

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

CONSENT AGENDA DATE: January 30, 2024

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

DISTRICT(S) AFFECTED: District 6

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

SUBGOAL: 3.2 Set one standard for infrastructure across the city

SUBJECT:

A Resolution approving a detailed site development plan for 229.7950 acre (10,009,868 square foot) Tract of land situated in the Ysleta Town Tract Survey, Abstract No. 214, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

Subject Property: 9641 North Loop Dr. and 215 Sofia Pl.

Applicant: Ivey Investments, LTD, PZDS23-00032

BACKGROUND / DISCUSSION:

The applicant is requesting approval of a Detailed Site Development Plan as required per Ordinance No. 19218, dated August 17, 2021, which requires City Plan Commission and City Council approval for development of general warehouses on the subject property. City Plan Commission recommended 7-0 to approve the proposed detailed site development plan on December 14, 2023. As of January 11, 2024, the Planning Division has not received any communication in support or opposition to the detailed site development plan request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES ___ NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division

SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD:

Philip Etiwe

RESOLUTION

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR 229.7950 ACRE (10,009,868 SQUARE FOOT) TRACT OF LAND SITUATED IN THE YSLETA TOWN TRACT SURVEY, ABSTRACT NO. 214, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.150. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

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

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

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

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

1. Pursuant to requirements, the City Council hereby approves the detailed site development plan submitted by the Applicant, to **permit industrials/warehouses** as required under the **C-4/sc/c (Commercial/special contract/conditions)** District as per Section **20.04.150**, on the following described property which is located in a **C-4/sc/c (Commercial/special contract/conditions)** District:

229.7950-acre (10,009,868 square foot) tract of land situated in the Ysleta Town Tract Survey, Abstract No. 214, City of El Paso, El Paso County, Texas, more particularly described by the metes and bounds attached as Exhibit "A".
2. A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as **Exhibit "B"** and incorporated herein by reference.
3. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **C-4/sc/c (Commercial/special contract/conditions)** District regulations.

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

APPROVED this _____ day of _____, 2024.

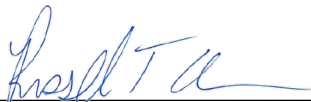
THE CITY OF EL PASO

Oscar Leoser
Mayor

ATTEST:

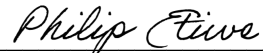
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Russell T. Abeln
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

(Agreement on following page)

DEVELOPMENT AGREEMENT

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

EXECUTED this 5th day of January, 2024.

IVEY INVESTMENTS, LTD.

By: Ben L. Ivey

ACKNOWLEDGMENT

THE STATE OF TEXAS)

COUNTY OF EL PASO)

This instrument is acknowledged before me on this 5th day of January, 2024, by Ben L. Ivey, in his legal capacity on behalf of Ivey Investments, LTD.

Maggielyn Marie Paul
Notary Public, State of Texas

My Commission Expires:

March 22, 2026

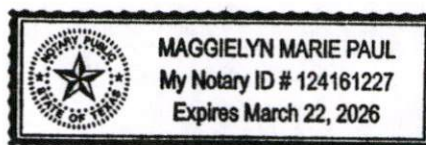


EXHIBIT “A”
Metes and Bounds

LEGAL DESCRIPTION

229.7950 ACRE ZONING AREA

BEING a 229.7950 acre (10,009,868 square foot) tract of land situated in the Ysleta Town Tract Survey, Abstract No. 214, City of El Paso, El Paso, County, Texas; said tract being part of Lots 1 & 2, Block 2, A & M Addition, an addition to the City of El Paso according to the plat recorded in Volume 45, Page 10 of the Official Public Records of El Paso County, Texas; said tract being part of that tract of land described in Assumption Special Warranty Deed to Ben L. Ivey, Ltd. recorded in Instrument No. 20020012761 of said Official Public Records; said tract also being all of that tract of land described in Assumption Special Warranty Deed to Ben L. Ivey, Ltd. recorded in Instrument No. 20020012760 of said Official Public Records; said tract also being part of Parcel 1 and all of Parcel 2 described in Deed of Trust recorded in Instrument No. 20190062708 of said Official Public Records; said tract being more particularly described as follows:

COMMENCING at a 5/8-inch iron rod found at the intersection of the east right-of-way line of Americas Avenue (Loop 375) (a 370-foot wide right-of-way) and the north line of Mesa Drain recorded in Volume 317, Page 477 of said Official Public Records; said point also being the west corner of that tract of land described in Warranty Deed to Ben L. Ivey, Ltd. recorded in Instrument No. 20120046828 of said Official Public Records;

THENCE South 37°12'57" East, departing the said east line of Americas Avenue and along the north line of Mesa Drain, a distance of 379.60 feet to the **POINT OF BEGINNING**; from said point a brass disk stamped "CoEP" found bears South 16°48'26" West, a distance of 535.26 feet;

THENCE North 41°14'16" East, departing the said north line of Mesa Drain, a distance of 2990.68 feet to a point for corner;

THENCE South 48°46'05" East, a distance of 542.74 feet to a 1/2-inch iron rod found for corner;

THENCE North 69°31'53" East, a distance of 35.50 feet to a point for corner;

THENCE South 39°10'54" East, a distance of 2425.70 feet to a point for corner;

THENCE South 20°12'12" East, a distance of 10.24 feet to a point for corner;

THENCE South 42°39'53" East, a distance of 283.70 feet to a point for corner;

THENCE South 78°39'25" East, a distance of 64.10 feet to a point for corner;

THENCE South 40°48'35" West, a distance of 1006.06 feet to a point at the beginning of a non-tangent curve to the right having a central angle of 36°29'50", a radius of 1255.01 feet, a chord bearing and distance of North 51°58'51" West, 785.99 feet;

ZONING EXHIBIT
229.7950 ACRE TRACT
YSLETA TOWN TRACT SURVEY,
ABSTRACT NO. 214
CITY OF EL PASO
EL PASO COUNTY, TEXAS

Kimley»Horn

801 Cherry Street, Unit 11, # 1300
Fort Worth, Texas 76102 FIRM # 10194040

Tel. No. (817) 335-6511
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MCB	KHA	2/10/2021	061282625	1 OF 5

THENCE in a northwesterly direction, with said curve to the right, an arc distance of 799.44 feet to a point for corner;

THENCE North 33°43'56" West, a distance of 1190.01 feet to a point for corner;

THENCE South 56°16'04" West, a distance of 120.00 feet to a point for corner;

THENCE South 33°43'56" East, a distance of 1190.01 feet to a point at the beginning of a tangent curve to the left having a central angle of 34°35'09", a radius of 1375.01 feet, a chord bearing and distance of South 51°01'30" East, 817.46 feet;

THENCE in a southeasterly direction, with said curve to the left, an arc distance of 830.01 feet to a point for corner;

THENCE South 40°48'35" West, a distance of 2195.17 feet to a point for corner in the said north line of Mesa Drain;

THENCE North 36°35'12" West, along the said north line of Mesa Drain, a distance of 3050.18 feet to a point for corner in the east right-of-way line of Camino Del Rey Drive (a 56-foot wide right-of-way);

THENCE along the said east line of Camino Del Rey Drive, the following four (4) calls:

North 52°10'59" East, a distance of 95.11 feet to a point for corner;

North 53°19'44" East, a distance of 143.35 feet to a point at the beginning of a tangent curve to the left having a central angle of 12°06'10", a radius of 1378.00 feet, a chord bearing and distance of North 47°16'39" East, 290.54 feet;

In a northeasterly direction, with said curve to the left, an arc distance of 291.08 feet to a point for corner;

North 41°13'34" East, a distance of 518.64 feet to a "v" cut in concrete found for the west corner of Rancho Del Rey Unit One, an addition to the City of El Paso according to the plat recorded in Instrument No. 20130079760 of said Official Public Records;

THENCE South 34°57'39" East, along the southwest line of said Rancho Del Rey Unit One, a distance of 393.84 feet to a 5/8-inch iron rod with "ROE EXGEO LC" cap found for the south corner of said Rancho Del Rey Unit One;

THENCE North 41°13'43" East, along the southeast line of said Rancho Del Rey Unit One, a distance of 544.73 feet to a 5/8-inch iron rod found for the east corner of said Rancho Del Rey Unit One;

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N/A	MCB	KHA	2/10/2021	061282625	2 OF 5

THENCE North 48°46'26" West, along the northeast line of said Rancho Del Rey Unit One, a distance of 438.47 feet to a point for the northwest terminus corner of said Camino Del Rey Drive;

THENCE along the west line of said Camino Del Rey Drive, the following four (4) calls:

South 41°13'34" West, a distance of 969.35 feet to a point at the beginning of a tangent curve to the right having a central angle of 12°06'10", a radius of 1322.00 feet, a chord bearing and distance of South 47°16'39" West, 278.73 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 279.25 feet to a point for corner;

South 53°19'44" West, a distance of 143.35 feet to a point for corner;

THENCE South 54°28'29" West, a distance of 95.03 feet to a point for corner in the said north line of Mesa Drain;

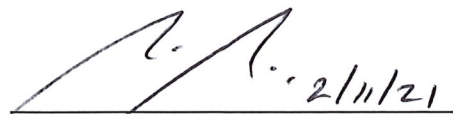
THENCE North 37°12'57" West, along the said north line of Mesa Drain, a distance of 288.78 feet to the **POINT OF BEGINNING** and containing 229.7950 acres or 10,009,868 square feet of land, more or less.

NOTES

Bearing system based on the Texas Coordinate System of 1983(2011 adjustment), Central Zone (4203). A survey plat of even survey date herewith accompanies this metes & bounds description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the zoning tract.

ZONING EXHIBIT
229.7950 ACRE TRACT
YSLETA TOWN TRACT SURVEY,
ABSTRACT NO. 214
CITY OF EL PASO
EL PASO COUNTY, TEXAS


MICHAEL C. BILLINGSLEY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6558
801 CHERRY STREET,
UNIT 11 SUITE 1300
FORT WORTH, TEXAS 76102
PH. 817-335-6511
michael.billingsley@kimley-horn.com

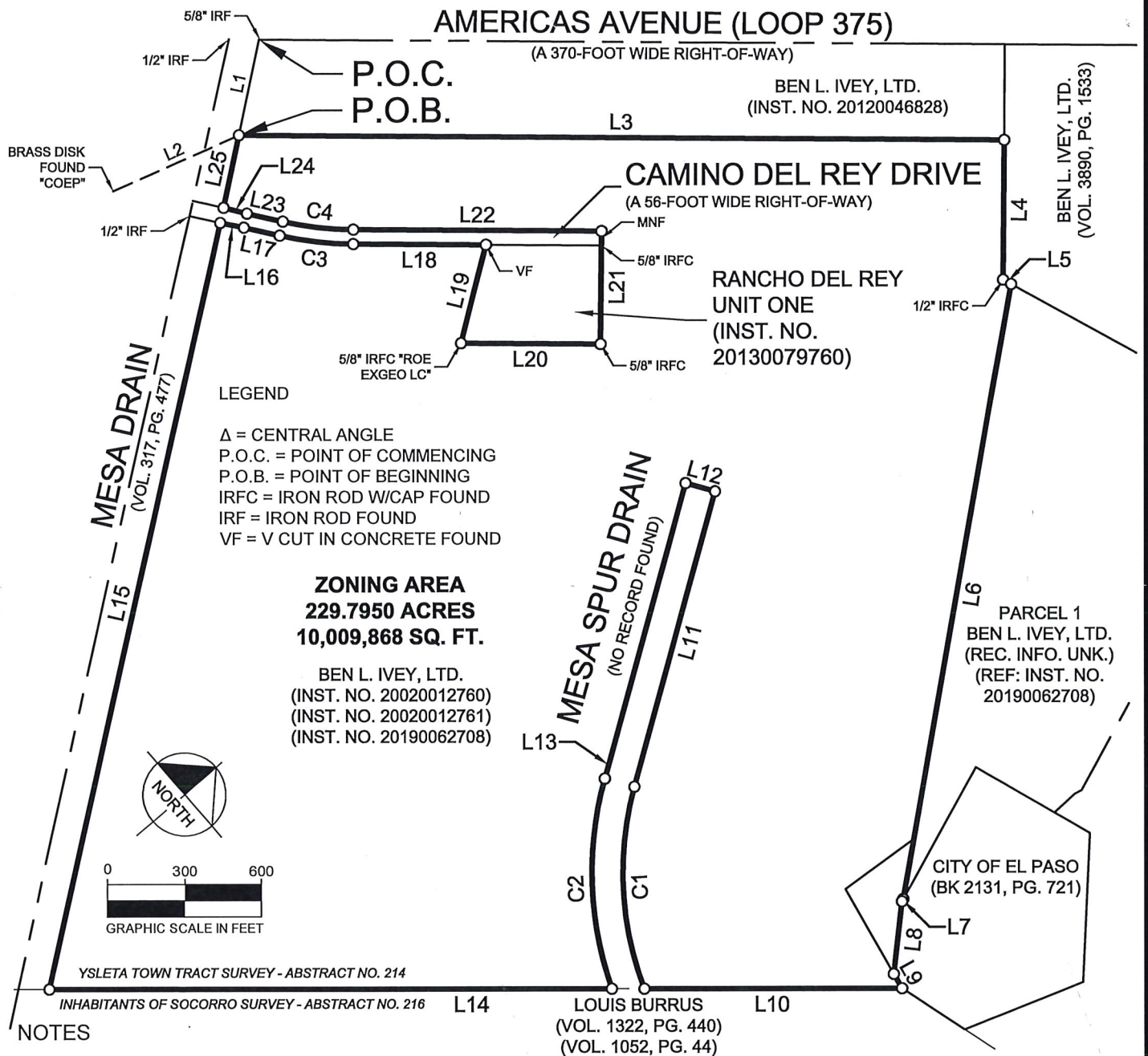


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2/11/21

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 600'	MCB	KHA	2/10/2021	061282625	4 OF 5

