

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

**DEPARTMENT:** Planning and Inspection Department, Planning Division

**AGENDA DATE:** Introduction – October 29, 2019

**PUBLIC HEARING DATE:** November 26, 2019

**CONTACT PERSON NAME AND PHONE NUMBER:**

Philip F. Etiwe, (915) 212-1553, etiwepf@elpasotexas.gov

Andrew Salloum, (915) 212-1603, salloumam@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 3

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

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

**SUBJECT:**

An Ordinance releasing a condition placed on property by Ordinance NO. 7595 which changed the zoning of a portion of Lot 17, Block 193, Vista Del Sol Unit Thirty Three, 3012 Lee Trevino Drive, City of El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. The proposed condition release 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: 3012 Lee Trevino Drive. Property Owner: EP JJJJ, LP. PZCR19-00007 (District 3)

**BACKGROUND / DISCUSSION:**

On October 10, 2019, The CPC reviewed and recommended approval of the subject property request.

**PRIOR COUNCIL ACTION:**

There is no prior City Council action on this special permit application.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

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Philip F. Etiwe, Director  
Planning and Inspection Department

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

**AN ORDINANCE RELEASING A CONDITION PLACED ON PROPERTY BY ORDINANCE NO. 7595 WHICH CHANGED THE ZONING OF A PORTION OF LOT 17, BLOCK 193, VISTA DEL SOL UNIT THIRTY THREE, 3012 LEE TREVINO DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS**, the zoning of the property described as a portion of Lot 17, Block 193, Vista Del Sol Unit Thirty Three, City of El Paso, El Paso County, Texas, and more particularly described by the metes and bounds attached as Exhibit "A", was changed by Ordinance No. 7595, approved by City Council on November 16, 1982; and,

**WHEREAS**, the rezoning was subject to the following zoning condition:

1. No bar, saloon or package liquor store shall be constructed on the above-described property; and

**WHEREAS**, placement of such condition was necessitated by and attributable to the increased intensity of use generated by the change of zoning; and,

**WHEREAS**, the owner (applicant) submitted an application requesting the removal Condition No. 1 because this condition has been satisfied or is current requirement of the City Code; and,

**WHEREAS**, a public hearing regarding the release of the condition was held before the City Plan Commission, and the Commission recommended approval of the release; and,

**WHEREAS**, the City Council of the City of El Paso has determined that the release of the condition will still protect the best interest, health, safety and welfare of the public in general.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:**

1. That the following zoning condition No. 1 imposed on the property rezoned by Ordinance No. 7595 dated November 16, 1982, attached hereto as Exhibit "B", be released to read as follows:
  1. No bar, saloon or package liquor store shall be constructed on the above-described property,
2. Except as herein amended, Ordinance No. 7595 shall remain in full force and effect.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2019.

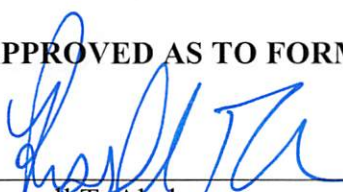
**THE CITY OF EL PASO**

\_\_\_\_\_  
Dee Margo  
Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Russell F. Abeln  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

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

(Exhibits on the following pages)

## EXHIBIT "A"

A Portion of Lot 17, Block 193,  
Vista Del Sol Unit Thirty Three,  
City of El Paso, El Paso County, Texas  
November 18, 2016

### METES AND BOUNDS DESCRIPTION 3012 Lee Trevino Drive Exhibit "A"

**FIELD NOTE DESCRIPTION** of a Portion of Lot 17, Block 193, Vista Del Sol Unit Thirty Three, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

**COMMENCING FOR REFERENCE** at northwesterly corner of Lot 17, Block 193, and also laying at the Easterly right-of-way line of Lee Trevino Drive (120' R.O.W.); **THENCE**, leaving said northwesterly corner and along said easterly right-of-way line of Lee Trevino Drive, South 00°19'13" West, a distance of 120.10 feet to a found iron rod for corner at the **POINT OF BEGINNING** of the herein described parcel;

**THENCE**, leaving said easterly right-of-way line, South 89°57'30" East, a distance of 173.60 feet to a point;

**THENCE**, South 00°02'30" West, a distance of 212.65 feet to a point;

**THENCE**, North 89°57'30" West, a distance of 174.64 feet to a point;

**THENCE**, North 00°19'13" East, a distance of 212.65 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 37,028.22 square feet or 0.8500 acres of land more or less.



CAD Consulting Co.  
1790 Lee Trevino Drive. Suite 503  
El Paso, Texas 79936  
(915) 633-6422  
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# EXHIBIT "B"

7595

AN ORDINANCE CHANGING THE ZONING OF  
A PORTION OF LOT 17, BLOCK 193, VISTA  
DEL SOL UNIT 33, THE PENALTY BEING AS  
PROVIDED IN SECTION 25-96 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 Lot 17, Block 193, Vista  
Del Sol Unit 33, as more particularly described below, be changed  
to C-2 (Commercial) District within the meaning of the zoning  
ordinance and the zoning map of the City be revised accordingly:

A portion of Lot 17, Block 193, Vista Del Sol, Unit  
Thirty three, City of El Paso, El Paso County, Texas,  
being more particularly described by metes and bounds  
as follows, to-wit:

From a point said point lying on the southerly right of  
way line of Pebble Hills Blvd. said point also being the  
northwesterly corner of Lot 16, Block 193, of said sub-  
division thence North 89°57'30" west along the southerly  
right of way line of said Pebble Hills Blvd. a distance  
of 225.58 feet, thence South 00°02'30" West a distance  
of 80.00 feet to the true point of beginning.

Thence South 00°02' 30" west a distance of 272.65 feet;

Thence North 89°57' 30" West a distance of 174.64 feet  
to a point lying on the easterly right of way line of  
Lee Trevino Drive;

Thence North 00°19'13" East along said right of way line  
of Lee Trevino Drive a distance of 272.65 feet;

Thence South 89°57'30" east a distance of 173.31 feet back  
to the True Point of Beginning and containing in all  
47,432.87 square feet or 1.089 acres of land more or less.

PASSED AND APPROVED this 16<sup>th</sup> day of November, 1982.

ATTEST:

*Will Rogers*  
City Clerk

*Jonathan W. Rogers*  
Mayor

APPROVED AS TO FORM:

*Howe*  
Assistant City Attorney

APPROVED AS TO CONTENT:

*Joan W. Dubois*  
Planning Department

I certify that the zoning map has been revised to  
reflect the amendment of ordinance # 7595  
Date 11-29-82

7595  
Contract dated 11/16/82

I CERTIFY THAT THE FOLLOWING ZONING MAPS	
HAVE BEEN REVISED: 42	TOLINOC
11-29-82 COUNTER	TUNINGO
11-29-82 ORIGINAL	CRINAL
11-29-82 CONTROL	UTSOM
11-29-82 CONTROL	UTSOM

82-4789  
NOV 17 1982  
DEPARTMENT  
OF PLANNING

RESOLUTION

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

That the mayor be authorized to execute a contract with RONALD B. WARD and RONALD K. HARVEY, et al., placing certain restrictions, conditions and covenants on the property being rezoned by Ordinance No. 7595.

ADOPTED this 16<sup>th</sup> day of November, 1982.

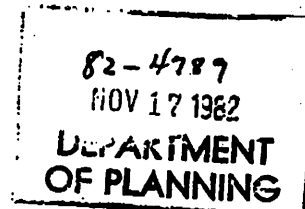
ATTEST:

W. H. Keays  
City Clerk

Jonathan W. Rogers  
Mayor

APPROVED AS TO FORM:

Don Blum  
Assistant City Attorney



CONTRACT

THIS CONTRACT, made this 16<sup>th</sup> day of November, 1982,  
by and between RONALD B. WARD and RONALD K. HARVEY, First Parties,  
THE STATE NATIONAL BANK OF EL PASO, Second Party, SURETY SAVINGS  
ASSOCIATION, Third Party, and the CITY OF EL PASO, Fourth Party,  
witnesseth:

Application has been made to the City of El Paso for rezoning  
of a portion of Lot 17, Block 193, Vista Del Sol Unit 33, City of  
El Paso, El Paso County, Texas, such property being more particularly  
described in Ordinance No. 7595, 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 to C-2 (Commercial) District 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. No bar, saloon or package liquor store shall be constructed  
on the above-described property.

2. No billiard hall or skill or pleasure coin-operated  
machine establishment shall be permitted on the property.

- (a) "Billiard hall" as used in this paragraph shall  
mean a place at which a billiard table or tables  
are provided to be played on for compensation.
- (b) "Billiard table" as used in this paragraph means  
any table (whether coin-operated or not) surrounded  
by a ledge or cushion with or without pockets,  
upon which balls are impelled by a stick or cue.
- (c) The term "skill or pleasure coin-operated machine  
establishment" as used in this paragraph means  
any place where five or more skill or pleasure  
coin-operated machines are maintained or made  
available for use or operation.
- (d) The term "skill or pleasure coin-operated machine"  
means every machine or device of any kind or char-  
acter whatsoever which is operated by or with coins,  
currency, metal slugs, tokens or checks, when  
such machine dispenses, uses or is capable of  
being used or operated for any purpose other  
than dispensing or vending of merchandise,

music, or service exclusively. "Skill or pleasure coin-operated machine" shall include, but not be limited to the following: marble machines, marble table machines, marble shooting machines, miniature racetrack machines, miniature football machines, miniature golf machines, miniature bowling machines, pinball machines, and all other coin-operated machines, which dispense or afford skill or pleasure. Every machine or device of and kind or character which dispenses or vends merchandise, commodities or confections or plays music in connection with or in addition to such games or dispensing of pleasure or skill shall be considered a "skill or pleasure coin-operated machine."

