

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Regular Consent; Public Hearing: February 6, 2018

CONTACT PERSON/PHONE: Victor Morrison-Vega, (915)212-1553, morrison-vegavx@elpasotexas.gov
Armida Martinez, (915) 212-1605, martinezar@elpasotexas.gov

DISTRICT(S) AFFECTED: 5

SUBJECT:

A Resolution approving a detailed site development plan for portion of Lot 26, Block 1, Montwood Heights Unit Four, City of El Paso, El Paso County, Texas Pursuant to Section 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 12360 Montwood Property Owner: Carol N. Abalihi. PZDS17-00043 (District 5)

BACKGROUND / DISCUSSION:

Detailed Site Development Plan approval by the CPC and City Council required by condition attached to Ordinance No. 11466, dated June 22, 1993

On November 16, 2017, CPC reviewed and recommended approval of the detailed site development plan.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Recommended approval on November 16, 2017.

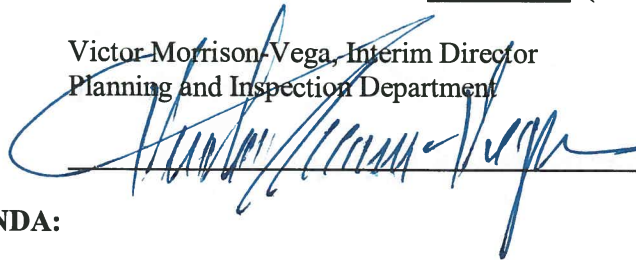
*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Victor Morrison-Vega, Interim Director
Planning and Inspection Department



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

RESOLUTION

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR A PORTION OF LOT 26, BLOCK 1, MONTWOOD HEIGHTS UNIT FOUR, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.150. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Carol N. Abalihi MD, PA, (the "Owner") has applied for approval of a detailed site development plan which requires City Plan Commission and City Council approval, to reduce lot depth and setbacks as required under the C-1 (Commercial) as per Section 20.10.360 (C) (4) (c). The detailed site development plan is subject to the development standards in the **C-1/C (COMMERCIAL W/CONDITION) 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 reduce lot depth and setbacks as required under the Planned Residential I District as per Section 20.10.360 (C) (4) (c), on the following described property which is located in a C-1/C (COMMERCIAL W/CONDITION) District:

A PORTION OF LOT 26, BLOCK 1, MONTWOOD HEIGHTS UNIT FOUR, City of El Paso, El Paso County, Texas, and as more particularly described on the attached **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-1/C (COMMERCIAL W/CONDITION) 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-1/C (COMMERCIAL W/CONDITION) 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 _____, 2018.

THE CITY OF EL PASO

Dee Margo
Mayor

ATTEST:

Laura D. Prine
Interim City Clerk

APPROVED AS TO FORM:



Karla M. Nieman
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Victor Morrison-Vega, Interim Director
Planning & Inspections Department

(Agreement on following page)

DEVELOPMENT AGREEMENT

By execution hereof, CAROL N. ABALIHI MD, PA, ("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-1/C (COMMERICAL W/CONDITION District located within the City of El Paso.

EXECUTED this 29th day of January, 2018.

[CAROL N. ABALIHI MD, PA]

By: [Signature]

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 29 day of January, 2018, by Susana Paz, in his legal capacity on behalf of Carol N. Abalhi, MD, PA

[Signature]
Notary Public, State of Texas

My Commission Expires:

02/16/2019

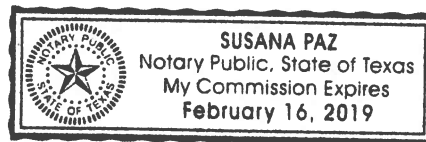


EXHIBIT "A"
Metes and Bounds

Being a Portion of Lot 26, Block 1,
Montwood Heights Unit Four,
City of El Paso, El Paso County, Texas
September 18, 2017

METES AND BOUNDS DESCRIPTION

Montwood Drive
Exhibit "A"