LINE TABLE		
NO.	BEARING	LENGTH
L1	S37°12'57"E	379.60'
L2	S16°48'26"W	535.26'
L3	N41°14'16"E	2990.68'
L4	S48°46'05"E	542.74'
L5	N69°31'53"E	35.50'
L6	S39°10'54"E	2425.70'
L7	S20°12'12"E	10.24'
L8	S42°39'53"E	283.70'
L9	S78°39'25"E	64.10'
L10	S40°48'35"W	1006.06'
L11	N33°43'56"W	1190.01'
L12	S56°16'04"W	120.00'
L13	S33°43'56"E	1190.01'
L14	S40°48'35"W	2195.17'
L15	N36°35'12"W	3050.18'
L16	N52°10'59"E	95.11'
L17	N53°19'44"E	143.35'
L18	N41°13'34"E	518.64'
L19	S34°57'39"E	393.84'
L20	N41°13'43"E	544.73'
L21	N48°46'26"W	438.47'
L22	S41°13'34"W	969.35'
L23	S53°19'44"W	143.35'
L24	S54°28'29"W	95.03'
L25	N37°12'57"W	288.78'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	36°29'50"	1255.01'	799.44'	N51°58'51"W	785.99'
C2	34°35'09"	1375.01'	830.01'	S51°01'30"E	817.46'
C3	12°06'10"	1378.00'	291.08'	N47°16'39"E	290.54'
C4	12°06'10"	1322.00'	279.25'	S47°16'39"W	278.73'

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N/A	MCB	KHA	2/10/2021	061282625	5 OF 5

EXHIBIT “B”
Detailed Site Plan



January 8, 2024

DocuSigned by:
Ben L. Ince
9B942F542C6B4DE

EXECUTIVE SECRETARY, CITY PLAN COMMISSION

CIVIL ENGINEER/APPLICANT

KIMLEY-HORN AND ASSOCIATES, INC.
260 EAST DAVIS STREET, SUITE 100
MCKINNEY, TEXAS 75069
CONTACT: HUGO MORALES, P.E.
PHONE: (817) 339-2294

SITE PLAN

240.6190 ACRES OUT OF
SECTION 42, YSLETA TRACT,
ABSTRACT NO. 214

SITE PLAN

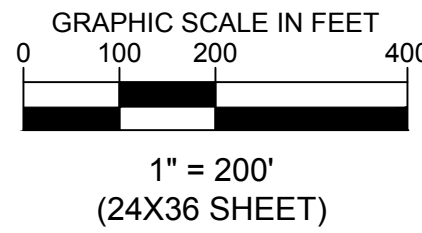
SHEET NUMBER

EXHIBIT

LOT	LOT AREA	BUILDING AREA	OFFICE AREA	PARKING REQUIRED	PARKING REQUIRED	PARKING PROVIDED	TRUCK PROVIDED	LANDSCAPE REQUIRED	LANDSCAPE PROVIDED	ADA PARKING REQUIRED	ADA PARKING PROVIDED
ID	(Acres)	(Sq. Ft.)	(Sq. Ft.)	MIN	MAX			(Sq. Ft.)	(Sq. Ft.)		
LOT 2, BLOCK 3	27.52	450,870	100,000	222	320	273	114	112,185	321,356	7	8
LOT 2, BLOCK 2	32.48	450,870	70,000	174	251	219	105	144,594	566,065	6	8
LOT 3, BLOCK 3	52.52	1,041,600	150,000	384	553	485	247	186,926	445,389	9	10
LOT 1, BLOCK 2	17.72	207,480	60,000	125	179	172	27	84,660	286,383	6	7
LOT 1, BLOCK 4	3.75	42,840	15,000	30	43	39	8	18,077	65,057	2	2
LOT 1, BLOCK 5	8.82	187,200	40,000	90	129	114	0	29,550	77,579	5	5
64' ROW	4.37	-	-	-	-	0	-	-	-	-	-
TOTAL	147.18	2,380,860	435,000	1,025	1,477	1,302	501	575,992	1,761,828	35	40

PARKING CALCULATION NOTE:
PARKING REQUIRED AT 1/576 SF OFFICE PLUS 1/7200 SF WAREHOUSE FOR MINIMUM AND
1/400SF OFFICE PLUS 1/5000 SF FOR WAREHOUSE MAXIMUM

BICYCLE PARKING- FUTURE PHASE			
LOT ID	PARKING REQUIRED	BICYCLE PARKING REQUIRED	BICYCLE PARKING PROVIDED
LOT 1, BLOCK 2	222	9	10
LOT 3, BLOCK 2	174	6	6
LOT 4, BLOCK 2	384	17	18
LOT 5, BLOCK 2	125	4	4
LOT 1, BLOCK 3	30	3	4
LOT 2, BLOCK 3	90	3	4



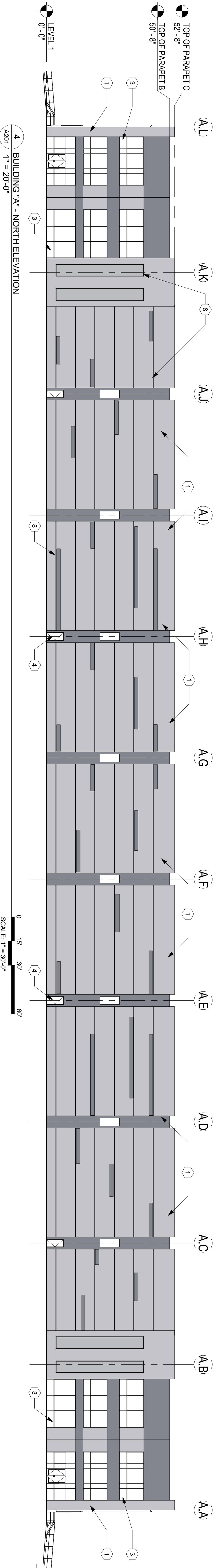
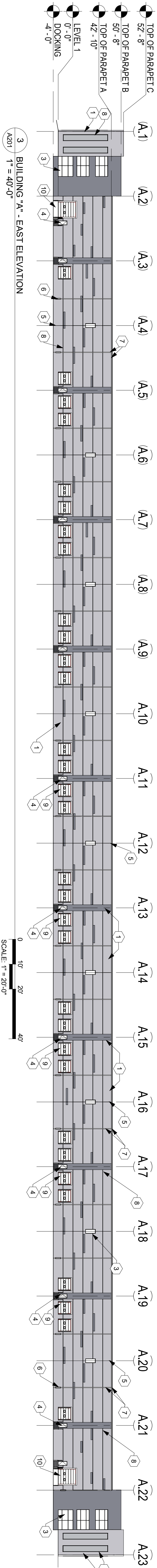
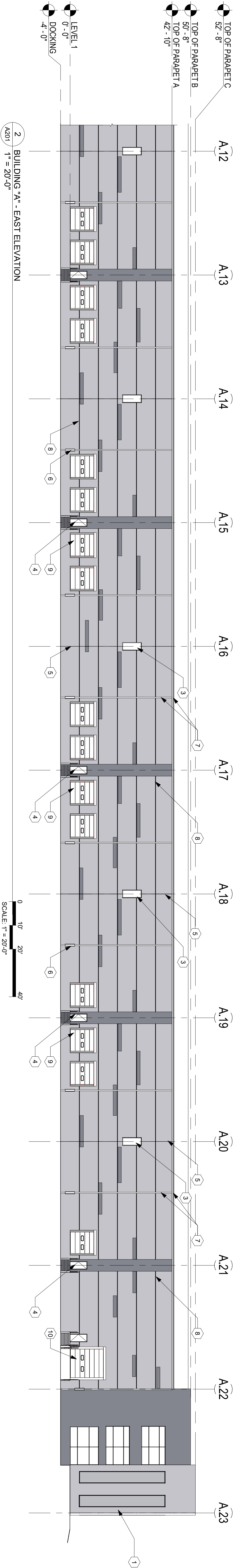
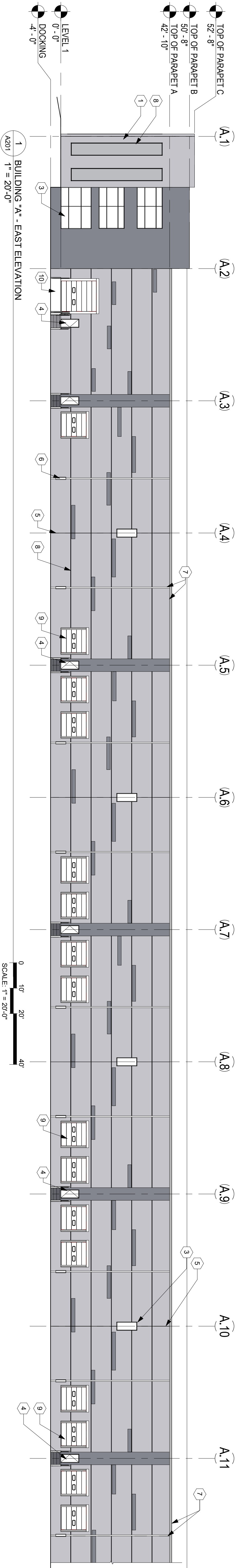
GENERAL NOTES

1. FRONT BUILDING SETBACK:
 - WHERE COMMERCIAL OR INDUSTRIAL ZONED PROPERTY FRONTS A STREET, THERE SHALL BE A MINIMUM 10 FT. BUILDING SETBACK WHICH SHALL BE LANDSCAPED AND MAINTAINED WHERE COMMERCIAL OR INDUSTRIAL ZONED PROPERTY ABUTS OR IS ADJACENT TO OR FACES A R ZONE. THERE SHALL BE A MINIMUM 10 FT. BUILDING SETBACK, WHICH SHALL BE LANDSCAPED AND MAINTAINED.
2. SIDE BUILDING SETBACK:
 - WHERE COMMERCIAL OR INDUSTRIAL ZONE PROPERTY SIDE ABUTS A STREET, THERE SHALL BE A SIDE YARD NOT LESS THAN 10 FT. ABUTTING THE STREET, WHICH SHALL BE LANDSCAPED AND MAINTAINED.
 - WHERE THE SIDE OR REAR LOT LINE OF COMMERCIAL OR INDUSTRIAL PROPERTY ABUTS ANY R ZONE AND THERE IS NO INTERVENING ALLEY, THERE SHALL BE A SIDE YARD NOT LESS THAN TEN FEET. THERE SHALL BE A REAR YARD NOT HIGH SOLID MASONRY WALL ERECTED AND MAINTAINED ALONG THE SIDE LOT LINE ABUTTING ANY R ZONE; PROVIDED, HOWEVER, THE REAR YARD SHALL BE A MINIMUM TEN FEET FROM THE BUILDING LINE OF THE R ZONE TO THE FRONT LOT LINE ANY STREET FRONTAGE.
3. REAR BUILDING SETBACK:
 - WHERE COMMERCIAL INDUSTRIAL ZONE PROPERTY REARS UPON A STREET, THERE SHALL BE A REAR-BUILDING SETBACK OF NOT LESS THAN TEN FEET, WHICH SHALL BE LANDSCAPED AND MAINTAINED.
 - WHERE THE REAR LOT LINE ABUTS ANY R ZONE AND THERE IS NO INTERVENING ALLEY, THERE SHALL BE A BUILDING SETBACK OF NOT LESS THAN TEN FEET. THERE SHALL BE A REAR HIGH SOLID MASONRY WALL BE ERECTED AND MAINTAINED ALONG THE REAR LOT LINE ABUTTING ANY R ZONE; PROVIDED, HOWEVER, THE REAR HIGH SOLID MASONRY WALL SHALL BE A MINIMUM TEN FEET FROM THE REAR LOT HIGH WITHIN THE TEN FEET CLOSEST TO A STREET.

