

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: December 30, 2014
Public Hearing: January 20, 2015

CONTACT PERSON/PHONE: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 5

SUBJECT:

An Ordinance approving a detailed site development plan for Lots 1-9, 13, 16-18, 25-29, 31-36, 39-42, 50-51, 59, 64-68, 81-86, and 88, Block 1, Barcelona Estates Replat "A", City of El Paso, El Paso County, Texas, to allow for the reduction of all lot requirements and setbacks, and imposing a condition, Pursuant to Sections 20.10.360 and 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: North of Zaragoza Road and East of Joe Battle Boulevard. Property Owner: Laguna Meadows, LP., Mountain Vista Builders, Inc., RAKUSA Construction, LLC, William D. Thomas, William L. and Deanne Isaac, Thomas Dula, Ray W. and Carole Williams, and Harvey D. Joseph. PZDS14-00031 (District 5)

BACKGROUND / DISCUSSION:

Staff report attached.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Approval Recommendation (7-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Mathew S. McElroy
Director, Planning and Inspections Department



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR LOTS 1-9, 13, 16-18, 25-29, 31-36, 39-42, 50-51, 59, 64-68, 81-86, AND 88, BLOCK 1, BARCELONA ESTATES REPLAT "A", CITY OF EL PASO, EL PASO COUNTY, TEXAS, TO ALLOW FOR THE REDUCTION OF ALL LOT REQUIREMENTS AND SETBACKS, AND IMPOSING A CONDITION, PURSUANT TO SECTIONS 20.10.360 AND 20.04.150. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Laguna Meadows, LP., Mountain Vista Builders, Inc., RAKUSA Construction, LLC, William D. Thomas, William L. and Deanne Isaac, Thomas Dula, Ray W. and Carole Williams, and Harvey D. Joseph ("Owners") have applied for approval of a detailed site development plan which requires City Plan Commission and City Council approval, to allow for the reduction of the front, rear, side streets, and side yard setbacks as well as lot size, width, and depth as required under the **P-R II (Planned Residential II)**, District per Sections **20.10.360** and **20.04.150**. The detailed site development plan is subject to the development standards in the **P-R II (Planned Residential II)** 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 "A" 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 City 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 ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to requirements, the City Council hereby approves the detailed site development plan submitted by the Applicant, to allow for the reduction of the front, rear, side streets, and side yard setbacks as well as lot size, width, and depth as permitted under the **P-R II (Planned Residential II)** District per Sections **20.10.360** and **20.04.150** on the following described property which is located in a **P-R II (Planned Residential II)** District:

*Lots 1-9, 13, 16-18, 25-29, 31-36, 39-42, 50-51, 59, 64-68, 81-86, and 88, Block 1,
Barcelona Estates Replat "A", City of El Paso, El Paso County, Texas*

ORDINANCE NO. _____

PZDS14-00031

2. Further that the property described above be subject to the following condition:

"Street trees be required per City Code."

3. A copy of the approved detailed site development plan, signed by the Applicants, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.

4. 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 **P-R II (Planned Residential II)** District regulations.

5. The Applicants 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 **P-R II (Planned Residential II)** 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.

6. 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.

PASSED AND APPROVED this _____ day of _____, 2014.

THE CITY OF EL PASO

ATTEST:

Oscar Leaser, Mayor

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM

Karla M. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT

Mathew S. McElroy, Director
Planning and Inspections Department

(Development Agreements and Acknowledgments on following pages)

ORDINANCE NO. _____

PZDS14-00031

DEVELOPMENT AGREEMENT

By execution hereof, **Laguna Meadows, LP.** ("Owner"), identified in the Ordinance 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 **P-R II (Planned Residential II)** District located within the City of El Paso.

EXECUTED this 10 day of December, 2014

Laguna Meadows, LP.:



(Signature and Title)

ACKNOWLEDGMENT

THE STATE OF TEXAS)

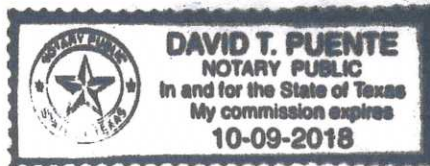
)

COUNTY OF EL PASO)

This instrument is acknowledged before me on this 10 day of December, 2014, by  Laguna Meadows, LP.

My Commission Expires:

Notary Public, State of Texas



ORDINANCE NO. _____

PZDS14-00031

DEVELOPMENT AGREEMENT

By execution hereof, **Mountain Vista Builders, Inc.** ("Owner"), identified in the Ordinance 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 **P-R II (Planned Residential II)** District located within the City of El Paso.

EXECUTED this 10 day of March, 2014

Mountain Vista Builders, Inc.:

(Signature and Title)

ACKNOWLEDGMENT

THE STATE OF TEXAS)

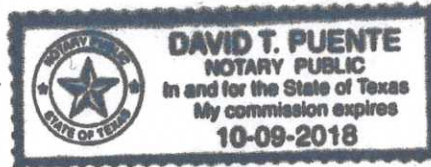
)

COUNTY OF EL PASO)

This instrument is acknowledged before me on this 10 day of March, 2014, by Ed. [Signature]
710. Mountain Vista Builders, Inc.

My Commission Expires:

Notary Public, State of Texas



ORDINANCE NO. _____

PZDS14-00031

DEVELOPMENT AGREEMENT

By execution hereof, **RAKUSA Construction, LLC** ("Owner"), identified in the Ordinance 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 **P-R II (Planned Residential II)** District located within the City of El Paso.

EXECUTED this 10 day of December, 2014

RAKUSA Construction, LLC:

[Signature]
(Signature and Title)

ACKNOWLEDGMENT

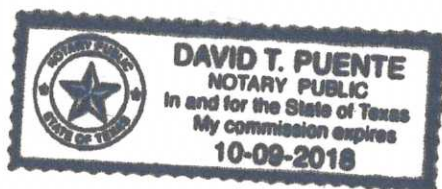
THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 10 day of December, 2014, by
RAKUSA Construction, LLC.

My Commission Expires:

Notary Public, State of Texas

[Signature]



ORDINANCE NO. _____

PZDS14-00031

DEVELOPMENT AGREEMENT

By execution hereof, **William D. Thomas** ("Owner"), identified in the Ordinance 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 **P-R II (Planned Residential II)** District located within the City of El Paso.

EXECUTED this 10 day of December, 2014

William D. Thomas:

William D Thomas
(Signature)

ACKNOWLEDGMENT

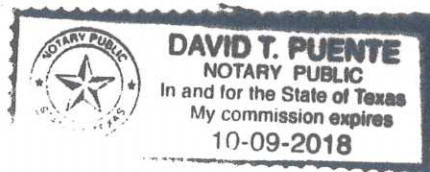
THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 10 day of Dec, 2014, by William D. Thomas.

My Commission Expires:

Notary Public, State of Texas

[Signature]



ORDINANCE NO. _____

PZDS14-00031

DEVELOPMENT AGREEMENT

By execution hereof, **William L. and Deanne Isaac** ("Owners"), identified in the Ordinance 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 **P-R II (Planned Residential II)** District located within the City of El Paso.

EXECUTED this 10 day of December, 2014

William L. Isaac:

William L. Isaac
(Signature)

ACKNOWLEDGMENT

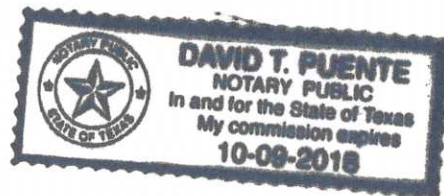
THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 10 day of Dec, 2014, by William L. Isaac.

My Commission Expires:

Notary Public, State of Texas

[Signature]



ORDINANCE NO. _____

PZDS14-00031

Deanne Isaac:

Deanne Isaac
(Signature)

ACKNOWLEDGMENT

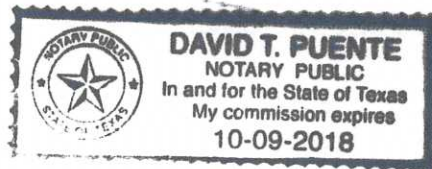
THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 10 day of December, 2014, by
Deanne Isaac.

My Commission Expires:

Notary Public, State of Texas

[Signature]



ORDINANCE NO. _____

PZDS14-00031

DEVELOPMENT AGREEMENT

By execution hereof, **Thomas Dula** ("Owner"), identified in the Ordinance 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 **P-R II (Planned Residential II)** District located within the City of El Paso.

EXECUTED this 10 day of January, 2014

Thomas Dula:

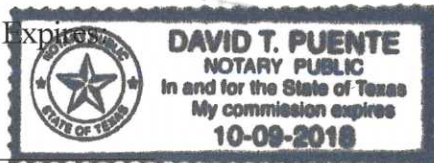
[Signature]
(Signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 10 day of January, 2014, by Thomas Dula.

My Commission Expires



Notary Public, State of Texas

[Signature]

ORDINANCE NO. _____


PZDS14-00031

DEVELOPMENT AGREEMENT

By execution hereof, **Ray W. and Carole Williams** ("Owners"), identified in the Ordinance 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 **P-R II (Planned Residential II)** District located within the City of El Paso.

EXECUTED this 10 day of December, 2014

Ray W. Williams:


(Signature)

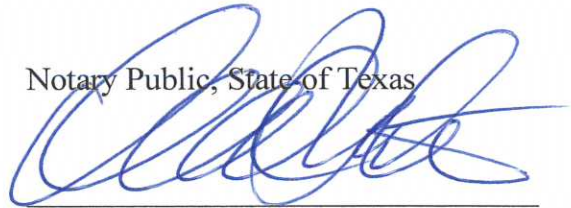
ACKNOWLEDGMENT

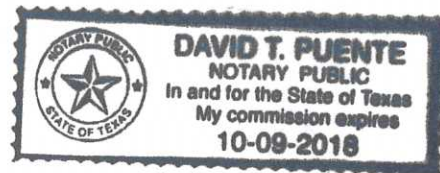
THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 10 day of Dec., 2014, by Ray W. Williams.

