

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

**AGENDA DATE:** June 22, 2022

**PUBLIC HEARING DATE:** July 19, 2022

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Philip F. Etiwe, (915) 212-1553  
Andrew Salloum, (915) 212-1603

**DISTRICT(S) AFFECTED:** District 1

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

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

**SUBJECT:**

An Ordinance changing the zoning of a portion of Tract 9A1, 9B1, Laura E. Mundy Survey 238 and a portion of Nellie D. Mundy Survey No. 244, City of El Paso, El Paso County, Texas from R-5/c (Residential/conditions) to C-2/c (Commercial/conditions) and from R-5/sp (Residential/special permit) to C-2 (Commercial) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

The proposed rezoning meets the intent of the Future Land Use designation for the property and is in accordance with *Plan El Paso*, the City's Comprehensive Plan.

Subject Property: Generally North of Transmountain Road and East of Interstate 10

Applicant: EP Transmountain Residential, LLC. PZRZ22-00009

**BACKGROUND / DISCUSSION:**

The applicant is requesting to rezone from R-5/c (Residential/conditions) to C-2/c (Commercial/conditions) and R-5/sp (Residential/special permit) to C-2 (Commercial) to allow for commercial development. City Plan Commission recommended 7-0 to approve the proposed rezoning with three conditions on May 5, 2022. As of June 13, 2022, the Planning Division did not receive any communications in support or opposition to the request from the public. 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:**

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*Philip Etiwe*

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

**AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 9A1, 9B1, LAURA E. MUNDY SURVEY 238 AND A PORTION OF NELLIE D. MUNDY SURVEY NO. 244, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5/C (RESIDENTIAL/CONDITIONS) TO C-2/C (COMMERCIAL/CONDITIONS) AND FROM R-5/SP (RESIDENTIAL/SPECIAL PERMIT) TO C-2 (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 A portion of Tract 9A1, 9B1, Laura E. Mundy Survey 238 and a portion of Nellie D. Mundy Survey No. 244, *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 from **R-5/c (Residential/conditions)** to **C-2/c (Commercial/conditions)** and **R-5/sp (Residential/special permit)** to **C-2 (Commercial)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly, and that the special permit designation be rescinded

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

1. That a ten-foot (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at twenty feet (20') on center along the property lines adjacent to residential zone districts or uses. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.
  - a. This condition shall not apply where the existing arroyo will serve as a natural buffer between the subject properties and residential zone districts or uses.
  - b. The landscaping required under this condition will count towards the landscaping required under Title 18.
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.
3. 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.

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

*(Signatures on following page)*

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

**Zoning Case No: PZRZ22-00009**

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.


**THE CITY OF EL PASO:**

\_\_\_\_\_  
Oscar Leaser  
Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

**APPROVED AS TO CONTENT:**

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

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

**Zoning Case No: PZRZ22-00009**

**METES AND BOUNDS DESCRIPTION**

Description of a parcel of land being a portion of Nellie D. Mundy Survey No. 244, and being more particularly described by metes and bounds as follows:

Commencing for reference at a ½" rebar with cap marked TX 5152 at the centerline intersection of Hunter Foster Dr. and Resler Dr., as shown on plat of Enchanted Hills Unit Five recorded in Clerks File No. 20210037543, Real Property Records of El Paso County, Texas, from which a ½" rebar with cap marked TX 5152 at the centerline intersection Hunter Foster Dr. and Northwestern Dr. bears, North 85°38'42" West a distance of 1369.92 feet; Thence North 34°43'51" East a distance of 96.55 feet to a set ½" rebar on the easterly right of way line of Resler Dr. for THE "TRUE POINT OF BEGINNING";

Thence, North 00°43'19" East a distance of 65.88 feet to a set ½" rebar with cap marked TX 5152 on the easterly right of way line of Resler Dr.;

Thence, along said right of way line, 103.03 feet along the arc of a curve to the right, which has a radius of 2946.00 feet, a central angle of 02°00'14", a chord which bears North 01°43'26" East a distance of 103.03 feet to a set ½" rebar with cap marked TX 5152;

Thence, continuing along said right of way, North 02°43'33" East a distance of 337.90 feet to a set ½" rebar with cap marked TX 5152;

Thence, leaving said right of way line, South 86°47'10" East a distance of 202.49 feet to a set ½" rebar with cap marked TX 5152;

Thence, North 85°28'03" East a distance 176.12 feet to a set ½" rebar with a cap marked TX 5152 on the westerly line of Block 38, Enchanted Hills Unit Five as recorded in Clerks File No. 20210037543;

Thence, along said line, South 17°19'19" West a distance of 331.54 feet to a set ½" rebar with a cap marked TX 5152;

Thence, along said line, South 03°12'50" West a distance of 252.20 feet to a set 1/2 "rebar on the northerly right of way line of Hunter Foster Dr.;

Thence along said right of way line North 86°47'10" West a distance of 246.59 feet to a set ½" rebar for a point of curve;

Thence 19.98 feet along the arc of a curve to the right, which has a radius of 20.00 feet, a central angle of 57°13'44", a chord which bears North 58°10'18" West a distance of 19.16 feet to a set ½" rebar with cap marked TX 5152 for a point of reverse curve;

Thence, 26.35 feet along the arc of a curve to the left, which has a radius of 89.00 feet, a central angle of  $16^{\circ}57'47''$ , a chord which bears North  $38^{\circ}02'20''$  West a distance of 26.25 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152 for a point of reverse curve;

Thence, 16.49 feet along the arc of a curve to the right, which has a radius of 20.00 feet, a central angle of  $47^{\circ}14'32''$ , a chord which bears North  $22^{\circ}53'57''$  West a distance of 16.03 feet to the "TRUE POINT OF BEGINNING" and containing 173,706 square feet or 3.9877 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# 122-21



**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 Inc.  
March 14, 2022  
(Parcel II)

### METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Nellie D. Mundy Survey 244 and being more particularly described by metes and bounds as follows:

Commencing for reference at a ½" rebar with cap marked TX 5152 for the centerline intersection of Hunter Foster Dr. and Resler Dr., as shown on plat of Enchanted Hills Unit Five recorded in Clerks File No. 20210037543, Real Property Records of El Paso County, Texas, from which a ½" rebar with cap marked TX 5152 at the centerline intersection Hunter Foster Dr. and Northwestern Dr. bears, North 85°38'42" West a distance of 1369.92 feet; Thence South 63°44'07" East a distance of 99.60 feet to a point on the southerly right of way line of Hunter Foster Dr. for THE "TRUE POINT OF BEGINNING";

Thence along said right of way line, South 86°47'10" East a distance of 419.61 feet to a set ½" rebar with cap marked TX 5152;

Thence along said right of way line, 93.45 feet along the arc of a curve to the right, which has a radius of 2961.00 feet, a central angle of 01°48'30", a chord which bears South 85°52'55" East a distance of 93.44 feet to a set ½" rebar with cap marked TX 5152;

Thence leaving said right of way line, South 05°01'20" West a distance of 331.91 feet to a set ½" rebar with cap marked TX 5152 on the northerly line of Block 36, Enchanted Hills Unit Five recorded in Clerks File No. 20210037543, Real Property Records of El Paso County, Texas;

Thence along said right of way line, 323.57 feet along the arc of a curve to the left, which has a radius of 841.00 feet, a central angle of 22°02'38", a chord which bears North 78°15'22" West a distance of 321.57 feet to a set ½" rebar with cap marked TX 5152;

Thence along said line, North 89°16'41" West a distance of 207.83 feet to a set ½" rebar on the easterly right of way line of Resler Dr. (Enchanted Hills Unit Five recorded in Clerks File No. 20210037543, Real Property Records of El Paso County, Texas);


Thence along said right of way line, North 00°43'19" East a distance of 256.19 feet to a set ½" rebar with cap marked TX 5152;

Thence along said right of way line, 16.49 feet along the arc of a curve to the right, which has a radius of 20.00 feet, a central angle of 47°14'32", a chord which bears North 24°20'35" East a distance of 16.03 feet to a set ½" rebar with cap marked TX 5152 for a point of reverse curve;

Thence, 18.61 feet along the arc of a curve to the left, which has a radius of 89.00 feet, a central angle of  $11^{\circ}58'45''$ , a chord which bears North  $41^{\circ}58'29''$  East a distance of 18.57 feet to a set  $\frac{1}{2}$ " rebar with a cap marked TX. 5152 for a point of reverse curve;

Thence, 19.98 feet along the arc of a curve to the right, which has a radius of 20.00 feet, a central angle of  $57^{\circ}13'44''$ , a chord which bears North  $64^{\circ}35'58''$  East a distance of 19.16 feet to the "TRUE POINT OF BEGINNING" and containing 158,431 square feet or 3.6371 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# 122-21



**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 Inc.  
March 14, 2022  
(Parcel III)

### METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Tracts 9A1, 9B1, Laura E. Mundy Survey 238, and a portion of Nellie D. Mundy Survey No. 244 and being more particularly described by metes and bounds as follows:

Commencing for reference at a ½" rebar with cap marked TX 5152 at the centerline intersection of Hunter Foster Dr. and Resler Dr., as shown on plat of Enchanted Hills Unit Five recorded in Clerks File No. 20210037543, Real Property Records of El Paso County, Texas, from which an ½" rebar with cap marked TX 5152 at the centerline intersection of Hunter Foster Dr. and Northwestern Dr. bears, North 85°38'42" West a distance of 1369.92 feet; Thence South 33°22'01" West a distance of 100.11 feet to a set ½" rebar on the westerly right of way line of Resler Dr. as shown on plat of Enchanted Hills Unit Five recorded in Clerks File No. 20210037543, Real Property Records of El Paso County, Texas, for THE "TRUE POINT OF BEGINNING";

Thence along said right of way line, South 00°43'19" West a distance of 251.93 feet to a set ½" rebar with cap marked TX 5152 on the northerly line of Block 30, Enchanted Hills Unit Five recorded in Clerks File No. 20210037543, Real Property Records of El Paso County, Texas;

Thence along said line, North 89°16'41" West a distance of 175.97 feet to a set ½" rebar with cap marked TX 5152;

Thence along said line, North 80°36'35" West a distance of 231.44 feet to a set ½" rebar with cap marked TX 5152;

Thence along said line, North 86°47'10" West a distance 692.63 feet to a set ½" rebar with a cap marked TX 5152;

Thence along said line, North 80°10'33" West a distance of 115.37 feet to a set ½" rebar with a cap marked TX 5152;

Thence along said line, North 86°47'10" West a distance of 170.23 feet to a set ½" rebar with a cap marked TX 5152 on the easterly right of way line of Northwestern Drive as shown on plat of Enchanted Hills Unit Five as recorded in Clerks File No. 20210037543 Real Property Records of El Paso County, Texas;

