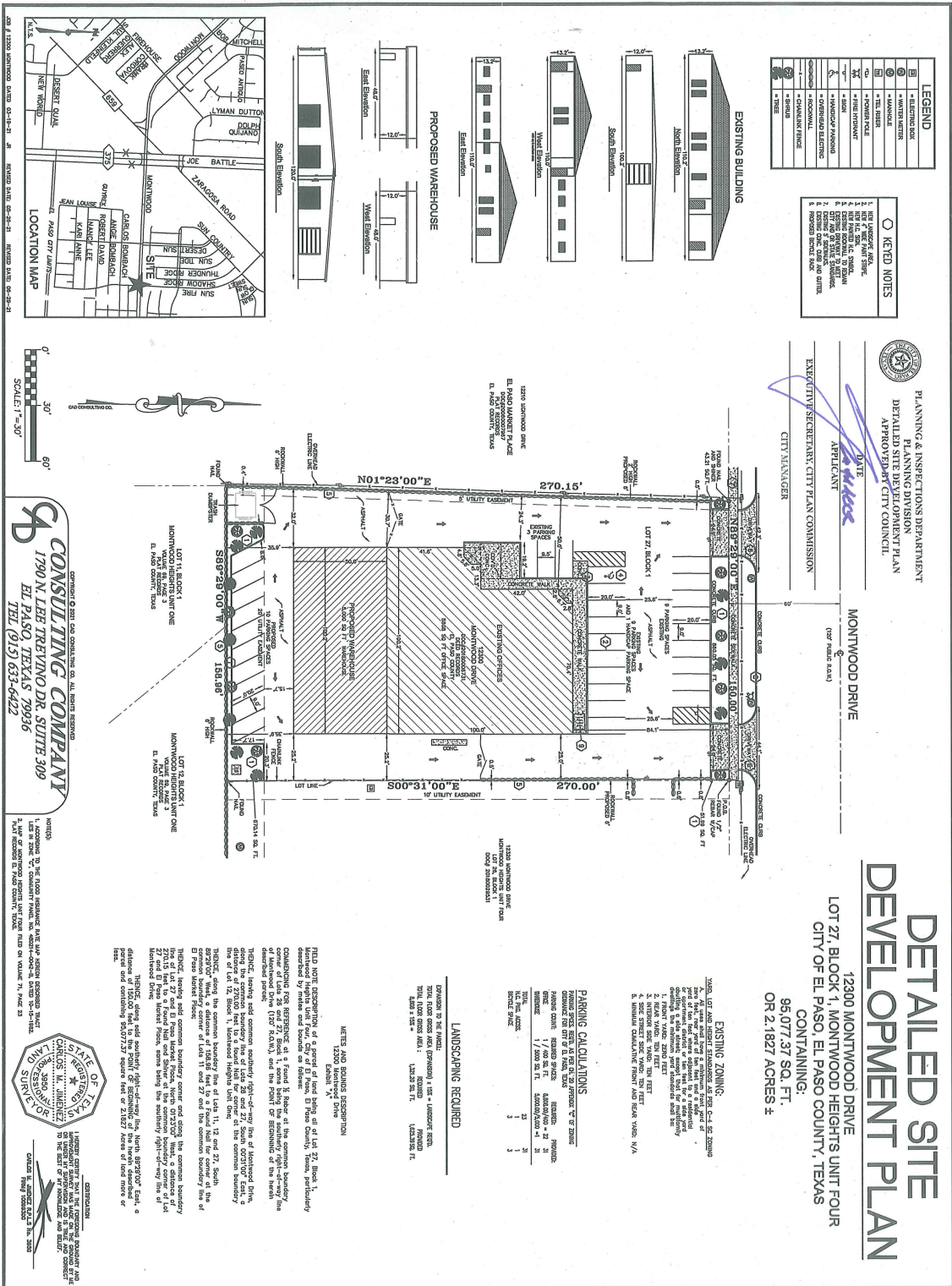
THENCE, leaving said common boundary corner and along the common boundary line of Lot 27 and El Paso Market Place, North 01°23'00" West, a distance of 270.15 feet to a Found Nail and Shiner at the common boundary corner of Lot 27 and El Paso Market Place, same being the southerly right-of-way line of Montwood Drive;

THENCE, along said southerly right-of-way line, North 89°29'00" East, a distance of 150.00 feet to the POINT OF BEGINNING of the herein described parcel and containing 95,077.37 square feet or 2.1827 Acres of land more or less.



# EXHIBIT "B"

## Detailed Site Plan



**LEGEND**

- 1. EXISTING BUILDING
- 2. EXISTING DRIVE
- 3. EXISTING SIDEWALK
- 4. EXISTING UTILITY
- 5. EXISTING CURB
- 6. EXISTING LANDSCAPE
- 7. EXISTING FENCE
- 8. EXISTING SIGN
- 9. EXISTING LIGHTING
- 10. EXISTING TREE
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**KEYED NOTES**

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PLANNING & INSPECTIONS DEPARTMENT  
PLANNING DIVISION  
DETAILED SITE DEVELOPMENT PLAN  
APPROVED BY CITY COUNCIL

DATE: 11/15/2023  
APPLICANT: CONSULTING COMPANY  
EXECUTIVE SECRETARY, CITY PLAN COMMISSION: [Signature]  
CITY MANAGER: [Signature]

**12300 MONTWOOD DRIVE**  
**DEVELOPMENT PLAN**

LOT 27, BLOCK 1, MONTWOOD HEIGHTS UNIT FOUR  
CITY OF EL PASO, EL PASO COUNTY, TEXAS  
CONTAINING:  
95,077.37 SQ. FT.  
OR 2.1827 ACRES ±