FIELD NOTE DESCRIPTION of a portion of Lot 26, Block 1, Montwood Heights Unit Four, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a city monument located at the centerline intersection of Desert Sun Drive (60' R.O.W.) and Montwood Drive (120' R.O.W.), **THENCE**, leaving said centerline intersection and along the centerline of Montwood Drive, South 89°29'00" West, a distance of 230.00 feet to a point; **THENCE**, leaving said centerline of Montwood Drive, South 00°31'00" East, a distance of 60.00 feet to the southerly right-of-way line of Montwood Drive and the **POINT OF BEGINNING** of the herein described parcel;

THENCE, leaving said southerly right-of-way line of Montwood Drive, South 00°31'00" East, a distance of 270.00 feet to a point;

THENCE, South 89°29'00" West, a distance of 178.02 feet to a point;

THENCE, North 00°31'00" West, a distance of 270.00 feet to a point;

THENCE, North 89°29'00" East, a distance of 178.02 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 48,065.40 square feet or 1.103 acres of land more or less.

CAD Consulting Co.
1790 Lee Trevino Drive. Suite 503
El Paso, Texas 79936
(915) 633-6422
I:\M&B\2017\17-2057.wpd



1. Bearings shown herein are based on the filed plat for Montwood Heights Unit Four
2. Not a ground survey

MEMORANDUM

DATE: January 30, 2018

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

FROM: Armida Martinez, Planner

SUBJECT: PZDS17-00043

The City Plan Commission (CPC), on November 16, 2017, voted unanimously to recommend **approval** of a detailed site development plan to permit the construction of a new medical clinic.

The CPC found that the detailed site development plan is in conformance with Plan El Paso. The CPC also determined that the detailed site development plan protects the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the detailed site development plan will have no negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

The Planning Division has not received any communications in support or opposition to the detailed site development plan.

Property Owner: Carol N. Abalihi, MD, PA
Applicant: Carol N. Abalihi, MD PA
Representative: DLG Projects

Attachments:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZDS17-00043
Application Type: Detailed Site Development Plan Review
CPC Hearing Date: November 16, 2017
Staff Planner: Armida Martinez, 915-212-1605, martinezar@elpasotexas.gov

Location: 12360 Montwood
Legal Description: A portion of Lot 26, Block 1, Montwood Heights Unit Four, City of El Paso, El Paso County, Texas
Acreage: 1.1035
Rep District: 5
Existing Zoning: C-1/c (Commercial/condition)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: Condition: Ordinance No. 11446, dated June 22, 1993
Request: Detailed Site Development Plan Review per Ordinance No. 11446
Proposed Use: New medical clinic and tenant facility

Property Owner: Carol N. Abalihi, MD, PA
Applicant: Carol N. Abalihi, MD, PA
Representative: Derek L. Garilanes, DLG Projects

SURROUNDING ZONING AND LAND USE

North: R-3A/sc, (Residential/special contract) / Residential Development
South: R-3A, (Residential) / Residential Development
East: C-1/c, (Commercial/condition) / Bank
West: C-1/c, (Commercial/condition) / Shopping Center

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

NEAREST PARK: Frank "Francis" T. Hourigan Park (2,818 feet)

NEAREST SCHOOL: Lujan Chavez Elementary (5,133 feet)

NEIGHBORHOOD ASSOCIATION

Eastside Civic Association

NEIGHBORHOOD INPUT

Detailed Site Development Plan Review does not require public notification as per Section 20.04.520, Notice of the El Paso City Code.

CASE HISTORY

On June 22, 1993, the subject property was rezoned from R-3 (Residential) to C-1/c (Commercial/condition) with the following conditions imposed by Ordinance No. 11446 (Attachment 6) summarized as follows:

Parcels 1 & 2

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

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

Parcels 2, 3&4

1. Prior to issuance of any building permits the applicants must submit for review and approval by the City Plan Commission and the Mayor and City Council, a detailed site development plan of the property.
2. Limiting the height of any structure to not more than 2 ½ stories or 35' whichever is greater.
3. Provide a 10' wide strip of landscaping along Montwood Dr.