Thence along said right of way line, North 17°43'53" East a distance of 95.54 feet to a set 1/2 "rebar with a cap marked TX. 5152 for a point of curve;

Thence along said right of way line 116.65 feet along the arc of a curve to the right, which has a radius of 500.00 feet, a central angle of 13°22'00", a chord which bears North 24°24'53" East a distance of 116.38 feet to a set ½" rebar with cap marked TX 5152;

Thence along said right of way line, North 31°05'53" East a distance of 59.09 feet to a set 1/2 "rebar with a cap marked TX. 5152 for a point of curve;



Thence along said right of way line, 14.18 feet along the arc of a curve to the right, which has a radius of 30.00 feet, a central angle of 27°05'07", a chord which bears North 44°38'26" East a distance of 14.05 feet to a set ½" rebar with cap marked TX 5152 for a point of reverse curve;

Thence, 10.97 feet along the arc of a curve to the left, which has a radius of 87.00 feet, a central angle of 7°13'28", a chord which bears North 54°34'15" East a distance of 10.96 feet to a set ½" rebar with cap marked TX 5152 for a point of reverse curve;

Thence, 29.50 feet along the arc of a curve to the right, which has a radius of 40.00 feet, a central angle of 42°15'19", a chord which bears North 72°05'11" East a distance of 28.84 feet to a set ½" rebar with cap marked TX 5152 on the southerly right of way line of Hunter Foster Dr. as shown on plat of Enchanted Hills Unit Five as recorded in Clerks File No. 20210037543 Real Property Records of El Paso County, Texas;

Thence along said right of way line South 86°47'10" East a distance of 474.94 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence along said right of way line, 281.04 feet along the arc of a curve to the right, which has a radius of 2946.00 feet, a central angle of 05°27'57", a chord which bears South 84°03'12" East a distance of 280.93 feet to a set ½" rebar with cap marked TX 5152 for a point of reverse curve;

Thence along said right of way line, 291.34 feet along the arc of a curve to the left, which has a radius of 3054.00 feet, a central angle of 5°27'57", a chord which bears South 84°03'12" East a distance of 291.23 feet to a set ½" rebar with cap marked TX 5152;


Thence along said right of way line, South 86°47'10" East a distance of 157.78 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence, 16.49 feet along the arc of a curve to the right, which has a radius of 20.00 feet, a central angle of 47°14'32", a chord which bears South 63°09'54" East a distance of 16.03 feet to a set ½" rebar with cap marked TX 5152 for a point of reverse curve;

Thence, 7.51 feet along the arc of a curve to the left, which has a radius of 89.00 feet, a central angle of 4°50'00", a chord which bears South 41°57'38" East a distance of 7.51 feet to a set ½" rebar with cap marked TX 5152 for a point of reverse curve;

Thence, 23.61 feet along the arc of a curve to the right, which has a radius of 30.00 feet, a central angle of 45°05'57", a chord which bears South 21°49'40" East a distance of 23.01 feet to the "TRUE POINT OF BEGINNING" and containing 382,484 square feet or 8.78 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# 122-21



**ENGINEERING / LAND SURVEYING / PLANNING**  
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**FIRM NO. 10078100**

Prepared for: Southwest land Development Services Inc.  
March 14, 2022  
(Parcel IV)

### METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Tract 9B1, Laura E. Mundy Survey 238, and a portion of Nellie D. Mundy Survey No. 244 and being more particularly described by metes and bounds as follows:

Commencing for reference at a ½" rebar with cap marked TX 5152 at the centerline intersection of Hunter Foster Dr. and Resler Dr., as shown on plat of Enchanted Hills Unit Five recorded in Clerks File No. 20210037543, Real Property Records of El Paso County, Texas, from which a ½" rebar with cap marked TX 5152 at the centerline intersection of Hunter Foster Dr. and Northwestern Dr. bears, North 85°38'42" West a distance of 1369.92 feet; Thence North 52°46'38" West a distance of 96.55 feet to a set ½" rebar on the northerly right of way line of Hunter Foster Dr. for THE "TRUE POINT OF BEGINNING";

Thence along said right of way line, North 86°47'10" East a distance of 157.78 feet to a set ½" rebar with cap marked TX 5152 on the northerly right of way line of Hunter Foster Dr., Enchanted Hills Unit Five as recorded in Clerks File No. 20210037543;

Thence, along said right of way line, 281.04 feet along the arc of a curve to the right, which has a radius of 2946.00 feet, a central angle of 05°27'57", a chord which bears North 84°03'12" West a distance of 280.93 feet to a set ½" rebar with cap marked TX 5152 to a point of reverse curve;

Thence along said right of way line, 291.34 feet along the arc of a curve to the left, which has a radius of 3054.00 feet, a central angle of 05°27'57", a chord which bears North 84°03'12" West a distance of 291.23 feet to a set ½" rebar with cap marked TX 5152;

Thence, North 86°47'10" West a distance of 472.77 feet to a set ½" rebar with a cap marked TX. 5152 for a point of curve;

Thence along said right of way line, 49.92 feet along the arc of a curve to the right, which has a radius of 30.00 feet, a central angle of 95°20'23", a chord which bears North 39°06'59" West a distance of 44.36 feet to a set ½" rebar with cap marked TX 5152 on the easterly right of way line of Northwestern Dr. as shown in plat of Enchanted Hills Unit Five as recorded in Clerks File No. 20210037543;

Thence along said right of way line, 171.25 feet along the arc of a curve to the left, which has a radius of 1010.00 feet, a central angle of 9°42'52", a chord which bears North 3°41'46" East a distance of 171.04 feet to a set ½" rebar with cap marked TX 5152 for a point of reverse curve;

Thence along said right of way line, 31.69 feet along the arc of a curve to the right, which has a radius of 990.00 feet, a central angle of 01°50'03", a chord which bears North 00°14'38" West a distance of 31.69 feet to a set ½" rebar with cap marked TX 5152 for a point of reverse curve;

Thence along said right of way line, 151.29 feet along the arc of a curve to the left, which has a radius of 1132.00 feet, a central angle of 7°39'26", a chord which bears North 3°09'20" West a distance of 151.17 feet to a set ½" rebar with cap marked TX 5152;

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FIRM NO. 10078100

Thence, leaving said right of way line, North 65°34'38" East a distance of 361.49 feet to a set ½" rebar with cap marked TX 5152;

Thence, North 87°32'06" East a distance of 171.38 feet to a set ½" rebar with cap marked TX 5152;

Thence, North 51°23'54" East a distance of 92.85 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 86°47'10" East a distance of 117.58 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 73°40'11" East a distance of 191.19 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 87°50'51" East a distance of 206.98 feet to a set ½" rebar with cap marked TX 5152;

Thence, North 70°47'02" East a distance of 206.77 feet to a set ½" rebar with cap marked TX 5152 on the easterly right of way line of Resler Dr;

Thence along said right of way line South 02°43'33" East a distance of 502.70 feet to a set ½" rebar with cap marked TX 5152;

Thence along said right of way line, 106.81 feet along the arc of a curve to the left, which has a radius of 3054.00 feet, a central angle of 2°00'14", a chord which bears South 1°43'26" West a distance of 106.80 feet to a set ½" rebar with cap marked TX 5152;

Thence along said right of way line South 00°43'19" West a distance of 65.88 feet to a set ½" rebar with cap marked TX 5152 to a point of curve;

Thence along said right of way line, 16.49 feet along the arc of a curve to the right, which has a radius of 20.00 feet, a central angle of 47°14'32", a chord which bears South 24°20'35" West a distance of 16.03 feet to a set ½" rebar with cap marked TX 5152 for a point of reverse curve;

Thence along said right of way line, 3.10 feet along the arc of a curve to the left, which has a radius of 89.00 feet, a central angle of 1°59'34", a chord which bears South 46°58'04" West a distance of 3.10 feet to a set ½" rebar with cap marked TX 5152 for a point of reverse curve;

Thence along said right of way line, 16.49 feet along the arc of a curve to the right, which has a radius of 20.00 feet, a central angle of 47°14'32", a chord which bears South 69°35'34" West a distance of 16.03 feet to the "TRUE POINT OF BEGINNING" and containing 727,992.13 square feet or 16.71 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# 122-21



CONDE, INC.  
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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 Inc.  
March 14, 2022  
(Parcel V)

### METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Tract 9B1, Laura E. Mundy Survey No. 238 and being more particularly described by metes and bounds as follows:

Commencing for reference at a found  $\frac{1}{2}$ " rebar with cap marked TX 5152 at the centerline intersection of Hunter Foster Dr. and Northwestern Dr as shown on plat of Enchanted Hills Unit Five recorded in Clerks File No. 20210037543, Real Property Records of El Paso County, Texas, from which an existing  $\frac{1}{2}$ " rebar with cap marked TX 5152 at the centerline intersection of Hunter Foster Dr. and Resler Dr. bears South  $85^{\circ}38'42''$  East a distance of 1369.92 feet; Thence North  $47^{\circ}56'18''$  West a distance of 91.34 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152 on the northerly right of way line of Hunter Foster Dr. for THE "TRUE POINT OF BEGINNING";

Thence along said right of way line 10.39 feet along the arc of a curve to the right, which has a radius of 30.00 feet, a central angle of  $19^{\circ}51'05''$ , a chord which bears South  $86^{\circ}58'57''$  West a distance of 10.34 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence along said right of way line, 214.72 feet along the arc of a curve to the right, which has a radius of 1046.00 feet, a central angle of  $11^{\circ}45'42''$ , a chord which bears North  $77^{\circ}12'40''$  West a distance of 214.35 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence along the right of way line, North  $71^{\circ}19'49''$  West a distance of 333.30 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152 for a point of curve;

Thence along said right of way line, 242.28 feet along the arc of a curve to the right, which has a radius of 1500.00 feet, a central angle of  $9^{\circ}15'16''$ , a chord which bears North  $66^{\circ}42'10''$  West a distance of 242.02 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence along said right of way line, North  $62^{\circ}04'32''$  West a distance of 236.62 feet to a set  $\frac{1}{2}$ " rebar marked TX. 5152 for a point of curve;

Thence along said right of way line, 754.42 feet along the arc of a curve to the left, which has a radius of 1400.00 feet, a central angle of  $30^{\circ}52'30''$ , a chord which bears North  $77^{\circ}30'47''$  West a distance of 745.33 feet to a set  $\frac{1}{2}$ " rebar with a cap marked TX. 5152 for a point of reverse curve;