My Commission Expires:

Notary Public, State of Texas





ORDINANCE NO. _____

PZDS14-00031

Carole Williams:

Carole Williams
(Signature)
by RAY WILLIAMS AIF

ACKNOWLEDGMENT

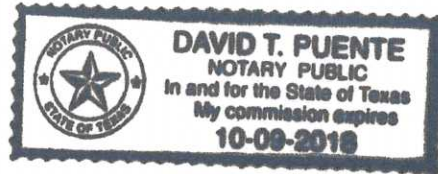
THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 10 day of Dec, 2014, by
Carole Williams.

My Commission Expires:

Notary Public, State of Texas

[Signature]



ORDINANCE NO. _____

PZDS14-00031

DEVELOPMENT AGREEMENT

By execution hereof, **Harvey D. Joseph** ("Owner"), identified in the Ordinance 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 **P-R II (Planned Residential II)** District located within the City of El Paso.

EXECUTED this 10 day of Dec, 2014

Harvey D. Joseph:

Harvey D. Joseph
(Signature)

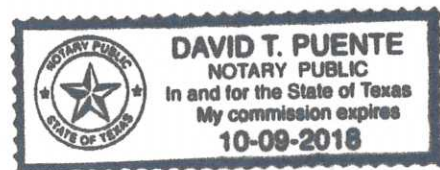
ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 10 day of Dec, 2014, by Harvey D. Joseph.

My Commission Expires:

Notary Public, State of Texas



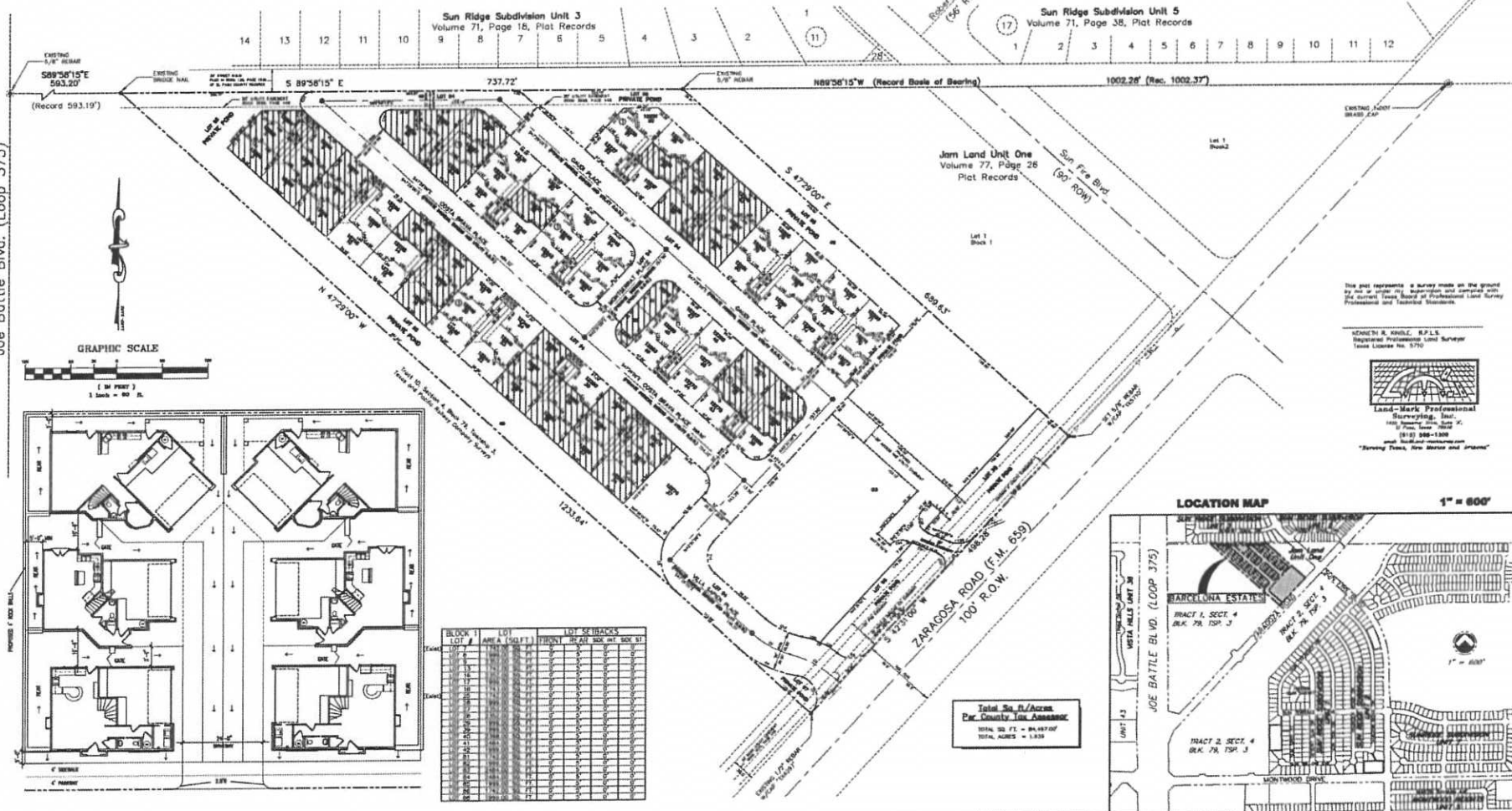
ORDINANCE NO. _____

PZDS14-00031

Joe Battle Blvd. (Loop 375)

[illegible]

SITE DEVELOPMENT PLAN



MEMORANDUM

DATE: December 11, 2014

TO: The Honorable Mayor and City Council
Tommy Gonzalez, City Manager

FROM: Andrew Salloum, Planner

SUBJECT: PZDS14-00031

The City Plan Commission (CPC), on December 4, 2014, voted 7-0 to recommend **APPROVAL** of the detailed site development plan with a condition that street trees be required per City Code for the subject property.

Planning Division did not receive any communication in support or opposition to the request.

Property Owner: Laguna Meadows, LP., Mountain Vista Builders, Inc., RAKUSA Construction, LLC, William D. Thomas, William L. and Deanne Isaac, Thomas Dula, Ray W. and Carole Williams, and Harvey D. Joseph

Representative : Eddie Urquidi

Attachments:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZDS14-00031
Application Type: Detailed Site Development Plan Review
CPC Hearing Date: December 4, 2014
Staff Planner: Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov

Location: North of Zaragoza Road and East of Joe Battle Boulevard
Legal Description: Lots 1-9, 13, 16-18, 25-29, 31-36, 39-42, 50-51, 59, 64-68, 81-86, and 88, Block 1, Barcelona Estates Replat "A", City of El Paso, El Paso County, Texas
Acreage: 1.939 acres
Rep District: 5
Existing Use: Single-family detached dwellings
Existing Zoning: P-R II (Planned Residential) and P-R II/sc (Planned Residential/special contract)
C/SC/SP/ZBA/LNC: Special Contract: Ordinance No. 8848 dated November 11, 1986, (see Attachment 5)
Request: Detailed Site Development Plan Review per Planned Residential II District to permit lot dimension and setback reductions.
Proposed Use: Single-family detached dwellings

Property Owner: Laguna Meadows, LP., Mountain Vista Builders, Inc., RAKUSA Construction, LLC, William D. Thomas, William L. and Deanne Isaac, Thomas Dula, Ray W. and Carole Williams, and Harvey D. Joseph
Representative : Eddie Urquidi

SURROUNDING ZONING AND LAND USE

North: R-3A/sc (Residential/special contract) / Single-family dwellings and C-1/sc (Commercial/special contract) / Retail
South: C-3 (Commercial) / Retail and C-3/sc (Commercial/special contract) / Vacant
East: C-1/sc (Commercial/special contract) / Vacant
West: R-MU (Residential Mixed Use) / Apartment Complex

THE PLAN FOR EL PASO DESIGNATION: G-4, Suburban (Walkable) (East Planning Area)

NEAREST PARK: Sal Berroteran Park (1,937 feet)

NEAREST SCHOOL: Lujan Chavez Elementary (2,949 feet)

NEIGHBORHOOD ASSOCIATIONS

Eastside Civic Association
Las Tierras Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on November 19, 2014. The Planning Division has not received any phone calls or letters in support or opposition to the detailed site development request.

CASE HISTORY

On November 11, 1986, City Council approved the rezoning request for the subject property from R-3 (Residential) to C-3 (Commercial) and imposed conditions by Ordinance No. 8848 (see Attachment 5). In summary, the conditions imposed by the special contract were: dedicated right-of-way for Pebble Hills Boulevard and Loop 375; Montwood extension development requirements; that land be annexed for park usage purposes; that land be dedicated for a fire station; a subdivision plat be submitted; and, 20 feet of landscaped buffer where certain parcels abut residential districts.

All of the conditions have been satisfied.

On March 2, 2004, City Council approved the rezoning for the remainder of the subject property from C-3 (Commercial) to P-R II/sc (Planned Residential II). On April 8, 2004, City Plan Commission approved a detailed site development plan for P-R II (Planned Residential II) as per section 20.10.360 C.4. in order to permit single-family detached dwellings.

APPLICATION DESCRIPTION

The request is for a Detailed Site Development Plan Review as required by the special purpose district P-R II (Planned Residential II), to allow for reductions in dimensional standards through the submittal of a detailed site development plan to be reviewed by CPC and City Council per Section 20.10.360C.4. Planned Residential P-R II. The detailed site development plan shows 3 existing single-family dwellings out of a total of 43 lots. The applicants are proposing the following reductions: from the required 10 feet front yard setback to 0 feet, from the required 20 feet rear yard setback to 5 feet, and from the required 10 feet side street yard setback to zero feet, from the required 10 feet between structures (side yard setback) to 0 feet between structures. Additionally, the proposed lots will vary in size from approximately 1,017 sq. ft. to 2,611 sq. ft., lot width from approximately 27.78 ft. to 40 ft., and lot depth from approximately 39 ft. to 59 ft. (see table below). The typical height of the buildings is 30 ft. Parking requirements will be satisfied through a combination of garage parking located at the ground level of the structures, and surface parking located at various points along the private driveways. Access is proposed from internal streets within the subdivision via Zaragoza Road.