**PARKING CALCULATIONS**

TYPE OF PARKING	NUMBER OF SPACES	AREA (SQ. FT.)	AREA (ACRES)
STREET PARKING	10	1,000.00	0.023
LOT PARKING	100	10,000.00	0.23
TOTAL	110	11,000.00	0.253

**LANDSCAPING REQUIRED**

TYPE OF LANDSCAPING	NUMBER OF PLANTS	AREA (SQ. FT.)	AREA (ACRES)
GRASS	100	10,000.00	0.23
SHRUBS	10	1,000.00	0.023
TOTAL	110	11,000.00	0.253

**CONSULTING COMPANY**  
1700 N. LEE TREVINO DR. SUITE 309  
EL PASO, TEXAS 79936  
TEL: (915) 633-6422

STATE OF TEXAS  
COUNTY OF EL PASO  
LAND SURVEYOR  
CARRIE L. JONES, R.L.S., No. 3200  
REGISTERED PROFESSIONAL LAND SURVEYOR  
BY THE STATE OF TEXAS  
COMMISSION ON LAND SURVEYING  
EXPIRES 09/01/2025

# 12300 Montwood Dr.

City Plan Commission — July 15, 2021 **[REVISED]**

## SITE PLAN

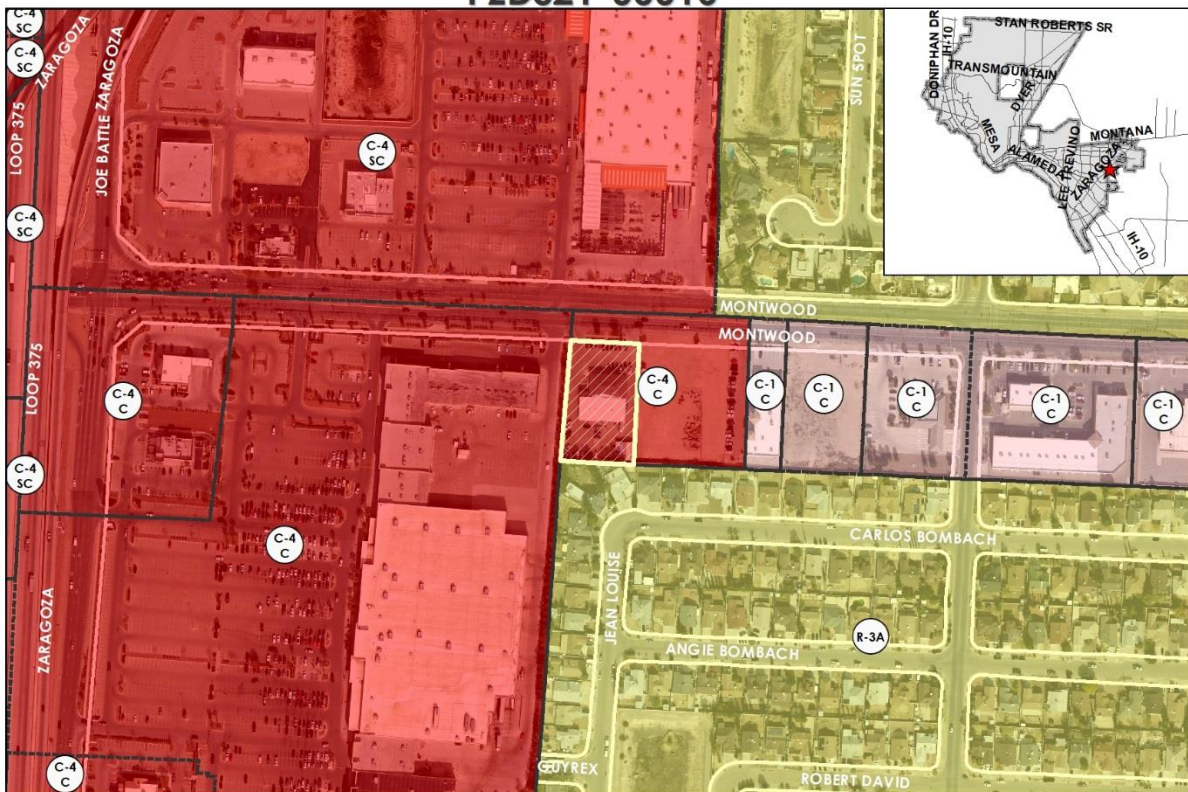


<b>CASE NUMBER:</b>	<b>PZDS21-00016</b>
<b>CASE MANAGER:</b>	Emily Diaz-Melendez, 915-212-1612, DiazMelendezEM@elpasotexas.gov
<b>PROPERTY OWNER:</b>	Montwood Heights Office Building, LLC
<b>REPRESENTATIVE:</b>	Conde, Inc.
<b>LOCATION:</b>	12300 Montwood Dr. (District 5)
<b>PROPERTY AREA:</b>	2.1827 acres
<b>REQUEST:</b>	Detailed Site Development Plan Approval per Ordinance No. 11446
<b>RELATED APPLICATIONS:</b>	N/A
<b>PUBLIC INPUT:</b>	None

**SUMMARY OF REQUEST:** The applicant is requesting approval of a detailed site development application as required per Ordinance No. 11446, dated April 11, 1996. The detailed site development plan shows the addition of a warehouse on an existing office building.

**SUMMARY OF STAFF RECOMMENDATION:** Planning staff recommends **APPROVAL** of the request. The proposed development meets the requirements of El Paso City Code Section **20.04.150** Detailed Site Development Plan.