Thence along said right of way line, 540.65 feet along the arc of a curve to the right, which has a radius of 1250.00 feet, a central angle of  $24^{\circ}46'53''$ , a chord which bears North  $80^{\circ}33'36''$  West a distance of 536.44 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence, 25.86 feet along the arc of a curve to the right, which has a radius of 20.00 feet, a central angle of  $74^{\circ}04'33''$ , a chord which bears North  $31^{\circ}07'53''$  West a distance of 24.09 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152 for a point of reverse curve on the proposed easterly right of way line of Enchanted Pass Dr.;

Thence along said right of way line, 24.75 feet along the arc of a curve to the left, which has a radius of 532.00 feet, a central angle of  $02^{\circ}39'57''$ , a chord which bears North  $04^{\circ}34'25''$  East a distance of 24.75 feet to a set  $\frac{1}{2}$ " rebar with a cap marked TX. 5152;

Thence along said line, North  $03^{\circ}14'26''$  East a distance of 162.10 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152 on the proposed southerly line of Block 45, Enchanted Hills Unit Six;

Thence along said line, South  $71^{\circ}31'47''$  East a distance 234.67 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence along said line, North  $82^{\circ}03'08''$  East a distance of 39.00 feet set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence along said line, North  $23^{\circ}54'34''$  East a distance of 33.50 feet set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence along said line; South  $66^{\circ}41'48''$  East a distance of 242.72 feet set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence along said line, North  $79^{\circ}02'54''$  East a distance of 133.59 feet set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence along said line, South  $84^{\circ}41'38''$  East a distance of 116.47 feet set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence along said line, South  $79^{\circ}01'29''$  East a distance of 809.44 feet set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence along said line, South  $87^{\circ}57'04''$  East a distance of 182.04 feet set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence along said line, North  $83^{\circ}14'23''$  East a distance of 521.82 feet set  $\frac{1}{2}$ " rebar with cap marked TX 5152 on the proposed westerly right of way line of Northwestern Dr. out of Enchanted Hills Unit Six.


Thence along said right of way line, 351.08 feet along the arc of a curve to the right, which has a radius of 1068.00 feet, a central angle of  $18^{\circ}50'05''$ , a chord which bears South  $10^{\circ}15'27''$  East a distance of 349.50 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence along said right of way line, 192.02 feet along the arc of a curve to the right, which has a radius of 590.00 feet, a central angle of  $18^{\circ}38'51''$ , a chord which bears South  $08^{\circ}29'01''$  West a distance of 191.18 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence along said right of way line, South  $17^{\circ}48'27''$  West a distance of 29.09 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152 for a point of curve.

Thence, 56.88 feet along the arc of a curve to the right, which has a radius of 55.00 feet, a central angle of  $59^{\circ}14'58''$ , a chord which bears South  $47^{\circ}25'56''$  West a distance of 54.38 feet to the "TRUE POINT OF BEGINNING" and containing 679,808 square feet or 15.61 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# 122-21



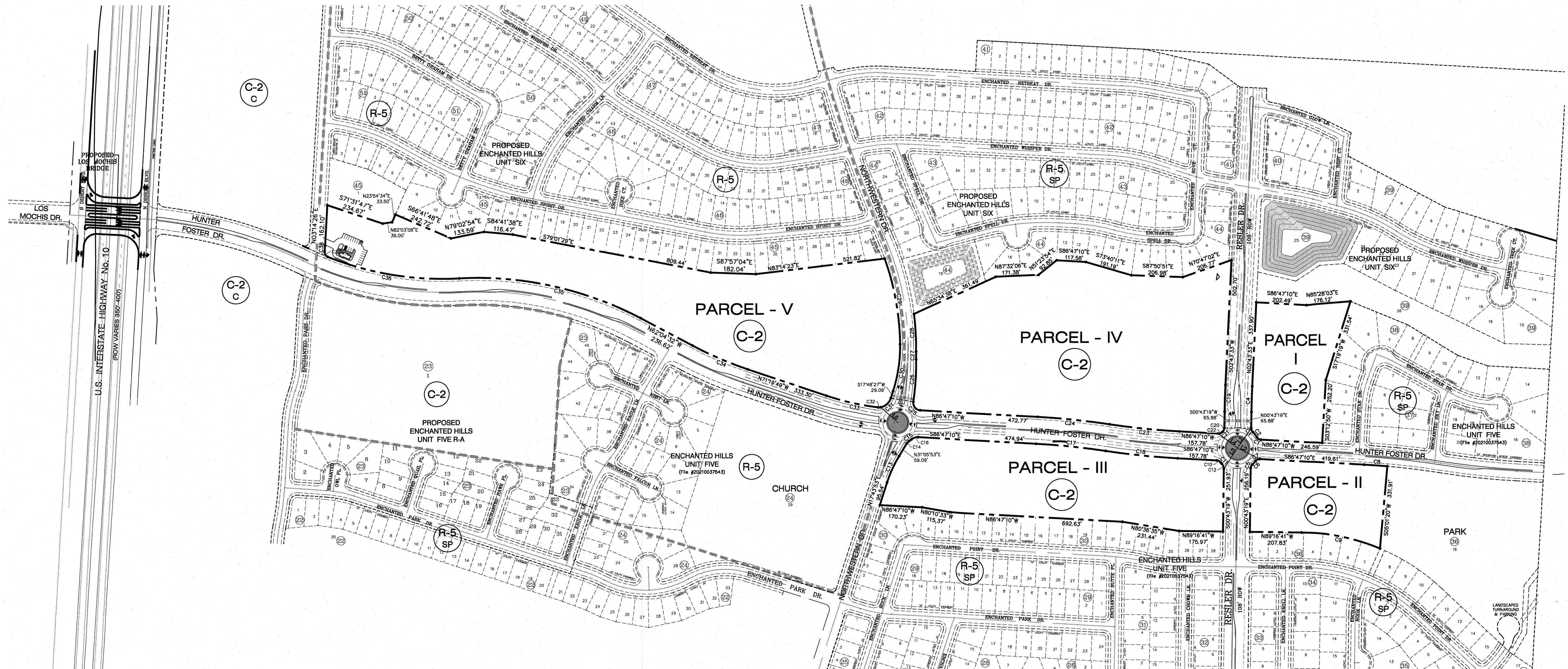
**CONDE, INC.**  
**ENGINEERING / LAND SURVEYING / PLANNING**  
**6080 SURETY DRIVE SUITE 100 / EL PASO, TEXAS 79936 / (915) 592-0283 FAX (915) 592-0286**  
**FIRM NO. 10078100**



NOTES:  
1. SET 1" REBAR WITH CAPS MARKED TX 6162 ON ALL CORNERS UNLESS OTHERWISE NOTED.  
2. A METES AND BOUNDS DESCRIPTION OF EVERY DATE ACCOMPANIES THIS DRAWING.

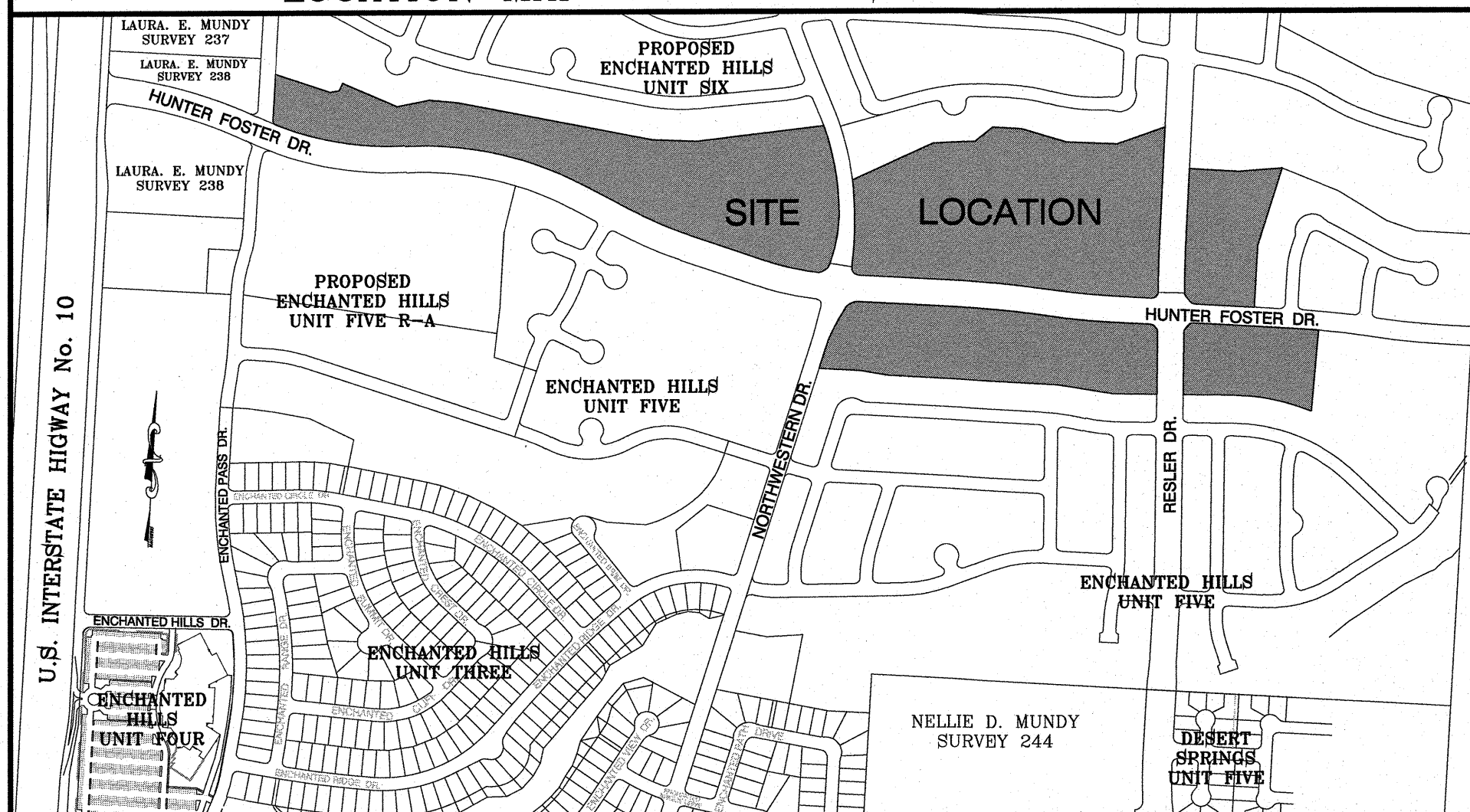
# REZONING PLAN

BEING A PORTION OF TRACTS 9A1, AND 9B1, LAURA E. MUNDY SURVEY 238, AND PORTION OF NELLIE D. MUNDY SURVEY 244, CITY OF EL PASO, EL PASO COUNTY, TEXAS



