

CITY CLERK DEPT.

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

DEPARTMENT: Development Services Department

AGENDA DATE: Introduction: January 6, 2009
Public Hearing: January 27, 2009

CONTACT PERSON/PHONE: Mirian Spencer, (915) 541-4192, spencermd2@elpasotexas.gov

DISTRICT(S) AFFECTED: 6

SUBJECT:

An Ordinance changing the zoning of the following real property described as: Parcel 1: A portion of Tract 4-C-4, Block 52, Ysleta Grant, City of El Paso, El Paso County, Texas, from A-2/H/sc (Apartment/Historic/special contract) to A-M/H/sc (Apartment/Mobile Home/Historic/special contract); and Parcel 2: Tract 4-C and a portion of Tract 4-C-4, Block 52, City of El Paso, El Paso County, Texas from A-2/sc (Apartment/special contract) to A-M/sc (Apartment/Mobile Home/special contract), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Socorro Road south of La Morenita Circle and East of Isaiah Drive, Property Owner: Carmen R. Martinez, ZON08-00081 (District 6) **THIS IS AN APPEAL**

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

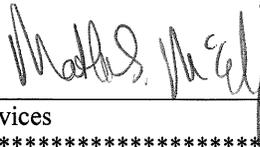
BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Denial Recommendation (7-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Victor Q. Torres 
Director, Development Services

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY DESCRIBED AS:

PARCEL 1: A PORTION OF TRACT 4-C-4, BLOCK 52, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM A-2/H/SC (APARTMENT/HISTORIC/SPECIAL CONTRACT) TO A-M/H/SC (APARTMENT/MOBILE HOME/HISTORIC/SPECIAL CONTRACT); AND

PARCEL 2: A PORTION OF TRACT 4-C AND A PORTION OF TRACT 4-C-4, BLOCK 52, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM A-2/SC (APARTMENT/SPECIAL CONTRACT) TO A-M/SC (APARTMENT/MOBILE HOME/SPECIAL CONTRACT), AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

That the zoning of the following property be changed as described below within the meaning of the zoning ordinance and that the zoning map of the City of El Paso be revised accordingly:

Parcel 1: *A portion of Tract 4-C-4, Block 52, Ysleta Grant, City of El Paso, El Paso County, Texas, from A-2/H/sc (Apartment/Historic/special contract) to A-M/H/sc (Apartment/Mobile Home/Historic/special contract) and,*

Parcel 2: *A portion of Tract 4-C and a portion of Tract 4-C-4, Block 52, City of El Paso, El Paso County, Texas, from A-2/sc (Apartment/special contract) to A-M/sc (Apartment/Mobile Home/special contract), and imposing conditions.*

Further, that the property described as Parcels 1 and 2, be subject to the following conditions, which is necessitated by and attributable to the increased intensity of use generated by the change of zoning in order to protect the health, safety, and welfare of the adjacent property owners and the residents of this City:

- That the portion of the property that is located within the Mission Trail Historic District be landscaped with 3" caliper cottonwood trees to screen the proposed Residential Mobile Home Park from Socorro Road.
- That the property is subject to detailed site development plan review.

PASSED AND APPROVED this _____ day of _____, 2009.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy, Deputy Director
Development Services Department

DORADO ENGINEERING, INC.
2717 E. Yandell El Paso, Texas 79903 (915) 562-0002 Fax (915) 562-7743

Tracts 4-C and 4-C-4, Block 52
Ysleta Grant Surveys

Metes and Bound description of a parcel of land being all of Tracts 4-C and 4-C-4, Block 52, Ysleta Grant Surveys, City of El Paso, County of El Paso, Texas, and being more particularly described as follows;

From a city monument located at the centerline intersection of Morenita Circle and Juan Diego Street, thence South along the centerline of Juan Diego Street a distance of one hundred forty and no hundredths (140.00) feet to an existing ½ inch rebar for a corner on the common line of Mission Pass Subdivision and Tract 4-C, Block 52, Ysleta Grant Surveys, said corner being the Point of Beginning for this description;

Thence East along the common line of Mission Pass Subdivision and Tract 4-C, Block 52, Ysleta Grant Surveys, a distance of four hundred ninety seven and ninety two hundredths (497.92) feet to a ½ inch rebar on the common Northerly corner of Tracts 4-C and 4-C-3, Block 52, Ysleta Grant Surveys;