### PZDS21-00016



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



Figure A. Subject Property & Immediate Surroundings

**DESCRIPTION OF REQUEST:** The applicant is proposing to construct a 5,000 square-foot warehouse with a maximum height of 12’ in the rear of an existing 8,808 sq. ft. office building. The applicant is also proposing a parking lot with thirty-one (31) parking spaces. The proposed development is allowed a maximum of twenty-three (43) parking spaces. The detailed site plan demonstrates compliance with Title 18.46 of the Landscaping Ordinance, which requires at least one (1) additional parking lot tree for every five (5) parking spaces in excess of maximum parking requirements. Access is from Montwood Dr.

**PREVIOUS CASE HISTORY:** The property was rezoned from R-3 (Residential) to C-2 (Commercial) on June 22, 1993.

**COMPATIBILITY WITH NEIGHBORHOOD CHARACTER:** The surrounding area is zoned for residential and commercial use. There is single-family residential development to the South and commercial development to the West, East, and North.

<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>
<p><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.</p>	<p>Yes. Per Condition 1 of Ordinance No. 11446, dated June 22, 1993, “Prior to issuance of building permits, the applicants must submit for review and approval by the City Plan Commission and the Mayor and City Council a detailed site development plan of the property. Such site plans should also include a landscaping plan, to show how the area adjacent to the residential uses can be buffered.”</p>
<p><b>Compatibility with Zoning Regulations:</b> The zoning district permits the proposed use, and all applicable regulations are met</p> <p><b>C-2 (Commercial) District:</b> The purpose of the district is to accommodate establishments providing goods and services which are used in support of the community’s trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the district will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.</p>	<p>Yes. The detailed site development plan demonstrates compliance with the C-2 (Commercial) District regulations.</p>
<b>THE PROPOSED ZONING DISTRICT’S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:</b>	
<p><b>Historic District or Special Designations &amp; Study Area Plans:</b> Any historic district or other special designations that may be applicable. Any adopted</p>	<p>N/A. The subject property does not lie within an Historic District or other special district.</p>



<b>COMPLIANCE WITH <i>THE ZONING ORDINANCE</i> – When evaluating whether a proposed Detailed Site Development Plan is in accordance with the Zoning Ordinance, consider following factors:</b>	
small areas plans, including land-use maps in those plans.	
<b>Potential Adverse Effects:</b> Potential adverse effects that might be caused by approval or denial of the special permit.	No. 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. Subject property does not involve greenfield or environmentally sensitive land or arroyo disturbance.

**ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE:** Montwood Drive is classified as a Major Arterial Street and provides adequate access for the uses proposed.

**SUMMARY OF DEPARTMENTAL REVIEW COMMENTS:** There were no objections to the request. All major comments have been addressed.

**PUBLIC COMMENT:** N/A

**RELATED APPLICATIONS:** N/A

**CITY PLAN COMMISSION OPTIONS:**

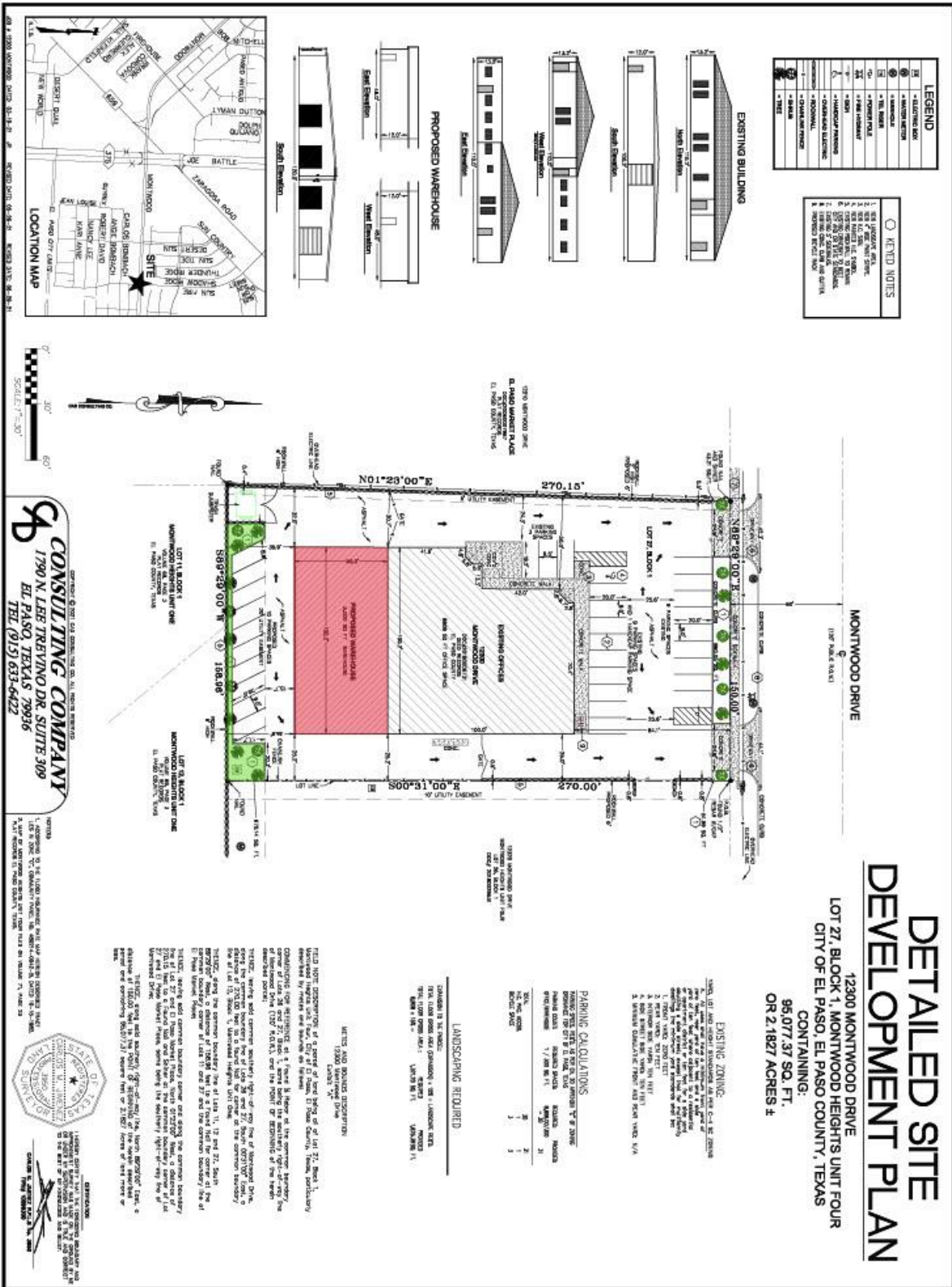
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