1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED. PERIMETER WALL DIMENSIONS SHALL BE 6 FT MEASURED FROM THE HIGH LOW SIDE.
2. A 6" MASONRY WALL SHALL BE INSTALLED ALONG THE SOUTHWESTERLY PROPERTY LINE ADJACENT TO THE MESA DRAIN. 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 FOR ANY BUILDING OR SUBSEQUENT LOCALIZATION OF THE 100 FOOT LINE OF THE SOUTHWESTERLY PROPERTY LINE.
3. A 20 FT. LANDSCAPED BUFFER BE INSTALLED ALONG THE PROPERTY LINES ADJACENT TO THE EXISTING NURSING HOME DRIVE AND ANDERSON DRIVE. THE 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 FOR ANY BUILDING OR SUBSEQUENT LOCALIZATION OF THE 100 FOOT LINE OF THE SOUTHWESTERLY PROPERTY LINE.
4. DRIVEWAYS TO AMERICAS AVENUE WILL REQUIRE TxDOT APPROVAL.
5. A 6" MASONRY WALL ALONG THE SOUTHWESTERLY PROPERTY LINE ADJACENT TO THE MESA DRAIN BE INSTALLED PRIOR TO THE ISSUANCE OF ANY CERTIFICATES OF OCCUPANCY FOR ANY BUILDING OR SUBSEQUENT LOCALIZATION OF THE 100 FOOT LINE OF THE SOUTHWESTERLY PROPERTY LINE.
6. PRIOR TO THE ISSUANCE OF BUILDING PERMITS A DETAILED SITE DEVELOPMENT PLAN SHALL BE SUBMITTED AND APPROVED BY THE CITY ENGINEER COMMISSION AND THE CITY COUNCIL OF THE CITY OF EL PASO.
7. PRIOR TO THE ISSUANCE OF CERTIFICATES OF OCCUPANCY, A DRIVE SHALL BE INSTALLED ALONG THE SOUTHWESTERLY MOST ACCESS WAY AND CAMINO DEL RAY.

KEYNOTES-EXTERIOR ELEVATION

- 1 SITE CAST CONCRETE WITH TEXTURED THERMOPLASTIC PAINT
- 2 NOT USED
- 3 ALUMINUM STOREFRONT SCHEDULED
- 4 INSULATED GLAZED UNIT GLAZED AS SCHEDULED
- 5 1/2" PANEL JOINT (TYP)
- 6 PROVIDE 4" TALL L-SHAPED ALUMINUM ANGLE TO PROTECT JOINT 2 FT ABOVE PAVEMENT.
- 7 PRE-FINISHED METAL GUTTER & DOWNSPOUT
- 8 BRICK (TYP)
- 9 8" X 16" MANHOLE OVERHEAD DOOR AS SCHEDULED
- 10 1/2" X 1/4" MOTOR OPERATED DOOR AS SCHEDULED



WDG | ARCHITECTS ENGINEERS
14100 SAN PEDRO AVE, SUITE 560
SAN ANTONIO, TX 78232
PHONE (210) 903-0630
FAX (504) 754-5275

THESE PRELIMINARY DRAWINGS INDICATE THE GENERAL SCOPE OF PROJECT AND DESIGN CONCEPT. THEY DO NOT REPRESENT A FINAL PERFORMANCE OF THE FINAL CONTRACT DOCUMENTS AND MAY NOT BE USED FOR CONSTRUCTION.

DUSTIN TIERNEY/ENR 4/22/22



PHASE 1
RANCHO DEL REY LOGISTICS PARK
EL PASO, TEXAS

THE DESIGN CONCEPTS REPRESENTED IN THIS PROJECT INFORMATION CONTAINED HEREIN IS THE SOLE PROPERTY OF WDG ARCHITECTS. TO ANY OTHER DOCUMENTS, USED FOR ANY OTHER PURPOSE OR BE COVERED TO THIRD PARTY ARCHITECTS ENGINEERS.

MARK	DATE	DESCRIPTION
SHEET	ISSUED: 11/19/23	
WDG PROJECT NO.	23-082	
© 2023 BY:	WDG ARCHITECTS ENGINEERS, LLC.	
SHEET TITLE:	BUILDING 'A' EXTERIOR ELEVATIONS	

SHEET NUMBER:

A201

9641 North Loop and 215 Sofia

City Plan Commission — December 14, 2023

SITE PLAN

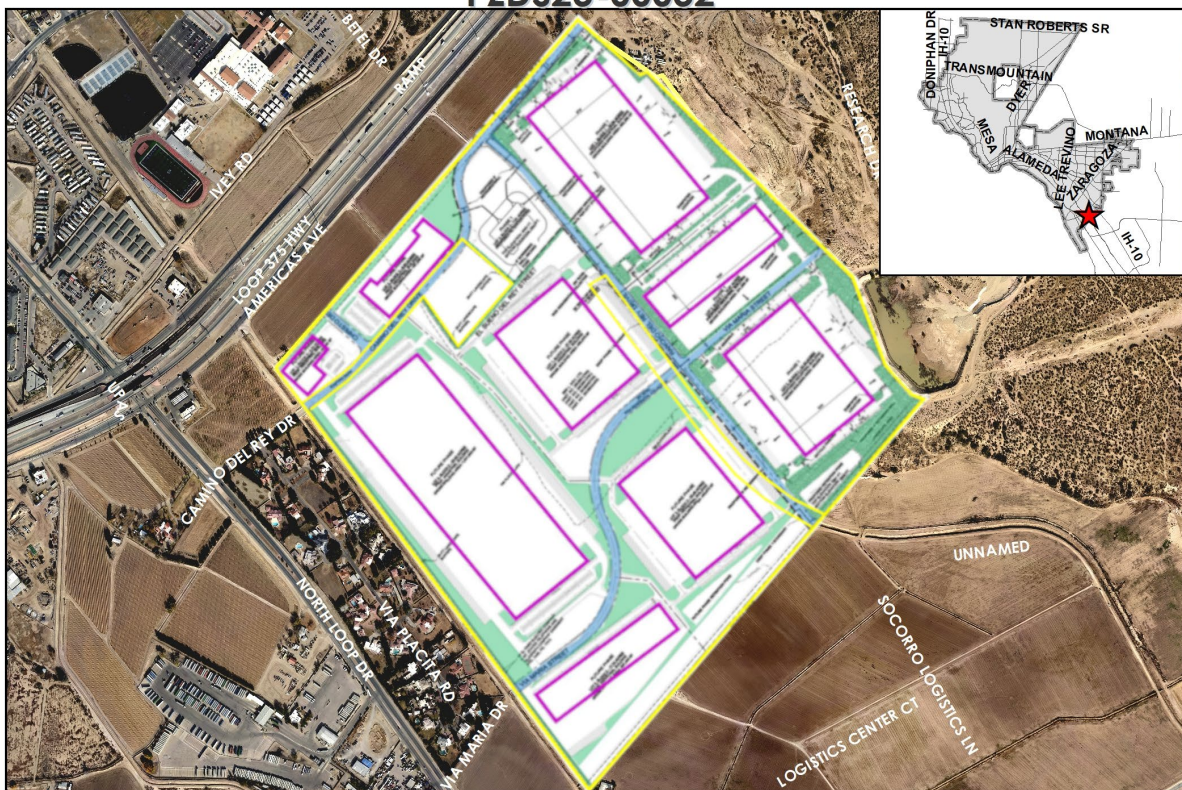


CASE NUMBER: PZDS23-00032
CASE MANAGER: Andrew Salloum, (915) 212-1603, SalloumAM@elpasotexas.gov
PROPERTY OWNER: Ivey Investments, LTD
REPRESENTATIVE: Kimley-Horn and Associates, Inc. c/o Hugo Morales
LOCATION: 9641 North Loop Dr. and 215 Sofia Pl. (District 6)
PROPERTY AREA: 229.80 acres
REQUEST: Detailed Site Development Plan Approval per Ordinance No. 19218
RELATED APPLICATIONS: None
PUBLIC INPUT: None as of December 7, 2023

SUMMARY OF REQUEST: The request is for approval of a Detailed Site Development Plan as required per Ordinance No. 19218, dated August 17, 2021, which requires City Plan Commission and City Council approval for development of general warehouses on the subject property.

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

PZDS23-00032



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



Subject Property

0 285 570 1,140 1,710 2,280 Feet



Figure A. Site Plan Superimposed on Aerial Imagery

DESCRIPTION OF REQUEST: The applicant is requesting approval of a Detailed Site Development Plan as required per Ordinance No. 19218, dated August 17, 2021 which requires City Plan Commission and City Council approval. The size of the property is 229.80 acres. The detailed site development plan shows three (3) buildings, 652,080 square feet, 241,800 square feet, and 483,930 square feet, respectively, and maximum building height of 52 feet 8 inches for Phase One. Phase One development will have parking spaces for 770 vehicles including 21 accessible spaces and 21 bicycles spaces. Phase One development also will have parking spaces for 313 heavy trucks. Two main ponding areas and multiple landscape areas will be located on-site. Additionally, the detailed site development plan shows six (6) buildings with sizes ranging from 42,840 square feet to 1,041,600 square feet, and maximum building height of 53 feet for the future phases. The future development will have parking spaces for 1,302 vehicles including 40 accessible spaces and 46 bicycles spaces. The future development also will have parking spaces for 501 heavy trucks. The proposed site plan complies with all applicable standards in C-4 (Commercial) district, landscape, parking, and drainage requirements per City Code. Access will be provided from Americas Avenue and North Loop Avenue.

PREVIOUS CASE HISTORY: On August 17, 2021, City Council approved a rezoning of the subject property from A-2/sc (Apartment/special contract) to C-4/sc (Commercial/special contract) with the following zoning conditions imposed by Ordinance No. 19218:

1. *That a twenty-foot (20') landscaped buffer be installed with high-profile native or naturalized trees of at least two-inch (2") caliper, ten feet (10') in height, and shall be placed at fifteen feet (15') on center along the southwesterly property line adjacent to the Mesa Drain. 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 for any buildings or development located within 1000 feet of the southwesterly property line.*
2. *That a twenty-foot (20') landscaped buffer be installed with high-profile native or naturalized trees of at least two-inch (2") caliper, ten feet (10') in height, and shall be placed at fifteen feet (15') on center along the property lines adjacent to the existing nursing home facility. 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.*
3. *That a six-foot (6) masonry wall along the southwesterly property line adjacent to the Mesa Drain be installed prior to certificates of occupancy for any buildings or development located within 1000 feet of the southwesterly property line.*
4. *Prior to the issuance of building permits a detailed site development plan shall be submitted and approved as per the El Paso City Code*
5. *That prior to the issuance of certificate of occupancy, a 4-way stop be installed at the intersection of the southwestern most access way and Camino Del Rey.*

Note: All conditions are being satisfied by this request as shown on the detailed site development plan.

On May 1, 1979, City Council approved a rezoning of the subject property from R-F (Ranch and Farm) to A-2 (Apartment) with the following special contract conditions imposed by Ordinance No. 6567:

1. *No development of any kind will be done on any parcel of the property until complete and detailed site development and architectural plans of the proposed development on such parcel have been submitted by First Parties and approved by the City Plan Commission of the City of El Paso.*
2. *No building permits will be issued for construction on parcel numbers 6B, 7A, 7B, 8B and 11B in Exhibit "A" attached hereto, until a subdivision map of the parcel upon which construction is to be performed has been approved by the City Plan Commission of the City of El Paso and filed for record.*
3. *The total number of dwelling units to be constructed on the portions of the property which are zoned A-2 and are described as parcel number 6B, 7B, 8B, and 11B in Exhibit "A" attached hereto, shall not exceed 1500 units, notwithstanding the maximum number permitted under A-2 zoning. The term "dwelling unit" as used herein shall mean: one or more habitable rooms, including kitchen facilities, designed for occupancy by one family for living and sleeping purposes.*

Note: Special contract condition #1 will be satisfied by required detailed site development plan. Special contract condition #2 will be satisfied by requirement for subdivision plat. Special contract condition #3 will not apply since the proposed development does not include any dwelling units.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed development is permitted by right in C-4 (Commercial) district and consistent with the surrounding heavy commercial districts in the immediate area, and meets the established character of the neighborhood surrounding the subject property. Furthermore, the proposed development meets the intent of the G-7, Industrial and/or Railyards designation of *Plan El Paso* in the Mission Valley planning area. The nearest school is Del Valle High School 0.93 miles away and the nearest park is Feather Lake Park which is 0.63 miles away.