Thence South 28° 31' 00" East along the common line of said mentioned Tracts 4-C and 4-C-3, a distance of one hundred sixty six and ninety six hundredths (166.96) feet to a ½ inch rebar on the Southwesterly corner of said mentioned Tract 4-C-3;

Thence South 81° 00' 00" East along the common line of said mentioned Tracts 4-C and 4-C-3, Block 52, Ysleta Grant Surveys, a distance of two hundred fourteen and forty five hundredths (214.45) feet to ½ inch rebar on the common Westerly corner of Tract 4-C-1 and 4-C-1B, Block 52, Ysleta Grant Surveys;

Thence South 24° 16' 00" East along the common line of said mentioned Tracts 4-C and 4-C-1 a distance of seventy one and seventy five hundredths (71.75) feet to a ½ inch rebar on the common Westerly corner of Tracts 4-C-1 and 4-C-1A;

Thence North 81° 00' 00" West along the common line of Tracts 4-C and 4-C-2, Block 52, Ysleta Grant Surveys, a distance of three hundred thirty and twenty hundredths (330.20) feet to a ½ inch rebar on the Northwesterly corner of said mentioned Tract 4-C-2;

Thence South 28° 31' 00" East along the common line of Tracts 4-C and 4-C-2 a distance of one hundred and no hundredths (100.00) feet to a ½ inch rebar on the common Westerly corner of Tracts 4-C-2 and 4-C-4, Block 52, Ysleta Grant Surveys;

Thence South 81° 00' 00" East along the common line of said mentioned Tracts 4-C-2 and 4-C-4, a distance of five hundred forty nine and eighteen hundredths (549.18) feet to a ½ inch rebar on the common Easterly corner of Tracts 4-C-2 and 4-C-4, Block 52, Ysleta Grant Surveys, said corner lying on the Westerly Right-of-Way line of Socorro Road;

Thence South 28° 31' 00" East along the Westerly Right-of-Way line of Socorro Road a distance of one hundred and no hundredths (100.00) feet to a ½ inch rebar on the common sterly corner of Tract 2A and 4-C-4, Block 52, Ysleta Grant Surveys;

Thence North 81° 00' 00" West along the common line of said mentioned Tracts 2A, 4-C and 4-C-4 a distance of five hundred sixty eight and fifty nine hundredths (568.59) feet to a ½ rebar on the common line of said mentioned Tracts 2A and 4-C;

Thence North 86° 00' 00" West along the common line of Tracts 2A and 4-C, Block 52, Ysleta Grant Surveys a distance of three hundred fifty and no hundredths (350.00) feet to a ½ inch rebar on the common Northerly corner of Tracts 2-A and 3, Block 52, Ysleta Grant Surveys;

Thence North 06° 44' 00" West along the common line of Tracts 3 and 4-C, Block 52, Ysleta Grant Surveys, a distance of forty eight and no hundredths (48.00) feet to a ½ inch rebar on the common line of said mentioned Tracts 3 and 4-C;

Thence North 17° 54' 00" West along the common line of said mentioned Tracts 3 and 4-C a distance of ninety four and no hundredths (94.00) feet to a ½ inch rebar on the Northeasterly corner of Tract 3, Block 52, Ysleta Grant Surveys;

Thence North 78° 37' 00" West along the common line of Tract 3 and 4-C, Block 52, Ysleta Grant Surveys, a distance of one hundred two and no hundredths (102.00) feet to a ½ inch rebar on the common line of said mentioned Tracts 3 and 4-C;

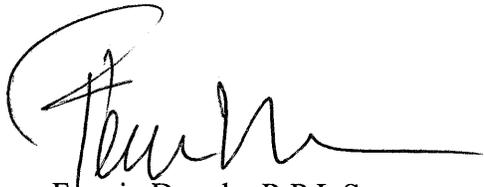
Thence North 88° 19' 00" West along the common line of said mentioned Tracts 3 and 4-C a distance of one hundred forty four and no hundredths (144.00) feet to a ½ inch rebar on the common Northerly corner of Tracts 3 and 4-B, Block 52, Ysleta Grant Surveys;