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 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:**

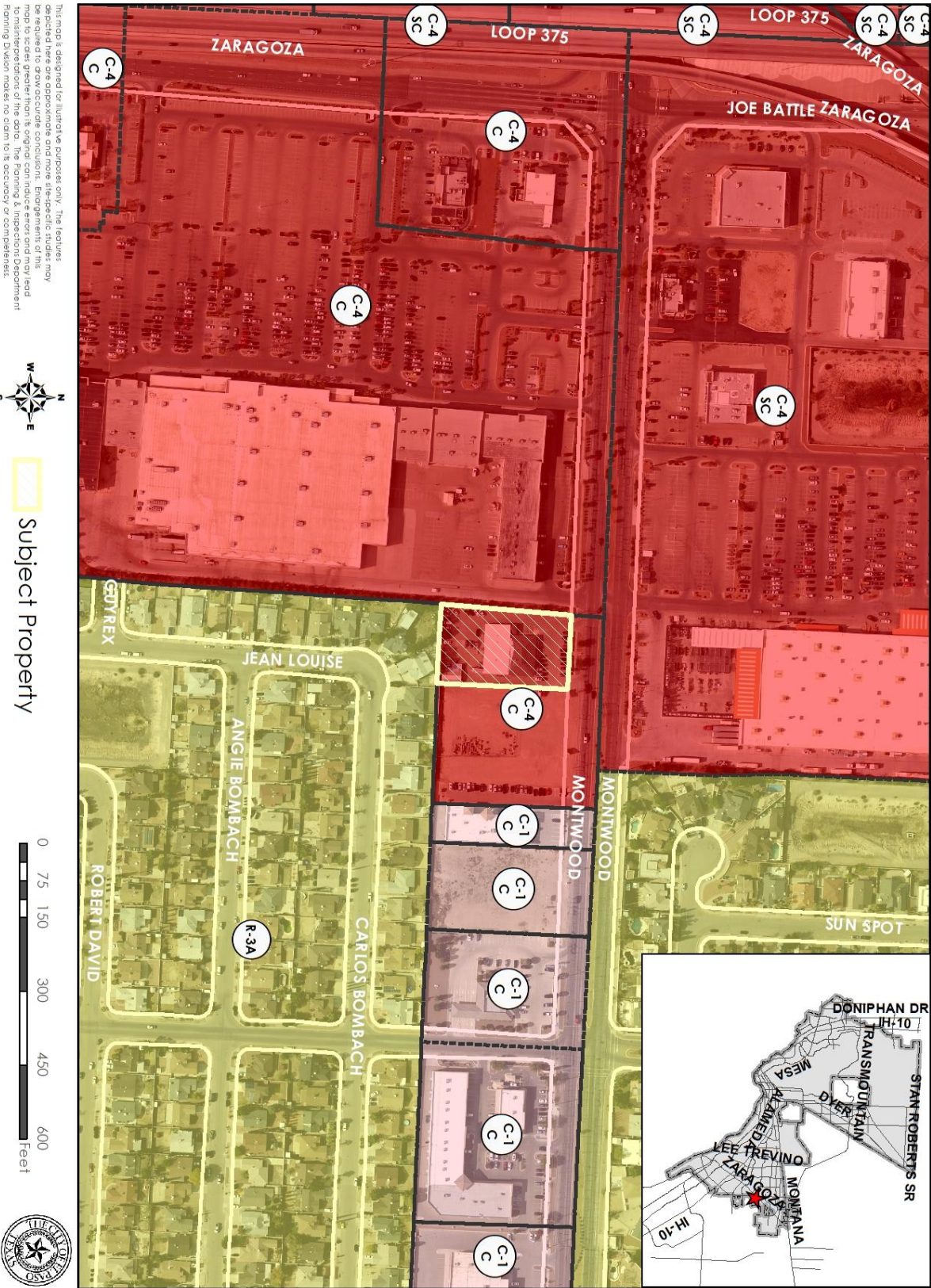
1. Detailed Site Development Plan
2. Zoning Map
3. Future Land Use Map
4. Department Comments
5. Ordinance No. 11446 dated April 11, 1996

