

CITY CLERK DEPT.

2015 SEP -8 AM 8:04

ORDINANCE NO. _____

018420

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST15-00023 TO ALLOW FOR INFILL DEVELOPMENT WITH A REDUCTION IN FRONT, SIDE, AND SIDE STREET YARD SETBACKS, AS WELL AS A 50 PERCENT PARKING REDUCTION, ON THE PROPERTY DESCRIBED AS BLOCKS C AND D, BASSETT ADDITION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF ON FILE IN VOLUME 5, PAGE 21, REAL PROPERTY RECORDS, EL PASO COUNTY, TEXAS PLUS THE ALLEY WITHIN SAID BLOCK C AND A PORTION OF OVERLAND STREET LYING BETWEEN BLOCKS C AND D VACATED BY ORDINANCE NO. 242 FILED MAY 2, 1940; PLUS A 2.2 FOOT STRIP DESCRIBED IN DEED DATED JANUARY 15, 1940 AND FILED IN VOLUME 660, PAGE 297, REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS: SAVE AND EXCEPT A PORTION SOLD OFF TO THE CITY OF EL PASO IN DEED DATED APRIL 19, 1949 FILED IN VOLUME 1129, PAGE 380, REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS; PLUS LOTS 3 AND 4, BLOCK 120, IN THE UN-PLATTED PORTION OF BASSETT ADDITION, NORTH OF CYPRESS AVENUE AND EAST OF EUCALYPTUS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, the Housing Authority of the City of El Paso, Texas has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for a reduction in front, side, and side street yard setbacks, as well as a 50 percent parking reduction; and,

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

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and,

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval; and,

WHEREAS, the City Council of the City of El Paso finds that the application conforms to all requirements of Sections 20.04.320 of the El Paso City Code.

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

1. That the property described as follows is in a A-3 (Apartment) Zone District:

Blocks C and D, Bassett Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 5, Page 21, Real Property Records, El Paso County, Texas Plus the alley

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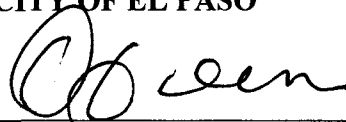
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within said Block C and a portion of Overland Street lying between Blocks C and D vacated by Ordinance No. 242 filed May 2, 1940; Plus a 2.2 foot strip described in deed dated January 15, 1940 and filed in Volume 660, Page 297, Real Property Records of El Paso County, Texas: Save and Except a portion sold off to the City of El Paso in deed dated April 19, 1949 filed in Volume 1129, Page 380, Real Property Records of El Paso County, Texas; plus Lots 3 and 4, Block 120, in the un-platted portion of Bassett Addition, North of Cypress Avenue and East of Eucalyptus, City of El Paso, El Paso County, Texas; and as more particularly described by metes and bounds on the attached Exhibit "A"; and,

2. That the City Council hereby grants a Special Permit under Sections 20.04.320 of the El Paso City Code, to allow infill development for a reduction in front, side, and side street yard setbacks, as well as a 50 percent parking reduction; and,
3. That this Special Permit is issued subject to the development standards in the A-3 (Apartment) District regulations and is 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 incorporated herein by reference for all purposes; and,
4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST15-00023 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,
5. That the Owners shall sign an Agreement incorporating the requirements of this Ordinance. 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.

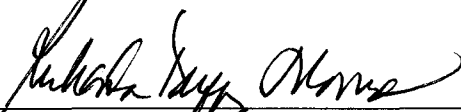
ADOPTED this 6th day of October, 2015.

THE CITY OF EL PASO



Oscar Leaser
Mayor

ATTEST:



Richarda Duffy Moonsen
City Clerk

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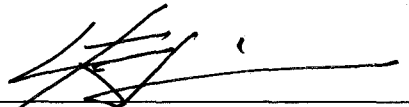
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APPROVED AS TO FORM:



Karla M. Nicholson
Assistant City Attorney

APPROVED AS TO CONTENT:



Larry F. Nichols, Director
Planning and Inspections Department

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#441957 / 15-1007-1501 / N. Cypress Ave. & E. Eucalyptus St.
Special Permit Ordinance / KMN

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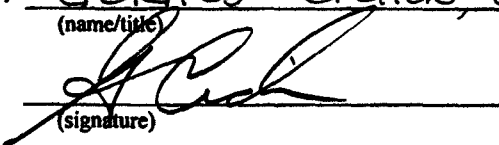
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AGREEMENT

The Housing Authority of the City of El Paso, Texas, referred to in the above Ordinance, hereby agree to develop the above-described property in accordance with the approved Detailed Site Development Plan attached to same Ordinance, and in accordance with the standards identified in the A-3 (Apartment) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 31 day of AUGUST, 2015.