COMPLIANCE WITH THE ZONING ORDINANCE – When evaluating whether a proposed Detailed Site Development Plan is in accordance with the Zoning Ordinance, consider following factors:	
Criteria	Does the Request Comply?
El Paso City Code Section 20.04.140 – When Required. Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.	Yes. Per Ordinance No. 19218 dated August 17, 2021, the property owner must obtain Detailed Site Development Plan approval by the City Plan Commission and City Council prior to the issuance of any building permits.
Compatibility with Zoning Regulations: The zoning district permits the proposed use, and all applicable regulations are met C-4 (Commercial) District: The purpose of this district is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities. Within the central business district, more intensive commercial uses are allowed, the predominant of which are retail trade and service uses, providing less restrictive height and area regulations.	Yes. The subject property will have a proposed use of general warehouses which are permitted by right in the C-4 (Commercial) zone district.
THE PROPOSED ZONING DISTRICT’S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.	None. The subject property is not located within any Historic District nor any other special designation areas.
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the detailed site development plan.	None. There are no anticipated adverse impacts from the approval of the Detailed Site Development Plan request.
Natural Environment: Anticipated effects on the natural environment.	None. The subject property does not involve greenfield or environmentally sensitive land or arroyo disturbance.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property borders Americas Avenue and North Loop Drive which are designated as freeway and major arterial respectively, as per the City of El Paso's Major Thoroughfare Plan (MTP) and are adequate to serve the proposed development. Additionally, Camino del Rey Drive and Via Maria Drive, which are designed as collector and minor arterial respectively as per the Major Thoroughfare Plan (MTP), will be extended through this development. The nearest bus stop is located approximately 1.03 miles from the subject property. Access is proposed from Americas Drive and North Loop Drive.

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

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

CITY PLAN COMMISSION OPTIONS:

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

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

ATTACHMENTS:

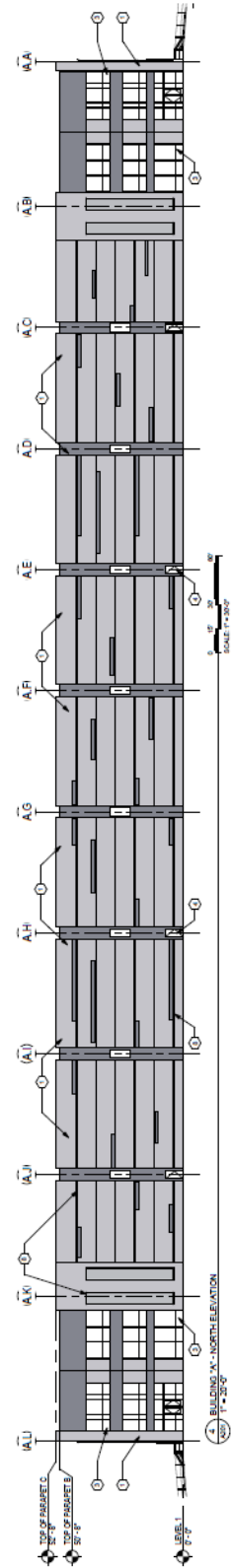
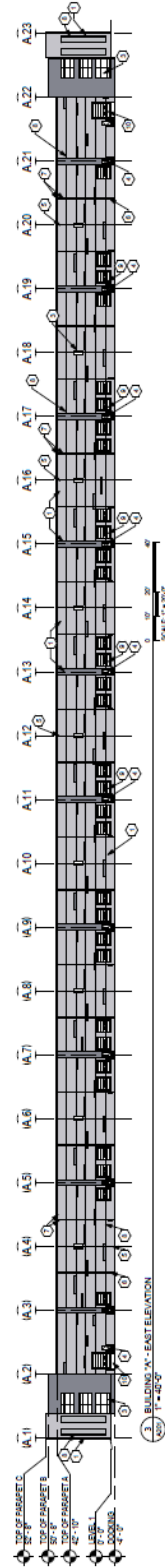
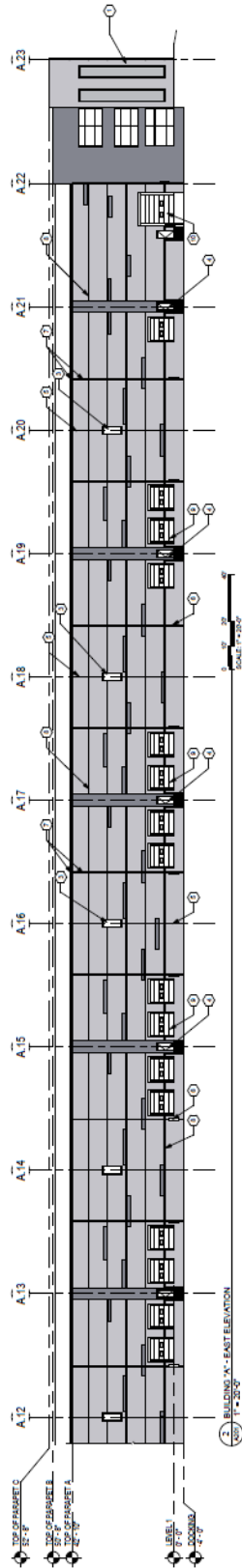
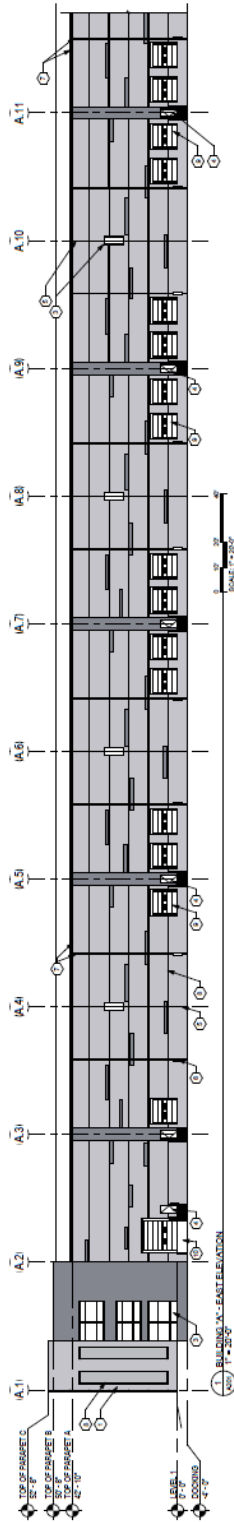
1. Zoning Map
2. Detailed Site Plan
3. Elevations
4. Ordinance No. 6567
5. Ordinance No. 19218
6. Department Comments

ATTACHMENT 1



ATTACHMENT 3

- 1. 100% PLAN
- 2. 100% ELEVATION
- 3. 100% ELEVATION
- 4. 100% ELEVATION



ATTACHMENT 4

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AN ORDINANCE CHANGING THE ZONING OF TRACTS 1A AND 2, O. A. DANIELSON SURVEY #314; PORTION OF TRACT 1B1, O. A. DANIELSON SURVEY #314 AND PORTION OF TRACT 3B, BLOCK 56, YSLETA GRANT; LOT 1, BLOCK 1, A & M ADDITION; PORTION OF LOTS 1 AND 2, BLOCK 2, A & M ADDITION, AND PORTION OF TRACTS 2B AND 2C, BLOCK 1, YSLETA GRANT; PORTION OF LOTS 1 AND 2, BLOCK 2, A & M ADDITION AND PORTION OF TRACTS 1A AND 2A, BLOCK 1, AND TRACT 1B, BLOCK 2, YSLETA GRANT; PORTION OF TRACTS 2A, 2B, AND 2C, BLOCK 1, YSLETA GRANT; PORTION OF TRACT 2A, BLOCK 1, YSLETA GRANT; PORTION OF TRACTS 1A AND 2A, BLOCK 1, AND ALL OF TRACTS 4A AND 5, BLOCK 2, YSLETA GRANT; PORTION OF TRACT 2A, BLOCK 1, YSLETA GRANT; TRACTS 7B AND 8F, BLOCK 2, YSLETA GRANT, THE PENALTY BEING AS PROVIDED IN SECTION 25-10 OF THE EL PASO CITY CODE

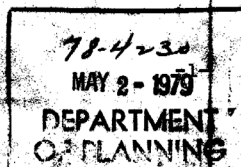
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of Tracts 1A and 2, O. A. Danielson Survey #314; a portion of Tract 1B1, O. A. Danielson Survey #314 and a portion of Tract 3B, Block 56, Ysleta Grant; Lot 1, Block 1, A & M Addition; portion of Lots 1 and 2, Block 2, A & M Addition, and a portion of Tracts 2B and 2C, Block 1, Ysleta Grant; portion of Lots 1 and 2, Block 2, A & M Addition and a portion of Tracts 1A and 2A, Block 1, and Tract 1B, Block 2, Ysleta Grant; portion of Tracts 2A, 2B and 2C, Block 1, Ysleta Grant; portion of Tract 2A, Block 1, Ysleta Grant; portion of Tracts 1A and 2A, Block 1, and all of Tracts 4A and 5, Block 2, Ysleta Grant; portion of Tract 2A, Block 1, Ysleta Grant; Tracts 7B and 8F, Block 2, Ysleta Grant, as more particularly described below, be changed to A-2 (Apartment), A-O (Apartment Professional Office), C-3 (Commercial) and C-4 (Commercial) within the meaning of the zoning ordinance, and the zoning map of the City of El Paso be revised accordingly.

Parcel 1 from R-3 (Residential) to C-4 (Commercial)

116.872 acres of land consisting of Tracts 1A and 2, O. A. Danielson Survey No. 314, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

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Beginning at the most northerly common corner of O. A. Danielson Surveys No. 314 and 315;

THENCE along the westerly boundary of said Survey No. 315, South 00°33'11" East a distance of 1111.95 feet to the TRUE POINT OF BEGINNING of this description;

THENCE continuing along the westerly boundary of said Survey No. 315, South 00°33'11" East a distance of 1966.34 feet to a point on the northeasterly right-of-way line of Interstate 10;

THENCE along the northeasterly right-of-way line of Interstate 10 the following seven courses:

South 87°03'22" West a distance of 378.44 feet,
North 68°35'33" West a distance of 86.18 feet,
North 44°01'40" West a distance of 1364.19 feet,
North 45°48'09" East a distance of 49.84 feet,
North 44°00'33" West a distance of 719.56 feet,
North 42°49'14" West a distance of 469.81 feet,
North 41°36'00" West a distance of 1603.87 feet to
its intersection with the north boundary of said Survey
No. 314;

THENCE along the north boundary of said Survey No. 314
North 89°59'59" East a distance of 2141.48 feet to a point;

THENCE along the southwesterly property line of Tract 1D,
O. A. Danielson Survey No. 314, South 43°55'53" East a
distance of 1559.57 feet to the TRUE POINT OF BEGINNING.

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Parcel 3, from C-1 (Commercial) to C-1 (Commercial)

47.789 acres of land consisting of a portion of Tract
1B1, O. A. Danielson Survey No. 314 and a portion of
Tract 1A, Block 56, Ysleta Grant, City of El Paso, El
Paso County, Texas and being more fully described by
metes and bounds as follows:

Beginning at a point on the northeasterly boundary of
the Ysleta Grant for the most easterly common corner of
Tracts 3A and 3B of said Block 56;

THENCE along the common boundary between said Survey No.
314 and Block 56, Ysleta Grant, South 41°31'00" East a
distance of 960.67 feet to the TRUE POINT OF BEGINNING
of this description;

THENCE along the westerly right-of-way line of the inter-
section of Interstate 10 and Americas Avenue, South 02°
43'41" East a distance of 556.66 feet to a point;

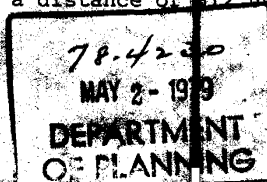
THENCE along the northwesterly right-of-way line of the
Americas Avenue, the following four courses:

South 17°33'01" West a distance of 64.18 feet,
South 38°09'29" West a distance of 399.37 feet,
South 38°09'35" West a distance of 400.14 feet,
South 38°10'05" West a distance of 1503.10 feet
to a point;

THENCE North 06°49'55" West a distance of 312.00 feet to
a point;

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THENCE North 37°42'05" East a distance of 113.16 feet to a point;

THENCE North 16°05'02" East a distance of 258.72 feet to a point;

THENCE North 15°59'23" East a distance of 491.10 feet to a point on the southwesterly right-of-way line of Interstate 10;

THENCE South 44°42'25" East a distance of 701.24 feet to a point;

THENCE continuing along the southwesterly right-of-way line of Interstate 10, South 33°09'58" East a distance of 147.30 feet to a point;

THENCE along the westerly right-of-way line of the intersection of Interstate 10 and Americas Avenue South 02°43'41" East a distance of 270.88 feet to the TRUE POINT OF BEGINNING.