# ATTACHMENT 1



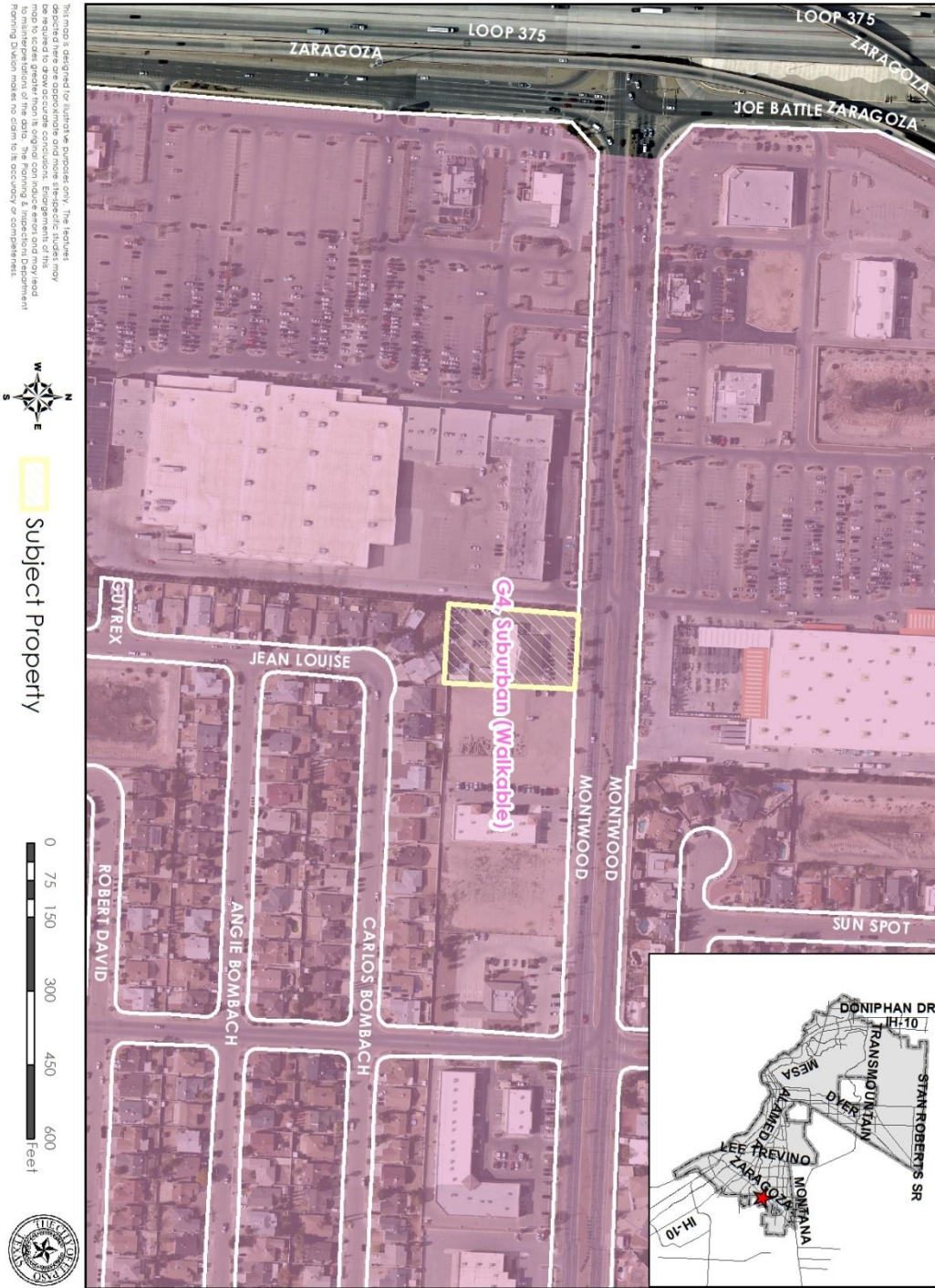
# ATTACHMENT 2

PZDS21-00016



# ATTACHMENT 3

PZDS21-00016



# **ATTACHMENT 4**

## **Texas Department of Transportation**

Development is not abutting TxDOT Right of Way, therefore, TxDOT has no comment.

## **Planning and Inspections Department – Plan Review**

Recommend approval.

## **Planning and Inspections Department – Landscaping Division**

Recommend approval.

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

1. 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.
2. The landscaped areas can be depressed to pond some of the stormwater runoff from the parking lot and roof runoff.

## **Fire Department**

Check turning radius for fire rigs. Rear side of the proposed warehouse.

## **Police Department**

No comments received

## **Sun Metro**

No comments received

## **El Paso Water – Stormwater**

EPWater - SW has reviewed the case distribution described above and has no objections to the proposal.

# ATTACHMENT 5

175

ORDINANCE NO. 16238

AN ORDINANCE AMENDING ORDINANCE NO. 011446 WHICH CHANGED THE ZONING OF A PORTION OF TRACT 3, SECTION 4, BLOCK 79, TSP 3, T&P RAILWAY CO. SURVEYS, EL PASO, EL PASO COUNTY, TEXAS, AND WHICH IMPOSED CERTAIN CONDITIONS, BY DELETING CONDITION NUMBER 2, APPLICABLE TO PARCELS 1&2, THEREOF. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, the zoning of property described as *a portion of Tract 3, Section 4, Block 79, TSP 3, T&P Railway Co. Surveys, El Paso, El Paso County, Texas*, was changed by Ordinance No. 011446, approved on June 22, 1993, a copy of which is attached and marked as Exhibit "A"; and

WHEREAS, the rezoning from R-3 (Residential) to C-4 (Commercial), for Parcels 1 & 2, was subject to various zoning conditions which were necessitated by and attributable to the increased intensity of use generated by the change of zoning; and

WHEREAS, application for deletion of the zoning condition Number 2, applicable to Parcels 1 & 2, on that portion of the property described as *a portion of Tract 3, Section 4, Block 79, TSP 3, T&P Railway Co. Surveys, El Paso, El Paso County, Texas*, as more particularly described by the metes and bounds in the attached Exhibit "B", has been made by the City of El Paso; and

WHEREAS, a public hearing regarding deletion of the condition was held before the City Plan Commission, which has recommended approving the deletion of the condition; and

WHEREAS, the City Plan Commission recommendation is based on a determination that the condition is no longer applicable and that the proposed deletion of the condition will protect the best interest, health, safety and welfare of the public in general; and

WHEREAS, the City Council of the City of El Paso has determined that the zoning condition should be deleted and finds that the conditions no longer applicable and that the proposed deletion of the condition will protect the best interest, health, safety and welfare of the public in general.