3. Should First Parties desire to construct a restaurant on the property, no alcoholic beverages shall be sold or served on the property except as an incident to the furnishing of meals in the restaurant to be operated on the property.

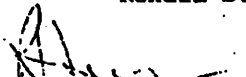
This contract is a restrictions, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Parties and their successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express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

The City may enforce this contract 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 benefit thereby.

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

WITNESS the following signatures and seal:

  
\_\_\_\_\_  
Ronald B. Ward

  
\_\_\_\_\_  
Ronald K. Harvey

THE STATE NATIONAL BANK OF EL PASO

ATTEST:

  
\_\_\_\_\_  
Secretary

By   
Title: Vice-President

SURETY SAVINGS ASSOCIATION

ATTEST:

D. H. R. B. R.  
Asst. Secretary

By [Signature]  
Title: President

THE CITY OF EL PASO

ATTEST:

[Signature]  
City Clerk

By [Signature]  
Mayor

APPROVED AS TO FORM:

[Signature]  
Assistant City Attorney

APPROVED AS TO CONTENT:

[Signature]  
Planning Department

THE STATE OF TEXAS)  
COUNTY OF EL PASO )

This instrument was acknowledged before me by RONALD B. WARD  
this 5 day of November, 1982.

My Commission Expires:  
9-10-84

[Signature]  
Notary Public, State of Texas

NONIE FIGUEROA, Notary Public  
For the State of Texas  
My Commission Expires Sept. 10, 1984

THE STATE OF TEXAS)  
COUNTY OF EL PASO )

This instrument was acknowledged before me on this 5<sup>th</sup> day  
of November, 1982 by RONALD K. HARVEY.

My Commission Expires:  
9-10-84

[Signature]  
Notary Public, State of Texas

NONIE FIGUEROA, Notary Public  
For the State of Texas  
My Commission Expires Sept. 10, 1984

THE STATE OF TEXAS)  
COUNTY OF EL PASO )

This instrument was acknowledged before me on this 5th day  
of November, 1982 by Manuel Marry  
Vice Pres of the STATE NATIONAL BANK OF EL PASO, on behalf  
of said corporation.

My Commission Expires:  
CARMEN CONTRERAS, Notary Public  
In and for the State of Texas  
My Commission Expires Aug. 17, 1985

[Signature]  
Notary Public, State of Texas

THE STATE OF TEXAS)  
COUNTY OF EL PASO )

This instrument was acknowledged before me on this 5<sup>th</sup> day  
of November, 1982 by R.T. Dempsey, President  
of SURETY SAVINGS ASSOCIATION, on behalf of  
said corporation.

My Commission Expires:  
LINDA RAZLOZNIK, Notary Public  
in and for the County of El Paso, Texas  
My Commission Expires May 11, 1985

Linda Razonik  
Notary Public, State of Texas

THE STATE OF TEXAS)  
COUNTY OF EL PASO )

This instrument was acknowledged before me on this 16<sup>th</sup> day  
of November, 1982 by JONATHAN W. ROGERS, as Mayor of the  
CITY OF EL PASO.

My Commission Expires:  
6/30/84

Biller Jean Brankham  
Notary Public, State of Texas

## **MEMORANDUM**

**DATE:** October 18, 2019

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

**FROM:** Andrew Salloum, Senior Planner

**SUBJECT:** PZCR19-00007

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The City Plan Commission (CPC), on October 10, 2019, voted 6-0 to recommend approval of the request to release condition No. 1 imposed on the subject property by Ordinance No. 7595, dated November 16, 1982. A bar is a permitted use in the C-2 (Commercial) district, and also in low-intensity, neighborhood commercial district. The proposed use shall demonstrate compliance with the all El Paso City Code requirements prior to the issuance of a certificate of occupancy.

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

As of October 18, 2019, the Planning Division received 24 letters in support and 1 letter via an email in opposition to the condition release request.

**Property Owner:** EP JJJJ, LP  
**Representative:** Mike Flores

**Attachments:**  
Staff report

# 3012 Lee Trevino Drive

City Plan Commission — October 10, 2019 (REVISED)



**CASE NUMBER:** PZCR19-00007  
**CASE MANAGER:** Andrew Salloum, 212-1603, salloumam@elpasotexas.gov  
**PROPERTY OWNER:** EP JJJJ, LP  
**REPRESENTATIVE:** Mike Flores  
**LOCATION:** 3012 Lee Trevino Drive (District 3)  
**PROPERTY AREA:** 0.85 acres  
**REQUEST:** To release Condition No. 1 and No. 3 imposed by Ordinance No. 7595, dated November 16, 1982  
**RELATED APPLICATIONS:** None  
**PUBLIC INPUT:** Twenty-four (24) letters in support, see attachment 4 and one (1) email in opposition received, see attachment 5

**SUMMARY OF REQUEST:** The applicant is requesting to release Condition No. 1 imposed on the subject property by Ordinance No. 7595, dated November 16, 1982, see Attachment 5. These conditions limit the use of the property and require certain public improvements that have since been installed.

**SUMMARY OF DCC RECOMMENDATION:** The Development Coordinating Committee recommends **APPROVAL** of the request. Staff finds the condition is either met via current code requirements, are no longer necessary, or have been satisfied. The proposal is consistent with other commercial districts in the immediate area, and meets the established character of its surrounding neighborhood. Furthermore, it meets the intent of the G-4, Suburban (Walkable) land use designation of *Plan El Paso* in the Eastside Planning Area.

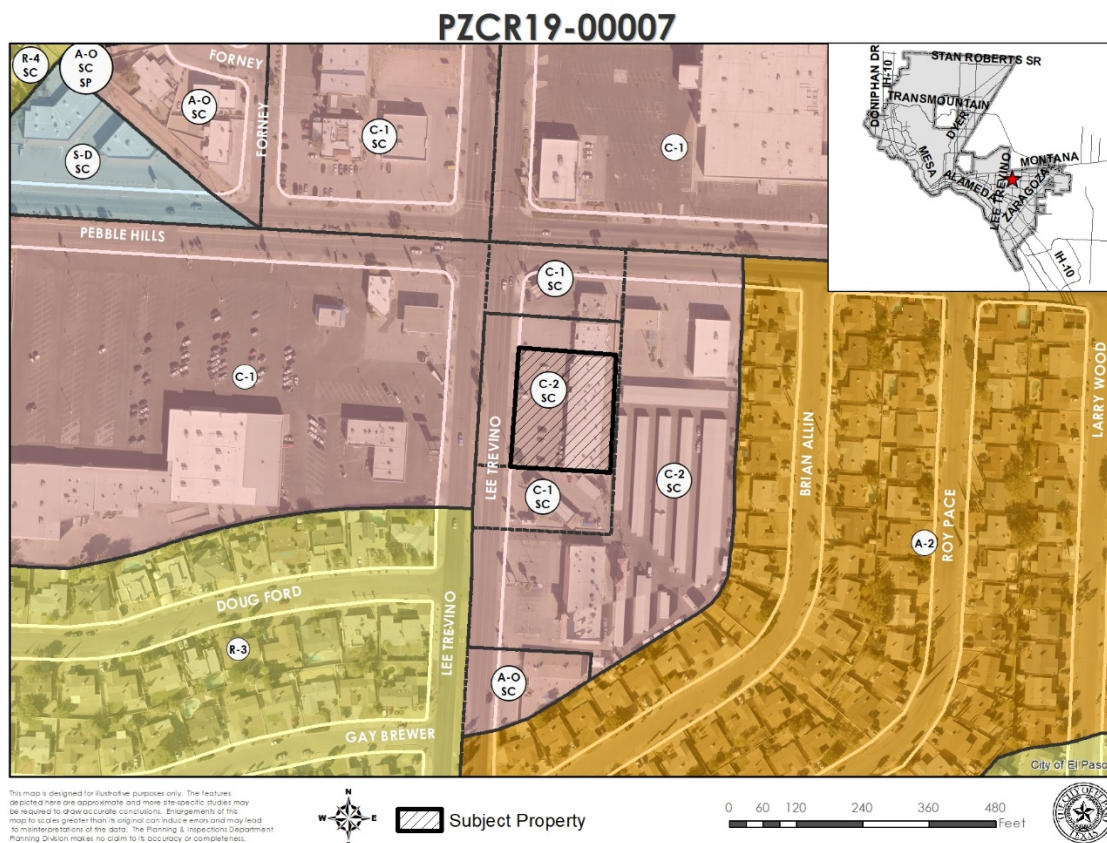


Figure A. Subject Property & Immediate Surroundings



**DESCRIPTION OF REQUEST:** The applicant has submitted a Condition Release application to release condition No. 1 imposed by Ordinance No. 7595, dated November 16, 1982 for the property located at 3012 Lee Trevino Drive. The subject property is currently required to comply with the special contract provisions imposed by Ordinance No. 7595, which states in part:

1. *No bar, saloon or package liquor store shall be constructed on the above-described property, (requested to be released to be released by the applicant).*
2. *No billiard hall or skill or pleasure coin-operated machine establishment shall be permitted on the property, (will remain).*
  - a. *“Billiard hall” as used in this paragraph shall mean a place at which a billiard table or tables are provided to be played on the compensation.*
  - b. *“Billiard table” as used in this paragraph means any table (whether coin-operated or not) surrounded by a ledge or cushion with or without pockets, upon which balls are impelled by a stick or cue.*
  - c. *The term “skill or pleasure coin-operated machine establishment” as used in this paragraph means any place where five or more skill or pleasure coin-operated machine are maintained or made available for use or operation.*
  - d. *The term “skill or pleasure coin-operated machine” means every machine or device of any kind or character whatsoever which is operated by or with coins, currency, metal slugs, tokens or checks, when such machine dispenses, uses or is capable of being used or operated for any purpose other than dispensing or vending of merchandise, music, or service exclusively. “Skill or pleasure coin-operated machine” shall include, but not be limited to the following; marble machines, marble table machines, marble shooting machines, miniature racetrack machines, miniature football machines, miniature golf machines, miniature bowling machines, pinball machines, and all other coin-operated machines, which dispense or afford skill or pleasure. Every machine or device of and kind or character which dispenses or bends merchandise, commodities or confections or plays music in connection with or in addition to such games or dispensing of pleasure or skill shall be considered a “skill or pleasure coin-operated machine.”*
3. *Should First Parties desire to construct a restaurant on the property, no alcoholic beverages shall be sold or served on the property except as an incident to the furnishing of meals in the restaurant to be operated on the property, (will remain).*

A bar is a permitted use in the C-2 district, and also in low-intensity, neighborhood commercial districts like C-1 (Commercial) and S-D (Special Development). Considering that the subject property is surrounded by similar uses within the same zoning district, this condition is no longer necessary to protect the health, safety, & welfare of its established neighborhood. The proposed use shall demonstrate compliance with the all El Paso City Code requirements prior to the issuance of a certificate of occupancy.

The site plan shows an existing retail structure. No changes are proposed to the building footprint or site layout.

**PREVIOUS CASE HISTORY:** The Development Coordinating Committee recommended **APPROVAL** of the condition release request on August 13, 2019.

**COMPATIBILITY WITH NEIGHBORHOOD CHARACTER:** The proposed development is consistent with the commercial developments in close proximity and meets the established character of its surrounding neighborhood. Further, the proposed the development meets the intent of G-4, Suburban (walkable) use designation of *Plan El Paso*, the City’s Comprehensive Plan.

<b>COMPLIANCE WITH PLAN EL PASO/REZONING POLICY</b>	
<b>Criteria</b>	<b>Does the Request Comply?</b>
<b>Future Land Use Map:</b> Proposed zone change is compatible with the Future Land Use designation for the property:	Yes, the request is consistent with other commercial uses in the neighborhood. The surrounding properties are zoned C-1 (Commercial) and C-2 (Commercial).

<b>COMPLIANCE WITH PLAN EL PASO/REZONING POLICY</b>	
<b>G-4, Suburban (Walkable):</b> This sector applies to modern single use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.	
<b>Compatibility with Surroundings:</b> The proposed zoning district is compatible with those surrounding the site: <b>C-4 (Commercial) District:</b> The purpose of these districts 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 request is a permitted use in the C-2 (Commercial) district. It is within proximity of other apartments, retail, business office, car wash, self-service, and convenience store.
<b>Preferred Development Locations:</b> Is the subject property located in either a compact urban area or along an arterial street?	Yes, the subject property is adjacent to Lee Trevino Drive, a major arterial.
<b>THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:</b>	
<b>Historic District or Special Designations &amp; Study Area Plans:</b> Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.	N/A
<b>Potential Adverse Effects:</b> Potential adverse effects that might be caused by approval or denial of the requested rezoning.	The request would not present any adverse effects on the community. It has the potential to maximize the use of a developed lot.
<b>Natural Environment:</b> Anticipated effects on the natural environment.	Subject property does not involve greenfield/environmentally sensitive land or arroyo disturbance.
<b>Stability:</b> Whether the area is stable or in transition.	Stable. There have not been any rezoning or condition release requests in the vicinity of the subject property.
<b>Socioeconomic &amp; Physical Conditions:</b> Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The request is within an older stable area of the city which complies with the G-4, Suburban (Walkable) neighborhood.

**ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE:** Access to the subject property is proposed from Lee Trevino Drive. Lee Trevino Drive is classified as a commercial collector which is adequate to serve the proposed development.

**SUMMARY OF DEPARTMENTAL REVIEW COMMENTS:** No objections to proposed condition release. There were no adverse comments received. Applicant is responsible for obtaining all applicable permits and approvals prior to construction.

**PUBLIC COMMENT:** The proposed development lies within the Eastside Civic Association. Public notices were sent to property owners within 300 feet on September 26, 2019. Planning received 24 letters in support and 1 letter via an email in opposition to the condition release request.

**RELATED APPLICATIONS:** None.

**CITY PLAN COMMISSION OPTIONS:**

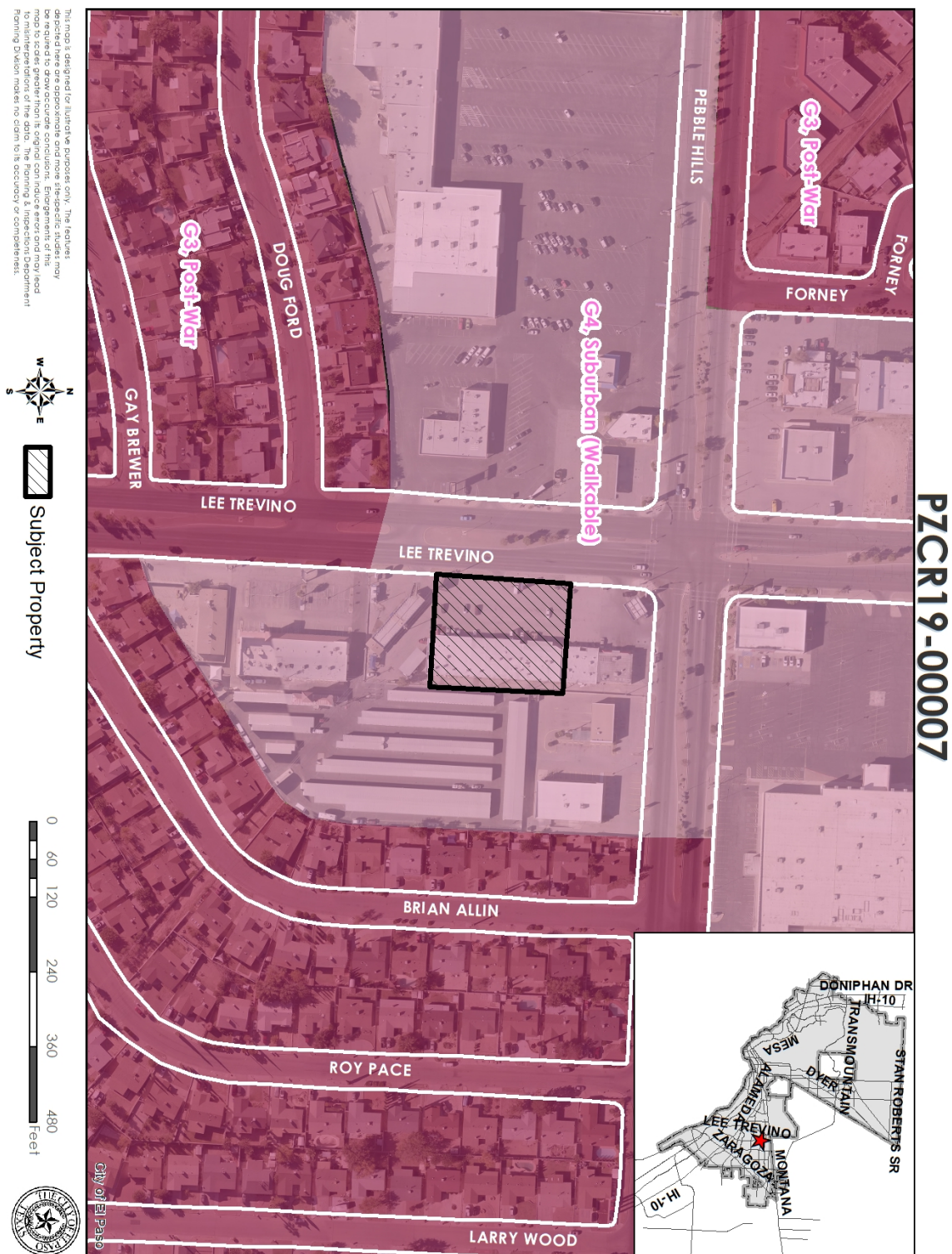
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

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

**ATTACHMENTS:**

1. Future Land Use Map
2. Department Comments
3. Neighborhood Notification Boundary Map
4. Letter in support
5. Email in opposition
6. Detailed Site Plan
7. Ordinance No. 7595, dated November 16, 1982

## ATTACHMENT 1



# **ATTACHMENT 2**

## **Planning & Inspections Department**

No objections.

Note: All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

## **Fire**

No objections

## **Sun Metro**

No objections

## **Land Development**

No objections to proposed condition release.

## **Police Department**

No comments received.

## **TxDOT**

Development is not abutting TxDOT Right of Way.

## **Environmental Services Department:**

No comments received.

## **El Paso Water**

El Paso Water does not object to this request.