The present detailed site development plan review has been submitted and will fulfill required conditions.

APPLICATION DESCRIPTION

The request is for a detailed site development plan review as required by Ordinance No. 11446 dated June 22, 1993 (see Attachment 6). The detailed site development plan proposes a new medical clinic and tenant facility development on 11,525 SF. This development consists of a new clinic, laboratory, physical therapy space and two additional office spaces. The development requires a minimum of 19 parking spaces and the applicant is providing 37 parking spaces, including 2 ADA accessible parking spaces and 3 bicycle spaces. The development complies with the minimum landscape area requirements of Title 18.46. Access to the subject property is proposed from Montwood.

PLANNING DIVISION RECOMMENDATION

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

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 required by zoning condition imposed on the subject property.

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, due to a condition imposed on the subject property which requires review and approval by City Plan Commission.

- 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, and it meets all requirements of 20.04.150, Detailed Site Development Plan and the zoning conditions.

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 Planning Division recommendation is based on the compatibility with the G-4, Suburban (Walkable) land use designation through the addition of missing commercial uses provided to surrounding neighborhoods within the area of the existing vacant lots and reducing travel and infrastructure needs.

The purpose of the C-1(Commercial) district is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood convenience goods and services that serve day-to-day needs. The regulations of the districts will permit location of business and professional offices and retail category uses within adjacent residential areas of medium and high densities.

The Planning Division recommendation is based on the compliance with the definition for C-1 in which the commercial uses provided through the zoning supports the existing commercial uses and in the area by reducing travel and infrastructure needs and provides goods and services to the area.

Plan El Paso - Goals & Policies

Goal 2.2: The City of El Paso should change its growth pattern away from homogeneous land uses and return to a pattern of compact well-connected mixed-use neighborhoods.

Policy 2.2.5: The design of new neighborhoods and additions to existing neighborhoods should strive for a balance of housing, jobs, shopping, recreation, and civic uses to avoid unnecessary travel and reduce infrastructure and public services costs.

The Planning Division recommendation is based on the addition of commercial uses and employment opportunities provided to surrounding neighborhoods within the area which is zoned for commercial and manufacturing uses, while also reducing travel and infrastructure needs through the mix of uses proposed.

COMMENTS:

Planning and Inspections Department - Planning Division - Transportation

Recommend approval.

TXDOT

Development is not abutting TxDOT Right of Way.

Planning and Inspections Department – Plan Review and Landscaping Division

No objections to proposed DSDP. At the time of submittal for building permits the project will need to comply with all applicable provisions of the IBC, TAS and Municipal Code

Planning and Inspections Department – Land Development

We have reviewed subject plans and recommend that the applicant address the following comments.

1. Show proposed drainage flow pattern arrows on detailed site plan flowing toward the ultimate ponding location(s) for storm-water runoff as per the approved master drainage plan for the area.
2. See the approved Subdivision Improvement Plans for “Mountain Heights 1”. Runoff flows toward the rear of the properties into a public pond toward the Southwest of this lot and not into Montwood.
3. Provide a note with the current FEMA FIRM flood zone information.
4. Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that storm-water is in compliance with ordinances, codes DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

Fire Department

Recommend approval.

Police Department

Do not see any conflicts.

Sun Metro

No comments received.

El Paso Water

No comments received.