Doc No. 17552/Planning/Ord/ZON05-00113/Super Target/CCRO

ORDINANCE NO. 16238

1

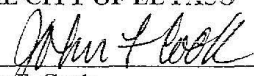
Case No: ZON05-00113

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS that zoning condition Number 2, applicable to Parcels 1 & 2, imposed by Ordinance No. 011446 shall be deleted on the property described as a *portion of Tract 3, Section 4, Block 79, TSP 3, T & P Railway Co. Surveys, El Paso, El Paso County, Texas*, as more particularly described by the metes and bounds in the attached Exhibit "B".


Except as herein amended, all other conditions listed in Ordinance 011446 shall remain in full force and effect.

PASSED AND APPROVED this 13<sup>th</sup> day of December, 2005.

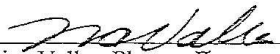
THE CITY OF EL PASO

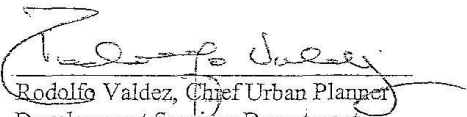
  
John F. Cook  
Mayor

ATTEST:

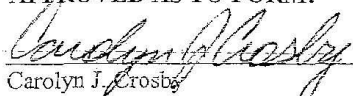
  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO CONTENT:

  
Christina Valles, Planner II  
Development Services Department

  
Rodolfo Valdez, Chief Urban Planner  
Development Services Department

APPROVED AS TO FORM:

  
Carolyn J. Crosby  
Assistant City Attorney

Doc No. 17552/Planning/Ord/ZON05-00113/Supp Target/CCRO

ORDINANCE NO. 16238 2

Case No: ZON05-00113

ORDINANCE NO. 011446

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 3, SECTION 4, BLOCK 79, TSP 3, T&P RAILWAY CO. SURVEYS, AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 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 3, SECTION 4, BLOCK 79, TSP 3, T&P RAILWAY CO. SURVEYS, as more particularly described by metes and bounds in the attached Exhibit "A", be changed from R-3 (Residential), to R-3A (Residential-Parcel 5), C-4 (Commercial-Parcels 1&2), A-O (Apartment/Office-Parcel 4) and C-1 (Commercial-Parcel 3) within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; and

That the property be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning from R-3 (Residential) to R-3A (Residential), C-4 (Commercial), A-O (Apartment/Office) and C-1 (Commercial) in order to protect the health, safety and welfare of adjacent property owners and the residents of this city:

Parcels 1 & 2

1. Prior to issuance of building permits, the applicants must submit for review and approval by the City Plan Commission and the Mayor and City Council a detailed site development plan of the property. Such site plans should also include a landscaping plan, to show how the area adjacent to the residential uses can be buffered.

ORDINANCE NO. 011446 PAGE 1 OF 3

93-5787



2. Provide a 15' strip of landscaping adjacent to Joe Battle Blvd. (Loop 375) and Montwood Dr.

Parcels 2,3&4

1. Prior to issuance of any building permits the applicants must submit for review and approval by the City Plan Commission and the Mayor and City Council, a detailed site development plan of the property.
2. Limiting the height of any structure to not more than 2½ stories or 35' whichever is greater.
3. Provide a 10' wide strip of landscaping along Montwood Dr.

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

PASSED AND APPROVED this 22<sup>nd</sup> day of June, 1993.

I certify that the zoning map has been revised to reflect the amendment of ordinance # 011446  
 By [Signature] Date 8-4-93

THE CITY OF EL PASO

[Signature]  
 Mayor

ATTEST:

[Signature]  
 City Clerk

I CERTIFY THAT THE FOLLOWING ZONING MAPS

HAVE BEEN REVISED: V.R.

8-4-93 COUNTER

8-4-93 ORIGINAL

8-4-93 Bldg. Inspection

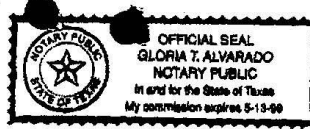
8-4-93 CONT...

[Signature]

ORDINANCE NO. 011446 PAGE 2 OF 3

ACKNOWLEDGMENT

THE STATE OF TEXAS }  
COUNTY OF EL PASO }



This instrument is acknowledged before me on this 15<sup>th</sup> day of April, 1996,  
by LARRY FRANCIS, as Mayor of the City of El Paso, as a municipal corporation.

Gloria T. Alvarado  
Notary Public, State of Texas

My Commission Expires:

May 13, 1999

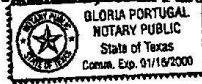
Notary's Printed or Typed Name:

GLORIA T. ALVARADO

ACKNOWLEDGMENT

THE STATE OF TEXAS }  
COUNTY OF EL PASO }

This instrument is acknowledged before me on this 11<sup>th</sup> day of April, 1996,  
by RUSSELL HANSON, for El Paso/Sunridge Limited Partnership.



Gloria Portugal  
Notary Public, State of Texas

My Commission Expires:

\_\_\_\_\_

Notary's Printed or Typed Name:

\_\_\_\_\_

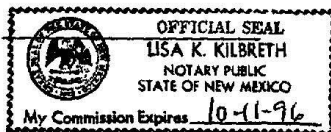
ACKNOWLEDGMENT

THE STATE OF NEW MEXICO }  
COUNTY OF BERNALILLO }

This instrument is acknowledged before me on this 8<sup>th</sup> day of April, 1996,  
by Robert M. Murphy, for Sandia Properties Ltd., Co.