Thence North 89° 41' 10" West along the common line of Tracts 4-B and 4-C, Block 52, Ysleta Grant Surveys a distance of four hundred twenty three and fifty four hundredths (423.54) feet to a ½ inch rebar on the common Westerly corner of said mentioned Tracts 4-B and 4-C, said corner lying on the Easterly Right-of-Way line of the Franklin Drain;

Thence North 13° 47' 00" West along the Easterly Right-of-Way line of the Franklin Drain a distance of one hundred seventy nine and fourteen hundredths (179.14) feet to a ½ inch rebar on the common Westerly corner of Tract 4-C, Block 52, Ysleta Grant Surveys and Mission Pass Subdivision;

Thence East along the common line of said mentioned Tract 4-C and Mission Pass Subdivision a distance of five hundred twenty two and sixty hundredths (522.60) feet to a ½ inch rebar on the intersection of the centerline of Juan Diego Street with the common line of said mentioned Tract 4-C and Mission Pass Subdivision, said corner also being the Point of Beginning.

Said parcel of land contains 304,794.00 square feet or 6.997 acres more or less.



Fermin Dorado, R.P.L.S.



September 15, 2008



**DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
MEMORANDUM**

DATE: December 15, 2008

TO: The Honorable Mayor and City Council
Joyce Wilson, City Manager

FROM: Mirian Spencer, Planner

SUBJECT: ZON08-00081

The City Plan Commission (CPC), on November 6, 2008 voted (7 to 0) to recommend **DENIAL** of rezoning the property from A-2/H/sc (Apartment/Historic/special contract) and A-2/sc (Apartment/special contract) to A-M/H/sc (Apartment/Mobile Home/special contract) and A-M/sc (Apartment/Mobile Home/special contract), in opposition to the **APPROVAL** recommendation from the Development Coordinating Committee (DCC).

The Historic Landmark Commission (HLC) recommended **DENIAL** of the rezoning request from A-2/H/sc (Apartment/Historic/special contract) to A-M/H/sc (Apartment-Mobile Home/Historic/special contract) at the October 20, 2008 meeting. The HLC stated that the mobile home park would be detrimental to the Mission Trail Historic District; however, since the majority of the property is located outside the historic district, mitigation efforts including an eight-foot screening wall and cottonwood trees along the northern property lines were recommended by the HLC.

The DCC recommended **APPROVAL** of the rezoning request with the conditions that the portion of the property that is located within the Mission Trail Historic District be landscaped with 3" caliper cottonwood trees to screen the proposed residential mobile home park from Socorro Road. The DCC also believed that a detailed site development plan showing the mitigation efforts along the Mission Trail Historic District was appropriate.

The proposed A-M/H/sc and A-M/sc zoning district will permit residential mobile homes in an area that contains a mixture of single-family residential, ranch and farm land, and commercial properties within the area. There is an existing residential mobile home facility approximately 1 mile north of the subject property. The landscaped buffer with cottonwood trees which are native to the Mission Trail area, in line with the HLC comments, would help preserve the characteristics of the Mission Trail. The detailed site development plan will ensure that the site is development adheres to the requirements of the Mission Trail Historic District and to ensure compliance with the requirements of a manufactured home park.

The applicant is requesting to change the zoning of the property from A-2/H/sc (Apartment/Historic/special contract) and A-2/sc (Apartment/special contract) to A-M/H/sc

(Apartment-Mobile Home/Historic/special contract) and A-M/sc (Apartment-Mobile Home/special contract) in order to permit a residential mobile home park. The applicant is proposing 49 mobile home spaces, three parking areas, a children's play area, and a landscaped entrance. The property is 6.997 acres in size and access is proposed via **Socorro Road** and **Juan Diego Street**. Conditions were imposed on the property by a special contract attached to Ordinance 7384, dated November 19, 1981. The special contract requires that a subdivision plat of the property be approved and filed for the record.

The CPC found that this rezoning is not in conformance with The Plan for El Paso; and the proposed use is not in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this rezoning does not protect the best interest, health, safety, and welfare of the public in general; and that the proposed use is not compatible with adjacent land uses.