Parcel 5, from F-R (Farm Ranch) to C-3 (Commercial)

Lot 1, Block 1, A & M Addition, City of El Paso, El Paso County, Texas containing 7.862 acres.

Parcel 6A from F-R (Farm Ranch) to C-3 (Commercial)

Being the description of 47.375 acres of land consisting of a portion of Lot 1 and Lot 2, Block 2, A & M Addition and a portion of Tract 2B and 2C, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas and being more particularly described by notes and bounds as follows:

Beginning at a point, said point being the intersection of the easterly right-of-way line of Americas Avenue with the curb return of the southerly right-of-way line of A & M Circle;

THENCE along said southerly right-of-way line 31.42 feet along the arc of a curve to the right and having a radius of 20.00 feet, a central angle of 90°00'00" and a chord which bears North 83°06'15" East a distance of 28.28 feet to a point;

THENCE the following two courses along said right-of-way line;

South 51°53'45" East a distance of 597.36 feet to a point for a curve;
35.52 feet along the arc of a curve to the right having a radius of 30.00 feet, a central angle of 67°50'45", and a chord which bears South 17°58'23" East a distance of 23.48 feet to a point lying on the westerly right-of-way line of Research Drive,

THENCE the following three courses along said right-of-way line;

South 15°57'00" West a distance of 211.83 feet to a point for a curve;

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307.16 feet along the arc of a curve to the left, having a radius of 445.00 feet, a central angle of 39°32'54" and a chord which bears South 03°49'27" East a distance of 301.10 feet to a point; South 23°35'54" East a distance of 688.80 feet to a point;

THENCE South 66°24'06" West a distance of 1220.59 feet to a point;

THENCE North 51°53'45" West a distance of 954.09 feet to a point lying on the easterly right-of-way line of Americas Avenue;

THENCE North 38°06'15" East along said right-of-way line a distance of 1820.15 feet to the POINT OF BEGINNING.

Parcels 6B and (7B), from F-1 (Farm Ranch) to A-2 (Apartment)

290.929 acres of land, consisting of a portion of Lot 1 and 2, Block 2, A & M Addition, a portion of Tract 1A and Tract 2A, Block 1, and Tract 1B, Block 2, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at the common corner of Block 1 and 56, Ysleta Grant with Block 5 of the Socorro Grant;

THENCE South 37°46'16" West along the common line of Block 1, Ysleta Grant with Block 5, Socorro Grant a distance of 3330.36 feet to a point lying on the northerly right-of-way line of the Mesa Drain;

THENCE North 39°44'00" West along said right-of-way line a distance of 3397.05 feet to a point;

THENCE North 38°06'15" East a distance of 2987.70 feet to a point;

THENCE South 51°53'45" East a distance of 547.17 feet to a point;

THENCE North 66°24'06" East a distance of 1220.59 feet to a point lying on the southerly right-of-way line of Research Drive;

THENCE South 23°35'54" East along said right-of-way line a distance of 1594.29 feet to a point;

THENCE North 66°24'06" East a distance of 45.00 feet to a point lying on the centerline of said Research Drive;

THENCE South 49°36'56" East a distance of 720.64 feet to a point;

THENCE South 15°57'00" West a distance of 496.74 feet to a point;

THENCE South 70°57'00" West a distance of 289.17 feet to the POINT OF BEGINNING of this description.

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Parcel 7A, from F-R (Farm Ranch) to A-O (Apartment Professional Office)

27.500 acres of land consisting of portions of Tracts 2A, 2B and 2C, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at the intersection of the northerly right-of-way line of Mesa Drain with the easterly right-of-way line of Americas Avenue;

THENCE North 38°06'15" East along the easterly right-of-way line of Americas Avenue a distance of 900.00 feet to a point;

THENCE South 51°53'45" East a distance of 106.92 feet to a point;

THENCE South 38°06'15" West a distance of 987.70 feet to a point lying on the northerly right-of-way line of the Mesa Drain;

THENCE North 39°44'00" West a distance of 116.26 feet to the POINT OF BEGINNING of this description.

Parcel 8A from F-R (Farm Ranch) to C-3 (Commercial)

10.000 acres of land consisting of a portion of Tract 2A, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at the point of intersection of northerly right-of-way line of North Loop Road and the easterly right-of-way line of Americas Avenue;

THENCE along the easterly right-of-way line of Americas Avenue the following two courses:

North 50°58'37" East a distance of 501.60 feet;
North 38°08'13" East a distance of 267.61 feet
to a point lying on the southerly right-of-way line of Mesa Drain;

THENCE South 39°44'00" East along said right-of-way line a distance of 559.40 feet to a point;

THENCE South 38°08'15" West a distance of 121.40 feet to a point lying on the northerly right-of-way line of North Loop Road;

THENCE North 44°29'00" West along said right-of-way line a distance of 664.32 feet to the POINT OF BEGINNING.

Parcel 8B, from F-R (Farm Ranch) to A-2 (Apartment)

36.632 acres of land consisting of portions of Tracts 1A and 2A, Block 1, and all of Tracts 4A and 5, Block 2, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

South 42°16'15" West a distance of 399.36 feet,
South 50°51'10" West a distance of 395.75 feet
to a point,

THENCE along the northeasterly right-of-way line of North
Loop Road North 44°29'00" West a distance of 220.98 feet
to the POINT OF BEGINNING.

Parcel 11B, from F-R (Farm Ranch) to A-2 (Apartment)

5.969 acres of land consisting of Tracts 7B and 8F,
block 2, Ysleta Grant, City of El Paso, El Paso County,
Texas and being more fully described by metes and bounds
as follows:

Beginning at the point of intersection of the southwesterly
right-of-way line of North Loop Road and the southeasterly
right-of-way line of Americas Avenue;

THENCE along the southwesterly right-of-way line of
North Loop Road South 44°29'00" East a distance of
519.00 feet to the TRUE POINT OF BEGINNING of this
description;

THENCE continuing along the southwesterly right-of-way
line of North Loop Road South 44°29'00" East a distance
of 433.40 feet to a point,

THENCE along the westerly property line of Tracts 8D and
7A of said Block 2 South 32°13'00" West a distance of
387.10 feet to a point;

THENCE along the northerly property line of Tract 7A,
North 81°10'30" West a distance of 283.50 feet to a point;

THENCE along the northerly property line of Tract 3B the
following two courses:

North 64°16'00" West a distance of 204.18 feet,
North 47°53'00" West a distance of 110.10 feet
to a point;

THENCE along the northeasterly property line of Tract 11A,
North 02°41'00" West a distance of 167.20 feet to a point;

THENCE along the southerly property line of Tract 8A the
following three courses:

South 52°26'00" East a distance of 160.00 feet,
South 84°48'18" East a distance of 199.13 feet,
North 30°31'00" East a distance of 400.00 feet

to the TRUE POINT OF BEGINNING.

PASSED AND APPROVED this 1st day of May, 1979.

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney

I CERTIFY THAT THE FOLLOWING ZONING MAP
HAS BEEN REVISED:
5-14-79 COUNTER
5-14-79 ORIGINAL
5-14-79 CONTROL
I certify that the zoning map has been revised to
reflect the amendment of ordinance #6567
Date 5-14-79

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Beginning at the common southeasterly corner of Block 1 and 2, Ysleta Grant, which also lies on the northwesterly boundary of Block 5, Socorro Grant;

THENCE along the southerly boundary of said Block 1, North 88°05'00" West a distance of 366.46 feet to a point;

THENCE along the southwesterly right-of-way line of Mesa Drain North 39°40'00" West a distance of 62.70 feet to the TRUE POINT OF BEGINNING of this description;

THENCE South 32°02'00" West a distance of 688.44 feet to a point;

THENCE along the northerly right-of-way line of North Loop Road North 38°15'59" West a distance of 606.04 feet to a point;

THENCE around the boundary of Tract 4B, Block 2, Ysleta Grant, the following three courses:

North 70°23'11" East a distance of 201.49 feet,
North 63°35'02" West a distance of 204.97 feet,
South 32°29'00" West a distance of 103.35 feet
to a point;

THENCE along the northerly right-of-way line of North Loop Road North 38°15'59" West a distance of 601.70 feet to a point;

THENCE continuing along the northerly right-of-way line of North Loop Road North 44°29'00" West a distance of 1077.84 feet to a point;

THENCE North 38°08'15" East a distance of 721.40 feet to a point lying on the southerly right-of-way line of Mesa Drain;

THENCE along the southerly right-of-way line of Mesa Drain, South 39°44'00" East a distance of 2487.5 feet to the TRUE POINT OF BEGINNING.

C-1

Parcel 9, from E-R (Farm Ranch) to C-3 (Commercial)

5.588 acres of land, being a portion of Tract 2A, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at the most westerly corner of said Tract 2A, being also the intersection of the northeasterly right-of-way line of North Loop Road and the southeasterly right-of-way line of Bryan Road;

THENCE along the southeasterly right-of-way line of Bryan Road, North 36°47'00" East a distance of 124.31 feet to a point;

THENCE along the southeasterly right-of-way line of Mesa Drain, South 39°44'00" East a distance of 362.18 feet to a point;

THENCE along the northwesterly right-of-way line of Americas Avenue, the following two courses:

6567

76-4230

CONTRACT

THIS CONTRACT, made this 26th day of April, 1979, by and between IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, First Parties, and the CITY OF EL PASO, Second Party, witnesseth:

First Parties have applied to the City of El Paso for rezoning of certain property located in the City and County of El Paso, State of Texas, such property being more particularly described in Ordinance No. 6567, now pending before the City Council of the City of El Paso, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference. To remove certain objections to such rezoning, First Parties covenant that if the property is rezoned as indicated in the attached ordinance, it shall be subject to the following restrictions, conditions and covenants:

1. No development of any kind will be done on any parcel of the property until complete and detailed site development and architectural plans of the proposed development on such parcel have been submitted by First Parties and approved by the City Plan Commission of the City of El Paso.
2. No building permits will be issued for construction on parcel numbers 6B, 7A, 7B, 8B and 11B in Exhibit "A" attached hereto, until a subdivision map of the parcel upon which construction is to be performed has been approved by the City Plan Commission of the City of El Paso and filed for record.
3. The total number of dwelling units to be constructed on the portions of the property which are zoned A-2 and are described as parcel numbers 6B, 7B, 8B and 11B in Exhibit "A" attached hereto, shall not exceed 1500 units, notwithstanding the maximum number permitted under A-2 zoning. The term "dwelling unit" as used herein shall mean one or more habitable rooms, including kitchen facilities, designed for occupancy by one family for living and sleeping purposes.

71-4230
MAY 2 - 1979
DEPARTMENT
OF PLANNING

RESOLUTION

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

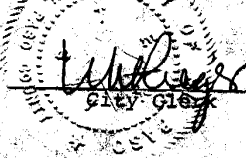
That the Mayor be authorized to sign a contract with Ivy Investments, Ltd and Davis Holdman, placing certain restrictions, conditions and covenants on the property being rezoned by Ordinance No. 657.

ADOPTED this 15 day of May, 1979.



Mayor V. T. Ten

ATTEST:


City Clerk

78-4230
MAY 9 - 1979
DEPARTMENT
OF PLANNING

THE STATE OF TEXAS)
COUNTY OF EL PASO)

BEFORE ME, the undersigned authority, on this day personally appeared JOHN P. IVEY, General Partner of IVEY INVESTMENTS, LTD., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act of of said partnership, for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 26th day of April, 1979.

Guadalupe Rico
Notary Public in and for
El Paso County, Texas

THE STATE OF TEXAS)
COUNTY OF EL PASO)

GUADALUPE RICO, Notary Public
in and for El Paso County, Texas
My commission expires Oct 27 1980

BEFORE ME, the undersigned authority, on this day personally appeared DAVIS HOLDMAN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 26th day of April, 1979.

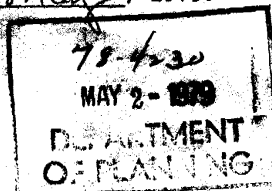
Guadalupe Rico
Notary Public in and for
El Paso County, Texas

GUADALUPE RICO, Notary Public
in and for El Paso County, Texas
My commission expires Oct 27 1980

THE STATE OF TEXAS)
COUNTY OF EL PASO)

BEFORE ME, the undersigned authority, on this day personally appeared Dan M. Ponder, Mayor Pro Tem of the City of El Paso, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that he had executed the same for the purposes and consideration and in the capacity therein expressed, and as the act and deed of the City of El Paso.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 1st day of May, 1979.