LOCATION MAP

SCALE: 1" = 600'



RESIDENTIAL

COMMERCIAL

APPARTEMNT

OPEN SPACE/PARKS/PONDS

PARCEL	ACRES	PROPOSED ZONING	EXISTING ZONING
I	3.9877	C-2	R-5 SP
II	3.6371	C-2	R-5 SP
III	8.78	C-2	R-5 SP
IV	16.70	C-2	R-5 SP
V	15.61	C-2	R-5

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	20.00'	19.98'	10.91'	19.16'	N58°01'08"W	57°13'44"
C2	89.00'	26.35'	13.27'	26.25'	N38°02'20"W	16°57'47"
C3	20.00'	16.49'	8.75'	16.03'	N22°53'57"W	47°14'32"
C4	2946.00'	103.03'	51.52'	103.03'	N1°43'26"E	2°00'14"
C5	20.00'	16.49'	8.75'	16.03'	N24°20'35"E	47°14'32"
C6	89.00'	18.61'	9.34'	18.57'	N41°58'29"E	11°58'45"
C7	20.00'	19.98'	10.91'	19.16'	N64°35'58"E	57°13'44"
C8	2961.00'	93.45'	46.73'	93.44'	S85°52'55"E	1°48'30"
C9	841.00'	323.57'	163.81'	321.57'	N78°15'22"W	22°02'38"
C10	20.00'	16.49'	8.75'	16.03'	S63°09'54"E	47°14'32"
C11	89.00'	7.51'	3.76'	7.51'	S41°57'38"E	4°50'00"
C12	30.00'	23.61'	12.46'	23.01'	S21°49'40"E	45°05'57"
C13	500.00'	116.65'	58.59'	116.38'	N24°24'53"E	13°22'00"
C14	30.00'	14.18'	7.23'	14.05'	N44°38'26"E	27°05'07"
C15	87.00'	10.97'	5.49'	10.96'	N54°34'16"E	7°13'28"
C16	40.00'	29.50'	15.46'	28.84'	N72°05'11"E	42°15'19"
C17	2946.00'	281.04'	140.62'	280.93'	S84°03'12"E	52°7'57"
C18	3054.00'	291.34'	145.78'	291.23'	S84°03'12"E	52°7'57"
C19	3054.00'	106.81'	53.41'	106.80'	S1°43'26"W	2°00'14"

LINE TABLE		
LINE	LENGTH	BEARING
L1	96.55'	N34°43'51"E
L2	99.60'	S63°44'07"E
L3	100.11'	S33°22'01"W
L4	96.55'	N52°46'38"W
L5	91.34'	N47°56'18"W

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C20	20.00'	16.49'	8.75'	16.03'	S24°20'35"W	47°14'32"
C21	89.00'	3.10'	1.55'	3.10'	S46°58'04"W	1°59'34"
C22	20.00'	16.49'	8.75'	16.03'	S69°35'54"W	47°14'32"
C23	2946.00'	281.04'	140.62'	280.93'	N84°03'12"W	52°7'57"
C24	3054.00'	291.34'	145.78'	291.23'	N84°03'12"W	52°7'57"
C25	30.00'	49.82'	32.93'	44.36'	N39°06'59"W	95°20'23"
C26	1010.00'	171.25'	85.83'	171.04'	N3°41'46"E	9°42'52"
C27	990.00'	31.69'	15.85'	31.69'	N01°43'38"W	1°50'03"
C28	1132.00'	151.29'	75.76'	151.17'	N3°09'20"W	7°39'26"
C29	1068.00'	351.08'	177.14'	349.50'	N01°52'27"W	18°50'05"
C30	590.00'	192.02'	96.87'	191.17'	N8°29'01"E	18°38'51"
C31	55.00'	56.88'	31.28'	54.37'	N47°25'56"E	59°14'58"
C32	30.00'	10.39'	5.25'	10.34'	N86°58'57"E	19°51'05"
C33	1046.00'	214.72'	107.74'	214.35'	S77°12'40"E	11°45'42"
C34	1500.00'	242.28'	121.41'	242.02'	S66°42'10"E	91°51'16"
C35	1400.00'	754.42'	386.61'	745.33'	N77°30'47"W	30°52'30"
C36	1250.00'	540.65'	274.62'	536.44'	S80°33'36"E	24°46'53"
C37	20.00'	25.86'	15.09'	24.09'	S31°07'53"E	74°04'33"
C38	532.00'	24.75'	12.38'	24.75'	N4°34'25"E	2°39'57"

CERTIFICATION  
THIS PLAT REPRESENTS A SURVEY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF BASED ON THE FACTS EXISTING AT THE TIME OF THIS SURVEY.  
RON R. CONDE  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS LICENSE NO. 5168

DATE OF PREPARATION: MARCH 14, 2022  
**CONDE INC.**  
ENGINEERING / PLANNING  
GPS / SURVEYING / CAD  
6080 SURBURY DR. STE 100  
EL PASO, TEXAS 79906  
PHONE: (915) 692-0283  
FAX: (915) 692-0286  
FIRM# 10076100



# Northwestern Drive, Resler Drive, Hunter Foster Avenue

City Plan Commission — May 5, 2022 (REVISED)



**CASE NUMBER:** PZR22-00009  
**CASE MANAGER:** Andrew Salloum, (915) 212-1603, [SalloumAM@elpasotexas.gov](mailto:SalloumAM@elpasotexas.gov)  
**PROPERTY OWNER:** EP Transmountain Residential, LLC  
**REPRESENTATIVE:** Conde, Inc.  
**LOCATION:** Generally North of Transmountain Rd. and East of Interstate 10 (District 1)  
**PROPERTY AREA:** 48.71 acres  
**REQUEST:** Rezone from R-5/c (Residential/conditions) to C-2/c (Commercial/conditions) and R-5/sp (Residential/special permit) to C-2 (Commercial)  
**RELATED APPLICATIONS:** None  
**PUBLIC INPUT:** None received as of April 28, 2022

**SUMMARY OF REQUEST:** The applicant is requesting to rezone the subject property from R-5/c (Residential/conditions) to C-2/c (Commercial/conditions) and R-5/sp (Residential/special permit) to C-2 (Commercial) for commercial development.

**SUMMARY OF STAFF'S RECOMMENDATION:** Staff recommends **APPROVAL WITH CONDITIONS** 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 conditions are the following:

1. That a ten-foot (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at twenty feet (20') on center along the property lines adjacent to residential zone districts or uses. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.
  - a. This condition shall not apply where the existing arroyo will serve as a natural buffer between the subject properties and residential zone districts or uses.
  - b. The landscaping required under this condition will count towards the landscaping required under Title 18.
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.
3. 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.

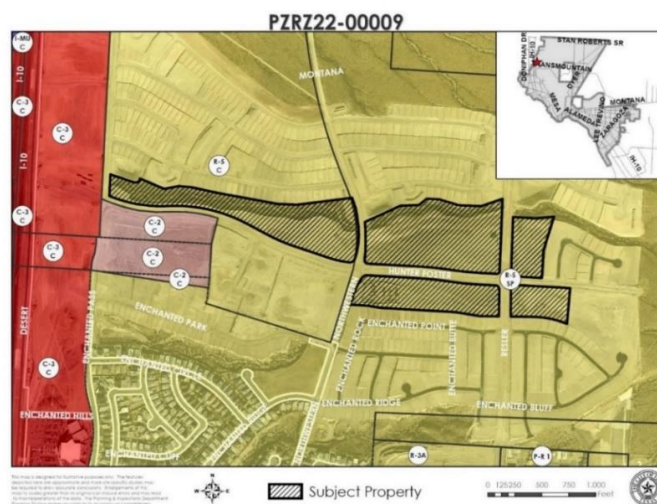


Figure A. Subject Property & Immediate Surroundings



**DESCRIPTION OF REQUEST:** The applicant is requesting to rezone the subject property from R-5/c (Residential/conditions) to C-2/c (Commercial/conditions) and R-5/sp (Residential/special permit) to C-2 (Commercial) for commercial development. The property consists of 48.71 acres. Although the arroyo is part of the rezoning request, the arroyo areas will remain undeveloped. The subject property is located in the Hillside Development Area. This rezoning request is to satisfy Condition No. 4 of Ordinance No. 19286.

**PREVIOUS CASE HISTORY:** On April 20, 1982, City Council made a motion to approve the Special Permit No. 81-18 to allow for the borrow pit (see Attachment no. 5). The existing special permit designation will be repealed once the new rezoning designation request is approved.

Ordinance No. 16948 approved by City Council on July 29, 2008, rezoned portions of the subject property into C-3 (Commercial), R-5/sp (Residential/special permit), and R-MU (Residential Mixed Use). Additionally, a Master Zoning Plan was approved for the R-MU (Residential Mixed Use) properties and conditions were imposed for the C-3 (Commercial) zoned properties (see Attachment no. 6). The conditions are the following:

- *A detailed site development plan shall be reviewed approved per the El Paso City Code prior to the issuance of building permits.*
- *A ten (10) foot landscaped buffer be placed abutting all residential uses.*

Additionally, the Enchanted Hills Land Study (SUB08-00038) was approved by City Plan Commission on June 5, 2008. The approved Land Study proposed to develop the area into multiple commercial and residential developments with a portion of subject property not having been part of the study.

Ordinance No. 19286 approved by City Council on February 1, 2022, rezoned portions of the subject property into three (3) different zoning districts: Parcel 1 – from R-MU (Residential Mixed Use) to R-5 (Residential) for proposed residential development; Parcel 2 - from R-3 (Residential), R-5 (Residential), and R-MU (Residential Mixed Use) to C-2 (Commercial) for proposed commercial development; and Parcel 3 - from R-3 (Residential) to C-3 (Commercial) for proposed commercial development (see Attachment no. 7). The conditions are the following:

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 fifteen feet (15') 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.*

Note: Condition No. 4 is being satisfied by this rezoning request.

**COMPATIBILITY WITH NEIGHBORHOOD CHARACTER:** The subject property is proposed to be developed into residential and commercial developments. Surrounding properties are undeveloped with abutting properties to the north and east zoned R-5 (Residential). Properties to the south are zoned R-5 (Residential) and C-2 (Commercial) along I-10. Properties to the west are zoned C-3 (Commercial). Proposed commercial developments will have access to the existing and proposed extension of Northwestern Drive and Resler Drive, which are designated and proposed to continue as a collector and major arterial, respectively as per El Paso's Major Thoroughfare Plan (MTP). Also, proposed commercial developments will have access to the proposed Hunter Foster Drive, which is designated as a collector as per El Paso's MTP. The classification of these roads are appropriate for the proposed developments.