El Paso Water - Stormwater Engineering

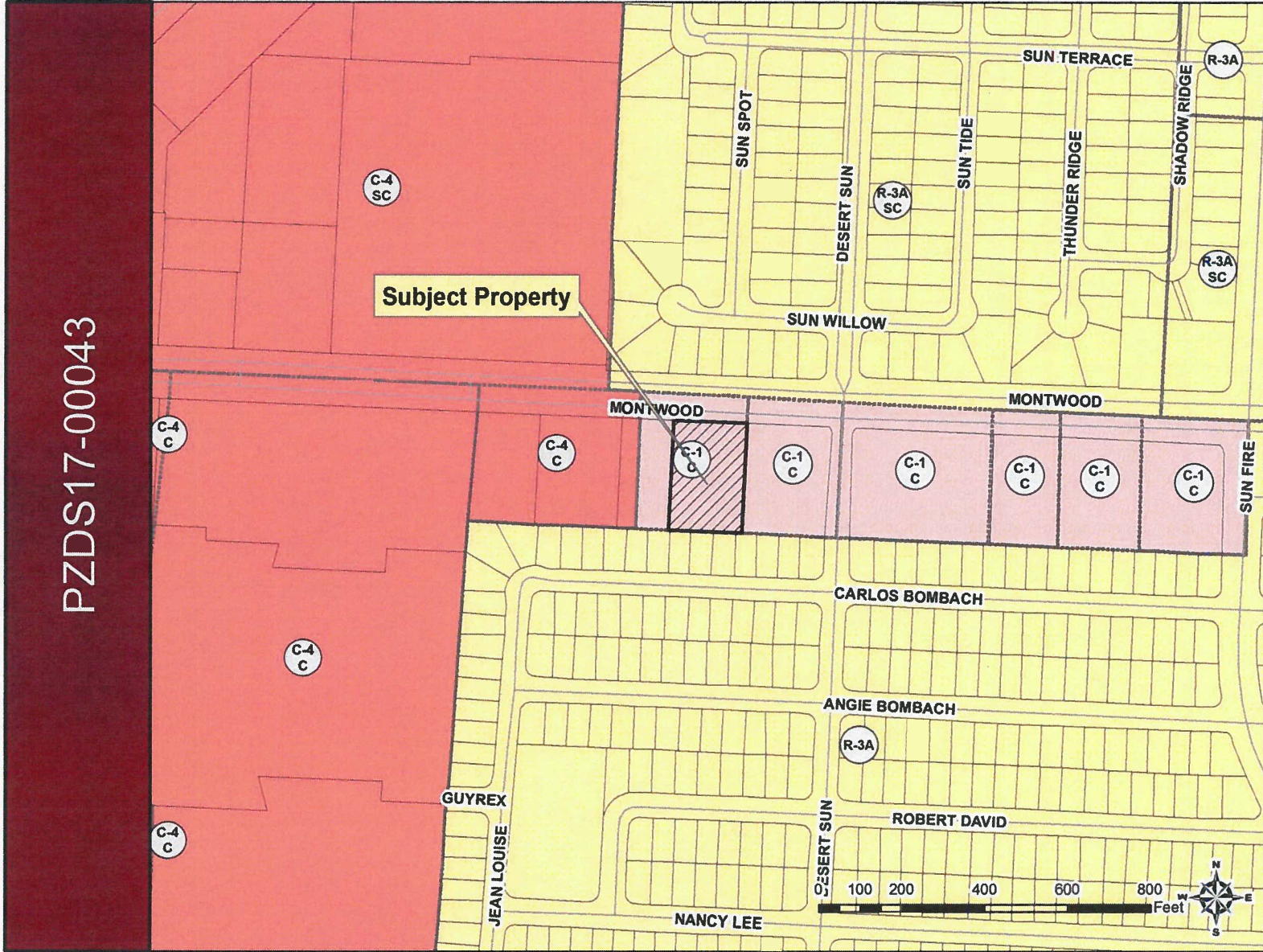
EPW-Stormwater Engineering reviewed the property described above and has no objections to the request. However, we recommend using principles of low impact & green infrastructure development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff.