Lot & Dwelling Size / Building Setback	Required (Minimum)	Proposed
Lot Area	4,000 sq. ft.	Varied from approx. 1,017 sq. ft. to 2,611 sq. ft.
Lot Width	40 ft.	Varied approx. 27.78 ft. to 40 ft.
Lot Depth	100 ft.	Varied approx. 39 ft. to 59 ft.
Front Yard	10 ft., except that a 20' driveway must be provided	0 ft.
Rear Yard	20 ft.	5 ft.
Cumulative Front & Back Yard	N/A	N/A
Side Yard	10 ft. between structure	0 ft.
Side Street Yard	10 ft.	0 ft.
Cumulative Side & Side Street Yard	N/A	N/A
Height (Maximum)	35 ft.; except as approved by City Council	30 ft.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the detailed site development plan as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan and 20.10.360 C., Planned Residential.

ANALYSIS

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.

Note: Detailed Site Development Plan review is a requirement of the P-R II special purpose district when the proposed development does not meet dimensional standards as set forth in 20.10.360 C and Appendix B, Table of Density and Dimensional Standards.

20.04.150 Procedure.

C. Administrative approval. Detailed site development plans meeting the following conditions shall be reviewed and approved by the zoning administrator:

1. The site is two acres or less in size, and
2. The site plan contains no more than two buildings, and
3. The site plan complies with any zoning conditions and all city code provisions, to include the tables for uses and density and dimensional standards and;
4. The city's department of transportation has no concerns with access or restriction of access to the site; and,
5. The site plan complies with staff recommendations concerning the location of stormwater drainage structures and easements to include onsite ponding areas; the location and arrangement of structures, vehicular and pedestrian ways; open spaces and landscape planted areas. Staff recommendations shall not require that the site plan have landscaping in excess of what is required under the city code or any zoning condition.

If the zoning administrator does not approve an applicant's detailed sited development plan, the applicant may appeal the decision to the city plan commission. The applicant must file the appeal with the zoning administrator within fifteen business days from the date of the zoning administrator's decision. The zoning administrator shall place the appeal on the city plan commission agenda to be heard by the commission within thirty business days from the date the appeal was received. The zoning administrator shall include the detailed site plan, the appeal, and a summary of the zoning administrator's reasons for disapproving the detailed site plan.

Note: the detailed site development plan review is not eligible for administrative approval as the subject property is more than 2 acres in size and the applicants are proposing to vary setbacks and dimensional standards, which require City Plan Commission and City Council Review.

D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.

1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.
2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
3. The commission shall consider the following information when approving a proposed detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms to such approval; location of utility rights-of-way and easements and stormwater drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.
4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.

5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

Planning Staff has reviewed the detailed site development plan, which meets all requirements of 20.04.150, Detailed Site Development Plan, and is recommending approval.

Plan El Paso- Future Land Use Map Designation

All applications for detailed site plan review shall demonstrate compliance with the following criteria:

G-4 – Suburban (Walkable): This sector applies to modern single use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the P-R II (Planned Residential II) district is to encourage planned developments as a means of creating a superior living environment through unified planning and building operations at higher residential densities. The regulations of the district are designed to encourage variety in housing needed to meet changing housing demands and to provide adequate community facilities well-located with respect to needs; to protect the natural beauty of the landscape; to encourage preservation and more efficient use of open space; to offer an opportunity for design flexibility; and encourage innovations which may result in improved relationships between uses of different types and between land uses and transportation facilities.

COMMENTS:

Planning and Inspections Department - Planning Division – Transportation

TIA is not required.

General Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

Planning and Inspections Department – Plan Review

No comments received.

Planning and Inspections Department - Landscaping Review

Landscape plan is not required for the residential uses.

Planning and Inspections Department - Land Development

No objections.

Fire Department

EPFD recommends approval. Please note: 30" Access and Utility Easement serves as a second point of access to the property and request that it does not change.

Police Department

EPPD doesn't see any problems or conflicts by what was submitted.

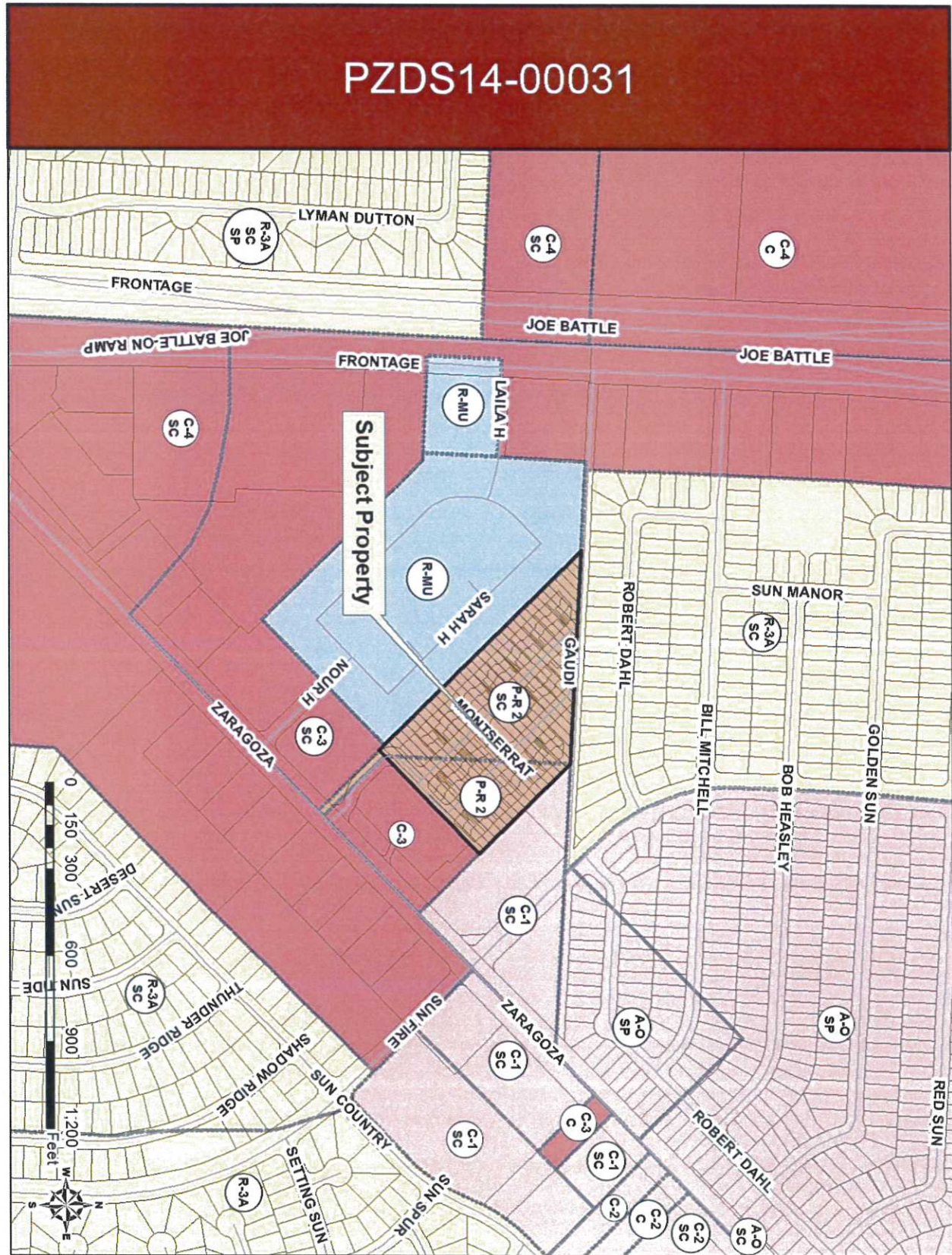
El Paso Water Utilities

No objections.

Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Ordinance No. 8848

ATTACHMENT 1: ZONING MAP

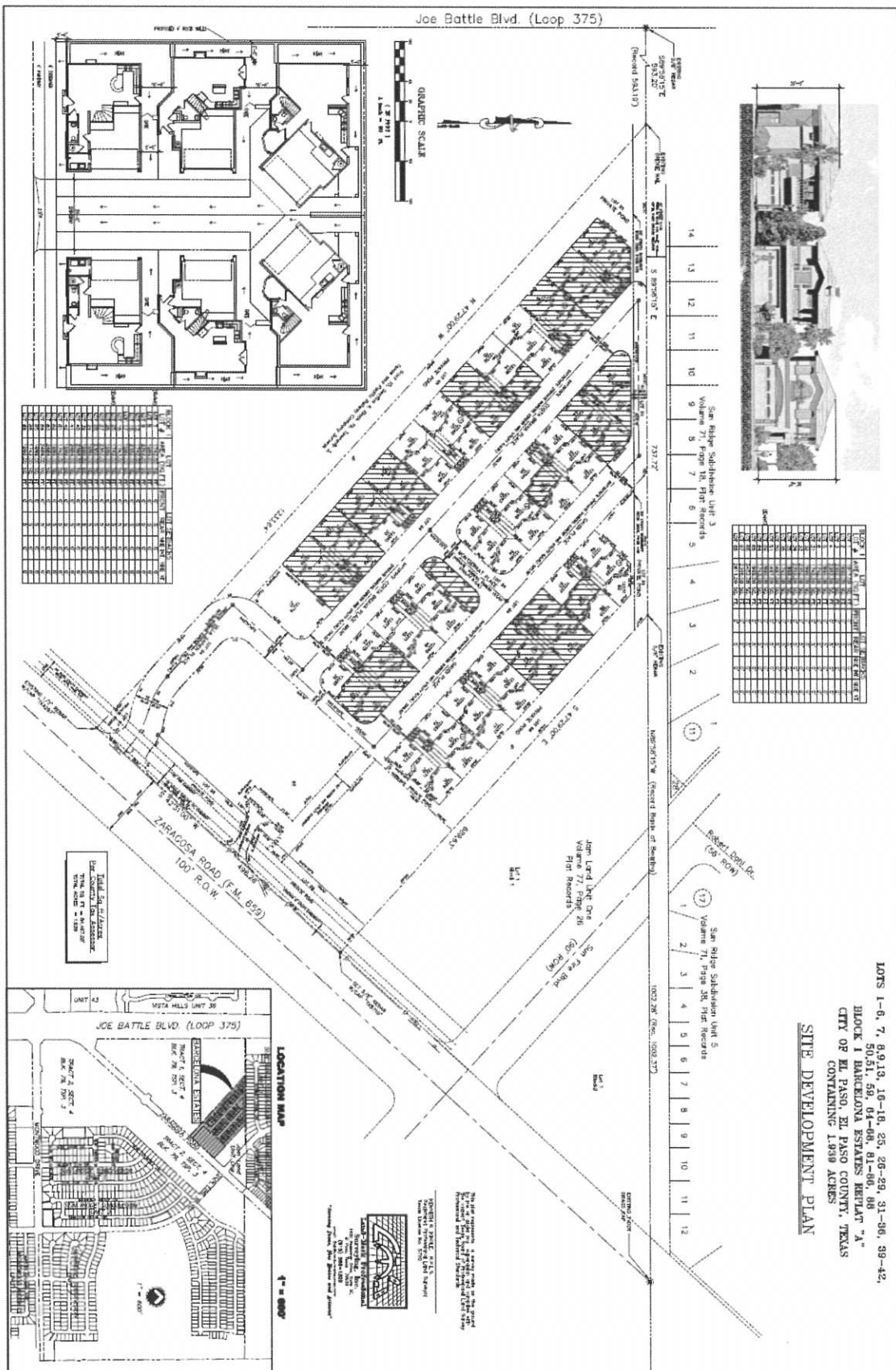


ATTACHMENT 2: AERIAL MAP

PZDS14-00031



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: ORDINANCE NO. 8848

008848

AN ORDINANCE CHANGING THE ZONING
OF A PORTION OF SECTION 4, BLOCK 79,
TSP 3, AND A PORTION OF SECTION 45, BLOCK 79,
TSP 2, T&PRR CO. SURVEYS,
THE PENALTY BEING AS PROVIDED IN
SECTION 20.68.010 OF THE EL PASO CITY CODE

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

That the zoning of a portion of Section 4, Block 79, Tsp. 3, and
a portion of Section 45, Block 79, Tsp. 2, T&PRR Co. Surveys, as more
particularly described by metes and bounds in the attached Exhibits
"A" through "K," be changed from R-3 (Residential) to the following:

C-3 (Commercial) - Parcel 1 (48.832 acres)
A-0 (Apartment/Office) - Parcel 2 (45.405 acres)
C-1 (Commercial) - Parcel 3 (8.781 acres)
C-1 - Parcel 4 (9.167 acres)
C-3 - Parcel 5 (37.130 acres)
C-4 - Parcel 6 (14.733 acres)
A-0 - Parcel 7 (25.815 acres)
C-1 - Parcel 8 (8.781 acres)
C-1 - Parcel 9 (5.316 acres)
C-1 - Parcel 10 (12.801 acres)
C-4 - Parcel 11 (108.974 acres)

within the meaning of the zoning ordinance, subject to a special
contract placing certain restrictions, conditions and covenants on the
property, and that the zoning map of the City of El Paso be revised
accordingly.

PASSED AND APPROVED this 11th day of NOVEMBER, 1986.

ATTEST:

Carole Hunter
City Clerk

Jonathan W. Rye
Mayor

I CERTIFY THAT THE FOLLOWING ZONING MAPS

HAVE BEEN REVISED: 40.

6-5-87 COUNTER

6-5-87 ORIGINAL

6-5-87 CONTROL

6-5-87 CONTROL

APPROVED AS TO FORM:

John K. Bal
Assistant City Attorney

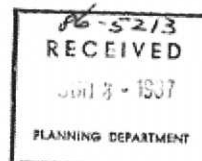
APPROVED AS TO CONTENT:

Ray G. Gilman
Planning Department

Contract (N/11/86)

008848

I certify that the zoning map has been revised to
reflect the amendment of ordinance #8848
Ray G. Gilman Date 6-5-87



THE STATE OF TEXAS)
COUNTY OF EL PASO)

CONTRACT

THIS CONTRACT, made this 17th day of November, 1986, by and between PEBBLE HILLS PARTNERSHIP and TIERRA DE MI PADRE PARTNERSHIP, First Parties, MAURICE WALLS, General Agent for T. & P. Land Trust, MERTON D. GOLDMAN, TRUSTEE, DONALD A. MALOOLY, ET AL, and GILBERT MALOOLY, Second Parties, and the CITY OF EL PASO, Third Party, witnesseth:

Application has been made to the City of El Paso for rezoning of a portion of Section 4, Block 79, Tsp. 3, and a portion of Section 45, Block 79, Tsp. 2, T&PRR Co. Surveys, City and County of El Paso, Texas, which is more particularly described by metes and bounds in the attached Exhibits "A" through "X", which are made a part hereof by reference.

To remove certain objections to such rezoning, First Parties covenant that if the property is rezoned from R-3 (Residential) to the following:

C-3 (Commercial) - Parcel 1 (48.832 acres)
A-0 (Apartment/Office) - Parcel 2 (45.405 acres)
C-1 (Commercial) - Parcel 3 (8.781 acres)
C-1 (Commercial) - Parcel 4 (9.167 acres)
C-3 (Commercial) - Parcel 5 (37.130 acres)
C-4 (Commercial) - Parcel 6 (14.733 acres)
A-0 (Apartment/Office) - Parcel 7 (25.815 acres)
C-1 (Commercial) - Parcel 8 (8.781 acres)
C-1 (Commercial) - Parcel 9 (5.316 acres)
C-1 (Commercial) - Parcel 10 (12.801 acres)
C-4 (Commercial) - Parcel 11 (108.974 acres)

within the meaning of the zoning ordinance of the City of El Paso, it shall be subject to the following restrictions, conditions and covenants:

1. Pebble Hills or its successors in interest, shall dedicate the required right-of-way and shall improve the entire 120-foot width of Montwood extension from its property line east of Loop 375 to the western boundary of El Paso Electric Company right-of-way and shall pay the cost of construction of the installation of public utilities within the Montwood Drive right-of-way whenever development of Pebble Hills' property, where it abuts Montwood or its proposed extension, takes place. Pebble Hills or its successors in interest shall dedicate and build the entire width of Montwood where it abuts its property, as required by the subdivision ordinance unless the property described as Tract 3, Section 4, Block 79, T&PRR Co. Survey, El Paso County, to the south of the proposed Montwood extension be annexed or platted prior to platting of its property by Pebble Hills. In such event, both Parties shall be required to provide right-of-way and improvements as required by ordinance.

Ord. 8848
11-11-86

RECEIVED
86-5213
11-11-86

2. City agrees that it shall enforce existing ordinances regarding denial of access to owners of property abutting Montwood Extension in Tract 3, Section 7, Block 79, Tsp. 3, T&PRR Co. Surveys, El Paso County, unless and until Pebble Hills and the City consent to the release of such access restriction, based on those property owners providing their proportionate share, based on frontage to Montwood extension, of the right-of-way and the cost of construction and improvements as required by ordinance.

3. Pebble Hills agrees to donate to the City a ten-acre parcel of land within the land to be annexed for park usage purposes. The exact location of the parcel shall be determined at the subdivision platting stage of development.

4. Pebble Hills also agrees to donate to the City a 150' x 150' parcel of property within the land to be annexed for a future fire station site. The exact location of the parcel shall be determined at the subdivision platting stage of development.

5. Pebble Hills agrees to provide twenty (20) feet of landscaping along the entire length of the easterly property line of Parcel 11, between Parcel 8 and Parcel 10 of the subject property.

This agreement 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 amend or release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby, and without affecting the validity, or necessitating the amendment of, the ordinance passed by the City Council embodying this change of zoning and subject to this contract.

Second Parties are the owners and holders of recorded liens on the property and consent to this contract.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

PEBBLE HILLS PARTNERSHIP
FIRST PARTY

By SANDIA PEAK TRAM COMPANY

By

Robert H. Murphy

Title

President & Chairman, Sandia Peak
Tram Company

ATTEST:

Secretary

86-52,3

TIERRA DE MI PADRE PARTNERSHIP
FIRST PARTY

By [Signature]
Title Managing Partner

ATTEST:

Secretary

SECOND PARTIES

~~MAURICE A. WILSON~~

~~GEORGE C. FRASER, III~~

~~GEORGE A. WILSON~~

[Signature] Trustee
MERTON D. GOLDMAN, TRUSTEE

[Signature] et al.
DONALD A. MALOOLY, ET AL

[Signature]
GILBERT MALOOLY

THE CITY OF EL PASO
THIRD PARTY

By [Signature]
Mayor

ATTEST:

[Signature]
City Clerk

APPROVED AS TO CONTENT:

[Signature]
Planning Department

APPROVED AS TO FORM:

[Signature]
Assistant City Attorney

NEW MEXICO^{2c}
THE STATE OF TEXAS)
BERNALILLO^{2c}
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 14th day of November, 1986, by Robert M. Murphy, on behalf of PEBBLE HILLS PARTNERSHIP.

My Commission Expires:

10-11-88

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 11th day of December, 1986, by Gilbert M. Moseley Sr., on behalf of TIERRA DE MI PADRE PARTNERSHIP.