<b>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:</b>	
<b>Criteria</b>	<b>Does the Request Comply?</b>
<p><b>Future Land Use Map:</b> Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p><b>G-4, Suburban (Walkable):</b> This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.</p>	<p><b>Yes.</b> The subject property is proposed to be developed into residential and commercial developments, which are in character with the future land use designation of <i>Plan El Paso</i>.</p>
<p><b>Compatibility with Surroundings:</b> The proposed zoning district is compatible with those surrounding the site:</p> <p><b>C-2 (Commercial):</b> The purpose of these districts is to accommodate establishments providing goods or rendering 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 districts will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.</p>	<p><b>Yes.</b> The proposed C-2 (Commercial) zoning district is the same as the adjacent zoning district to the southwest. The proposed C-2 (Commercial) zoning district will be adjacent to C-3 (Commercial) to the west and be of lower intensity as it will abut residential. The proposed commercial developments have the potential to provide goods and render services to the nearby area and in character with the spirit of the R-5 (Residential) and C-2 (Commercial) zone districts.</p>
<p><b>Preferred Development Locations:</b> Located along an arterial (or greater street classification) or the intersection of two collectors (or greater street classification). The site for proposed rezoning is not located mid-block, resulting in it being the only property on the block with an alternative zoning district, density, use and/or land use.</p>	<p><b>Yes.</b> Proposed commercial developments will have access to the existing and proposed extension of Northwestern Drive and Resler Drive, which are designated and proposed to continue as a collector and major arterial, respectively as per El Paso's MTP. Also, proposed commercial developments will have access to the proposed Hunter Foster Drive, which is designated as a collector as per El Paso's MTP. The classification of these roads are appropriate for the proposed developments.</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 small areas plans, including land-use maps in those plans.</p>	<p>The property lies within the Hillside Development Area. The Open Space Advisory Board (OSAB) recommendation is pending with the hearing scheduled for May 11, 2022.</p>
<p><b>Potential Adverse Effects:</b> Potential adverse effects that might be caused by approval or denial of the requested rezoning.</p>	<p>No adverse effects are anticipated by the rezoning of the subject property.</p>
<p><b>Natural Environment:</b> Anticipated effects on the natural environment.</p>	<p>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) meeting is scheduled for May 11, 2022 for the board's recommendation.</p>
<p><b>Stability:</b> Whether the area is stable or in transition.</p>	<p>The area is in transition as is currently under development. It is expected to be developed into a residential and commercial subdivisions along Northwestern Drive and as commercial developments along Interstate 10.</p>

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

<b>Socioeconomic &amp; Physical Conditions:</b> Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	None.
---	-------

**ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE:** Proposed commercial developments will have access to the existing and proposed extension of Northwestern Drive and Resler Drive, which are designated and proposed to continue as a collector and major arterial, respectively as per El Paso's MTP. Also, proposed commercial developments will have access to the proposed Hunter Foster Drive, which is designated as a collector as per El Paso's MTP. The classification of these roads are appropriate for the proposed developments. Additionally, the subject property will need to provide adequate infrastructure at the time of platting and prior to development.

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

**PUBLIC COMMENT:** The property does not lie within any neighborhood associations. As required, public notices were mailed to property owners within 300 feet on April 21, 2022. As of April 28, 2022, the Planning Division did not receive any communication in support or opposition to the request from the public.

**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.

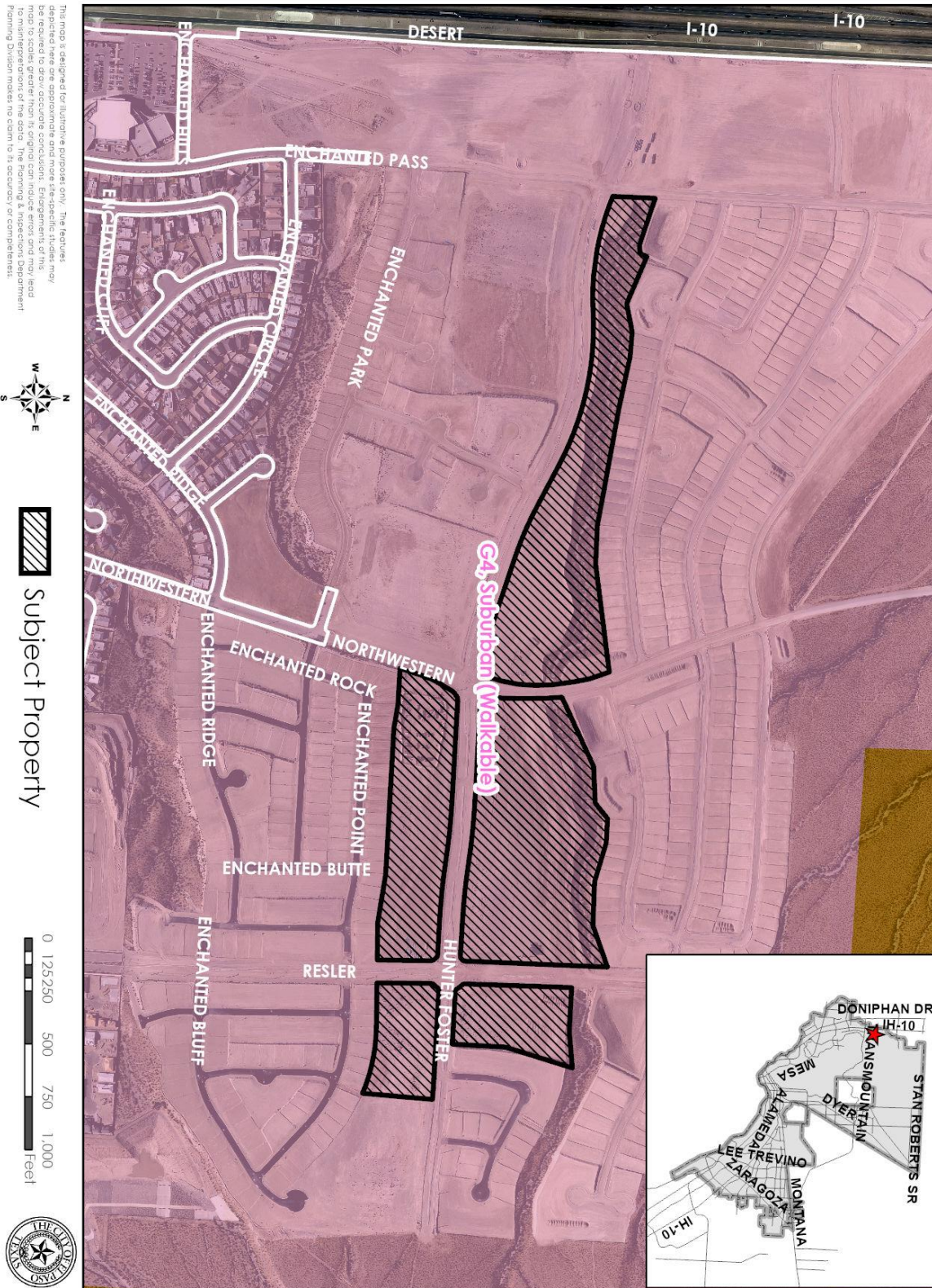
**ATTACHMENTS:**

1. Future Land Use Map
2. Neighborhood Notification Boundary Map
3. Generalized Plot Plan
4. Department Comments
5. Special Permit SP-81-18
6. Ordinance No. 16948
7. Ordinance No. 19286



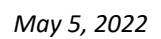
# ATTACHMENT 1

PZR22-00009

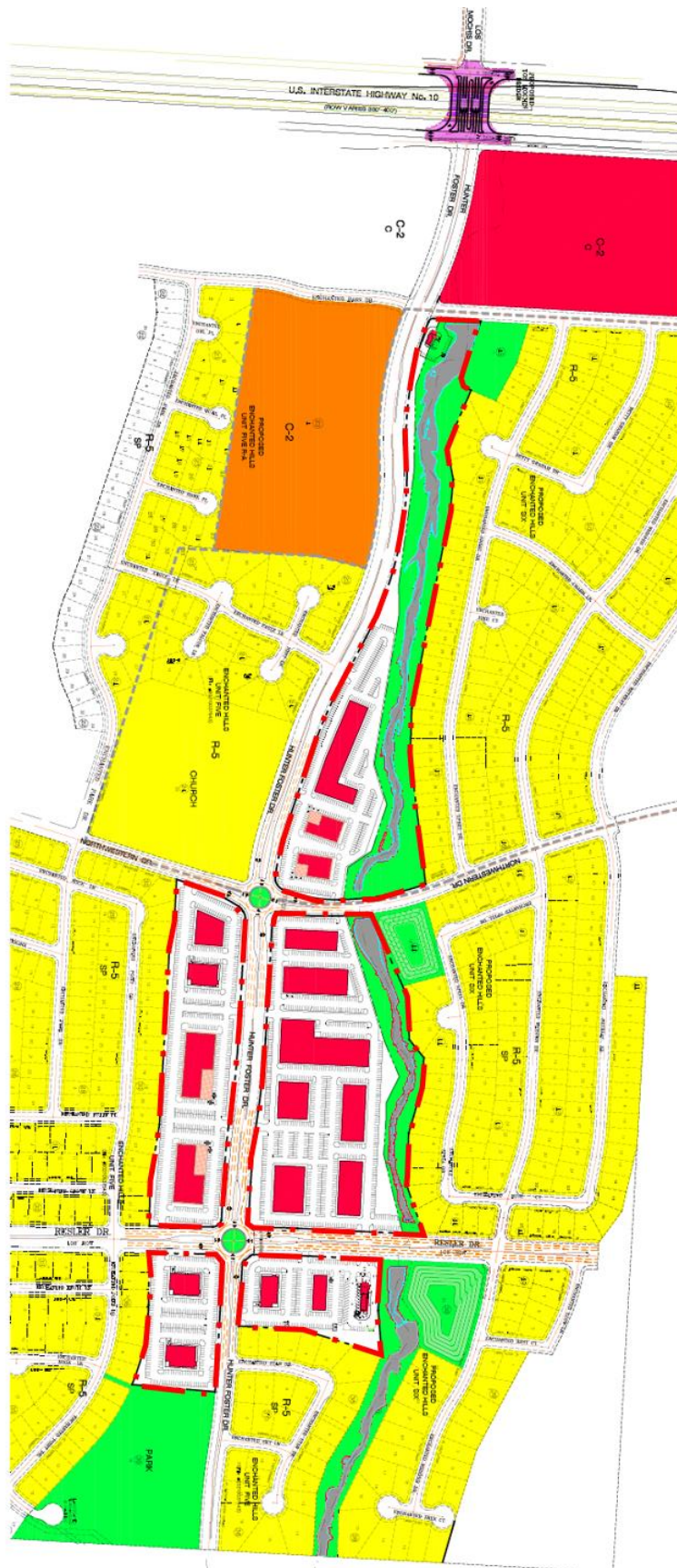




**PZRZ22-00009**



# ATTACHMENT 3



# **ATTACHMENT 4**

## **Planning and Inspections Department - Planning Division**

Staff recommend approval with the following conditions:

1. That a ten-foot (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at twenty feet (20') on center along the property lines adjacent to residential zone districts or uses. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.
  - a. This condition shall not apply where the existing arroyo will serve as a natural buffer between the subject properties and residential zone districts or uses.
  - b. The landscaping required under this condition will count towards the landscaping required under Title 18.
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.
3. 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**

No objections to proposed rezoning.