Attachments:

1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Detailed Site Development Plan
5. Elevations
6. Ordinance No. 11446, dated June 22, 1993

ATTACHMENT 1: ZONING MAP

PZDS17-00043

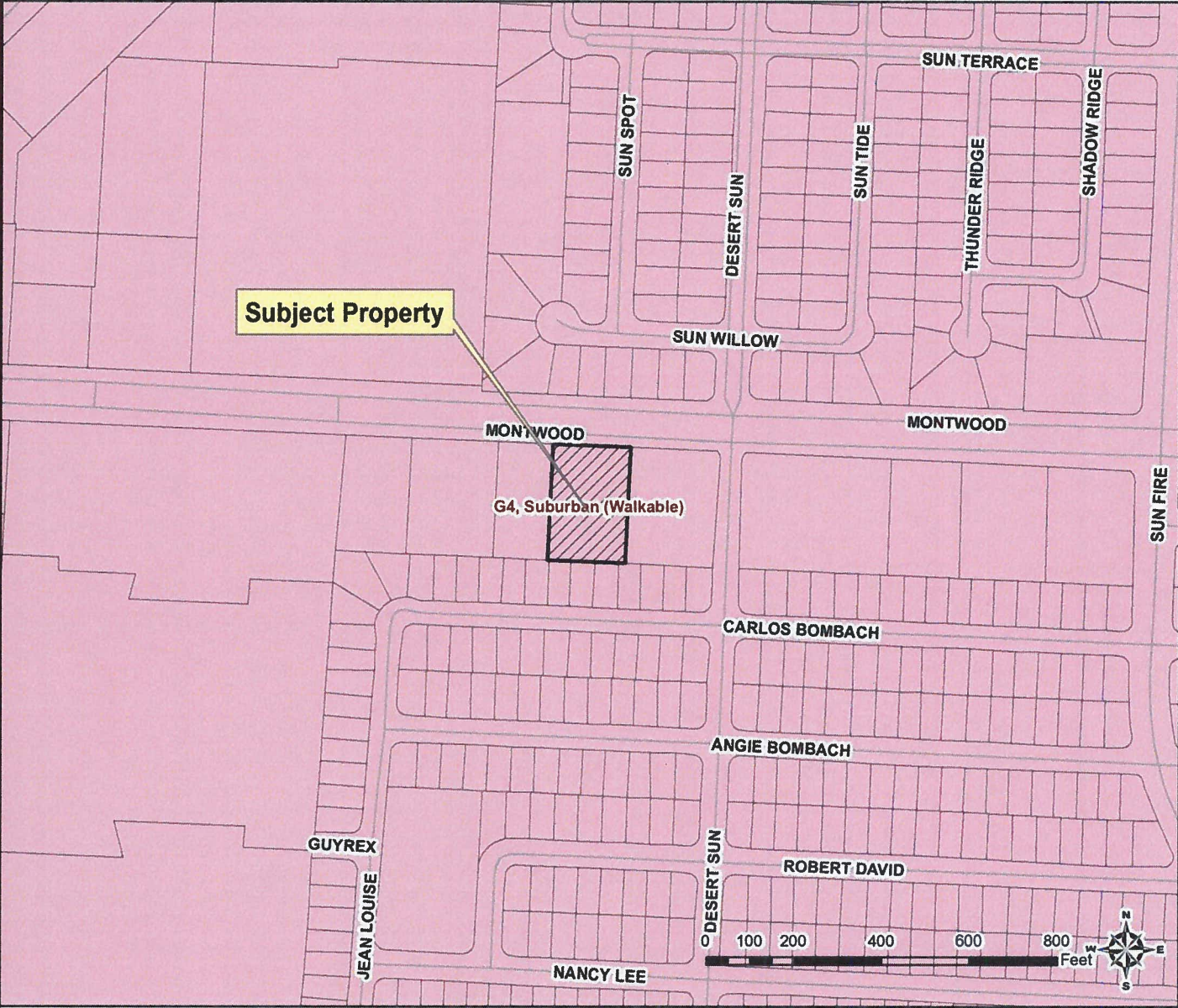