**Water:** There is an existing 20-inch diameter water main that extends along Lee Trevino Drive, fronting the subject property. This main is located approximately 46-feet west of the east right of way. No direct service connections are allowed to this main as per the El Paso Water - Public Service Board Rules & Regulations.

Previous water pressure from fire hydrant #3784 located at the northwest intersection of Pebble Hills Blvd. and Lee Trevino Drive, has yielded a static pressure of 48 psi, a residual pressure of 46 psi, and a discharge of 919 gallons per minute.

EPWater records show one (1) 1-1/2-inch water service serving the subject property. The service address for these services is 3012 Lee Trevino Drive.

**Sanitary Sewer:** There is an existing 8-inch diameter sanitary sewer main along Lee Trevino Drive, fronting the subject property. This main is located approximately 55-feet east of the west right of way. This sanitary sewer main is available for service.

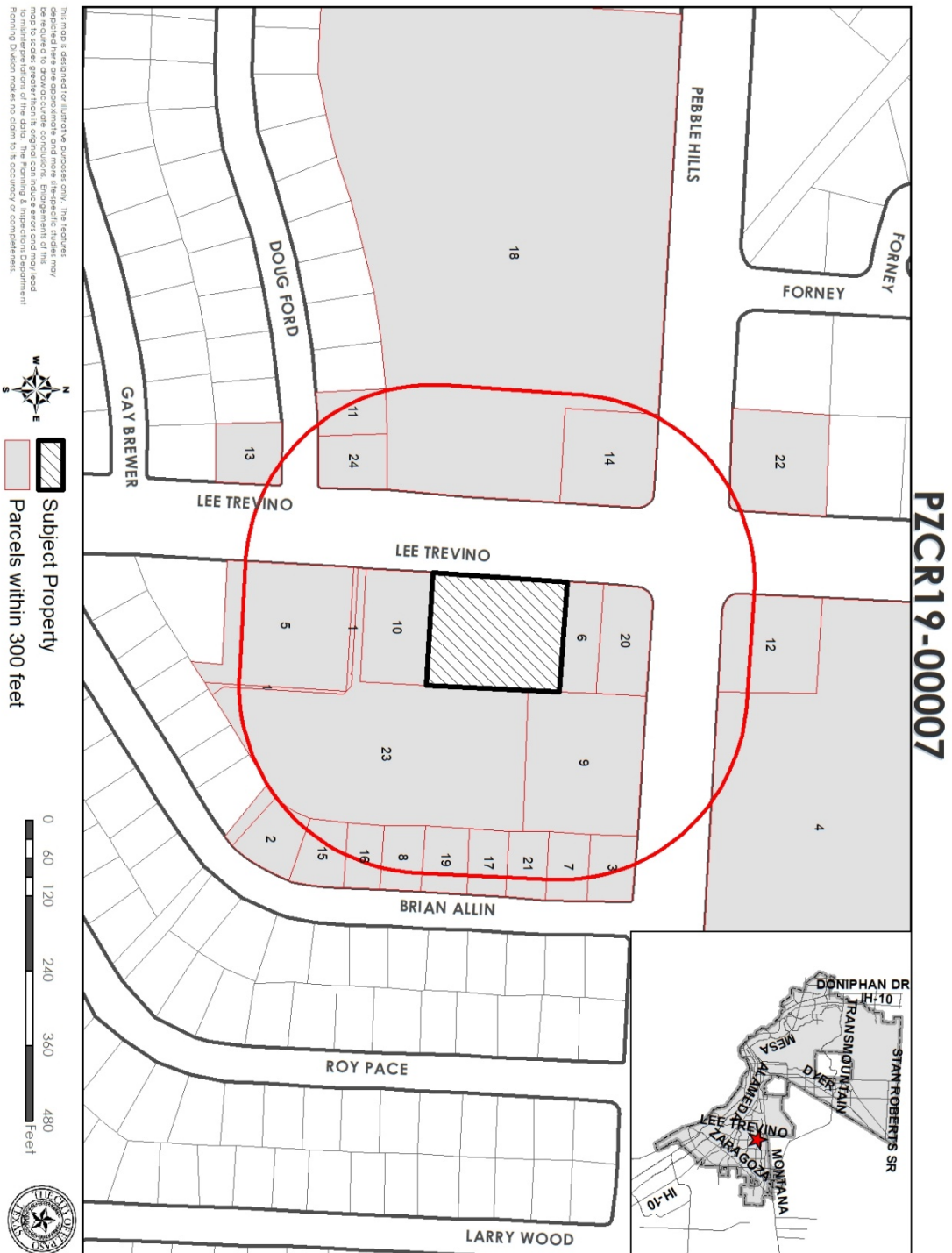
**General:** An application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3<sup>rd</sup> floor. A site plan, utility plan, grading and drainage plans, landscaping plan, 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 applicant 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.

## **Stormwater Engineering**

No objections to the proposal.



# ATTACHMENT 3



## **ATTACHMENT 4**

September 19, 2019

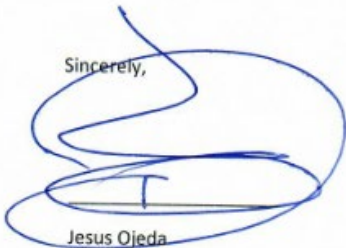
Lee Trevino & Pebble Hills Neighbors

Dear Lee Trevino & Pebble Hills Neighbors:

I am a long-time resident of our city, and I am writing to communicate that I intend to limit the bar leased space and operation to Mike and Laura Flores at my 3012 Lee Trevino property. I understand concerns from previous tenets before my ownership of the property and I will use high caution on anyone that leases space at this location. I feel confident that Mike and Laura will operate the Kind of Classy bar without any issues for the neighborhood. They are a couple in their mid-forties with long standing backgrounds in administrative careers in the YISD district and the Las Palmas/Hospitals of Providence Campuses. I trust that they will maintain a high quality service and I will limit my lease of space to them.

If you have any questions or concerns please don't hesitate to give us a call.

Sincerely,



Jesus Ojeda

Ep JJJ, Lp

3012 Lee Trevino

El Paso, TX 79936

Ph: 915-584-9996

Sonia Tovar Castañon  
3317 McLean Street  
El Paso, Texas 79936  
915-238-0828  
Castanon\_95@att.net  
October 7, 2019  
Lee Trevino & Pebble Hills Neighbors  
Grants Senior Accountant  
City of El Paso – Office of the Comptroller/GAD Division  
300 N. Campbell Street  
El Paso, Texas 79901

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:


I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,



Sonia Tovar Castañon

















 Gmail




Search mail

Compose        

1 of 3,302 < >  

 **Jaymie Vasquez**  
to me 

10:35 AM (22 minutes ago)   

Name Jaymie Vasquez  
Street Address 10933 Sagebrush Way unit A  
City, ST ZIP Code El Paso, Texas 79936  
Phone 915-820-3095  
Email [jmevasquez15@gmail.com](mailto:jmevasquez15@gmail.com)  
Date October 7, 2019  
Lee Trevino & Pebble Hills Neighbors  
Title  
Company Name  
Street Address  
City, ST ZIP Code

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,

Jaymie Vasquez

Jose A. Romo

1480 Cedar Oak Dr. #426

El Paso TX 79936

915-356-5837

Romoj1224@yahoo.com

10/5/2019

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Official's:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservation's or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Warm Regards,

Jose A. Romo

Jose Romo

to me

4:33 PM (1 hour ago) ☆ ↩ ⋮

Here you go coach.

xxx



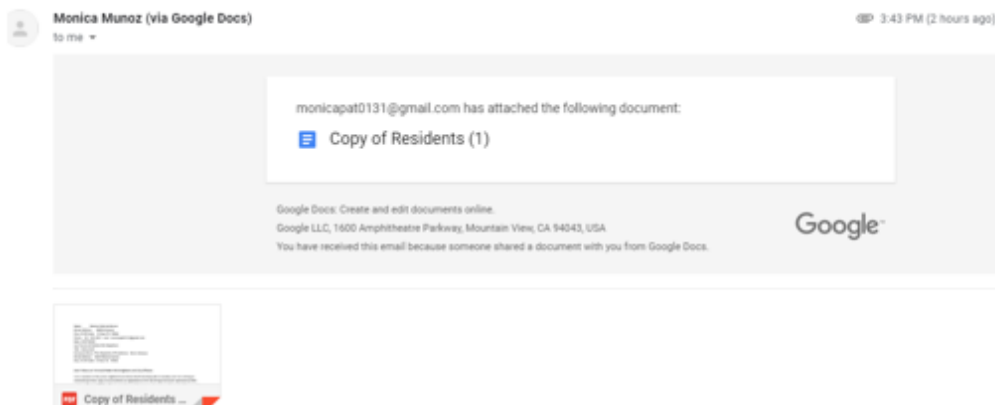
Name Monica Patricia Munoz  
Street Address 2600 Schooner  
City, ST ZIP Code El Paso TX. 79936  
Phone 915 301-6057 mail monicapat0131@gmail.com  
Date 10-07-2019  
Lee Trevino & Pebble Hills Neighbors  
Title Stress tech  
Company Name The Hospitals of Providence Sierra Campus  
Street Address 1625 Medical Center  
City, ST ZIP Code El Paso TX 79936

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,

Name Monica Patricia Munoz



Name Charles Martinez  
Street Address 2256 Seagull Dr  
City, ST ZIP Code El Paso Texas 79936  
Phone  
Email stratcat100@yahoo.com  
Date 10/7/2019  
Lee Trevino & Pebble Hills Neighbors  
Title IT Mgr  
Company Name ACT Training  
Street Address Butterfield Trail  
City, ST ZIP Code El Paso Texas

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely, Charles Martinez



Charles Martinez

To the →

3:47 PM (2 hours ago)



Copy of Residents (1)

Copy of Residents (2)

...