There was **one letter in support, one letter in opposition, and one petition in opposition** to this request. This case is .This case is a 211 and will require a supermajority vote of City Council for approval of the rezoning request.

Attachment: Staff Report, Location Map, Aerial Map, Conceptual Site Plan, Special Contract, Opposition Map, Support Letter, Opposition Letters



November 21, 2008

Richarda Duffy Momsen
Municipal Clerk
City Of El Paso, TX
Two Civic Center Plaza
EL Paso, TX 79901

RE: Zoning request denial No. ZON08-00081

This Letter is to appeal the decision of the City of El Paso Planning Commission of November 06, 2008 to deny the request for a change of zoning from A-2/H/sc to A-M/H/sc to City Council. We request that our case be placed on the next available City Council Agenda.

Sincerely,

Fermin Dorado, P.E.
Owner Representative

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City of El Paso – City Plan Commission Staff Report

Case No: ZON08-00081
Application Type Rezoning
CPC Hearing Date November 6, 2008
Staff Planner Mirian Spencer, (915) 541-4192, spencermd2@elpasotexas.gov

Location Socorro Road South of La Morenita Drive and East of Isaiah Drive
Legal Description Parcel 1: A portion of Tract 4-C-4, Block 52, Ysleta Grant, City of El Paso, El Paso County, Texas
Parcel 2: Tract 4-C and a portion of Tract 4-C-4, Block 52, Ysleta Grant, City of El Paso, El Paso County, Texas

Acreage 6.997 acres
Rep District 6
Existing Use Vacant
Request Parcel 1: From A-2/H/sc (Apartment/Historic/special contract) to A-M/H/sc (Apartment/Mobile Home/Historic/special contract)
Parcel 2: From A-2/sc (Apartment/special contract) to A-M/sc (Apartment/Mobile Home/special contract)

Proposed Use Residential Mobile Home Park

Property Owners Carmen R. Martinez
Applicant Carmen R. Martinez
Representative Dorado Engineering, Inc.

SURROUNDING ZONING AND LAND USE

North: R-3A (Residential); Single-family residential
South: R-F (Ranch and Farm); Cotton field
East: R-F/H (Ranch and Farm/Historic); Farm
West: M-1/sc (Light Manufacturing/special contract); Vacant

THE PLAN FOR EL PASO DESIGNATION: Residential and Mixed-use (Lower Valley Planning Area)

HISTORIC DISTRICT: Mission Trail

NEAREST PARK: Caribe Park (3,600 Feet)

NEAREST SCHOOL: Socorro High School (4,890 Feet)

NEIGHBORHOOD ASSOCIATIONS:

There are no registered neighborhood associations in the area of the subject property.

NEIGHBORHOOD INPUT:

Letters were sent to the property owners located within 300 feet of the subject property. Planning has received one letter of support, one letter and one petition in opposition to the request.

APPLICATION DESCRIPTION

The applicant is requesting to change the zoning of the property from A-2/H/sc (Apartment/Historic/special contract) and A-2/sc (Apartment/special contract) to A-M/H/sc (Apartment-Mobile Home/Historic/special contract) and A-M/sc (Apartment-Mobile Home/special contract) in order to permit a residential mobile home park. The applicant is proposing 49 mobile home spaces, three parking areas, a children’s play area, and a landscaped entrance. The property is 6.997 acres in size and access is proposed via **Socorro Road** and **Juan Diego Street**. Conditions were imposed on the property by a special contract attached to Ordinance 7384, dated November 19, 1981. The special contract requires a subdivision plat of the property must be approved and filed for the record.

PLANNING DIVISION RECOMMENDATION

Planning recommends **APPROVAL** of the rezoning request from A-2/H/sc (Apartment/Historic/special contract) and A-2/sc (Apartment/special contract) to A-M/H/sc (Apartment-Mobile Home/Historic/special contract) and A-M/sc (Apartment-Mobile Home/special contract) with the following conditions:

- That the portion of the property that is located within the Mission Trail Historic District be landscaped with 3” caliper cottonwood trees to screen the proposed Residential Mobile Home Park from Socorro Road.
- That the property is subject to detailed site development plan review.