Dan M. Ponder
Notary Public in and for
El Paso County, Texas

Thence, along said northerly proposed right-of-way line, North $51^{\circ}01'03.50''$ East, a distance of 396.68 feet to a point of deflection;

Thence, along said northerly proposed right-of-way line, North $42^{\circ}26'08.50''$ East, a distance of 401.01 feet to a point on the westerly right-of-way line of Mesa Drain;

Thence, along said westerly right-of-way line of Mesa Drain, South $39^{\circ}44'00''$ East, a distance of 35.13 feet to a point on the northerly existing right-of-way line of Loop 375;

Thence, along said northerly existing right-of-way line, South $42^{\circ}26'08.50''$ West, a distance of 399.60 feet to a point of deflection;

Thence, along said northerly existing right-of-way line, South $51^{\circ}01'03.50''$ West, a distance of 395.95 feet to a point on the easterly right-of-way line of F.M. Highway 76 and to the true point of beginning, containing an area of 0.640 of an acre of land, more or less.

It is expressly agreed and understood that this is a partial release and the same shall in no wise release, affect or impair said contract against any other property in said instrument mentioned.

WITNESS THE FOLLOWING SIGNATURES AND SEAL:



Mayor

APPROVED AS TO FORM:

Cherise Cullen-Ganney
Assistant City Attorney

APPROVED AS TO CONTENT:

Ruby Vandy
Department of Planning,
Research and Development

SIGNATURES CONTINUED ON NEXT PAGE

6567

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

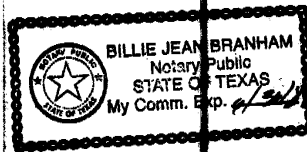
This instrument was acknowledged before me on this 7th
day of April, 1987, by JONATHAN W. ROGERS, as
Mayor of the City of El Paso, Texas.

My Commission Expires:

6/30/88

TCG1:012

Billie Jean Branham
Notary Public, State of Texas



66517

CONTRACT

THIS CONTRACT, made this 26th day of April, 1979, by and between IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, First Parties, and the CITY OF EL PASO, Second Party, witnesseth:

First Parties have applied to the City of El Paso for rezoning of certain property located in the City and County of El Paso, State of Texas, such property being more particularly described in Ordinance No. 6567, now pending before the City Council of the City of El Paso, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference. To remove certain objections to such rezoning, First Parties covenant that if the property is rezoned as indicated in the attached ordinance, it shall be subject to the following restrictions, conditions and covenants:

1. No development of any kind will be done on any parcel of the property until complete and detailed site development architectural plans of the proposed development on such parcel have been submitted by First Parties and approved by the City Plan Commission of the City of El Paso.
2. No building permits will be issued for construction on parcel numbers 6B, 7A, 7B, 8B and 11B in Exhibit "A" attached hereto, until a subdivision map of the parcel upon which construction is to be performed has been approved by the City Plan Commission of the City of El Paso and filed for record.
3. The total number of dwelling units to be constructed on the portions of the property which are zoned A-2 and are described as parcel numbers 6B, 7A, 8B and 11B in Exhibit "A" attached hereto, shall not exceed 1500 units, notwithstanding the maximum number permitted under A-2 zoning. The term "dwelling unit" as used herein shall mean: one or more habitable rooms, including kitchen facilities, designed for occupancy by one family for living and sleeping purposes.

989-400

STATE OF TEXAS)
COUNTY OF EL PASO)

PARTIAL RELEASE

This Partial Release of Contract is executed this 21st day of May, 1991, by the CITY OF EL PASO, witness:

WHEREAS, by Contract dated April 26, 1979, recorded in Volume 989, Page 900, Real Property Records of El Paso County, Texas, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference, IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, and the CITY OF EL PASO, entered into a contract in connection with the rezoning of property more particularly described in Ordinance No. 6567, which placed certain restrictions, conditions and covenants on such property; and

WHEREAS, Exhibit "A" was amended by a contract amendment on January 31, 1989, a copy of which is attached hereto, marked Exhibit "B" and made a part hereof by reference, and

WHEREAS, the City of El Paso now desires to release a parcel of the property described in the April 26, 1979 contract and the January 31, 1989 contract amendment, if applicable, from the contract conditions because the parcel is being acquired for the widening of North Loop Road;

NOW, THEREFORE, the City of El Paso hereby releases the following described parcel from the restrictions, conditions and covenants contained in the above-referenced contract and contract amendment, which are attached hereto as Exhibit "A" and Exhibit "B":

Parcel No. 210: a 0.231 acre parcel of land, more or less, out of a portion of Tract 2D, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas, being more

Case # 78-4230
Contract Amend 1-31-89

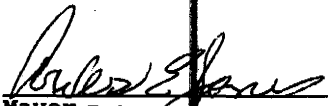
Partial Release 5-21-91

particularly described by metes and bounds in Attachment 1, which is attached hereto, and made a part hereof for all purposes,

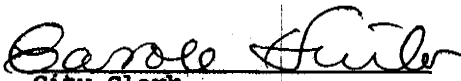
It is expressly agreed and understood that this is a Partial Release and the same shall in no wise release, affect or impair the April 26, 1979 contract and January 31, 1989 contract amendment against any other property which is described in Exhibit "A" and Exhibit "B".

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

THE CITY OF EL PASO


Mayor ~~PAC-154~~

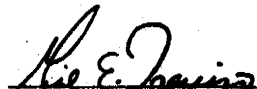
ATTEST:


City Clerk

APPROVED AS TO FORM:


Assistant City Attorney

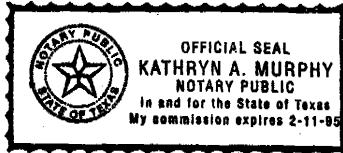
APPROVED AS TO CONTENT:


Department of Planning,
Research and Development

(Acknowledgement On Following Page)

STATE OF TXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 24th day
of May, 1991, by SUZANNE S. LEAR, as Mayor of the
City of El Paso. ARVES E. JONES PR-TEM



Kathryn A. Murphy
Notary Public, State of Texas
Notary's Name Printed:
Notary's Commission Expires:

TCG4/PARCE216.REL

RESOLUTION

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

That the Mayor be authorized to execute a Partial Release whereby the CITY OF EL PASO releases Parcel No. 210 from the April 26, 1979 contract, between the CITY OF EL PASO and IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, whereby certain restrictions, conditions and covenants were placed on a portion of Tract 2D, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas.

ADOPTED this 21 day of May, 1991.

Mayor *Stephen*

ATTEST:

Barbara Hunter
City Clerk

APPROVED AS TO FORM:

Charles William Gentry
Assistant City Attorney

TCG4/PARCE210.RES

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

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

WITNESS the following signatures and seal:

IVEY INVESTMENTS, L.P., a Texas
limited partnership

By:

John P. Ivey
John P. Ivey, General Partner

Davis Holliman
Davis Holliman

THE CITY OF EL PASO

By:

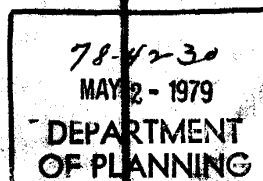
Mayor
Mayor

ATTEST:

City Clerk
City Clerk

APPROVED AS TO FORM:

City Attorney
City Attorney



South 42°16'15" West a distance of 390.36 feet,
South 50°51'10" West a distance of 396.75 feet
to a point,

THENCE along the northeasterly right-of-way line of North
Loop Road North 44°29'00" West a distance of 220.98 feet
to the POINT OF BEGINNING.

Parcel 115, from F-R (Farm Ranch) to A-2 (Apartment)

5.969 acres of land consisting of Tracts 7B and 8F,
block 2, Ysleta Grant, City of El Paso, El Paso County,
Texas and being more fully described by metes and bounds
as follows:

Beginning at the point of intersection of the southwesterly
right-of-way line of North Loop Road and the southeasterly
right-of-way line of Americas Avenue;

THENCE along the southwesterly right-of-way line of
North Loop Road South 44°29'00" East a distance of
519.00 feet to the TRUE POINT OF BEGINNING of this
description;

THENCE continuing along the southwesterly right-of-way
line of North Loop Road South 44°29'00" East a distance
of 433.40 feet to a point,

THENCE along the westerly property line of Tracts 8D and
7A of said Block 2 South 32°13'00" West a distance of
387.10 feet to a point;

THENCE along the northerly property line of Tract 7A,
North 81°10'30" West a distance of 283.50 feet to a point;

THENCE along the northerly property line of Tract 3B the
following two courses:

North 64°16'00" West a distance of 284.18 feet,
North 47°53'00" West a distance of 110.10 feet
to a point;

THENCE along the northeasterly property line of Tract 11A,
North 02°41'00" West a distance of 167.20 feet to a point;

THENCE along the southerly property line of Tract 8A the
following three courses:

South 52°26'00" East a distance of 160.00 feet,
South 84°48'18" East a distance of 199.13 feet,
North 30°31'00" East a distance of 400.00 feet

to the TRUE POINT OF BEGINNING.

PASSED AND APPROVED this 15th day of May, 1979.

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney

I CERTIFY THAT THE FOLLOWING ZONING MAP

HAVE BEEN REVERSED

5-14-79

COUNTY

ORIGINAL

5-14-79

CONTROL

I certify that the zoning map has been revised to

reflect the amendment of ordinance #6567

by City Council

Date 5-14-79

STATE OF TEXAS)
COUNTY OF EL PASO)

PARTIAL RELEASE

This Partial Release of Contract is executed this 21st day of May, 1991, by the CITY OF EL PASO, witness:

WHEREAS, by Contract dated April 26, 1979, recorded in Volume 989, Page 900, Real Property Records of El Paso County, Texas, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference, IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, and the CITY OF EL PASO, entered into a contract in connection with the rezoning of property more particularly described in Ordinance No. 6567, which placed certain restrictions, conditions and covenants on such property; and

WHEREAS, Exhibit "A" was amended by a contract amendment on January 31, 1989, a copy of which is attached hereto, marked Exhibit "B" and made a part hereof by reference, and

WHEREAS, the City of El Paso now desires to release a parcel of the property described in the April 26, 1979 contract and the January 31, 1989 contract amendment, if applicable, from the contract conditions because the parcel is being acquired for the widening of North Loop Road;

NOW, THEREFORE, the City of El Paso hereby releases the following described parcel from the restrictions, conditions and covenants contained in the above-referenced contract and contract amendment, which are attached hereto as Exhibit "A" and Exhibit "B":

Parcel No. 210: a 0.231 acre parcel of land, more or less, out of a portion of Tract 2D, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas, being more

Case # 78-4230
Contract Amend 1-31-89


Partial Release 5-21-91

particularly described by metes and bounds in Attachment 1, which is attached hereto and made a part hereof for all purposes,

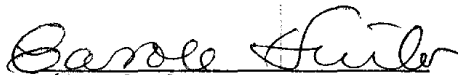
It is expressly agreed and understood that this is a Partial Release and the same shall in no wise release, affect or impair the April 26, 1979 contract and January 31, 1989 contract amendment against any other property which is described in Exhibit "A" and Exhibit "B".

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

THE CITY OF EL PASO


Mayor PRO-TEM

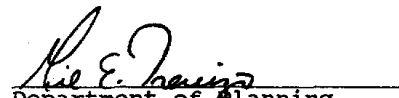
ATTEST:


City Clerk

APPROVED AS TO FORM:


Assistant City Attorney

APPROVED AS TO CONTENT:


Department of Planning,
Research and Development

(Acknowledgement On Following Page)

RESOLUTION

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

That the Mayor be authorized to execute a Partial Release whereby the CITY OF EL PASO releases Parcel No. 210 from the April 26, 1979 contract, between the CITY OF EL PASO and IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, whereby certain restrictions, conditions and covenants were placed on a portion of Tract 2D, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas.

ADOPTED this 21 day of May, 1991.

Mayor *[Signature]*

ATTEST:

[Signature]
City Clerk

APPROVED AS TO FORM:

[Signature]
Assistant City Attorney

TCG4/PARCE210.RES

STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 24th day
of May, 1991, by ~~SUZANNE S. ASAR~~, as Mayor of the
City of El Paso. ARVES E. JONES PRO TEM



Kathryn A. Murphy
Notary Public, State of Texas
Notary's Name Printed:
Notary's Commission Expires:

TCG4/PARCE210.REL

CONTRACT

THIS CONTRACT, made this 26th day of April, 1979, by and between IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, First Parties, and the CITY OF EL PASO, Second Party, witnesseth:

First Parties have applied to the City of El Paso for rezoning of certain property located in the City and County of El Paso, State of Texas, such property being more particularly described in Ordinance No. 6567, now pending before the City Council of the City of El Paso, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference. To remove certain objections to such rezoning, First Parties covenant that if the property is rezoned as indicated in the attached ordinance, it shall be subject to the following restrictions, conditions and covenants:

* 1. No development of any kind will be done on any parcel of the property until complete and detailed site development and architectural plans of the proposed development on such parcel have been submitted by First Parties and approved by the City Plan Commission of the City of El Paso.