Tina White  
11212 Sundance Ave.  
El Paso, TX 79936  
915-630-8730  
[stuff4t@gmail.com](mailto:stuff4t@gmail.com)  
October 8, 2019

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the ~~Kinda~~ Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,

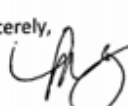
Tina C. White, MEd



Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in M. Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I am confident that they will maintain a high quality service.

Sincerely,

 (M. TERESA MURRAY)  
3225 QUINN BANDA CIRCLE  
EL PASO, TX 79936

---

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,

 AUDIE KELLAR

11456 BOB MITCHELL 79935

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.



Sincerely,

*Enjin Montalvo*  
11556 CABALLO LAKE



Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,

*Ruben Flores*  
3213 1/2 Hickman St. 79936

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,

Maia Subl

14336 Smokey Point

EPT

7993

Christie Valle  
11725 Canary Palm Ct.  
El Paso, TX 79936  
915-4790-379  
[cvalle915@gmail.com](mailto:cvalle915@gmail.com)  
October 7, 2019  
Lee Trevino & Pebble Hills Neighbors  
Marketing Manager  
Sprint  
1300 Rochelle Dr.  
Irving, Texas 75062

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,

Christie Valle



cvalle915  
to me

Mon, Oct 7, 3:35 PM (16 hours ago) ☆ ↻ ⋮



See attached! Good luck to both of you!

October 8, 2019

City of El Paso  
300 N. Campbell  
El Paso, Texas 79902

RE: Kinda Classy Bar, 3012 Lee Trevino, El Paso, TX. 79936

Dear City Officials:

We are residents of the same neighborhood where Kinda Classy Bar is located. We are writing to communicate that we have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores. We understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I am confident in Mike and Laura's commitment to operate the Kind of Classy Bar without any issues for the neighborhood. We trust that they will maintain a high quality of service.

Sincerely,



Roberto Morales & Irene Y. Morales  
3212 Slocum  
El Paso, TX. 79936  
[irene.morales@me.com](mailto:irene.morales@me.com)  
H-915-592-0547  
C-915-449-4677

----- Forwarded message -----

From: Irene Morales <[irene.morales@me.com](mailto:irene.morales@me.com)>  
Date: Tue, Oct 8, 2019, 4:59 PM  
Subject: Letter  
To: Laura Flores <[flores.laura20@gmail.com](mailto:flores.laura20@gmail.com)>

Here you go. Let me know you received and can read/print/use.

Aunt Renie



Sergio J Venegas  
1750 N. Lee Trevino apt #16C  
El Paso Tx 79936  
915-262-6572  
Sergio.vngs33@gmail.com  
Oct 9, 2019  
Lee Trevino & Pebble Hills Neighbors  
Reopen Kind Of Classy  
Kind of Classy  
3012 Lee Trevino  
El Paso Tx 79936

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,

Sergio Jose Venegas



Beth Harbison  
11216 Bob Mitchell  
El Paso, TX 79936  
915-219-0099  
Bethharbison13@gmail.com  
10-7-19

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,

Beth Harbison



Beth A. Harbison  
to me

OSP Oct 8, 2019, 11:36 AM (1 day ago) ☆ ↩ ⋮

|

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a homeowner of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,

*Cecilia Salcedo*

Name

*Cecilia Salcedo  
3624 Breckenridge Dr.  
El Paso, TX 79936*



**Cecilia Salcedo**

to me

Oct 8, 2019, 12:55 PM (1 day ago)



A friend, Angie Baulista will be sending letter as well. Best of luck to you!

**Ceci Salcedo**

NMLS # 238114

(915) 433-6093 cell

xxx



**Pepe Delgadillo**  
to me ▾  
Oct 8, 2019, 4:51 PM (23 hours ago) ☆ ↶

Name: Pepe Delgadillo  
Street Address: 2201 Lake Omega  
City, ST ZIP Code: El Paso, TX 79936  
Phone: 915-217-6662  
Email: [joegrizly42@gmail.com](mailto:joegrizly42@gmail.com)  
Date: 10/08/2019  
Lee Trevino & Pebble Hills Neighbors  
Title  
Company Name  
Street Address  
City, ST ZIP Code  
\*\*\*

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,  
Pepe Delgadillo



Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,



Ismael Lopez

10/9/2019



Ismael Lopez

To this +

Here you go!

xxx

11:00 AM (5 hours ago) ☆ ↗



117

★

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📅

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🏠

(no subject) inbox x

🖨️

🔗

Oct 8, 2019, 11:58 AM (1 day ago) ☆ 🔍 ⋮

Veronica Manrique

to me

Name

Street Address

City, ST ZIP Code

Phone

Email

Date

Lee Trevino & Pebble Hills Neighbors

Title

Company Name

Street Address

City, ST ZIP Code

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,

Veronica Manrique

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,

EL PASO COMMERCIAL LANDSCAPING  
and MAINTENANCE.

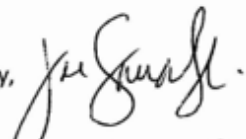
2300 George Pictor

79936

Ozzie Melendez (owner)

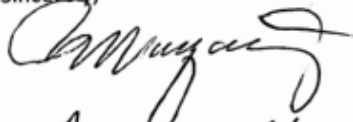
Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,   
Joe Luna Jr.  
11211 Leroy Bonse  
79936

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,

  
Anthony Margu  
11833 Dick Mayers  
79936

---

Lee Trevino & Pebble Hills Neighbors

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,

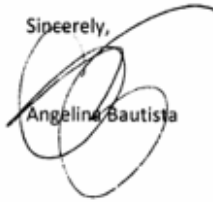
A handwritten signature in black ink, appearing to read "Monica Silva Long". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Monica Silva Long

Dear Fellow Lee Trevino/Pebble Hills Neighbors and City Officials:

I am a resident of the same neighborhood where the Kinda Classy Bar is located, and I am writing to communicate that I have no reservations or opposition on the bar being leased and operated by Mike and Laura Flores at 3012 Lee Trevino. I understand that concerns have been addressed and the property owner will use high caution on anyone that leases bar space at this location. I feel confident in Mike and Laura's commitment to operate the Kind of Classy bar without any issues for the neighborhood. I trust that they will maintain a high quality service.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Angelina Bautista

# ATTACHMENT 5

**Salloum, Andrew M.**

---

**From:** Kay Waltmon <waltmonk@yahoo.com>  
**Sent:** Wednesday, August 21, 2019 1:35 PM  
**To:** Garcia, Raul; Etiwe, Philip F.  
**Cc:** Guayante, Anne M.; Salloum, Andrew M.; District #3  
**Subject:** Re: Case no. PZCR19-00007

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear City Plan Commission,

Re Case No. PZCR-19-00007

I'm requesting that you **not** release condition No. 1 and No. 3 imposed on the property located at 3012 Lee Treving by Ordinance No. 7595, dated November 16, 1982. There was previously a bar (evidently out of compliance) at this address and caused considerable distress to the neighborhood. Having a bar in the neighborhood inflicted noise until after 2:00 am, traffic and parking problems, trash issues, and pedestrian deaths on the neighborhood. Due to the fact this was an established residential area when Ordinance No. 7595 was created in November 1982 thus the reason condition No.1 and No.3 were included. Well maintained properties evidence pride and commitment residents have in the neighborhood. Fortunately, most business owners show the same kind of regard to the neighborhood. Please consider the negative impact a bar did have and will have on this neighborhood.