Note: 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**

No objections to proposed rezoning.

Note: Stormwater drainage has been verified. Rainwater harvesting is recommended at time of development.

## **Fire Department**

Recommend approval. No adverse comments.

## **Police Department**

No comments received.

## **Environment Services**

No adverse comments.

## **Streets and Maintenance Department**

No TIA updated required.

## **Texas Department of Transportation**

No comments received.

**Sun Metro**

No comments received.

**El Paso Water**

No comments received.

**El Paso Water – Stormwater Engineering**

- The parcels north of Hunter Foster Dr. are accommodated in the Drainage Plans for Enchanted Hills Unit 6 and the parcels on the south are accommodated in the Drainage Plans for Enchanted Hills Unit 5.
- 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**

The 911 District has no comments or concerns regarding this zoning.

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

Not within the boundaries of EPCWID1.



# ATTACHMENT 5

## MOTION

April 20, 1982

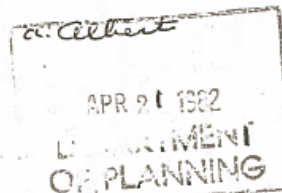
Motion made, seconded and carried that the Land Reclamation Plan for Special Permit #SP-81-18 (in connection with the Borrow Pit, 24.12+/- Acres, Tract 8 Laura E. Mundy Survey #238) be approved as submitted by the applicant, to include the restoration of native plants and topsoil necessary for the growth of said plants, and the vote was as follows:

Ayes: Council Members Scherr, Wagner, Haggerty and Escobar.

Nays: Council Members Fonseca and Divis.

W. L. Rieger, City Clerk

cc: City Engineer  
City Planning Department ✓  
City Attorney



# **ATTACHMENT 6**

Doc# 20080063082

10G  
15/14

CITY CLERK DEPT.

08 JUL 30 AM 8:50

ORDINANCE NO. **016948**

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

**PARCEL 1:** A PORTION OF TRACTS 8, 9A, 9B1 AND 9C, LAURA E. MUNDY SURVEY NO. 238, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL) AND IMPOSING CONDITIONS; AND,

**PARCEL 2:** A PORTION OF TRACTS 8, 9A, 9B1 AND 9C, LAURA E. MUNDY SURVEY NO. 238, AND A PORTION OF TRACTS 5A, 5B AND 6, LAURA E. MUNDY SURVEY NO. 237 AND A PORTION OF NELLIE D. MUNDY SURVEY NO. 244, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-3 (RESIDENTIAL) TO R-5 (RESIDENTIAL) AND FROM R-3/SP (RESIDENTIAL/SPECIAL PERMIT) TO R-5/SP (RESIDENTIAL/SPECIAL PERMIT); AND,

**PARCEL 3:** A PORTION OF TRACTS 9A, 9B1 AND 9B, LAURA E. MUNDY SURVEY NO. 238 AND A PORTION OF TRACT 4B, 4B1, 5A, 5B AND 6, LAURA E. MUNDY SURVEY NO. 237, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM R-3 (RESIDENTIAL) TO R-MU (RESIDENTIAL MIXED USE) AND APPROVING A MASTER ZONING PLAN; AND,

**PARCEL 4:** A PORTION OF TRACTS 9B, LAURA E. MUNDY SURVEY NO. 238, AND A PORTION OF TRACTS 4A, 4B, 4B1, AND 6, LAURA E. MUNDY SURVEY NO. 237 CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED 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:**

That the zoning of the following property be changed as described below within the meaning of the zoning ordinance and that the zoning map of the City of El Paso be revised accordingly:

**Parcel 1:** *A portion of Tracts 8, 9A, 9B1 and 9C, Laura E. Mundy Survey No. 238, El Paso County, Texas, and more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from R-3 (Residential) to C-3 (Commercial) and imposing conditions; and,*

Doc #40071v2./Planning/Ord/ZON08-00016 (Rezoning w/conditions)/LCUE

ORDINANCE NO. **016948**

Zoning Case No: ZON08-00016

**Parcel 2:** A portion of Tracts 8, 9A, 9B1 and 9C, Laura E. Mundy Survey No. 238, and a portion of Tracts 5A, 5B and 6, Laura E. Mundy Survey No. 237 and a portion of Nellie D. Mundy Survey No. 244, City of El Paso, El Paso County, Texas, and more particularly described by metes and bounds on the attached Exhibit "B", incorporated by reference, be changed from **R-3 (Residential)** to **R-5 (Residential)** and from **R-3/sp (Residential/special permit)** to **R-5/sp (Residential/special permit)**; and,

**Parcel 3:** A portion of Tracts 9A, 9B1, and 9B, Laura E. Mundy Survey No. 238, and a portion of Tracts 4B, 4B1, 5A, 5B, and 6, Laura E. Mundy Survey No. 237, City of El Paso, El Paso County, Texas, and more particularly described by metes and bounds on the attached Exhibit "C", incorporated by reference, be changed from **R-3 (Residential)** to **R-MU (Residential Mixed Use)** and approving a Master Zoning Plan, included as Exhibit "E" to this Ordinance; and,

**Parcel 4:** A portion of Tracts 9B, Laura E. Mundy Survey No. 238, and a portion of Tracts 4A, 4B, 4B1, and 6, Laura E. Mundy Survey No. 237, City of El Paso, El Paso County, Texas, and more particularly described by metes and bounds on the attached Exhibit "D", incorporated by reference, be changed from **R-3 (Residential)** to **C-3 (Commercial)** and imposing conditions.

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

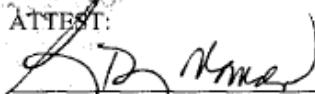
Parcels 1 and 4

A detailed site development plan shall be reviewed approved per the El Paso City Code prior to the issuance of building permits.


A ten (10) foot landscaped buffer be placed abutting all residential uses.

**PASSED AND APPROVED** this 29<sup>th</sup> day of July, 2008.

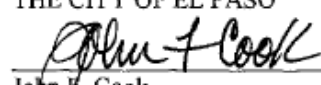
ATTEST:

  
Richarda Duffy Momsen  
City Clerk


APPROVED AS TO FORM:

  
Lupe Cuellar  
Assistant City Attorney

THE CITY OF EL PASO

  
John F. Cook  
Mayor

APPROVED AS TO CONTENT:

  
Mathew S. McElroy  
Deputy Director - Planning  
Development Services Department

CITY CLERK DEPT  
08 JUL 30 AM 8:50

Doc #40071v2./Planning/Ord/ZON08-00016 (Rezoning w/conditions)/LCUE

**ORDINANCE NO. 016948**

**Zoning Case No: ZON08-00016**

**Exhibit "A"**

**Parcel 1 (C-4)**

Being a **42.11 acre** portion of Tracts 8, 9A, 9B1, and 9C,  
Laura E. Mundy Survey #238,  
City of El Paso, El Paso County, Texas,  
February 15, 2008

**METES AND BOUNDS DESCRIPTION**

Description of a parcel of land being a **42.11 acre** portion of Tracts 8, 9A, 9B1, and 9C, Laura E. Mundy Survey #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 found 2" pipe held for the southeast corner of Laura E. Mundy Survey #238 and the northeast corner of Nellie D. Mundy Survey #239, from which a found 1" pipe held for the southeast corner of Nellie D. Mundy Survey #239 bears South 00°00'02" West a distance of 4,100.21 feet, a found 1" pipe held for the northeast corner of Laura E. Mundy Survey #238 bears North 00°00'02" East a distance of 4,047.02 feet, and a found 1" pipe held for the northwest corner of Nellie D. Mundy Survey #244 bears North 00°00'02" East a distance of 4,790.13 feet; Thence with the common line of Surveys #239 and #238, North 89°59'58" West a distance of 2,654.05 feet to the **"TRUE POINT OF BEGINNING"**.

Thence continuing along said line, **North 89°59'58" West** a distance of **599.59** feet to a point at the westerly right of way line of U.S. Highway No. 10;

Thence with said right of way, **North 00°01'47" East** a distance of **1,091.00** feet to a point of inverse;

Thence with said right of way, **North 07°09'17" East** a distance of **201.56** feet to a point of inverse;

Thence with said right of way, **North 00°01'47" East** a distance of **1,789.53** feet to a point the southwest corner of Tract 9B2;

Thence along a line common to said Tract 9B2 and Tract 9B1, **North 89°59'55" East** a distance of **559.44** feet to a point;

Thence leaving said common line, **South 00°01'37" West** a distance of **960.78** feet to a point of curvature;

Thence, **243.55** feet along the arc of a curve to the left which has a radius of **750.00** feet, a central angle of **18°36'21"**, a tangent of 122.86 feet, and a chord which bears South 09°16'33" East a distance of 242.48 feet to a point of tangency;

Thence, **South 18°34'44" East** a distance of **34.63** feet to a point of curvature;

**Exhibit "A"**

Thence, **567.48** feet along the arc of a curve to the right which has a radius of **1,000.00** feet, a central angle of **32°30'51"**, a tangent of 291.61 feet, and a chord which bears South 02°19'18" East a distance of 559.90 feet to a point of tangency;

Thence, **South 13°56'07" West** a distance of **120.12** feet to a point of curvature;


Thence, **242.75** feet along the arc of a curve to the left which has a radius of **1,000.00** feet, a central angle of **13°54'31"**, a tangent of 121.98 feet, and a chord which bears South 06°58'52" West a distance of 242.16 feet to a point of tangency;

Thence, **South 00°01'36" West** a distance of **931.24** feet to **"TRUE POINT OF BEGINNING"** and containing in all **1,834,203 square feet** or **42.11 acres** of land more or less.