NATALIE COMEL, Notary Public
in and for the State of Texas
My Commission Expires July 31, 1989

My Commission Expires:

7/31/89

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 1986, by MAURICE A. WILSON.

My Commission Expires:

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 1986, by GEORGE C. FRASER, III.

My Commission Expires:

Lisa K. Cornwell
Notary Public, State of Texas
OFFICIAL SEAL
LISA K. CORNWELL
NOTARY PUBLIC STATE OF NEW MEXICO
Notary Bond Filed with Secretary of State
My Commission Expires 10-11-88

Natalie Comel
Notary Public, State of Texas

Notary Public, State of Texas

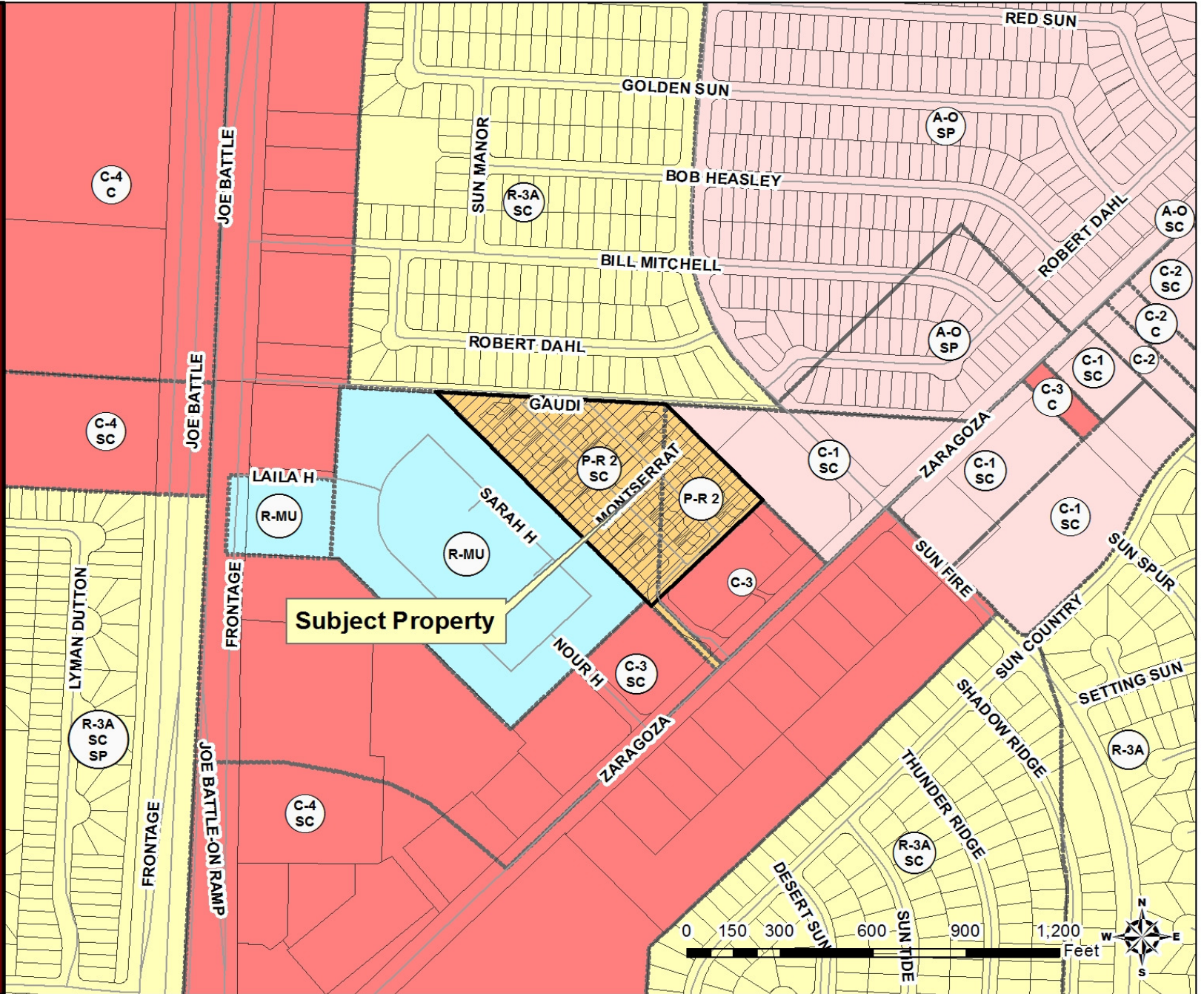
Notary Public, State of Texas



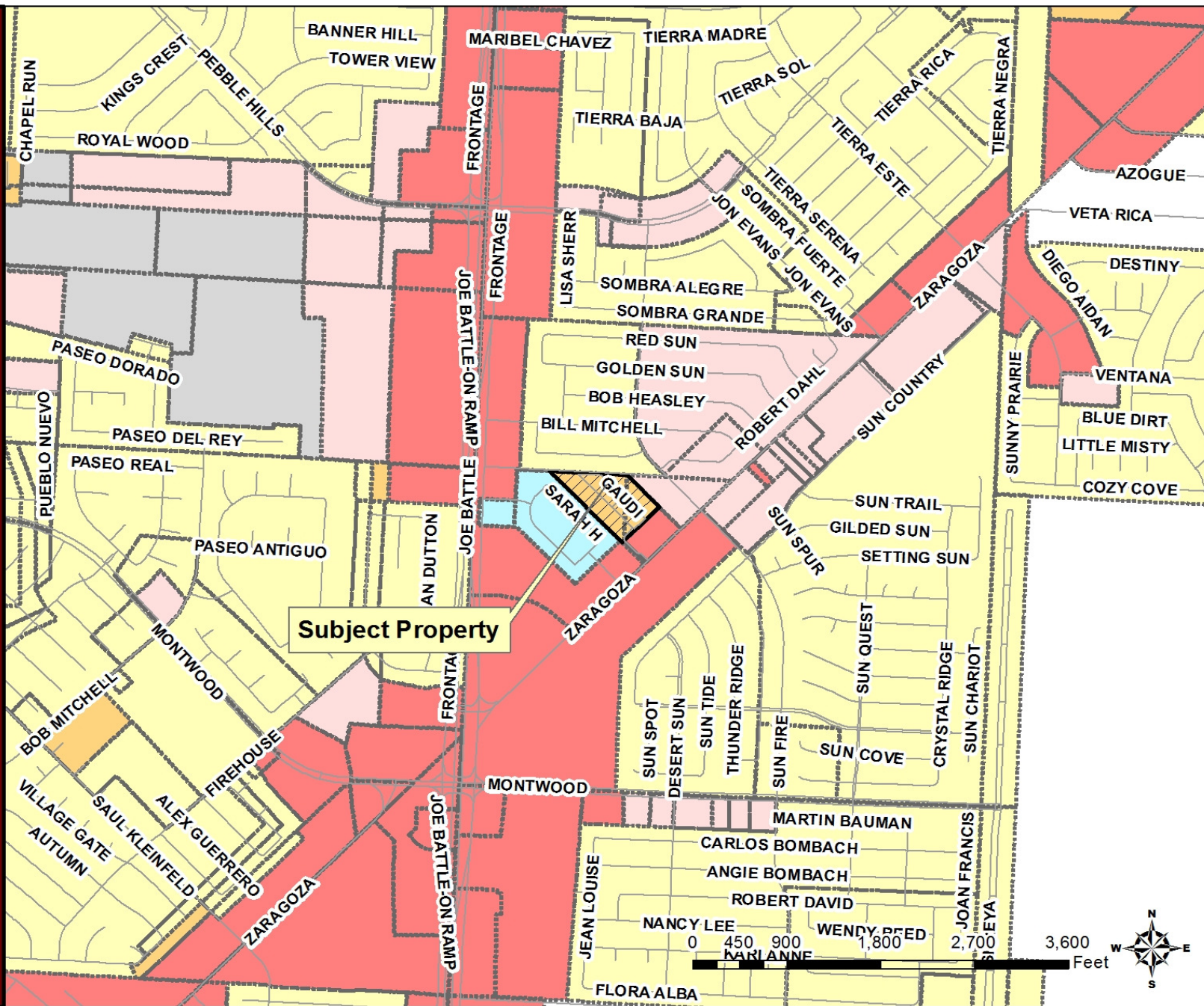
Recommendation/Public Input

- **Planning Division recommendation:** Approval
- **CPC Vote:** The City Plan Commission (CPC), on December 4, 2014, voted 7-0 to recommend APPROVAL of the detailed site development plan with a condition that street trees be required per City Code for the subject property.
- **Public Input:** The Planning Division has not received any phone calls or letters in support or opposition to the detailed site development request