DCC RECOMMENDATION

The Development Coordinating Committee (DCC) recommends Approval of the rezoning request from A-2/H/sc (Apartment/Historic/special contract) and A-2/sc (Apartment/special contract) to A-M/H/sc (Apartment-Mobile Home/Historic/special contract) and A-M/sc (Apartment-Mobile Home/special contract) with the following conditions:

- That the portion of the property that is located within the Mission Trail Historic District be landscaped with 3” caliper cottonwood trees to screen the proposed Residential Mobile Home Park from Socorro Road.
- That the property is subject to detailed site development plan review.

HISTORIC LANDMARK COMMISSION RECOMMENDATION

The Historic Landmark Commission (HLC) recommended **DENIAL** of the rezoning request from A-2/H/sc (Apartment/Historic/special contract) to A-M/H/sc (Apartment-Mobile Home/Historic/special contract) at the October 20, 2008 meeting. The HLC stated that the mobile home park would be detrimental to the Mission Trail Historic District; however, since the majority of the property is located outside the historic district, mitigation efforts including an eight-foot screening wall and cottonwood trees along the northern property lines are recommended.

The Plan for El Paso –City-wide Land Use Goals:

All applications for rezoning shall demonstrate compliance with the following criteria:

- a. Goal: develop a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.
- b. Goal: provide and enforce standards for providing decent, safe, and sanitary housing for all El Pasoans in accordance with federal, state, and local regulations.
- c. Goal: provide a wide range of housing types that respond to the needs of all economic segments of the community.
- e. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.

The proposed A-M/H/sc and A-M/sc zoning district will permit residential mobile homes in an area that contains a mixture of single-family residential, ranch and farm land, and commercial properties within the area. There is an existing residential mobile home facility approximately 1 mile north of the subject property. The landscaped buffer with cottonwood trees which are native to the Mission Trail area will encourage the preservation of the native characteristics of the Mission Trail. The detailed site development plan will ensure that the site is development adheres to the requirements of the Mission Trail Historic District and to ensure compliance with the requirements of a manufactured home park.

Development Services Department - Building Permits and Inspections Division:

Zoning Review: Mobile Home Park permitted in proposed A-M/H/sc (Apartment-Mobile Home/Historic/special

contract) and A-M/sc (Apartment-Mobile Home/special contract) zoning districts. Shall need to comply with Chapter 20.10.340 (Manufactured Home Park Development) and Historic Landmark Commission standards.

Landscape Review: No comments received

Development Services Department – Planning Division:

Current Planning: Recommends **APPROVAL** of the rezoning request from A-2/H/sc (Apartment/Historic/special contract) and A-2/sc (Apartment/special contract) to A-M/H/sc (Apartment-Mobile Home/Historic/special contract) and A-M/sc (Apartment-Mobile Home/special contract) with the following conditions:

- That the portion of the property that is located within the Mission Trail Historic District be landscaped with 3” caliper cottonwood trees to screen the proposed Residential Mobile Home Park from Socorro Road.
- That the property is subject to detailed site development plan review.

Subdivision Review: The subject property is **not** located within a Special Flood Hazard Area, Flood Zone C Panel **480214 0050 B**. The following will be required at the time of development:

- ADA accessible sidewalks, wheelchair ramp(s), and driveway(s) will be required.
- Grading plan and permit required.
- Storm Water Pollution Prevention Plan and/or permit required.
- Drainage plans must be approved by the Development Services – Engineering Division.
- Coordination with TxDOT.
- No storm water runoff allowed outside the proposed development boundaries (on-site ponding required).

Engineering Department - Traffic Division:

No objections to the rezoning request, but has concerns with the conceptual plan.

- The proposed mobile home park must comply with standards in Section 20.10.340 of the El Paso City Code.
- A turnaround should be provided at the end of the stub road.
- The play area is not centrally located.
- Traffic recommends that manufactured home units not be located along the private road at the Socorro Road entrance to the park.
- Radius of curb at the entrance shall comply with the ordinance.
- Private street shall be adequate for mobile home maneuverability.

Fire Department:

No objections to the rezoning request.

Parks

The proposed parks must be developed to city standards at the time of development.