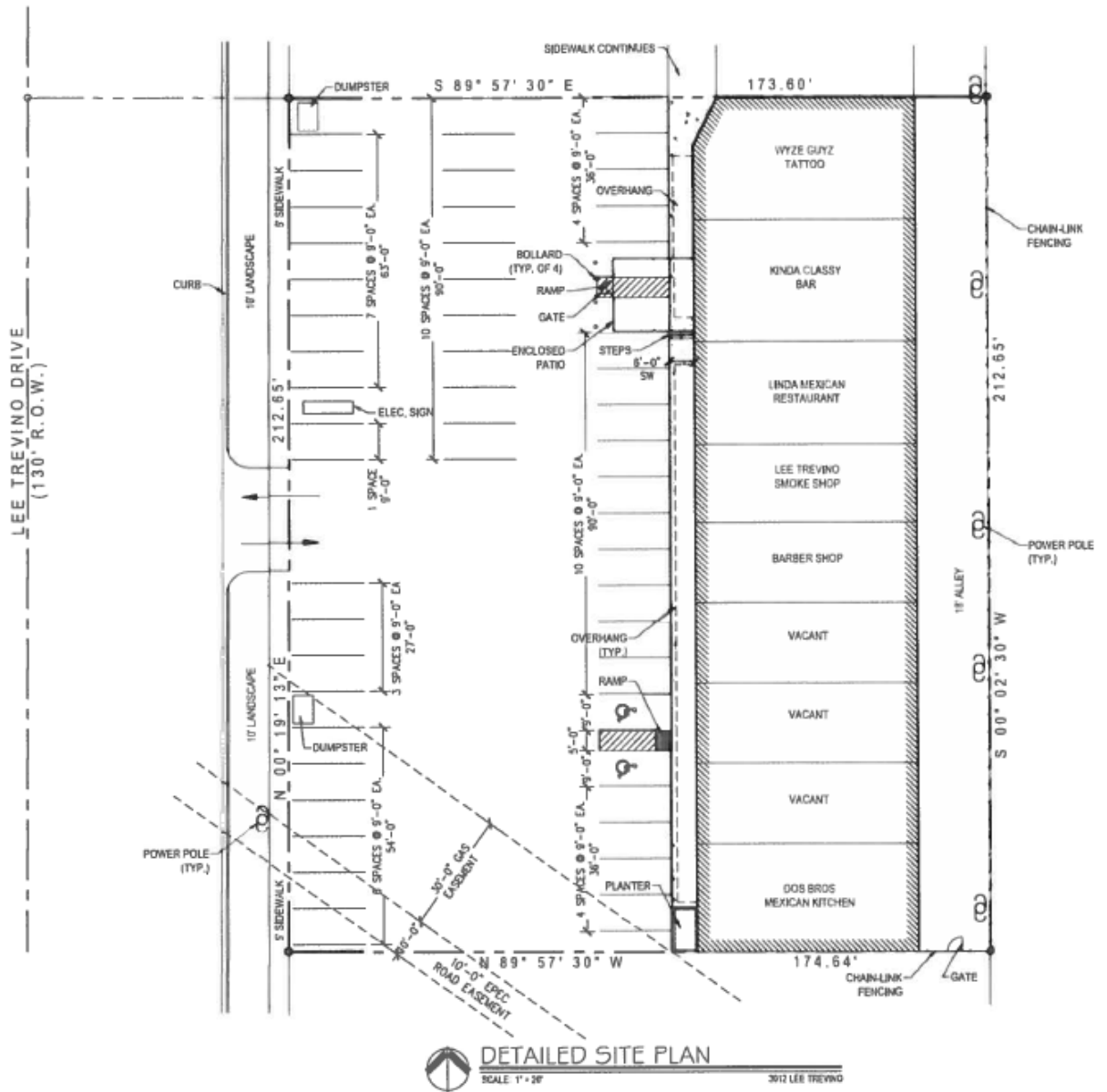
Because it is not possible for me to attend the meeting on August 22, 2019, I'm relying on this correspondence to be considered public comment.

Respectfully,

Sandra Waltmon, Homeowner  
2973 Doug Ford  
El Paso, Texas 79935



# ATTACHMENT 6



# ATTACHMENT 7

7595

AN ORDINANCE CHANGING THE ZONING OF  
A PORTION OF LOT 17, BLOCK 193, VISTA  
DEL SOL UNIT 33, THE PENALTY BEING AS  
PROVIDED IN SECTION 25-96 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 Lot 17, Block 193, Vista  
Del Sol Unit 33, as more particularly described below, be changed  
to C-2 (Commercial) District within the meaning of the zoning  
ordinance and the zoning map of the City be revised accordingly:

A portion of Lot 17, Block 193, Vista Del Sol, Unit  
Thirty three, City of El Paso, El Paso County, Texas,  
being more particularly described by metes and bounds  
as follows, to-wit:

From a point said point lying on the southerly right of  
way line of Pebble Hills Blvd. said point also being the  
northwesterly corner of Lot 16, Block 193, of said sub-  
division thence North 89°57'30" west along the southerly  
right of way line of said Pebble Hills Blvd. a distance  
of 225.58 feet, thence South 00°02'30" West a distance  
of 80.00 feet to the true point of beginning.

Thence South 00°02' 30" west a distance of 272.65 feet;

Thence North 89°57' 30" West a distance of 174.64 feet  
to a point lying on the easterly right of way line of  
Lee Trevino Drive;

Thence North 00°19'13" East along said right of way line  
of Lee Trevino Drive a distance of 272.65 feet;

Thence South 89°57'30" east a distance of 173.31 feet back  
to the True Point of Beginning and containing in all  
47,432.87 square feet or 1.089 acres of land more or less.

PASSED AND APPROVED this 16<sup>th</sup> day of November, 1982.

ATTEST:

*Will Rogers*  
City Clerk

*Jonathan W. Rogers*  
Mayor

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

*Steven Blum*  
Assistant City Attorney

*Loew W. Dubois*  
Planning Department

I CERTIFY THAT THE FOLLOWING ZONING MAPS  
HAVE BEEN REVISED: 42 TOHINCO  
11-29-82 COUNTER TOHINCO  
11-29-82 ORIGINAL TOHINCO  
11-29-82 *Bill Dwyer* TOHINCO  
11-29-82 CONTROL TOHINCO  
11-29-82 CONTROL TOHINCO

82-4789  
NOV 17 1982  
DEPARTMENT  
OF PLANNING

I certify that the zoning map has been revised to  
reflect the amendment of ordinance 7595  
Date 11-29-82

7595  
Contract dated 11/16/82

RESOLUTION

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

That the mayor be authorized to execute a contract with  
RONALD B. WARD and RONALD K. HARVEY, et al., placing certain  
restrictions, conditions and covenants on the property being  
rezoned by Ordinance No. 7595.

ADOPTED this 16<sup>th</sup> day of November, 1982.

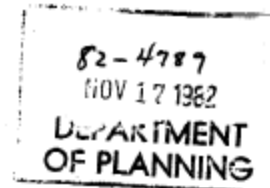
ATTEST:

William R. Kiege  
City Clerk

Jonathan W. Rye  
Mayor

APPROVED AS TO FORM:

Horizon  
Assistant City Attorney



CONTRACT

THIS CONTRACT, made this 16<sup>th</sup> day of November, 1982,  
by and between RONALD B. WARD and RONALD K. HARVEY, First Parties,  
THE STATE NATIONAL BANK OF EL PASO, Second Party, SURETY SAVINGS  
ASSOCIATION, Third Party, and the CITY OF EL PASO, Fourth Party,  
witnesseth:

Application has been made to the City of El Paso for rezoning  
of a portion of Lot 17, Block 193, Vista Del Sol Unit 33, City of  
El Paso, El Paso County, Texas, such property being more particularly  
described in Ordinance No. 7595, 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 to C-2 (Commercial) District 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. No bar, saloon or package liquor store shall be constructed  
on the above-described property.

2. No billiard hall or skill or pleasure coin-operated  
machine establishment shall be permitted on the property.

- (a) "Billiard hall" as used in this paragraph shall  
mean a place at which a billiard table or tables  
are provided to be played on for compensation.
- (b) "Billiard table" as used in this paragraph means  
any table (whether coin-operated or not) surrounded  
by a ledge or cushion with or without pockets,  
upon which balls are impelled by a stick or cue.
- (c) The term "skill or pleasure coin-operated machine  
establishment" as used in this paragraph means  
any place where five or more skill or pleasure  
coin-operated machines are maintained or made  
available for use or operation.
- (d) The term "skill or pleasure coin-operated machine"  
means every machine or device of any kind or char-  
acter whatsoever which is operated by or with coins,  
currency, metal slugs, tokens or checks, when  
such machine dispenses, uses or is capable of  
being used or operated for any purpose other  
than dispensing or vending of merchandise,

Cut# 82-4789

music, or service exclusively. "Skill or pleasure coin-operated machine" shall include, but not be limited to the following: marble machines, marble table machines, marble shooting machines, miniature racetrack machines, miniature football machines, miniature golf machines, miniature bowling machines, pinball machines, and all other coin-operated machines, which dispense or afford skill or pleasure. Every machine or device of and kind or character which dispenses or vends merchandise, commodities or confections or plays music in connection with or in addition to such games or dispensing of pleasure or skill shall be considered a "skill or pleasure coin-operated machine."


3. Should First Parties desire to construct a restaurant on the property, no alcoholic beverages shall be sold or served on the property except as an incident to the furnishing of meals in the restaurant to be operated on the property.

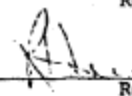
This contract is a restrictions, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Parties and their successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express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

The City may enforce this contract 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 benefit thereby.

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


WITNESS the following signatures and seal:

  
\_\_\_\_\_  
Ronald B. Ward

  
\_\_\_\_\_  
Ronald K. Harvey

THE STATE NATIONAL BANK OF EL PASO

ATTEST:

  
\_\_\_\_\_  
Secretary

By   
\_\_\_\_\_  
Title: Vice-President

SURETY SAVINGS ASSOCIATION

ATTEST:

John A. Bid  
Asst. Secretary

By [Signature]  
Title: President

THE CITY OF EL PASO

ATTEST:

W. R. Rios  
City Clerk

By [Signature]  
Mayor

APPROVED AS TO FORM:

Leon Bion  
Assistant City Attorney

APPROVED AS TO CONTENT:

John M. Rios  
Planning Department

THE STATE OF TEXAS )  
COUNTY OF EL PASO )

This instrument was acknowledged before me by RONALD B. WARD  
this 5<sup>th</sup> day of November, 1982.

My Commission Expires:  
9-10-84

THE STATE OF TEXAS )  
COUNTY OF EL PASO )

Quenne Figueroa  
Notary Public, State of Texas  
QUENNE FIGUEROA, Notary Public  
For the State of Texas  
My Commission Expires Sept. 10, 1984

This instrument was acknowledged before me on this 5<sup>th</sup> day  
of November, 1982 by RONALD K. HARVEY.