A Zoning Map dated February 15, 2008 accompanies this metes and bounds description.

016948  
02/15/2008  
PZRR22-00009



  
Ron R. Conde  
R.P.L.S. No. 5152

job 1207-76

**CONDE, INC.**  
**ENGINEERING / LAND SURVEYING / PLANNING**  
**1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283**

**016948**

**Exhibit "B"**

**Parcel 2 (R-5)**

Being a portion of Tracts 8, 9A, 9B1, and 9C,  
Laura E. Mundy Survey #238, and  
A portion of Tracts 5A, 5B, and 6,  
Laura E. Mundy Survey #237, and  
A portion of Nellie D. Mundy Survey #244,  
City of El Paso, El Paso County, Texas,  
February 15, 2008

CITY OF EL PASO  
COUNTY CLERK  
JAN 13 2008

**METES AND BOUNDS DESCRIPTION**

Description of a parcel of land being a portion of Tracts 8, 9A, 9B1, and 9C, Laura E. Mundy Survey #238, and a portion of Tracts 5A, 5B, and 6, Laura E. Mundy Survey #237, and a portion of Nellie D. Mundy Survey #244, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

The **"TRUE POINT OF BEGINNING"** being a found 2" pipe held for the southeast corner of Laura E. Mundy Survey #238 and the northeast corner of Nellie D. Mundy Survey #239, from which a found 1" pipe held for the southeast corner of Nellie D. Mundy Survey #239 bears South 00°00'02" West a distance of 4,100.21 feet, a found 1" pipe held for the northeast corner of Laura E. Mundy Survey #238 bears North 00°00'02" East a distance of 4,047.02 feet, and a found 1" pipe held for the northwest corner of Nellie D. Mundy Survey #244 bears North 00°00'02" East a distance of 4,790.13 feet;

Thence with the common line of Surveys #239 and 238, **North 89°59'58" West** a distance of **2,654.05** feet to a point;

Thence leaving said line, **North 00°01'36" East** a distance of **931.24** feet to a point of curvature;

Thence, **242.75** feet along the arc of a curve to the right which has a radius of **1,000.00** feet, a central angle of **13°54'31"**, a tangent of 121.98 feet, and a chord which bears North 06°58'52" East a distance of 242.16 feet to a point of tangency;

Thence, **North 13°56'07" East** a distance of **120.12** feet to a point of curvature;

Thence, **567.48** feet along the arc of a curve to the left which has a radius of **1,000.00** feet, a central angle of **32°30'51"**, a tangent of 291.61 feet, and a chord which bears North 02°19'18" West a distance of 559.90 feet to a point of tangency;

Thence, **North 18°34'44" West** a distance of **34.63** feet to a point of curvature;

Thence, **243.55** feet along the arc of a curve to the right which has a radius of **750.00** feet, a central angle of **18°36'21"**, a tangent of 122.86 feet, and a chord which bears North 09°16'33" West a distance of 242.48 feet to a point of tangency;

Thence, **North 00°01'37" East** a distance of **960.78** feet to a point at the south line of Tract 9B2;

Thence along a line common to said Tract 9B2 and Tract 9B1, **North 89°59'55" East** a distance of **1,065.94** feet to a point at the southeast corner of Tract 9B2;

Thence leaving said line, **South 00°00'05" East** a distance of **242.13** feet to a point;

Thence, **South 75°28'56" East** a distance of **1,226.61** feet to a point;

Thence, **North 14°31'04" East** a distance of **621.01** feet to a point of curvature;

**Exhibit "B"**

Thence, **878.36** feet along the arc of a curve to the left which has a radius of **1,250.00** feet, a central angle of **40°15'39"**, a tangent of 458.18 feet, and a chord which bears North 05°36'46" West a distance of 860.39 feet to a point of reverse curvature;

Thence, **3239.16** feet along the arc of a curve to the right which has a radius of **5,250.00** feet, a central angle of **35°21'02"**, a tangent of 1672.99 feet, and a chord which bears North 08°04'04" West a distance of 3188.03 feet to a point;

Thence, **South 89°59'59" East** a distance of **790.09** feet to a point at a line common to Laura E. Mundy Survey #237 and Nellie D. Mundy Survey #245;

Thence with said common line, **South 00°00'05" East** a distance of **2,354.76** feet to a found 1" pipe held for the northwest corner of Nellie D. Mundy Survey #244 and the southwest corner of Nellie D. Mundy Survey #245;

Thence with the common line of said Surveys #244 and #245, **North 89°59'36" East** a distance of **2,371.12** feet to a found 1 1/2" pipe held for the northeast corner of Nellie D. Mundy Survey #244;

Thence with the east line of said Survey #244, **South 00°00'19" West** a distance of **3,122.87** feet to a found 1" pipe held for the southeast corner of the northerly 170 acres of Nellie D. Mundy Survey #244 as referenced by that parcel described in Book 2354, Page 1678, recorded with the El Paso County Real Property Records;

Thence with the south line said parcel, **South 89°59'35" West** a distance of **2,370.86** feet to a point at a line common to Nellie D. Mundy Survey #244 and Laura E. Mundy Survey #238, from which a found 1 1/2" pipe bears North 89°59'35" East a distance of 0.23 feet;

Thence with said common line, **South 00°00'02" West** a distance of **1,667.24** feet to **"TRUE POINT OF BEGINNING"** and containing in all **17,578,546 square feet or 403.55 acres** of land more or less.

A Zoning Map dated February 15, 2008 accompanies this metes and bounds description.



Ron R. Conde  
R.P.L.S. No. 5152

job 1207-76

**CONDE, INC.**  
**ENGINEERING / LAND SURVEYING / PLANNING**  
**1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283**

**Exhibit "C"**

**Parcel 3 (RMU)**

Being a portion of Tracts 9A, 9B1, and 9B,  
Laura E. Mundy Survey #238, and  
a portion of Tracts 4B, 4B1, 5A, 5B, and 6,  
Laura E. Mundy Survey #237,  
City of El Paso, El Paso County, Texas,  
February 15, 2008

CITY CLERK  
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**METES AND BOUNDS DESCRIPTION**

Description of a parcel of land being a portion of Tracts 9A, 9B1, and 9B, Laura E. Mundy Survey #238, and a portion of Tracts 4B, 4B1, 5A, 5B, and 6, Laura E. Mundy Survey #237, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

The "TRUE POINT OF BEGINNING" being a found  $\frac{1}{2}$ " rebar with cap "TX 4869" at the northeast corner of Laura E. Mundy Survey #237 and the southeast corner of Laura E. Mundy Survey #234, from which a found 1" pipe held for the northwest corner of Nellie D. Mundy Survey #244 bears North  $00^{\circ}00'02''$  East a distance of 4,790.13 feet;

Thence with the east line of said Survey #237, **South  $00^{\circ}00'05''$  East** a distance of **875.00** feet to a point;

Thence leaving said survey line, **North  $89^{\circ}59'59''$  West** a distance of **790.09** feet to a point on a curve;

Thence, **3,239.16** feet along the arc of a curve to the left which has a radius of **5,250.00** feet, a central angle of  **$35^{\circ}21'02''$** , a tangent of 1672.99 feet, and a chord which bears South  $08^{\circ}04'04''$  East a distance of 3188.03 feet to a point of reverse curvature;

Thence, **878.36** feet along the arc of a curve to the right which has a radius of **1,250.00** feet, a central angle of  **$40^{\circ}15'39''$** , a tangent of 458.18 feet, and a chord which bears South  $05^{\circ}36'46''$  East a distance of 860.39 feet to a point of tangency;

Thence, **South  $14^{\circ}31'04''$  West** a distance of **621.01** feet to a point;

Thence, **North  $75^{\circ}28'56''$  West** a distance of **1,226.61** feet to a found  $\frac{1}{2}$ " rebar with cap "TX 2027" at the northeast corner of Tract 9B2 and the southeast corner of Tract 9B;

Thence along a line common to said Tracts 9B2 and Tract 9B, **North  $00^{\circ}00'05''$  West** a distance of **552.81** feet to a point;



**Exhibit "C"**

Thence leaving said line, **South 89°59'55" West** a distance of **1,000.78** feet to a point;

Thence, **North 00°01'37" East** a distance of **3,092.86** feet to a point;

Thence, **North 16°42'09" East** a distance of **348.49** feet to a point;

Thence, **North 00°01'37" East** a distance of **1,201.94** feet to a point at a line common to Laura E. Mundy Survey #237 and Laura E. Mundy Survey #234;

Thence with said common line, **North 89°59'55" East** a distance of **2,500.24** feet to **"TRUE POINT OF BEGINNING"** and containing in all **10,366,445** square feet or **237.98** acres of land more or less.

A Zoning Map dated February 15, 2008 accompanies this metes and bounds description.

OFFICE OF THE  
COUNTY CLERK  
EL PASO COUNTY  
140007 112006



job 1207-76

Ron R. Conde  
R.P.L.S. No. 5152

**CONDE, INC.**  
**ENGINEERING / LAND SURVEYING / PLANNING**  
**1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283**

**016948**

**Exhibit "D"**

**Parcel 4 (C-4)**

Being a portion of Tracts 9B,  
Laura E. Mundy Survey #238, and  
a portion of Tracts 4A, 4B, 4B1, and 6,  
Laura E. Mundy Survey #237,  
City of El Paso, El Paso County, Texas,  
February 15, 2008

**METES AND BOUNDS DESCRIPTION**

Description of a parcel of land being a portion of Tracts 9B, Laura E. Mundy Survey #238, and a portion of Tracts 4A, 4B, 4B1, and 6, Laura E. Mundy Survey #237, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at a found  $\frac{3}{4}$ " rebar with cap "TX 4869" at the northeast corner of Laura E. Mundy Survey #237 and the southeast corner of Laura E. Mundy Survey #234, from which a found 1" pipe held for the northwest corner of Nellie D. Mundy Survey #244 bears North  $00^{\circ}00'02''$  East a distance of 4,790.13 feet; Thence along a line common to Laura E. Mundy Survey #237 and Laura E. Mundy Survey #234, South  $89^{\circ}59'55''$  West a distance of 2,500.24 feet to the "TRUE POINT OF BEGINNING".