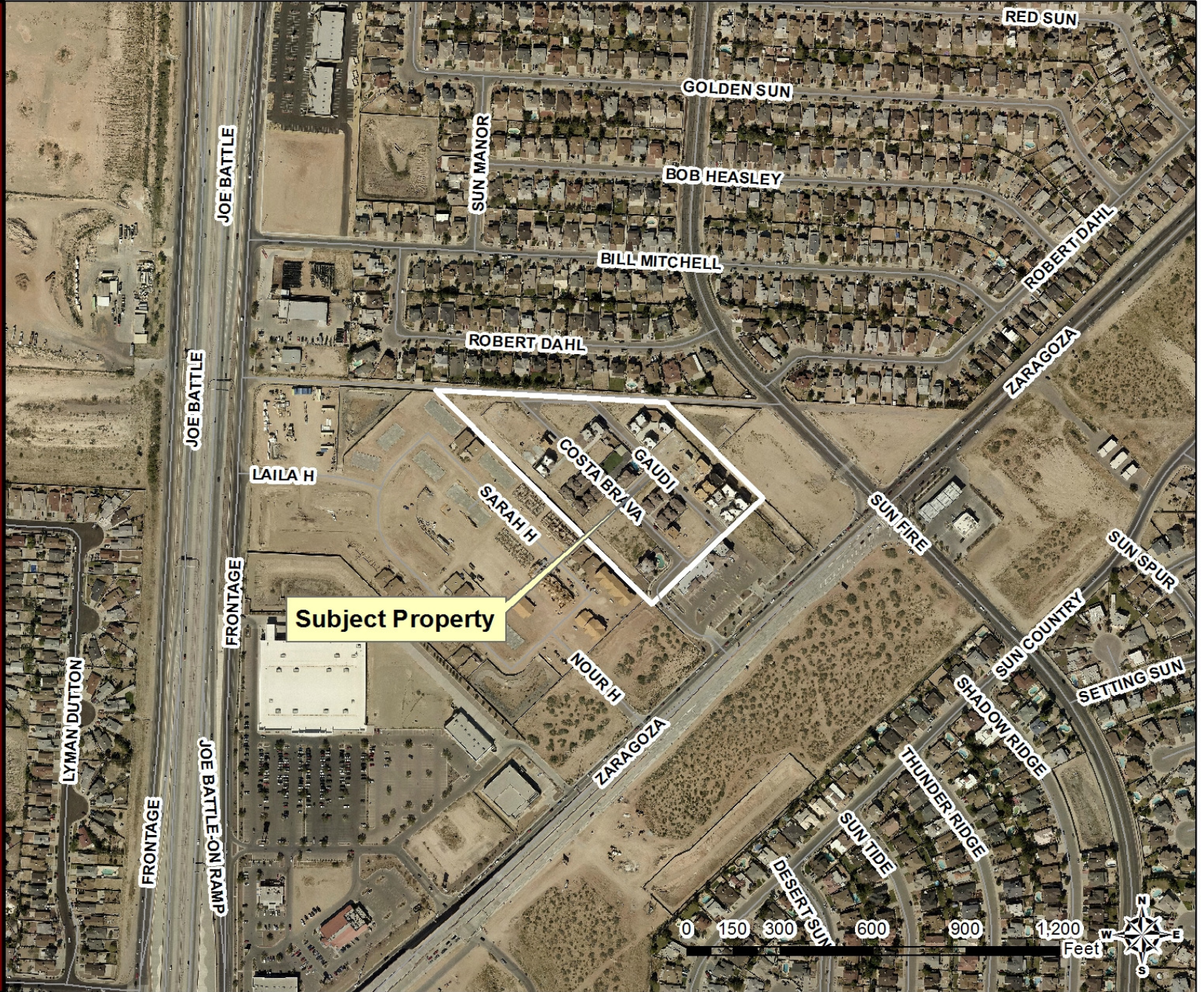
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PZDS14-00031



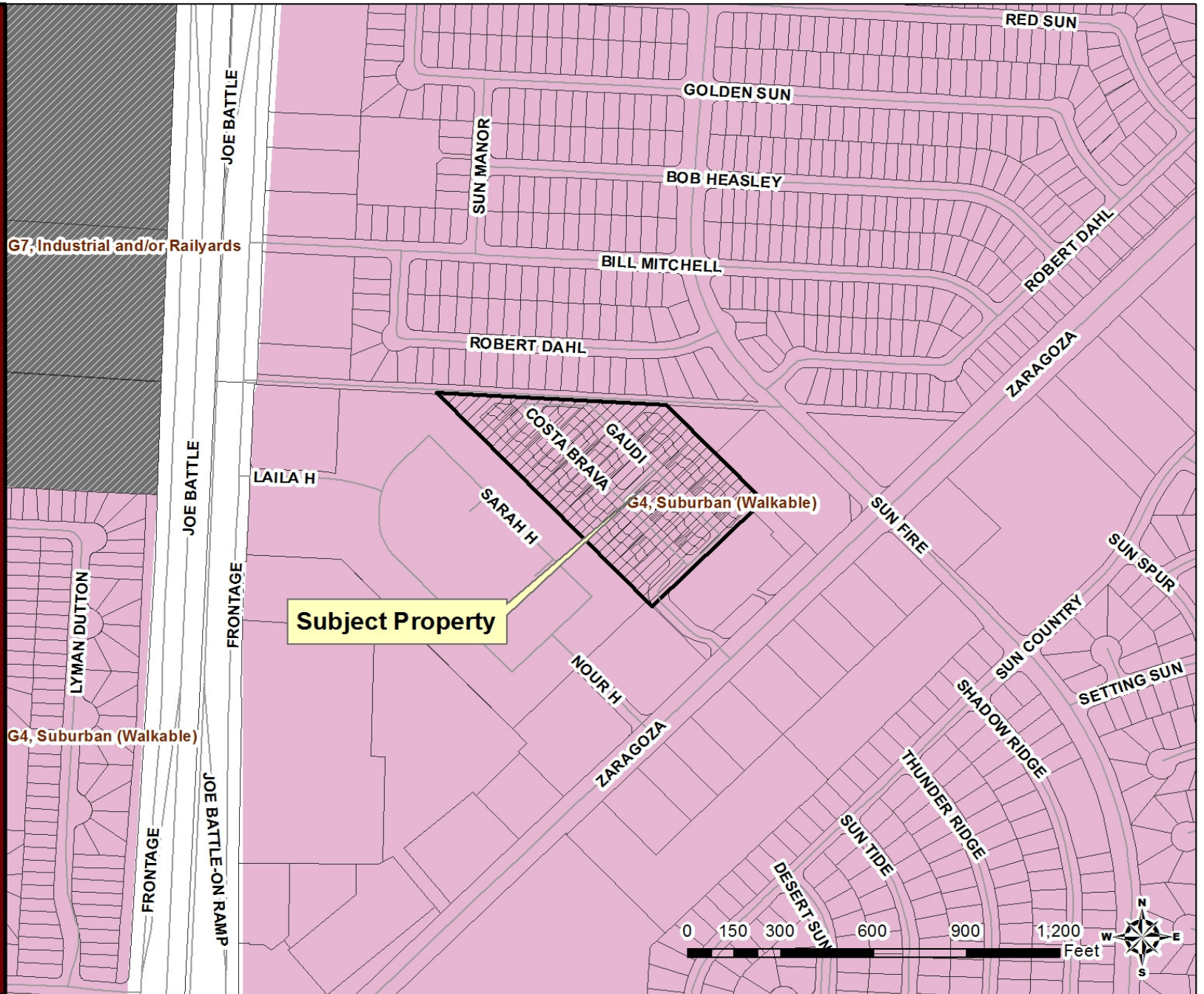
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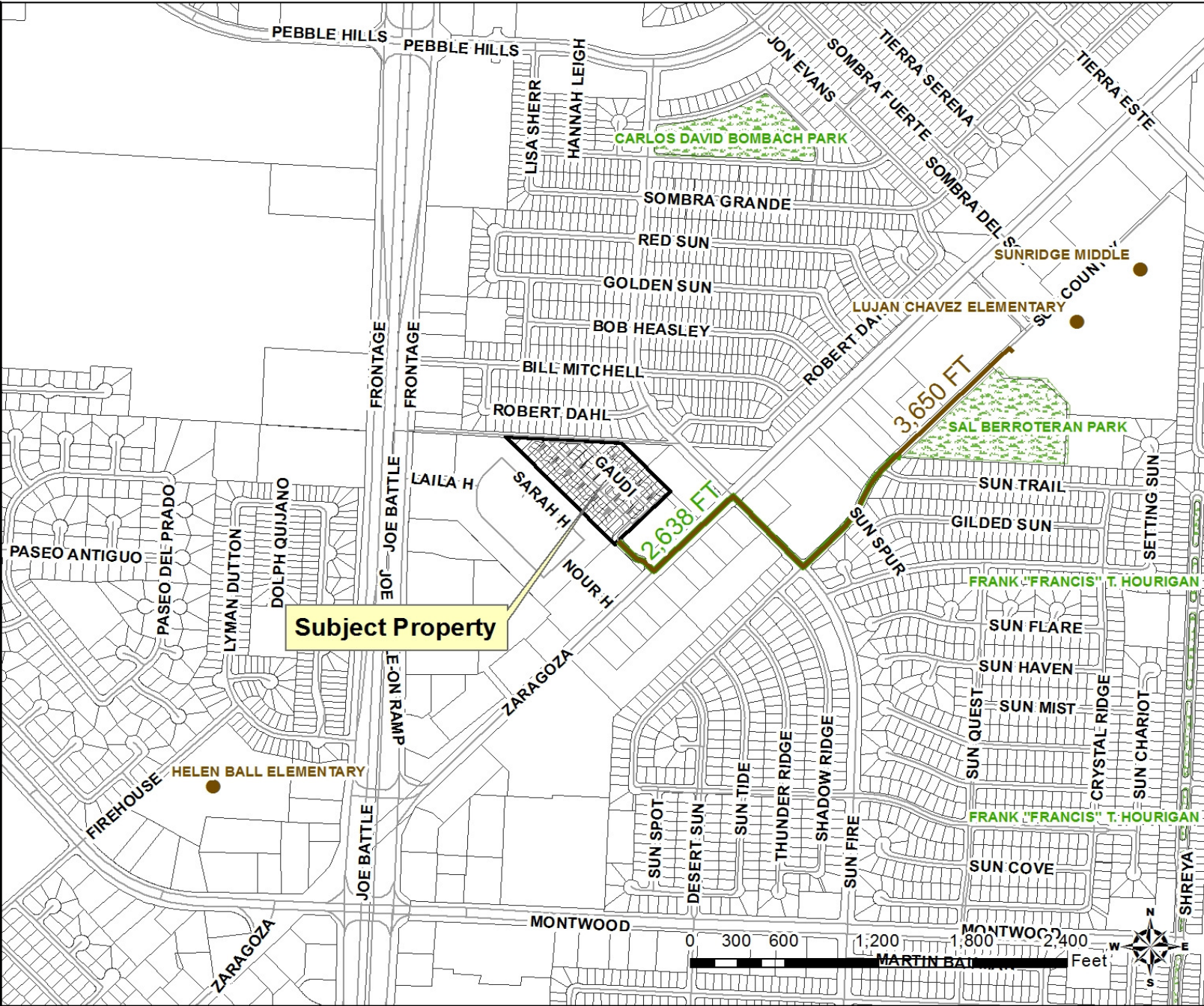
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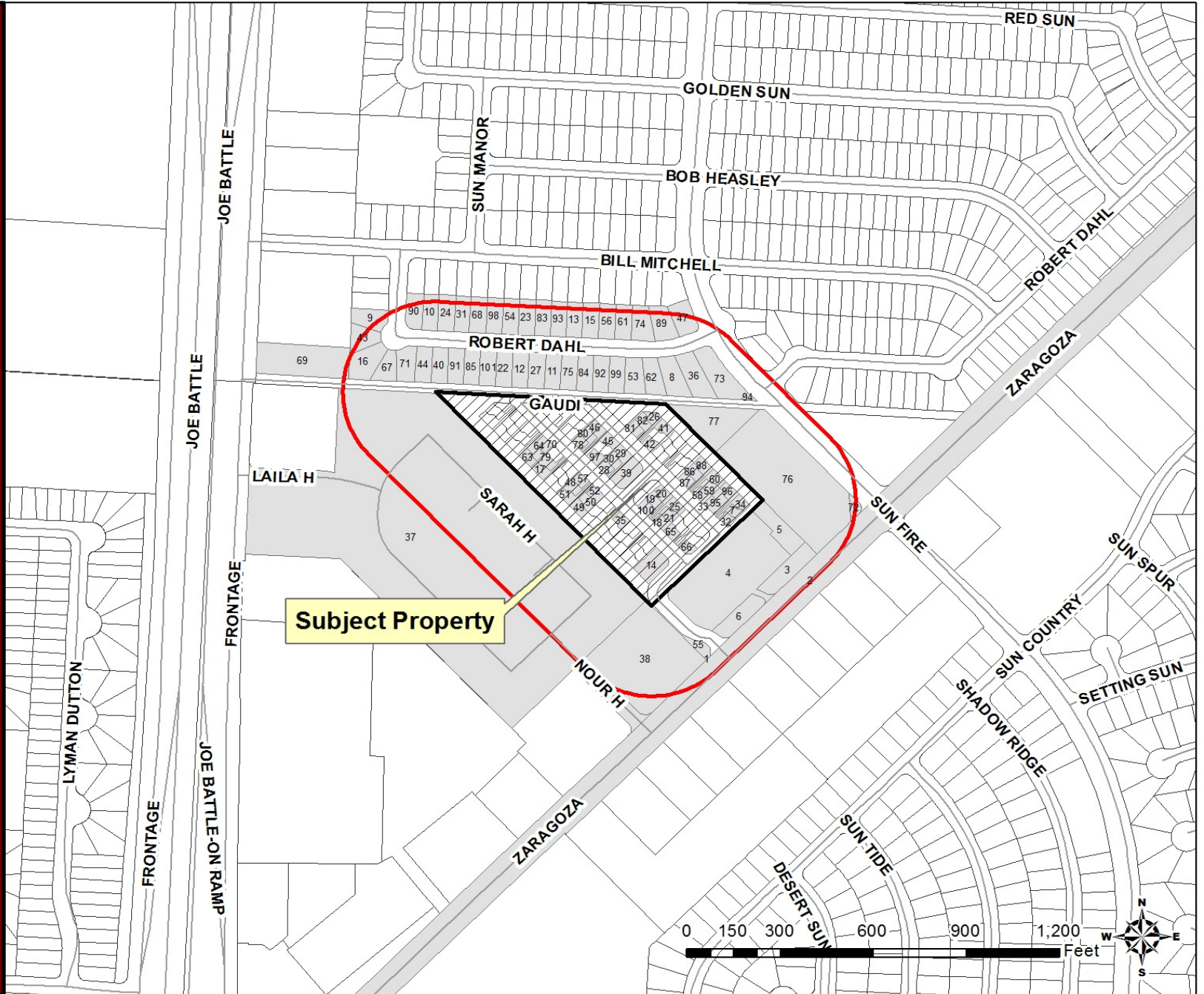
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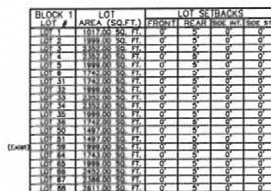