Lisa K. Kilbreth  
Notary Public, State of New Mexico

My Commission Expires:



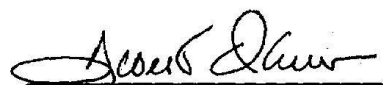
Notary's Printed or Typed Name:

Lisa K. Kilbreth

APPROVED AS TO FORM:

  
Kimberley Mickelson,  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
Department of Planning

**ACKNOWLEDGMENT**

THE STATE OF TEXAS )  
                                  )  
COUNTY OF EL PASO )

This instrument is acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 1993, by WILLIAM S. TILNEY, as Mayor of the CITY OF EL PASO.

My Commission Expires:  
\_\_\_\_\_

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

CHRM239-5767.ORD

GO\CHRM239-5767.ORD  
Rev. January 26, 1990 (2)

ORDINANCE NO. 011446 PAGE 3 OF 3

ATCON ENGINEERING  
A 46.2086 ACRE PARCEL  
BEING A PORTION OF TRACT 3, SECTION 4, BLOCK 79,  
TOWNSHIP 3, T & P R.R. SURVEYS  
MAY 18, 1993

PROPERTY DESCRIPTION  
(PARCEL 1/C-4)

DESCRIPTION OF A PARCEL OF LAND BEING A PORTION OF TRACT 3, SECTION 4, BLOCK 79, TOWNSHIP 3, T & P R.R. SURVEYS, EL PASO COUNTY TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A POINT BEING THE COMMON CORNER OF SECTIONS 4,5,8, AND 9, BLOCK 79, TOWNSHIP 3, T & P R.R. SURVEYS; THENCE, SOUTH 89°57'32" EAST ALONG THE NORTHERLY BOUNDARY LINE SECTION 9 A DISTANCE OF 142.71 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF LOOP 375, SAID POINT BEING THE TRUE POINT OF BEGINNING FOR THE PARCEL OF LAND DESCRIBED HEREIN;

THENCE, ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING COURSES:

THENCE, NORTH 00°31'00" WEST A DISTANCE OF 569.04 FEET TO A POINT;

THENCE, NORTH 01°23'00" EAST A DISTANCE OF 1372.98 FEET TO A POINT;

THENCE, NORTH 44°33'25" EAST A DISTANCE OF 106.20 FEET TO A POINT;

THENCE, NORTH 89°29'00" EAST A DISTANCE OF 927.30 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF MONTWOOD DRIVE TO A POINT;

THENCE, SOUTH 01°23'00" WEST A DISTANCE OF 2026.92 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF GATEWAY ESTATES;

THENCE, NORTH 89°57'32" WEST A DISTANCE OF 980.85 FEET TO THE TRUE POINT OF BEGINNING AND SAID PARCEL CONTAINING 2,012,847.16 SQUARE FEET OR 46.2086 ACRES OF LAND MORE OR LESS.

*Ord. # 011446  
dated 6-22-93*

*Zoning Case # 93-5787  
Exhibit "A"  
page - 1 of 5*

ATCON ENGINEERING  
A 1.9605 ACRE PARCEL  
BEING A PORTION OF TRACT 3, SECTION 4, BLOCK 79,  
TOWNSHIP 3, T & P R.R. SURVEYS  
MAY 18, 1993

PROPERTY DESCRIPTION  
(PARCEL 2 / C-4)

DESCRIPTION OF A PARCEL OF LAND BEING A PORTION OF TRACT 3, SECTION 4, BLOCK 79, TOWNSHIP 3, T & P R.R. SURVEYS, EL PASO COUNTY TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A POINT BEING THE COMMON CORNER OF SECTIONS 4,5,8, AND 9, BLOCK 79, TOWNSHIP 3, T & P R.R. SURVEYS; THENCE, SOUTH 89°57'32" EAST ALONG THE NORTHERLY BOUNDARY LINE SECTION 9 A DISTANCE OF 1123.56 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF GATEWAY ESTATES; THENCE, NORTH 01°23'00" EAST A DISTANCE OF 1756.77 FEET TO THE TRUE POINT OF BEGINNING FOR THE PARCEL OF LAND DESCRIBED HEREIN;

THENCE, NORTH 01°23'00" EAST A DISTANCE OF 270.15 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MONTWOOD DRIVE;

THENCE, NORTH 89°29'00" EAST A DISTANCE OF 311.82 FEET ALONG THE SAID RIGHT-OF-WAY LINE TO A POINT;

THENCE, SOUTH 00°31'00" EAST A DISTANCE OF 270.00 FEET TO A POINT;

THENCE, SOUTH 89°29'00" WEST A DISTANCE OF 320.78 FEET TO THE TRUE POINT OF BEGINNING AND SAID PARCEL CONTAINING 85,400.28 FEET OR 1.9605 ACRES OF LAND MORE OR LESS.