My Commission Expires:  
9-10-84

THE STATE OF TEXAS )  
COUNTY OF EL PASO )

Quenne Figueroa  
Notary Public, State of Texas  
QUENNE FIGUEROA, Notary Public  
For the State of Texas  
My Commission Expires Sept. 10, 1984

This instrument was acknowledged before me on this 5<sup>th</sup> day  
of November, 1982 by Manuel Marrero  
Vice Pres of the STATE NATIONAL BANK OF EL PASO, on behalf  
of said corporation.

My Commission Expires:  
CARMEN CONTRERAS, Notary Public  
In and for the State of Texas  
My Commission Expires Aug. 17, 1985

Carmen Contreras  
Notary Public, State of Texas

82-4789

THE STATE OF TEXAS)  
COUNTY OF EL PASO )

This instrument was acknowledged before me on this 5<sup>th</sup> day  
of November, 1982 by R. P. Dempsey, President  
of SURETY SAVINGS ASSOCIATION, on behalf of  
said corporation.

My Commission Expires:  
LINDA BAZLOONE, Notary Public  
in and for the County of El Paso, Texas  
My Commission Expires May 11, 1985

Linda Bazloone  
Notary Public, State of Texas

THE STATE OF TEXAS)  
COUNTY OF EL PASO )

This instrument was acknowledged before me on this 16<sup>th</sup> day  
of November, 1982 by JONATHAN W. ROGERS, as Mayor of the  
CITY OF EL PASO.

My Commission Expires:  
6/30/84

Biller Jean Brankham  
Notary Public, State of Texas

82-4789

I T E M

# Release Conditions

3012 Lee Trevino Drive







# Recommendation | Public Input

2

## **Planning Division and DCC recommendation:**

Approval

## **CPC Vote:**

Approval Recommendation (6-0)

## **Public Input:**

- The Planning Division received a letter via email in opposition to the condition release request.
- The Planning Division also received 12 letters in support of the request.

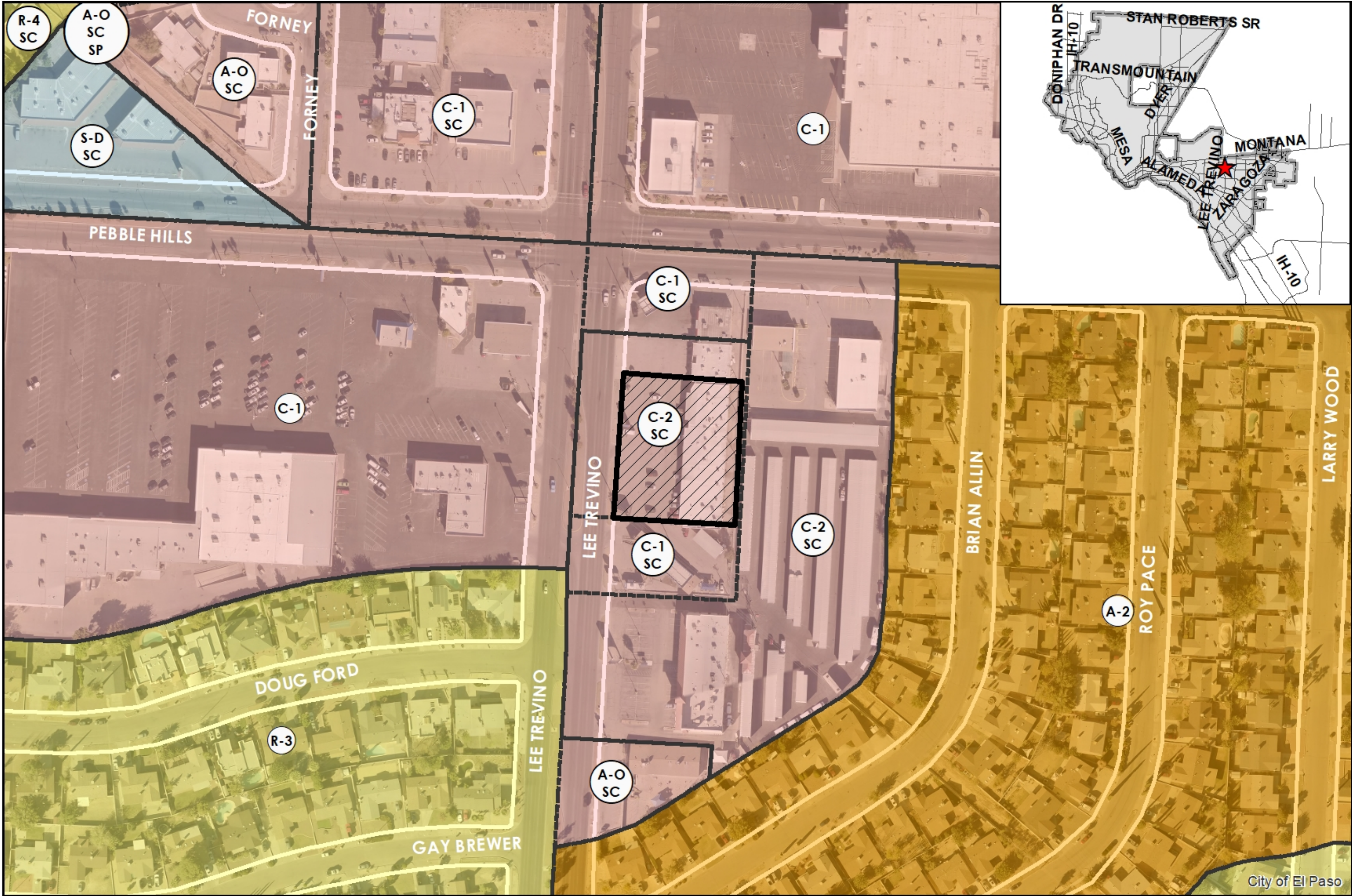
## **Strategic Goal #3 Promote the Visual Image of El Paso**

3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community



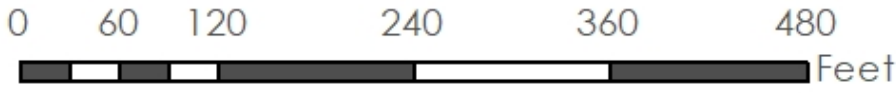
# PZCR19-00007



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





## Ordinance No. 7595 dated November 16, 1982.

### Release Condition No. 1 :

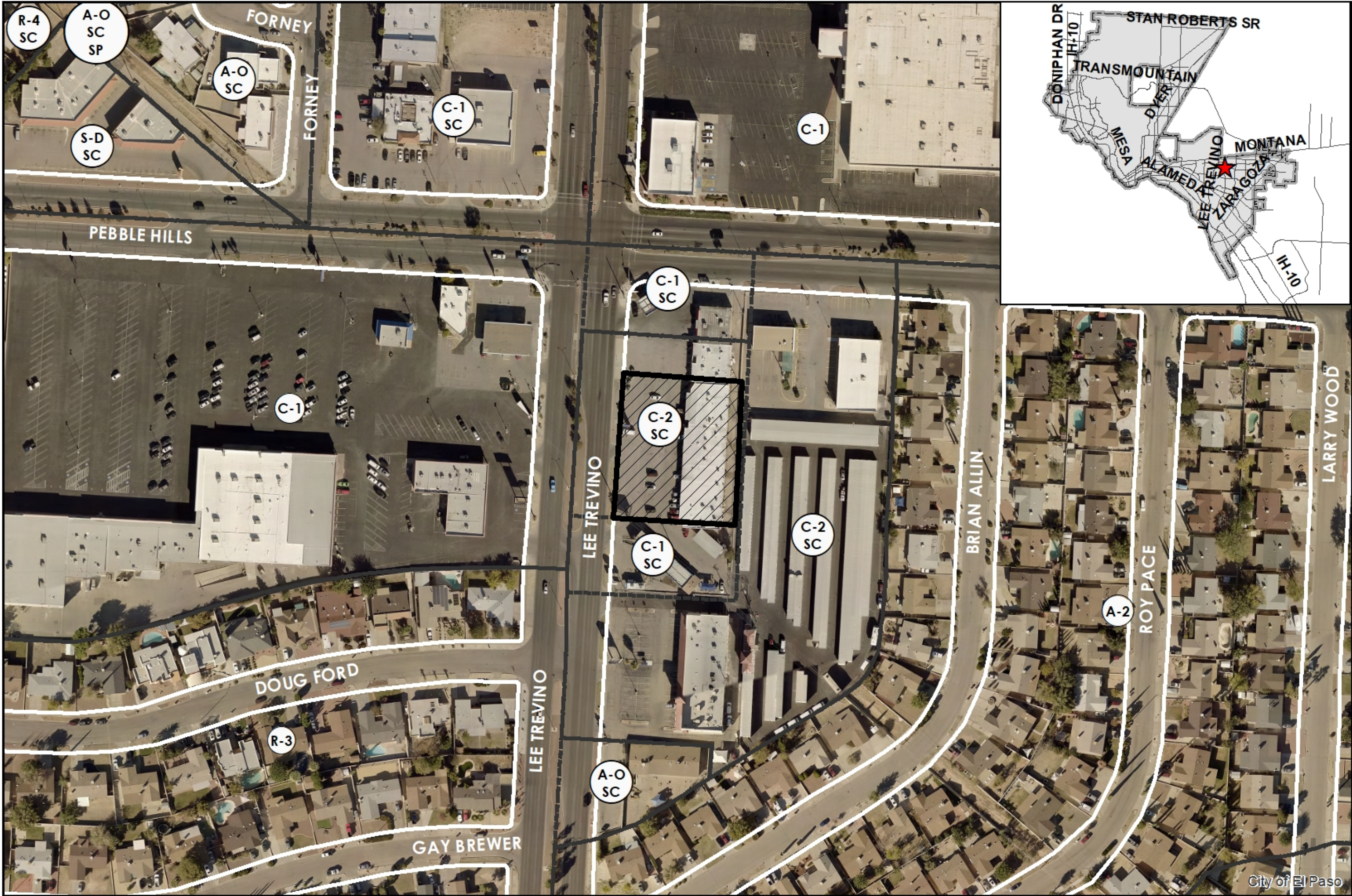
1. *No bar, saloon or package liquor store shall be constructed on the above-described property.*