2. No building permits will be issued for construction on parcel numbers 6B, 7A, 7B, 8B and 11B in Exhibit "A" attached hereto, until a subdivision map of the parcel upon which construction is to be performed has been approved by the City Plan Commission of the City of El Paso and filed for record.

3. The total number of dwelling units to be constructed on the portions of the property which are zoned A-2 and are described as parcel numbers 6B, 7B, 8B and 11B in Exhibit "A" attached hereto, shall not exceed 1500 units, notwithstanding the number of units permitted under A-2 zoning. The term

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

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

WITNESS the following signatures and seal:

IVEY INVESTMENTS, LTD., a Texas
limited partnership

By:

John P. Ivey
John P. Ivey, General Partner

Davis Holdman
Davis Holdman

THE CITY OF EL PASO

By:

Mayor P. Te
Mayor P. Te

ATTEST:

City Clerk
City Clerk

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

PARTIAL RELEASE

This partial release of contract is executed this 7th day
of April, 1987, by the CITY OF EL PASO,
witness:

WHEREAS, by contract dated April 26, 1979, recorded in Book
989, Page 900, of the Deed Records of El Paso County, Texas, a
copy of which is attached hereto, marked Exhibit "A", and made a
part hereof by reference, Ivey Investments, LTD., a Texas limited
partnership, and Davis Holdman, and the City of El Paso, entered
into a contract in connection with the rezoning of certain
property located in the City and County of El Paso, State of
Texas, such property being more particularly described in
Ordinance No. 6567, placing certain restrictions on such
property, and

WHEREAS, the City of El Paso now desires to release a
portion of the property described in the above-referenced
contract,

NOW, THEREFORE, the City of El Paso hereby releases the
following described properties from the restrictions, conditions
and covenants contained in the above-referenced contract which is
attached hereto as Exhibit "A":

Parcel 102: Being 0.640 of an acre of land, more or
less, out of and part of Tract 2D, Block 1, Ysleta
Grant, City of El Paso, El Paso County, Texas, said
0.640 of an acre of land being more particularly
described by metes and bounds as follows to-wit:

STATE OF TEXAS)
COUNTY OF EL PASO)

PARTIAL RELEASE

This Partial Release of Contract is executed this 21st day of May, 1991, by the CITY OF EL PASO, witness:

WHEREAS, by Contract dated April 26, 1979, recorded in Volume 989, Page 900, Real Property Records of El Paso County, Texas, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference, IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, and the CITY OF EL PASO, entered into a contract in connection with the rezoning of property more particularly described in Ordinance No. 6567, which placed certain restrictions, conditions and covenants on such property; and

WHEREAS, Exhibit "A" was amended by a contract amendment on January 31, 1989, a copy of which is attached hereto, marked Exhibit "B" and made a part hereof by reference, and

WHEREAS, the City of El Paso now desires to release a parcel of the property described in the April 26, 1979 contract and the January 31, 1989 contract amendment, if applicable, from the contract conditions because the parcel is being acquired for the widening of North Loop Road;

NOW, THEREFORE, the City of El Paso hereby releases the following described parcel from the restrictions, conditions and covenants contained in the above-referenced contract and contract amendment, which are attached hereto as Exhibit "A" and Exhibit "B":

Parcel No. 210: a 0.231 acre parcel of land, more or less, out of a portion of Tract 2D, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas, being more

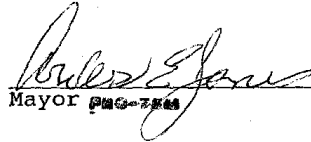
P. T. O. Release 5-21-91

Property described by metes and bounds in Exhibit
which is attached hereto and made a part hereof for
all purposes,

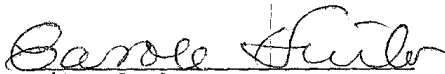
It is expressly agreed and understood that this is a Partial
Release and the same shall in no wise release, affect or impair the
April 6, 1979 contract and January 31, 1989 contract amendment
against any other property which is described in Exhibit "A" and
Exhibit "B".

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

THE CITY OF EL PASO


Mayor ~~843-784~~

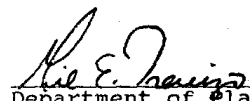
ATTEST:


City Clerk

APPROVED AS TO FORM:


Assistant City Attorney

APPROVED AS TO CONTENT:


Department of Planning,
Research and Development

(Acknowledgement On Following Page)

ATTACHMENT 5

40

ORDINANCE NO. 019218

AN ORDINANCE CHANGING THE ZONING OF TRACT OF LAND SITUATED IN THE YSLETA TOWN TRACT SURVEY, ABSTRACT NO. 214, CITY OF EL PASO, EL PASO, COUNTY, TEXAS; SAID TRACT BEING PART OF LOTS 1 & 2, BLOCK 2, A & M ADDITION, AN ADDITION TO THE CITY OF EL PASO ACCORDING TO THE PLAT RECORDED IN VOLUME 45, PAGE 10 OF THE OFFICIAL PUBLIC RECORDS OF EL PASO COUNTY, TEXAS; SAID TRACT BEING PART OF THAT TRACT OF LAND DESCRIBED IN ASSUMPTION SPECIAL WARRANTY DEED TO BEN L. IVEY, LTD. RECORDED IN INSTRUMENT NO. 20020012761 OF SAID OFFICIAL PUBLIC RECORDS; SAID TRACT ALSO BEING ALL OF THAT TRACT OF LAND DESCRIBED IN ASSUMPTION SPECIAL WARRANTY DEED TO BEN L. IVEY, LTD. RECORDED IN INSTRUMENT NO. 20020012760 OF SAID OFFICIAL PUBLIC RECORDS; SAID TRACT ALSO BEING PART OF PARCEL 1 AND ALL OF PARCEL 2 DESCRIBED IN DEED OF TRUST RECORDED IN INSTRUMENT NO. 20190062708 OF SAID OFFICIAL PUBLIC RECORDS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-2/SC (APARTMENT/SPECIAL CONTRACT) TO C-4/SC (COMMERCIAL/SPECIAL CONTRACT) 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, the zoning of Tract of land situated in the Ysleta Town Tract Survey, Abstract No. 214, City of El Paso, El Paso, County, Texas; said tract being part of Lots 1 & 2, Block 2, A & M Addition, an addition to the City of El Paso according to the plat recorded in Volume 45, Page 10 of the Official Public Records of El Paso County, Texas; said tract being part of that tract of land described in Assumption Special Warranty Deed to Ben L. Ivey, Ltd. recorded in Instrument No. 20020012761 of said Official Public Records; said tract also being all of that tract of land described in Assumption Special Warranty Deed to Ben L. Ivey, Ltd. recorded in Instrument No. 20020012760 of said Official Public Records; said tract also being part of Parcel 1 and all of Parcel 2 described in Deed of Trust recorded in Instrument No. 20190062708 of said Official Public Records, located in the City of El Paso, El Paso County, Texas, more particularly described by the metes and bounds attached as **Exhibit "A"**, be changed from **A-2/sc (Apartments/special contract)** to **C-4/sc (Commercial/special contract)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso, attached hereto as **Exhibit "B"**, be revised accordingly; and

That the following Conditions are imposed:

1. That a twenty foot (20') landscaped buffer be installed with high-profile native or naturalized trees of at least two-inch (2") caliper, ten feet (10') in height, and shall be placed at fifteen feet (15') on center along the southwesterly property line adjacent to the Mesa Drain. 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 for any buildings or development located within 1000 feet of the southwesterly property line.
2. That a twenty foot (20') landscaped buffer be installed with high-profile native or naturalized trees of at least two-inch (2") caliper, ten feet (10') in height, and shall be placed at fifteen feet (15') on center along the property lines adjacent to the existing nursing home facility. 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.

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9641 North Loop Dr. and 215 Sofia Pl.
PZR21-00005

3. That an six foot (6') masonry wall along the southwesterly property line adjacent to the Mesa Drain be installed prior to certificates of occupancy for any buildings or development located within 1000 feet of the southwesterly property line.
4. Prior to the issuance of building permits a detailed site development plan shall be submitted and approved by the City Plan Commission and the City Council of the City of El Paso.
5. That prior to the issuance of certificates of occupancy, a 4-way stop be installed at the intersection of the southwesterly most access way and Camino Del Rey.

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 17th day of August, 2021.



ATTEST:

Laura D. Prine

Laura D. Prine, City Clerk

THE CITY OF EL PASO

Oscar Leiser

Oscar Leiser, Mayor

APPROVED AS TO FORM:

Russell T. Abeln

Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:

Philip F. Etiwe

Philip F. Etiwe, Director
Planning & Inspections Department

21-1007-272/1074851 | RTA **019218**
Ordinance No. _____

9641 North Loop Dr. and 215 Sofia Pl.
PZR21-00005

EXHIBIT A

LEGAL DESCRIPTION

229.7950 ACRE ZONING AREA

BEING a 229.7950 acre (10,009,868 square foot) tract of land situated in the Ysleta Town Tract Survey, Abstract No. 214, City of El Paso, El Paso, County, Texas; said tract being part of Lots 1 & 2, Block 2, A & M Addition, an addition to the City of El Paso according to the plat recorded in Volume 45, Page 10 of the Official Public Records of El Paso County, Texas; said tract being part of that tract of land described in Assumption Special Warranty Deed to Ben L. Ivey, Ltd. recorded in Instrument No. 20020012761 of said Official Public Records; said tract also being all of that tract of land described in Assumption Special Warranty Deed to Ben L. Ivey, Ltd. recorded in Instrument No. 20020012760 of said Official Public Records; said tract also being part of Parcel 1 and all of Parcel 2 described in Deed of Trust recorded in Instrument No. 20190062708 of said Official Public Records; said tract being more particularly described as follows:

COMMENCING at a 5/8-inch iron rod found at the intersection of the east right-of-way line of Americas Avenue (Loop 375) (a 370-foot wide right-of-way) and the north line of Mesa Drain recorded in Volume 317, Page 477 of said Official Public Records; said point also being the west corner of that tract of land described in Warranty Deed to Ben L. Ivey, Ltd. recorded in Instrument No. 20120046828 of said Official Public Records;

THENCE South 37°12'57" East, departing the said east line of Americas Avenue and along the north line of Mesa Drain, a distance of 379.60 feet to the **POINT OF BEGINNING**; from said point a brass disk stamped "CoEP" found bears South 16°48'26" West, a distance of 535.26 feet;

THENCE North 41°14'16" East, departing the said north line of Mesa Drain, a distance of 2990.68 feet to a point for corner;

THENCE South 48°46'05" East, a distance of 542.74 feet to a 1/2-inch iron rod found for corner;

THENCE North 69°31'53" East, a distance of 35.50 feet to a point for corner;

THENCE South 39°10'54" East, a distance of 2425.70 feet to a point for corner;

THENCE South 20°12'12" East, a distance of 10.24 feet to a point for corner;

THENCE South 42°39'53" East, a distance of 283.70 feet to a point for corner;

THENCE South 78°39'25" East, a distance of 64.10 feet to a point for corner;

THENCE South 40°48'35" West, a distance of 1006.06 feet to a point at the beginning of a non-tangent curve to the right having a central angle of 36°29'50", a radius of 1255.01 feet, a chord bearing and distance of North 51°58'51" West, 785.99 feet;

ZONING EXHIBIT
229.7950 ACRE TRACT
YSLETA TOWN TRACT SURVEY,
ABSTRACT NO. 214
CITY OF EL PASO
EL PASO COUNTY, TEXAS

Kimley»Horn

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Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511
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THENCE in a northwesterly direction, with said curve to the right, an arc distance of 799.44 feet to a point for corner;

THENCE North 33°43'56" West, a distance of 1190.01 feet to a point for corner;

THENCE South 56°16'04" West, a distance of 120.00 feet to a point for corner;

THENCE South 33°43'56" East, a distance of 1190.01 feet to a point at the beginning of a tangent curve to the left having a central angle of 34°35'09", a radius of 1375.01 feet, a chord bearing and distance of South 51°01'30" East, 817.46 feet;

THENCE in a southeasterly direction, with said curve to the left, an arc distance of 830.01 feet to a point for corner;

THENCE South 40°48'35" West, a distance of 2195.17 feet to a point for corner in the said north line of Mesa Drain;