El Paso Water Utilities:

EPWU does not object to this request.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application

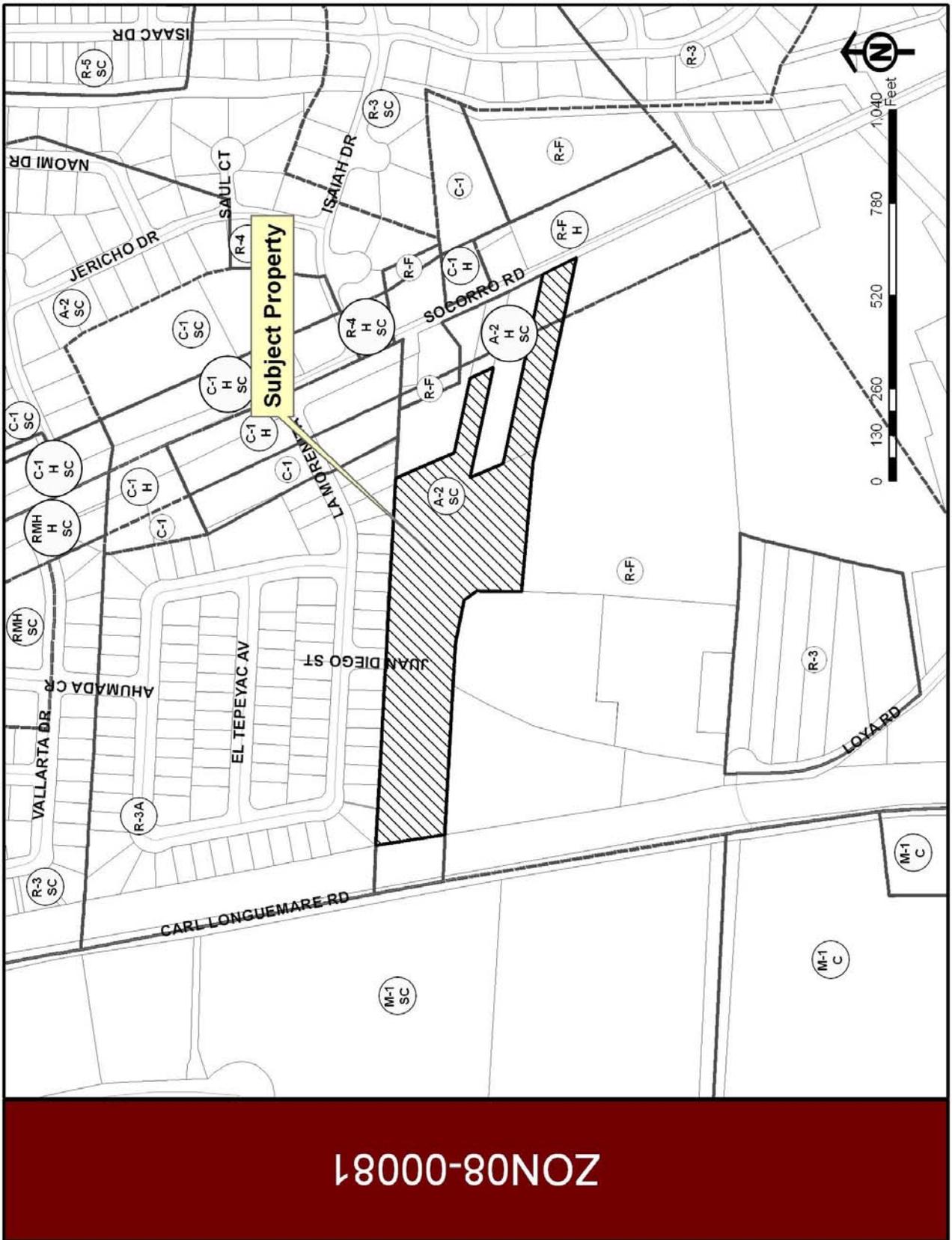
1. Recommend approval of the application finding that the rezoning and detailed site development plan are in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan
2. Recommend approval of the application with modifications to bring the rezoning and detailed site plan into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.