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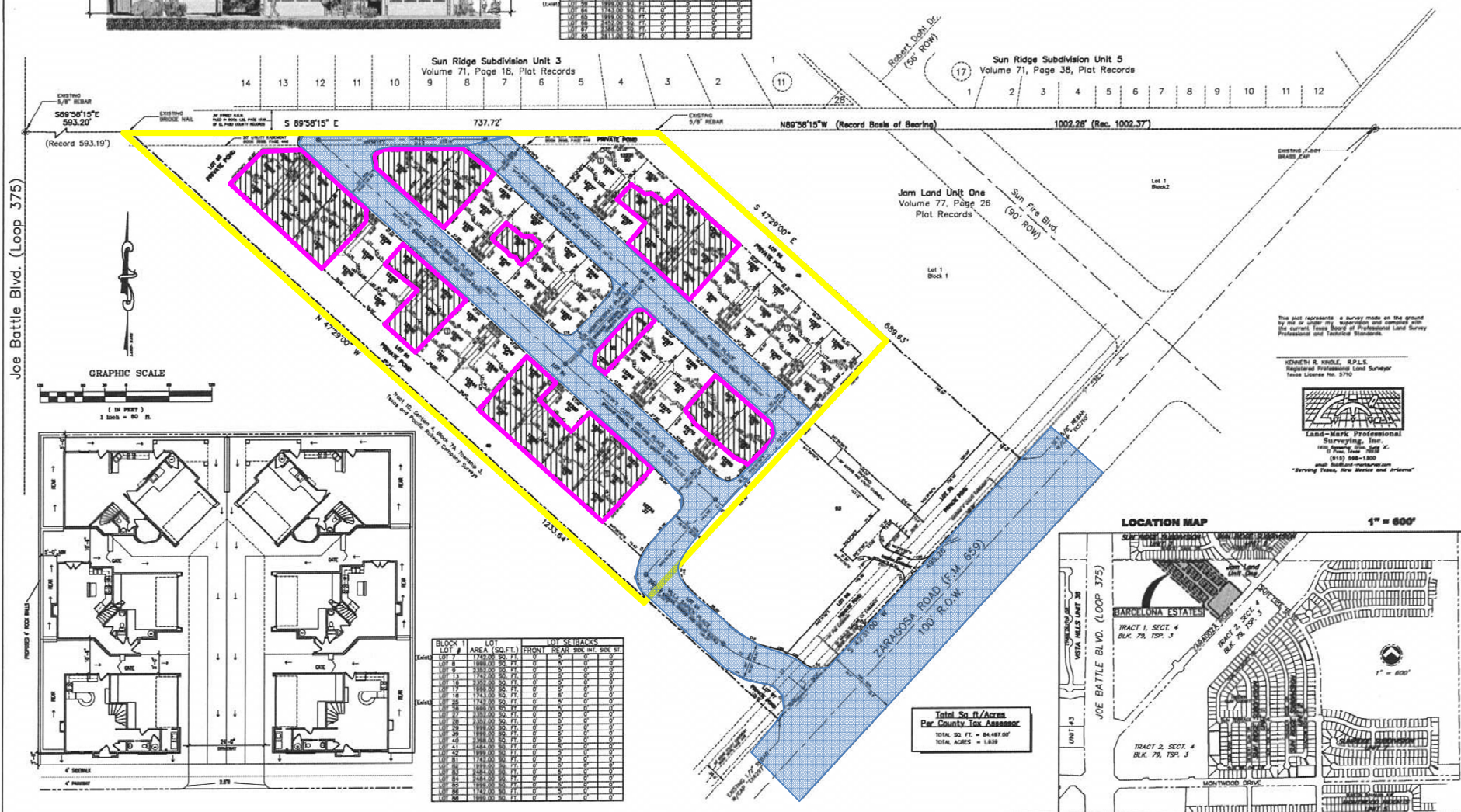
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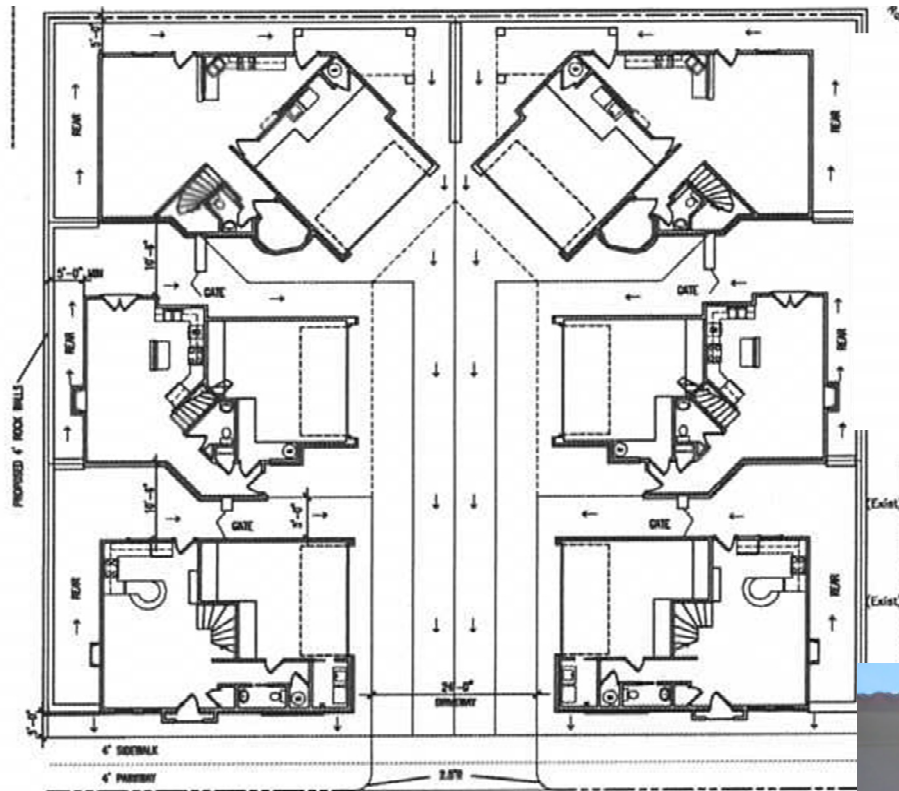