THENCE North 36°35'12" West, along the said north line of Mesa Drain, a distance of 3050.18 feet to a point for corner in the east right-of-way line of Camino Del Rey Drive (a 56-foot wide right-of-way);

THENCE along the said east line of Camino Del Rey Drive, the following four (4) calls:

North 52°10'59" East, a distance of 95.11 feet to a point for corner;

North 53°19'44" East, a distance of 143.35 feet to a point at the beginning of a tangent curve to the left having a central angle of 12°06'10", a radius of 1378.00 feet, a chord bearing and distance of North 47°16'39" East, 290.54 feet;

In a northeasterly direction, with said curve to the left, an arc distance of 291.08 feet to a point for corner;

North 41°13'34" East, a distance of 518.64 feet to a "v" cut in concrete found for the west corner of Rancho Del Rey Unit One, an addition to the City of El Paso according to the plat recorded in Instrument No. 20130079760 of said Official Public Records;

THENCE South 34°57'39" East, along the southwest line of said Rancho Del Rey Unit One, a distance of 393.84 feet to a 5/8-inch iron rod with "ROE EXGEO LC" cap found for the south corner of said Rancho Del Rey Unit One;

THENCE North 41°13'43" East, along the southeast line of said Rancho Del Rey Unit One, a distance of 544.73 feet to a 5/8-inch iron rod found for the east corner of said Rancho Del Rey Unit One;

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THENCE North 48°46'26" West, along the northeast line of said Rancho Del Rey Unit One, a distance of 438.47 feet to a point for the northwest terminus corner of said Camino Del Rey Drive;

THENCE along the west line of said Camino Del Rey Drive, the following four (4) calls:

South 41°13'34" West, a distance of 969.35 feet to a point at the beginning of a tangent curve to the right having a central angle of 12°06'10", a radius of 1322.00 feet, a chord bearing and distance of South 47°16'39" West, 278.73 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 279.25 feet to a point for corner;

South 53°19'44" West, a distance of 143.35 feet to a point for corner;

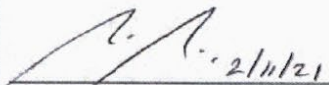
THENCE South 54°28'29" West, a distance of 95.03 feet to a point for corner in the said north line of Mesa Drain;

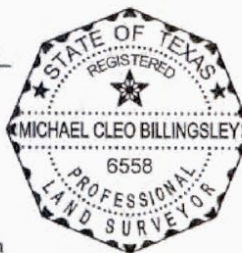
THENCE North 37°12'57" West, along the said north line of Mesa Drain, a distance of 288.78 feet to the **POINT OF BEGINNING** and containing 229.7950 acres or 10,009,868 square feet of land, more or less.

NOTES

Bearing system based on the Texas Coordinate System of 1983(2011 adjustment), Central Zone (4203). A survey plat of even survey date herewith accompanies this metes & bounds description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the zoning tract.


MICHAEL C. BILLINGSLEY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6558
801 CHERRY STREET,
UNIT 11 SUITE 1300
FORT WORTH, TEXAS 76102
PH. 817-335-6511
michael.billingsley@kimley-horn.com



ZONING EXHIBIT
229.7950 ACRE TRACT
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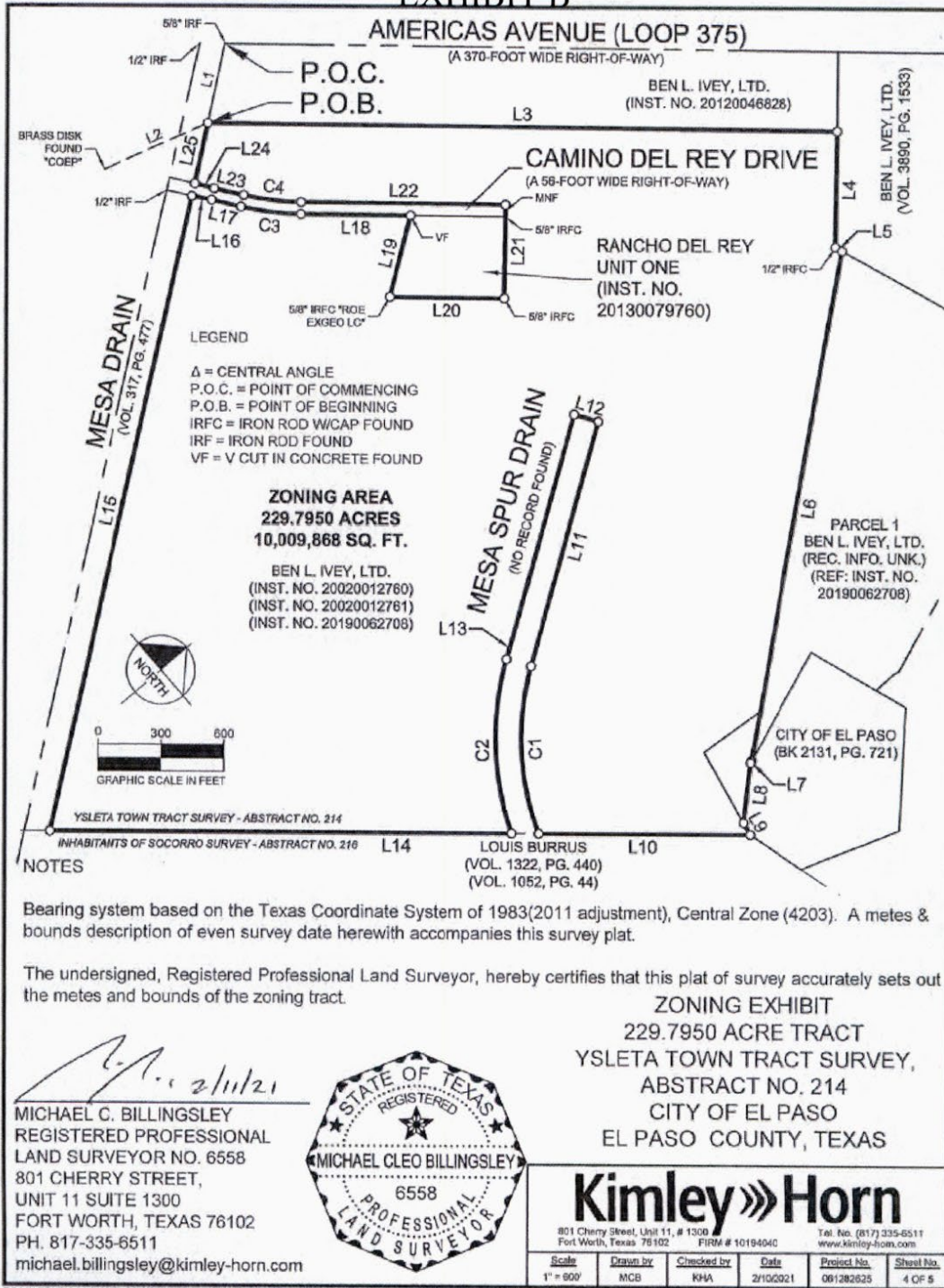
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EXHIBIT B



LINE TABLE

NO.	BEARING	LENGTH
L1	S37°12'57"E	379.80'
L2	S16°48'26"W	535.26'
L3	N41°14'16"E	2990.88'
L4	S48°48'05"E	542.74'
L5	N69°31'53"E	35.50'
L6	S39°10'54"E	2425.70'
L7	S20°12'12"E	10.24'
L8	S42°39'53"E	283.70'
L9	S78°39'25"E	84.10'
L10	S40°48'35"W	1006.06'
L11	N33°43'56"W	1190.01'
L12	S56°16'04"W	120.00'
L13	S33°43'56"E	1190.01'
L14	S40°48'35"W	2195.17'
L15	N36°35'12"W	3050.18'
L16	N52°10'59"E	95.11'
L17	N53°19'44"E	143.35'
L18	N41°13'34"E	518.64'
L19	S34°57'39"E	393.84'
L20	N41°13'43"E	544.73'
L21	N48°46'26"W	438.47'
L22	S41°13'34"W	989.35'
L23	S53°19'44"W	143.35'
L24	S54°28'29"W	95.03'
L25	N37°12'57"W	288.78'

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	36°29'50"	1255.01'	799.44'	N51°58'51"W	785.99'
C2	34°35'09"	1375.01'	830.01'	S51°01'30"E	817.46'
C3	12°06'10"	1378.00'	291.08'	N47°16'39"E	290.54'
C4	12°06'10"	1322.00'	279.25'	S47°16'39"W	278.73'

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ATTACHMENT 6

Planning and Inspections Department - Planning Division

Staff recommends **APPROVAL** of the request. The proposed use is permissible by right in a C-4/c/sc (Commercial/conditions/special contract) zone and is compatible with surrounding commercial uses. The proposed development meets the requirements of El Paso City Code Section 20.04.150 Detailed Site Development Plan and is compliant with all applicable conditions on the property.

Planning and Inspections Department – Plan Review & Landscaping Division

Recommend approval. No objections to the proposed detailed site development plan.

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

PZDS23-00032 – 9641 North Loop – Detailed Site Plan – Approved

1. The complete drainage system must be completed in phase I, as per section Code 19.08.010, section D, all drainage structures and ponding areas serving the subdivision are constructed as part of the initial phase of the development.
2. The proposed ponding areas shall have enough capacity to hold all stormwater runoff for a designed 100-yr. storm event, including stormwater displacement at the improvement plan stage.
3. Comply with FEMA CLOMR & LOMR requirements for developing within SFHA.
4. Coordinate with TXDOT and Water Improvement District #1 and for their review and approval.

Note: Comments will be addressed at permitting stage.

Fire Department

The package only has one sheet and we need more information such as elevations (building heights) to address fire related issues to determine aerial access.

Note: Comments will be addressed at permitting stage.

Police Department

No comments received.

Environment Services

No comments received.

Streets and Maintenance Department

1. Construct cul- de- sacs at 3 different locations (West of Tierra del Rey, South of Rancho del Rey and East of Camino del Rey).
2. Coordinate with TXDOT at North Loop & Loop 375 for approval

Note: Comments will be addressed at platting and permitting stage.

Texas Department of Transportation

Please see comments from our most recent AMC meeting below:

- Please move driveway up north away from the gore on the ramp
- Please provide master plan

- A truck template would be needed to ensure the semi-trucks are able to turn on the deceleration lane without extending to the through lanes.

Note: Comments will be addressed at platting and permitting stage.

Sun Metro

No comments received.

El Paso Water

El Paso Water-PSB does not object to this request.

Water:

There is an existing 12-inch diameter water main that extends along Camino Del Rey Dr., located approximately 19-feet west of the eastern right-of-way line. This main dead-ends approximately 1,500 LF east of Mesa Drain. This main is available main extensions.

There is an existing 48-inch diameter water main located along an existing a 30-foot PSB easement within the future extension of Camino Del Rey Rd. No direct service connections are allowed to this sanitary sewer main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

Previous water pressure from fire hydrant #11036 located approximately 230 feet east of the intersection between Camino Del Rey and Via Placita Street has yield a static pressure of 110 (psi), a residual pressure of 108 (psi), and a discharge of 1,061 gallons per minute. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:

There is an existing 15-inch diameter sanitary sewer main that extends along Camino Del Rey Dr., located approximately 18-feet east of the western right-of-way line. This main is available for main extensions.

There is an existing 60-inch sanitary sewer interceptor along a 30-foot PSB easement east of and parallel to the property's east boundary line. No direct service connections are allowed to this sanitary sewer main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

General:

Water and main extension will be necessary to provide service. Water mains shall be extended creating a looped system. Easements may be required. The Owner/Developer is responsible for the water and sanitary sewer main extension and easement acquisition cost.

Mesa Drain is an El Paso County Water Improvement District No. 1 facility. Permits for installation of sanitary sewer main and manholes within the right of way are required. Owner/Developer is responsible for permit, survey, and consideration fees.

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

No building, reservoir, structure, parking stalls or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced EPWater-PSB easement without the written consent of EPWater-PSB. The Developer shall refrain from constructing rock walls, signs, buildings, curbs or any structure that will interfere with the access to the PSB easements. There shall be at least 5-foot setback from the easement line to any building, sign or structure. All easements dedicated for public water and sanitary sewer facilities shall comply with the EPWater-PSB Easement Policy. The PSB

easements shall be improved to allow the operation of EPWater maintenance vehicles. EPWater-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within the easement 24 hours a day, seven (7) days a week.

EPWater requires a new service application to provide service to the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: a site plan, utility plan, drainage and grading plans, landscaping plan (if applicable). Application for services for subdivisions must be made in conjunction with the request for water and sanitary sewer main extensions. The legal description of the property, and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater – PSB Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

El Paso County Water Improvement District #1

No comments received.