ATTACHMENT 2: AERIAL MAP

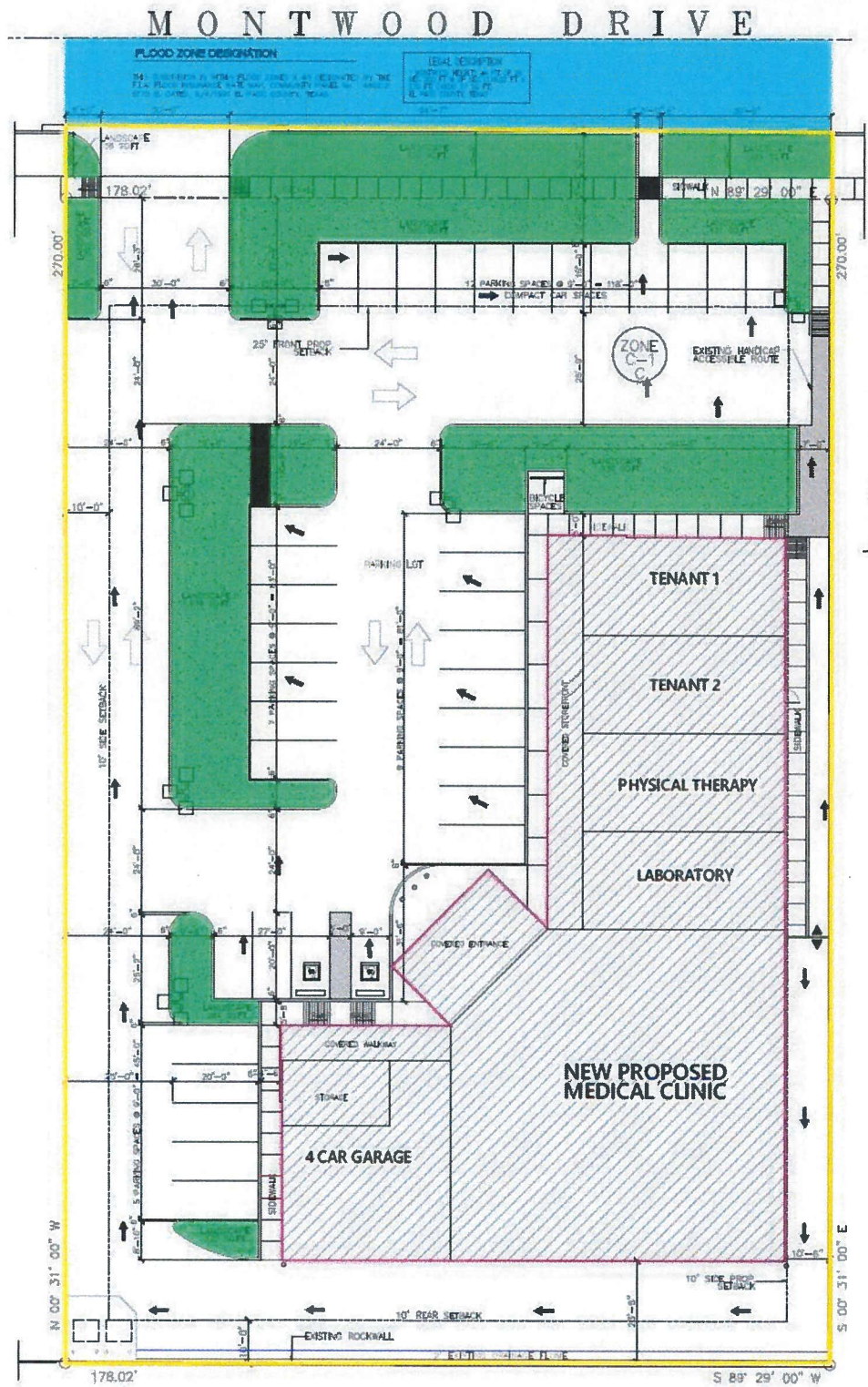
PZDS17-00043



PZDS17-00043



ATTACHMENT 4: DETAILED SITE DEVELOPMENT PLAN

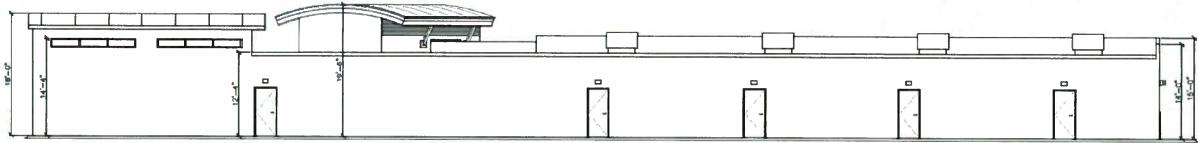


NEW / PROPOSED SITE PLAN
 SCALE 1/8" = 1'-0"