LOTS 1-6, 7, 8, 9, 13, 16-18, 25, 26-29, 31-36, 39-42,
50, 51, 59, 64-68, 81-86, 88
BLOCK 1 BARCELONA ESTATES REPLAT "A"
CITY OF EL PASO, EL PASO COUNTY, TEXAS
CONTAINING 1.939 ACRES

SITE DEVELOPMENT PLAN



Lot & Dwelling Size / Building Setback	Required (Minimum)	Proposed
Lot Area	4,000 sq. ft.	Varied from approx. 1,017 sq. ft. to 2,611 sq. ft.
Lot Width	40 ft.	Varied approx. 27.78 ft. to 40 ft.
Lot Depth	100 ft.	Varied approx. 39 ft. to 59 ft.
Front Yard	10 ft., except that a 20' driveway must be provided	0 ft.
Rear Yard	20 ft.	5 ft.
Cumulative Front & Back Yard	N/A	N/A
Side Yard	10 ft. between structure	0 ft.
Side Street Yard	10 ft.	0 ft.
Cumulative Side & Side Street Yard	N/A	N/A
Height (Maximum)	35 ft.; except as approved by City Council	30 ft.



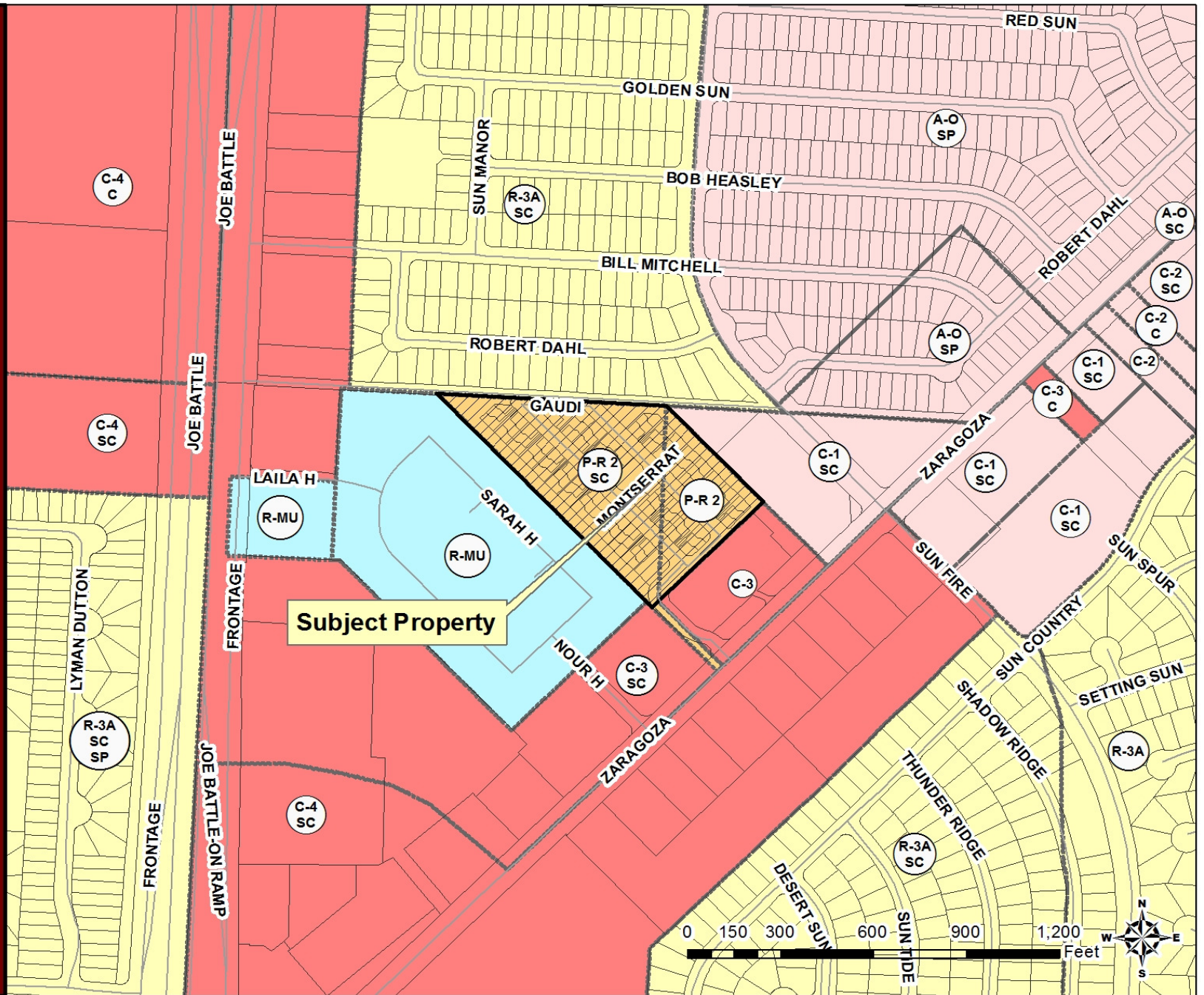




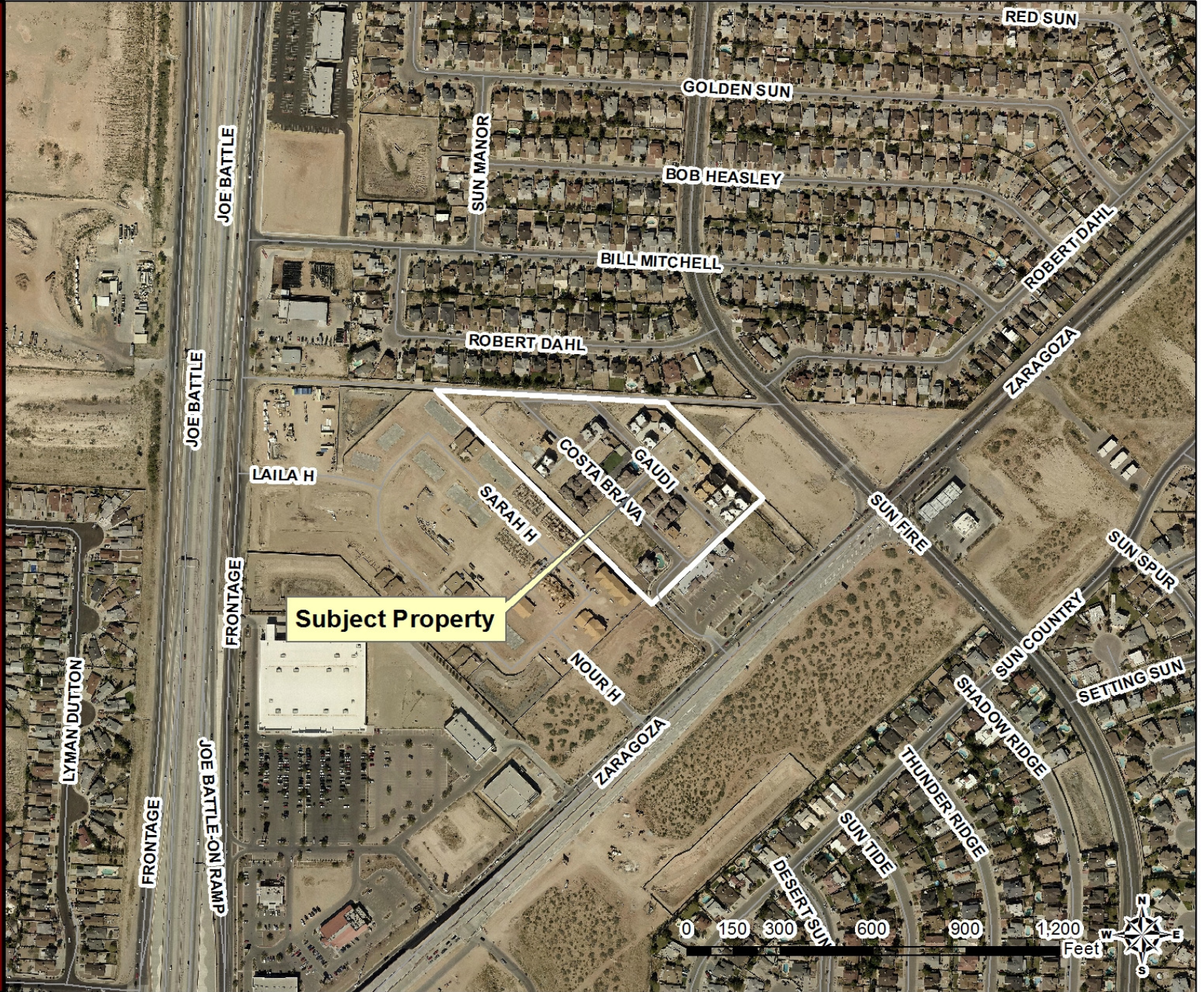


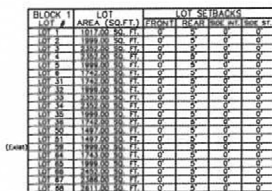


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PZDS14-00031





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SITE DEVELOPMENT PLAN