Thence leaving said line, South  $00^{\circ}01'37''$  West a distance of 1,201.94 feet to a point;

Thence, South  $16^{\circ}42'09''$  West a distance of 348.49 feet to a point;

Thence, South  $00^{\circ}01'37''$  West a distance of 3,092.86 feet to a point at a line common to Tracts 9B2 and Tract 9B;

Thence with said common line, South  $89^{\circ}59'55''$  West a distance of 624.42 feet to a point at the westerly right of way line of U.S. Highway No. 10;

Thence with said right of way, North  $00^{\circ}01'47''$  East a distance of 100.41 feet to a point;

Thence with said right of way, North  $07^{\circ}05'43''$  West a distance of 201.56 feet to a point;

Thence with said right of way, North  $00^{\circ}01'47''$  East a distance of 3,025.86 feet to a point;

Thence with said right of way, North  $45^{\circ}01'47''$  East a distance of 141.42 feet to a found 4"x 4" concrete TX.D.O.T right of way marker;

**Exhibit "D"**

Thence with said right of way, **South 89°58'13" East** a distance of **375.00** feet to a found 4"x 4" concrete TX.D.O.T right of way marker;

Thence with said right of way, **North 00°01'47" East** a distance of **550.15** feet to a found 4"x 4" concrete TX.D.O.T right of way marker;

Thence with said right of way, **North 89°58'13" West** a distance of **375.00** feet to a found 4"x 4" concrete TX.D.O.T right of way marker;

Thence with said right of way, **North 44°58'13" West** a distance of **141.42** feet to a found 4"x 4" concrete TX.D.O.T right of way marker;

Thence with said right of way, **North 00°01'47" East** a distance of **552.15** feet to a point at the intersection of said right of way line with the common line of Laura E. Mundy Survey #237 and Laura E. Mundy Survey #234;

Thence with said common line, **North 89°59'55" East** a distance of **749.20** feet to **"TRUE POINT OF BEGINNING"** and containing in all **2,865,943** square feet or **65.79** acres of land more or less.

A Zoning Map dated revised February 15, 2008 accompanies this metes and bounds description.

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job 1207-76

R R Conde  
R.P.L.S. No. 5152

CONDE, INC.  
ENGINEERING / LAND SURVEYING / PLANNING  
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

**016948**

**ENCHANTED HILLS  
MASTER ZONING PLAN**

3. To encourage the following: mixture of housing types and densities, greenie open space areas, provide multi-modal form of transportation (pedestrian friendly), mixed use (residential, office, commercial), and to provide form and continuity of building and street scopes.

The 2025 El Paso Comprehensive Plan designates this area as Mixed-Use and a portion as Industrial. The proposed Enchanted Hill Master Plan does not designate this area as Heavy Commercial, Industrial, then the Mixed Use area, transitioned to and Single Family as we move toward the Franklin Place Mountains.

	Proposed Land Use	Percent of Developable Acreage	Minimum Acreage	Minimum Building Footprint	Minimum Building Height	Setbacks	Buffer	Phase	Timing
1.00	Agricultural	n/a							
	Veterinary Treatment (Small)	n/a	1/2 Acre Minimum	50%	10' Front / 10' Side	25' Maximum	Landscape Only	10	10 years
2.00	Commercial Storage:	n/a							
	Self Storage	n/a	1/2 Acre Minimum	75%	n/a	25' Maximum	Landscape Only	10	10 years
3.00	Educational:	1%							
	Art Gallery	n/a	n/a	75%	n/a	45' Maximum	n/a	10	10 years
	Child Care Facility	n/a	1/2 Acre Minimum	50%	n/a	25' Maximum	n/a	5	5 years
	Church	n/a	1 Acre Minimum	50%	20' Front / 10' Side / 20' Rear	45' Maximum	Landscape Only	10	10 years
	Community Recreational Center	n/a	1 Acre Minimum	50%	n/a	45' Maximum	Landscape Only	10	10 years
	Library / Museum	n/a	1/2 Acre Minimum	75%	n/a	45' Maximum	n/a	10	10 years
	School	n/a	5 Acre Minimum	50%	20' Front / 10' Side / 20' Rear	45' Maximum	Landscape Only	10	10 years
4.00	Office	3%							
	Bank / ATM	n/a	1/2 Acre Minimum	75%	20' Rear	25' Maximum	Landscape Only	5	5 years
	Offices (Business, Medical, Professional)	n/a	n/a	75%	n/a	45' Maximum	n/a	5	5 years
	Studio (Dance/Music/Photography)	n/a	n/a	75%	n/a	45' Maximum	n/a	5	5 years
5.00	Medical	2%							
	Clinic	n/a	n/a	75%	n/a	25' Maximum	Landscape Only	10	10 years
	Drug Store/Pharmacy	n/a	n/a	75%	n/a	25' Maximum	Landscape Only	5	5 years

**POOR QUALITY ORIGINAL  
BEST AVAILABLE IMAGE**

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Exhibit "E"

ENCHANTED HILLS  
MASTER ZONING PLAN

Date: February 18, 2008

Proposed Land Use	Percent of Development	Density	Lot Size	Lot Coverage	Front Setback	Building Height	Buffer	Phase	Timing
Hospital		n/a	1 Acre Minimum	50%	20' Front / 10' Side / 20' Rear	45' Maximum	Landscape Only	10	10 years
Assisted Living (Elderly Care)			1 Acre Minimum	50%	n/a	25' Maximum	Landscape Only	5	5 years
Personal Services	2%								
Barber Shop/Beauty Salon		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Dry Cleaning		n/a	2,500 Sq. Ft.	75%	n/a	25' Maximum	n/a	5	5 years
Laundromat		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Shoe Shop/Repair		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Recreational	25%								
Athletic Facility		n/a	n/a	50%	n/a	45' Maximum	Landscape Only	5	5 years
Open Space		n/a	n/a	50%	n/a	n/a	n/a	1	1 years
Park		n/a			n/a	n/a	n/a	3	3 years
Racquetball Club		n/a	1 Acre Maximum	75%	10' Front / 10' Side / 20' Rear	45' Maximum	Landscape Only	10	10 years
Swimming Pool		n/a	2 Acre Maximum	75%	10' Front / 10' Side / 20' Rear	45' Maximum	Landscape Only	10	10 years
Tennis Club		n/a	4 Acre Maximum	75%	10' Front / 10' Side / 20' Rear	25' Maximum	Landscape Only	10	10 years
Residential	60%								
Apartment	(10%)	14 / Acres	n/a	75%	n/a	45' Maximum	n/a	1	1 year
Duplex	(6%)	6 / Acres	6,000 Sq. Ft. Minimum	50%	10' Front / 15' Rear	25' Maximum	n/a	1	1 year
Quadplex	(2%)	10 / Acres	8,000 Sq. Ft. Minimum	50%	10' Front / 15' Rear	25' Maximum	n/a	1	1 year
Single Family (Attached/Detached)	(40%)	14 / Acres	5,000 Sq. Ft. / 4,000 Sq. Ft. Minimum	50%	10' Front / 15' Rear	25' Maximum	n/a	1	1 year
Triplex	(2%)	8 / Acres	7,000 Sq. Ft. Minimum	50%	10' Front / 15' Rear	25' Maximum	n/a	1	1 year
Sales	7%								
Bakery		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Book Store		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Bedroom		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Convenience Store w/ Gas Pump		n/a	1/4 Acre Minimum	50%	10' Front / 10' Side / 20' Rear	25' Maximum	n/a	5	5 years
Delicatessen		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years

POOR QUALITY ORIGINAL  
BEST AVAILABLE IMAGE

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Exhibit "E"

ENCHANTED HILLS  
MASTER ZONING PLAN

Date: February 18, 2008

Proposed Land Use	Permitted Development	Density	Lot Size	Front Coverage	Yard Setbacks	Building Height	Buffer	Phase	Timing
Flower Shop		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Grocery		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Ice Cream Parlor		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Meditation		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Nursery (Green House)		n/a	1/2 Acre Minimum	25%	10' Front / 10' Side / 20' Rear	25' Maximum	n/a	5	5 years
Office Retail (Low Volume)		n/a	n/a	75%	n/a	25' Maximum	n/a	5	5 years
Package Liquor Store		n/a	n/a	50%	10' Front / 10' Side / 20' Rear	25' Maximum	n/a	5	5 years
Shopping Center Community		n/a	8 Acre Minimum			25' Maximum	Landscape Only	5	5 years
Towers									
Personal Services Wireless Facility (17 02-17 05)		n/a	n/a	n/a	n/a	n/a	Landscape Only	5	5 years
Utility & Miscellaneous		n/a	n/a						
Government Use Building		n/a	n/a	75%	n/a	25' Maximum	Landscape Only	5	5 years
Major Utility Facility		n/a	n/a	75%	n/a	25' Maximum	Landscape Only	5	5 years

Proposed mix of uses:

A. Residential/ Office/Retail: to include 13.0 (Single Family, Duplex and Triplex); 4.0 (Business office); 14.0 (other retail low volume, convenience store)

B. Multi-Family/ Office/ Commercial: to include 1.0, 2.0, 4.0, 6.0, 10.0, 13.0 (Apartment, and Quadplex); 14.0, 17.0, and 19.0

C. Educational/ Recreational/ Office/ Retail: to include 3.0, 11.0, 4.0 (Studio); 14.0 (book store, delicatessen, ice cream Parlor)

POOR QUALITY ORIGINAL  
BEST AVAILABLE IMAGE

016948

LO-2114 06-08-03  
L200-00000-0000

# ATTACHMENT 7

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

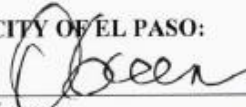
Rezoning Ordinance | PZRZ21-00024 | Northwestern | Hunter Foster | Enchanted Pass  
21-1007-2823 | 1133725 | EAS

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 Leiser  
Mayor

ATTEST:

  
  
Laura D. Frine  
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;

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FIRM NO. 10078100

Thence leaving said line, North  $86^{\circ}47'10''$  West a distance of 790.06 feet to a set  $\frac{1}{2}$ " 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  $35^{\circ}21'02''$ , a chord which bears South  $04^{\circ}51'15''$  East a distance of 3188.03 feet to a set  $\frac{1}{2}$ " 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  $40^{\circ}15'38''$ , a chord which bears South  $02^{\circ}23'56''$  East a distance of 860.39 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence, South  $17^{\circ}43'53''$  West a distance of 621.01 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence, North  $72^{\circ}16'07''$  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



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FIRM NO. 10078100

#### 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



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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



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FIRM NO. 10078100





## EXHIBIT B

SECTIONS ALL OF TRACTS B & C, S. 34, T. 50, R. 10E, 9E, LAUREA E. MUNDY SURVEY 233,  
ALL OF TRACTS 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4I, 4J, 4K, 4L, 4M, 4N, 4O, 4P, 4Q, 4R, 4S, 4T, 4U, 4V, 4W, 4X, 4Y, 4Z, LAUREA E. MUNDY SURVEY 237,  
AND A PORTION OF NEELAND D. MUNDY SURVEY 244  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