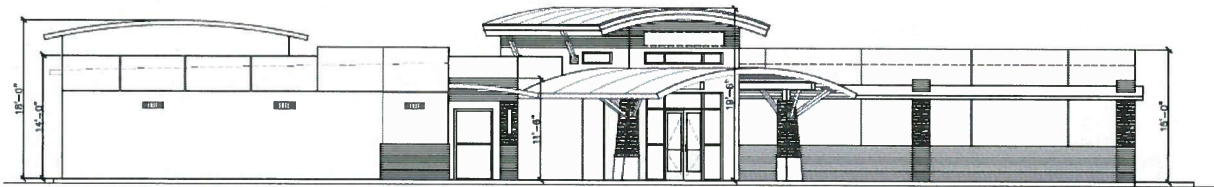
ATTACHMENT NO. 5: ELEVATIONS



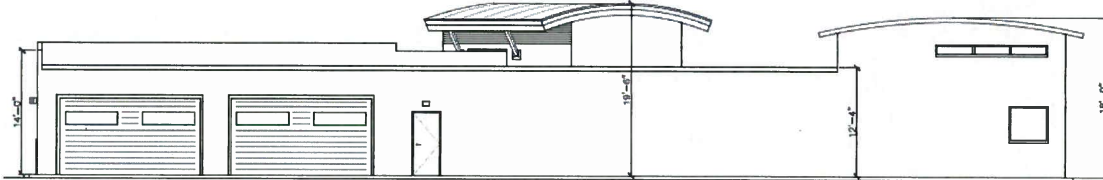
1 FRONT ELEVATION
TENANT AND CLINIC ELEVATION SCALE: 3/32" = 1'-0"



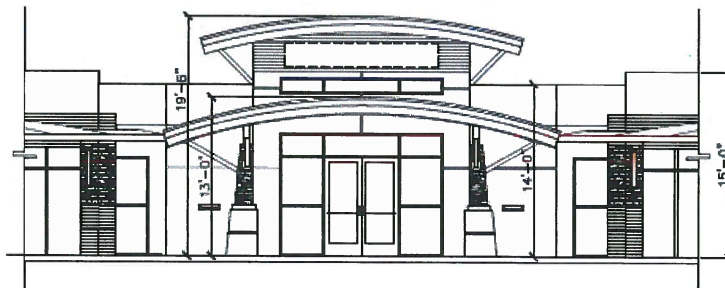
2 REAR ELEVATION
TENANT AND CLINIC ELEVATION SCALE: 3/32" = 1'-0"



3 LEFT ELEVATION
TENANT AND CLINIC ELEVATION SCALE: 3/32" = 1'-0"



4 RIGHT ELEVATION
TENANT AND CLINIC ELEVATION SCALE: 3/32" = 1'-0"



5 MAIN ELEVATION
CLINIC ENTRANCE SCALE: 3/32" = 1'-0"

ATTACHMENT NO. 6: ORDINANCE NO. 11446 DATED JUNE 22, 1993

175

ORDINANCE NO. 16238

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

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

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

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

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

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

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

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

ORDINANCE NO. 16238

1

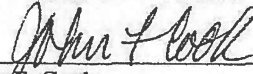
Case No: ZON05-00113

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

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

PASSED AND APPROVED this 13th day of December, 2005.