Housing Authority of the City of El Paso, Texas:

By: GERALD CICHON, CEO
(name/title)

(signature)

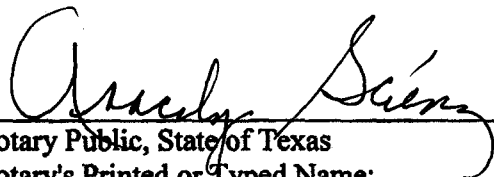
ACKNOWLEDGMENT

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 31 day of AUGUST, 2015, by GERALD CICHON, as CEO for the Housing Authority of the City of El Paso, Texas as Owner.

My Commission Expires




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

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Prepared for: The City of El Paso
August 10, 2015

METES AND BOUNDS DESCRIPTION

Description of a parcel of land, being Leasehold rights pursuant to ground lease dated June 26, 20015 between the Housing Authority of the City of El Paso, a body politic organized under the laws of The State of Texas (Landlord) and El Paso Tays, LP a Texas limited partnership (Tenant), as evidenced by Memorandum of Ground lease dated June 26, 2015, filed June 30, 2015 in Clerks file no. 20150044468, Real property Records of El Paso County, Texas, affecting Blocks C and D, Bassett Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 5, Page 21, Real Property Records, El Paso County, Texas Plus the alley within said Block C and a portion of Overland Street lying between Blocks C and D vacated by Ordinance No. 242 filed May 2, 1940; Plus a 2.2 foot strip described in deed dated January 15, 1940 and filed in volume 660, Page 297, Real Property Records of El Paso County, Texas: Save and Except a portion sold off to the City of El Paso in deed dated April 19, 1949 filed in volume 1129, Page 380, Real Property Records of El Paso County, Texas; plus Lots 3 and 4, Block 120 in the un-platted portion of Bassett Addition, an addition to the City of El Paso, El Paso County, Texas and being more particularly described by Metes and Bounds as follows:

Commencing for reference at an existing City of El Paso Brass disk monument at Piedras Street and Cypress Avenue; Thence along Cypress Avenue, South 53°00'00" West a distance of 436.34 feet to a City of El Paso brass disk monument; Thence North 37°00'00" West a distance of 37.50 feet to a chiseled x set in concrete on the northerly right of way line of Cypress Avenue for the **"TRUE POINT OF BEGINNING"**

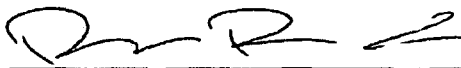
Thence along said right of way line, South 53°00'00" West a distance of 538.45 feet to a set x chiseled in concrete sidewalk on the easterly right of way line of Eucalyptus Street;

Thence along said right of way line, North 36°59'35" West a distance of 435.00 feet to a set chiseled v in concrete on the southerly right of way line of the Franklin Canal;

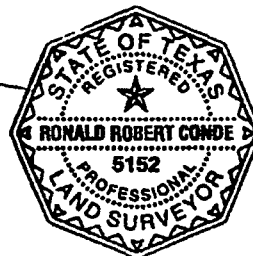
Thence along said right of way line, North 53°00'00" East a distance of 538.40 feet to a point;

Thence, South 37°00'00' East a distance of 435.00 feet to the **"TRUE POINT OF BEGINNING"** and containing 234,216 Sq. Ft. 5.3769 acres of land more or less.

Note: A drawing accompanies this description.



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



CONDE INC
ENGINEERING / LAND SURVEYING / PLANNING
6080 SURETY DRIVE / SUITE 100 / EL PASO, TEXAS 79905
(915) 592-0283 FAX (915) 592-0286

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