*Ord # 011446  
dated 6-27-93*

*Zoning Case # 93-5187  
Exhibit - R  
page # 2 of 5*

ATCON ENGINEERING  
A 3.5259 ACRE PARCEL  
BEING A PORTION OF TRACT 3, SECTION 4, BLOCK 79,  
TOWNSHIP 3, T & P R.R. SURVEYS  
MAY 18, 1993

PROPERTY DESCRIPTION  
(PARCEL 3 / C-1)

DESCRIPTION OF A PARCEL OF LAND BEING A PORTION OF TRACT 3, SECTION 4, BLOCK 79, TOWNSHIP 3, T & P R.R. SURVEYS, EL PASO COUNTY TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A POINT BEING THE COMMON CORNER OF SECTIONS 4,5,8, AND 9, BLOCK 79, TOWNSHIP 3, T & P R.R. SURVEYS; THENCE, SOUTH 89°57'32" EAST ALONG THE NORTHERLY BOUNDARY LINE SECTION 9 A DISTANCE OF 1123.56 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF GATEWAY ESTATES; THENCE, NORTH 01°23'00" EAST A DISTANCE OF 1756.77 FEET TO A POINT; THENCE, NORTH 89°29'00" EAST A DISTANCE OF 320.78 FEET TO THE TRUE POINT OF BEGINNING FOR THE PARCEL OF LAND DESCRIBED HEREIN;

THENCE, NORTH 00°31'00" WEST A DISTANCE OF 270.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MONTWOOD DRIVE;

THENCE, NORTH 89°29'00" EAST A DISTANCE OF 568.86 FEET ALONG THE SAID RIGHT-OF-WAY LINE TO A POINT;

THENCE, SOUTH 00°31'00" EAST A DISTANCE OF 270.00 FEET TO A POINT;

THENCE, SOUTH 89°29'00" WEST A DISTANCE OF 568.86 FEET TO THE TRUE POINT OF BEGINNING AND SAID PARCEL CONTAINING 153,592.20 SQUARE FEET OR 3.5259 ACRES OF LAND MORE OR LESS.

*Ord. # 011446  
dated 6-22-93*

*Zoning Case # 93-5787  
Exhibit - a  
Page - 3 of 5*

ATCON ENGINEERING  
A 6.7957 ACRE PARCEL  
BEING A PORTION OF TRACT 3, SECTION 4, BLOCK 79,  
TOWNSHIP 3, T & P R.R. SURVEYS  
MAY 18, 1993

PROPERTY DESCRIPTION  
(PARCEL 4/A-O)

DESCRIPTION OF A PARCEL OF LAND BEING A PORTION OF TRACT 3, SECTION 4, BLOCK 79, TOWNSHIP 3, T & P R.R. SURVEYS, EL PASO COUNTY TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A POINT BEING THE COMMON CORNER OF SECTIONS 4,5,8, AND 9, BLOCK 79, TOWNSHIP 3, T & P R.R. SURVEYS; THENCE, SOUTH 89°57'32" EAST ALONG THE NORTHERLY BOUNDARY LINE SECTION 9 A DISTANCE OF 1123.56 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF GATEWAY ESTATES; THENCE, NORTH 01°23'00" EAST A DISTANCE OF 1756.77 FEET TO A POINT; THENCE, NORTH 89°20'00" EAST A DISTANCE OF 889.64 FEET TO THE TRUE POINT OF BEGINNING FOR THE PARCEL OF LAND DESCRIBED HEREIN;

THENCE, NORTH 00°31'00" WEST A DISTANCE OF 270.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MONTWOOD DRIVE;

THENCE, NORTH 89°29'00" EAST A DISTANCE OF 1096.38 FEET ALONG THE SAID RIGHT-OF-WAY LINE TO A POINT;

THENCE, SOUTH 00°31'00" EAST A DISTANCE OF 270.00 FEET TO A POINT;

THENCE, SOUTH 89°29'00" WEST A DISTANCE OF 1096.38 FEET TO THE TRUE POINT OF BEGINNING AND SAID PARCEL CONTAINING 296,022.60 SQUARE FEET OR 6.7957 ACRES OF LAND MORE OR LESS.

*Ord # 011446  
dated 6-22-93*

*Zoning Case # 93-5187  
Exhibit - "A"  
Page 4 of 5*

ATCON ENGINEERING  
A 168.5294 ACRE PARCEL  
BEING A PORTION OF TRACT 3, SECTION 4, BLOCK 79,  
TOWNSHIP 3, T & P R.R. SURVEYS  
MAY 18, 1993

PROPERTY DESCRIPTION  
(PARCEL 5 / R-3A)

DESCRIPTION OF A PARCEL OF LAND BEING A PORTION OF TRACT 3, SECTION 4, BLOCK 79, TOWNSHIP 3, T & P R.R. SURVEYS, EL PASO COUNTY TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A POINT BEING THE COMMON CORNER OF SECTIONS 4,5,8, AND 9, BLOCK 79, TOWNSHIP 3, T & P R.R. SURVEYS; THENCE, SOUTH 89°57'32" EAST ALONG THE NORTHERLY BOUNDARY LINE SECTION 9 A DISTANCE OF 1123.56 FEET TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING FOR THE PARCEL OF LAND DESCRIBED HEREIN;

THENCE, NORTH 01°23'00" EAST A DISTANCE OF 1756.77 FEET TO A POINT;

THENCE, NORTH 89°29'00" EAST A DISTANCE OF 1986.02 FEET TO A POINT;

THENCE, NORTH 00°31'00" WEST A DISTANCE OF 270.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MONTWOOD DRIVE;

THENCE, NORTH 89°29'00" EAST A DISTANCE OF 1840.16 FEET ALONG THE SAID RIGHT-OF-WAY LINE TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE FOR AN EL PASO ELECTRIC COMPANY EASEMENT;

THENCE, SOUTH 00°33'43" EAST A DISTANCE OF 2063.42 FEET ALONG SAID EASEMENT LINE TO A POINT ON THE NORTHERLY BOUNDARY LINE OF GATEWAY ESTATES;

THENCE, NORTH 89°57'32" WEST A DISTANCE OF 3886.24 FEET TO THE TRUE POINT OF BEGINNING AND SAID PARCEL CONTAINING 7,341,142.45 SQUARE FEET OR 168.5294 ACRES OF LAND MORE OR LESS.

*Ord. # 011446  
Dated 6-22-93*

*Zoning Case # 93-5787  
Exhibit "a"  
Page 5 of 5*