THE CITY OF EL PASO



John F. Cook
Mayor

ATTEST:

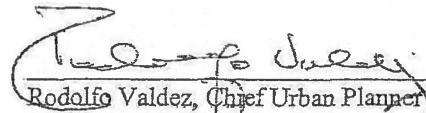


Richarda Duffy Momsen
City Clerk

APPROVED AS TO CONTENT:

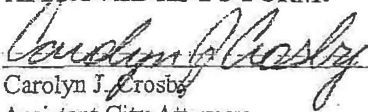


Christina Valles, Planner II
Development Services Department



Rodolfo Valdez, Chief Urban Planner
Development Services Department

APPROVED AS TO FORM:



Carolyn J. Crosby
Assistant City Attorney

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

10255

2

ORDINANCE NO. _____

Case No: ZON05-00113

ORDINANCE NO. 011446

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 3, SECTION 4, BLOCK 79, TSP 3, T&P RAILWAY CO. SURVEYS, AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO CITY CODE.

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

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

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

Parcels 1 & 2

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

ORDINANCE NO. 011446 PAGE 1 OF 3

93-5787

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

Parcels 2,3&4

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

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

PASSED AND APPROVED this 22nd day of June, 1993.

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

THE CITY OF EL PASO

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk

I CERTIFY THAT THE FOLLOWING ZONING MAPS

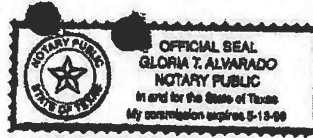
HAVE BEEN REVISED: V.R.
8-4-93 COUNTER
8-4-93 ORIGINAL
8-4-93 Bldg. Inspection
8-4-93 CONT'D

ORDINANCE NO. 011446 PAGE 2 OF 3

[Signature]

ACKNOWLEDGMENT

THE STATE OF TEXAS }
COUNTY OF EL PASO }



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

Gloria T. Alvarado
Notary Public, State of Texas

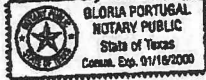
My Commission Expires:
May 13, 1999

Notary's Printed or Typed Name:
GLORIA T. ALVARADO

ACKNOWLEDGMENT

THE STATE OF TEXAS }
COUNTY OF EL PASO }

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



Gloria Portugal
Notary Public, State of Texas

My Commission Expires:

Notary's Printed or Typed Name:

ACKNOWLEDGMENT

THE STATE OF NEW MEXICO }
COUNTY OF BERNALILLO }

This instrument is acknowledged before me on this 9th day of April, 1996,
by Robert M. Murphy, for Sandia Properties Ltd., Co.

Lisa K. Kilbreth
Notary Public, State of New Mexico

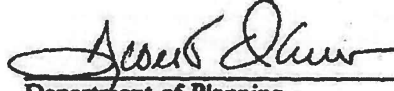
My Commission Expires:

Notary's Printed or Typed Name:
Lisa K. Kilbreth

APPROVED AS TO FORM:


Kimberley Mickelson,
Assistant City Attorney

APPROVED AS TO CONTENT:


Department of Planning

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

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

My Commission Expires:

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

CHDA210-5787.ORD

OO|CHDA210-5787.ORD
Rev. January 28, 1993 (93)

ORDINANCE NO. 011446 PAGE 3 OF 3

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

PROPERTY DESCRIPTION
(PARCEL 1 / C-4)

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

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

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

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

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

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

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

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

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

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

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

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

PROPERTY DESCRIPTION
(PARCEL 2/C-4)

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

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

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

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

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

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

*Ord # 011446
dated 6-27-93*

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

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

PROPERTY DESCRIPTION
(PARCEL 3 / C-1)

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

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

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

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

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

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

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

*Zoning Case # 93-5187
Exhibit - a
Page - 3 of 5*

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

PROPERTY DESCRIPTION
(PARCEL 4/A-O)

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

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

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

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

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

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

*Ord # 011446
dated 6-22-93*

*zoning case # 93-5187
Exhibit - "a"
Page 4 of 5*

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

PROPERTY DESCRIPTION
(PARCEL 5/R-3A)

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

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

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

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

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

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

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

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

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

*zoning case # 93-5787
exhibit "a"
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