### Condition No. 2 and 3 will remain:

2. *No billiard hall or skill or pleasure coin-operated machine establishment shall be permitted on the property.*
  - a. *“Billiard hall” as used in this paragraph shall mean a place at which a billiard table or tables are provided to be played on the compensation.*
  - b. *“Billiard table” as used in this paragraph means any table (whether coin-operated or not) surrounded by a ledge or cushion with or without pockets, upon which balls are impelled by a stick or cue.*
  - c. *The term “skill or pleasure coin-operated machine establishment” as used in this paragraph means any place where five or more skill or pleasure coin-operated machine are maintained or made available for use or operation.*
  - d. *The term “skill or pleasure coin-operated machine” means every machine or device of any kind or character whatsoever which is operated by or with coins, currency, metal slugs, tokens or checks, when such machine dispenses, uses or is capable of being used or operated for any purpose other than dispensing or vending of merchandise, music, or service exclusively. “Skill or pleasure coin-operated machine” shall include, but not be limited to the following; marble machines, marble table machines, marble shooting machines, miniature racetrack machines, miniature football machines, miniature golf machines, miniature bowling machines, pinball machines, and all other coin-operated machines, which dispense or afford skill or pleasure. Every machine or device of and kind or character which dispenses or bends merchandise, commodities or confections or plays music in connection with or in addition to such games or dispensing of pleasure or skill shall be considered a “skill or pleasure coin-operated machine.”*
3. *Should First Parties desire to construct a restaurant on the property, no alcoholic beverages shall be sold or served on the property except as an incident to the furnishing of meals in the restaurant to be operated on the property.*




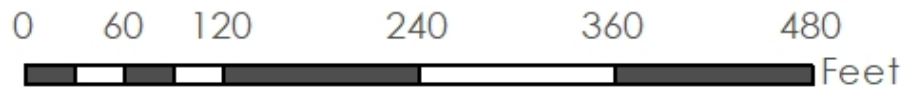
# PZCR19-00007



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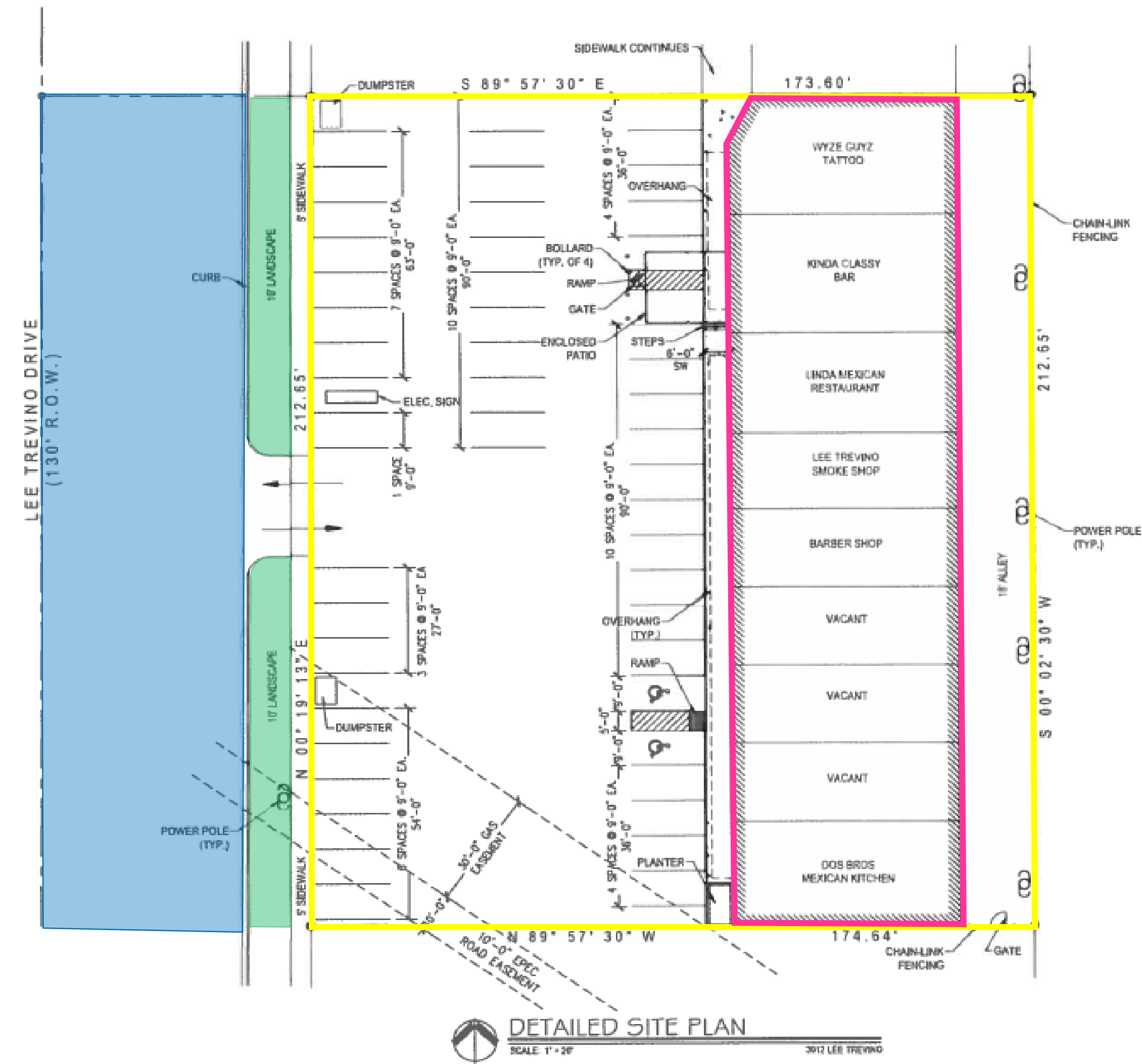


 Subject Property





## 6







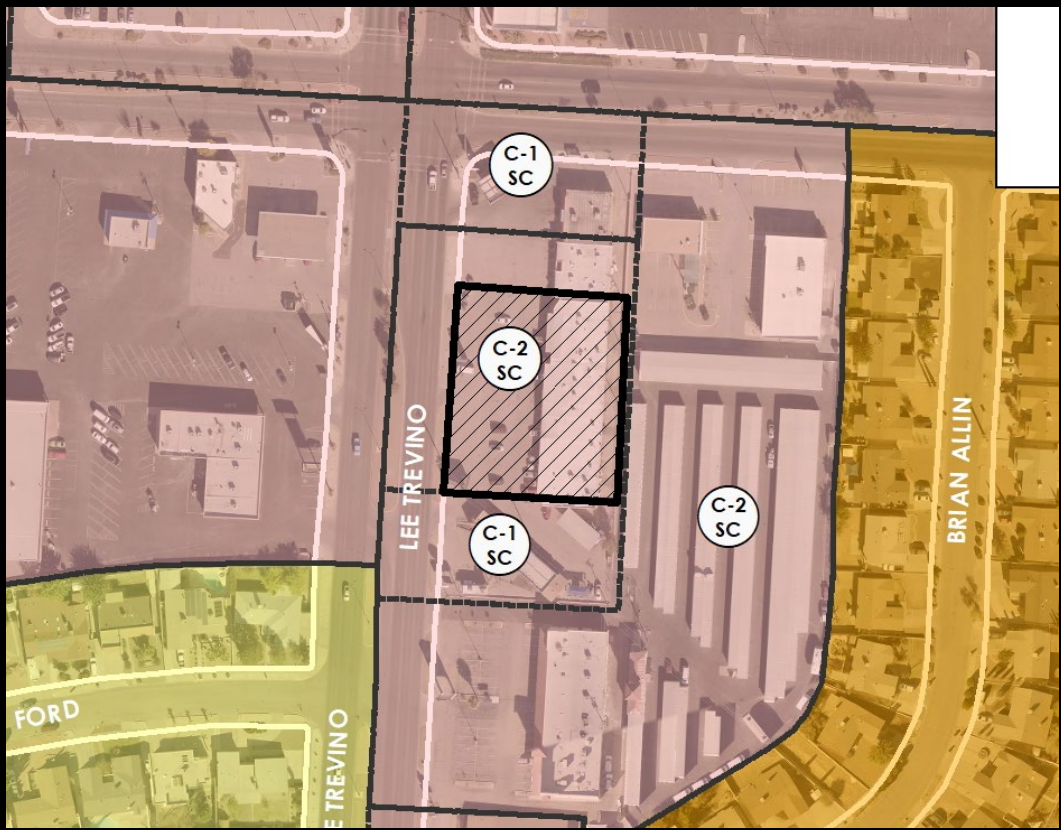




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THANK YOU