3. Deny the application finding that the rezoning and detailed site plan does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments

1. Location Map
2. Aerial Map
3. Conceptual Site Development Plan
4. Special Contract
5. Opposition Map
6. Support Letter
7. Opposition Letter
8. Opposition Petition

ATTACHMENT 1: LOCATION MAP

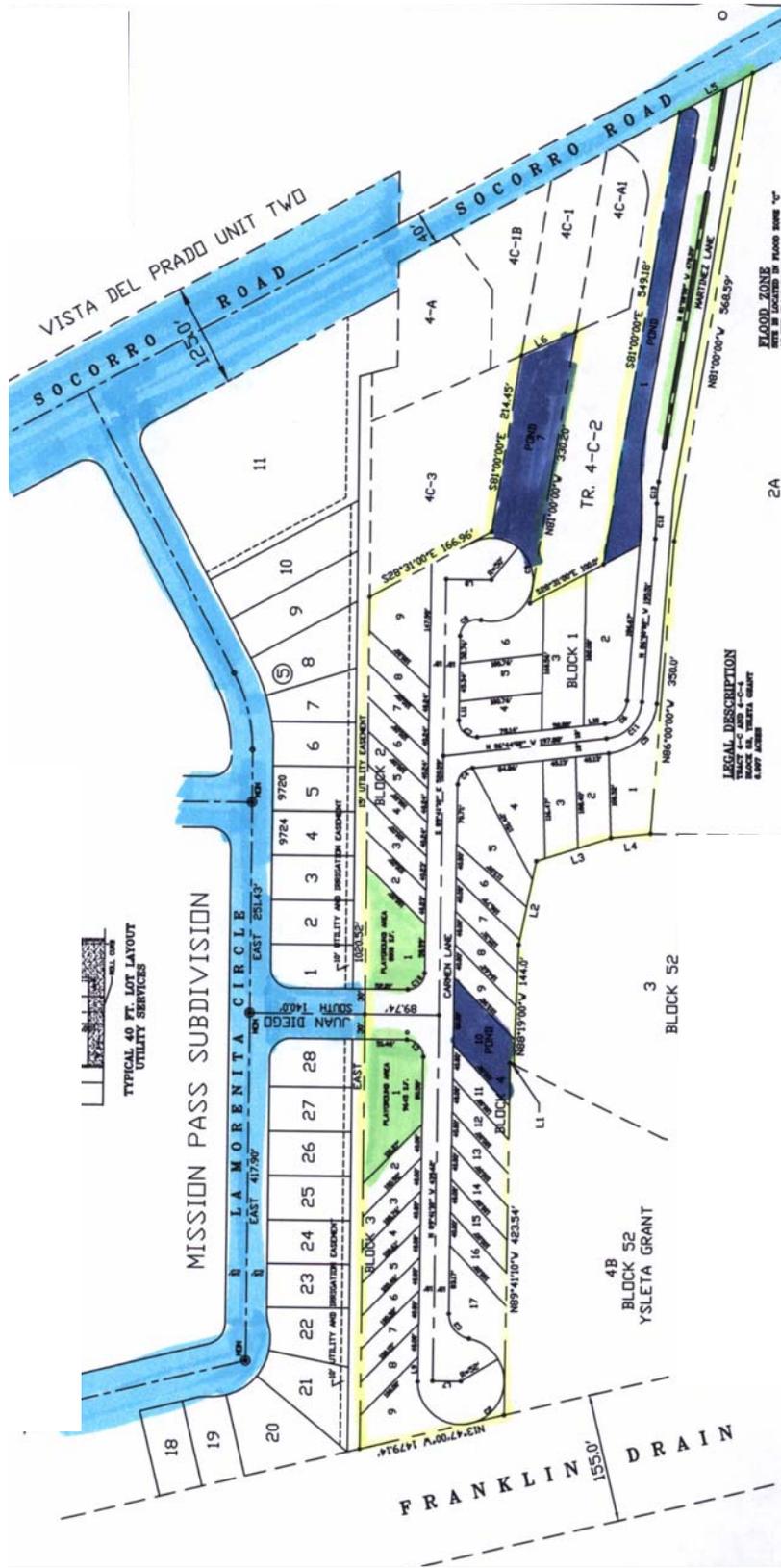


ZON08-00081

ATTACHMENT 2: AERIAL MAP



ATTACHMENT 3: CONCEPTUAL SITE PLAN



ATTACHMENT 4: SPECIAL CONTRACT FOR ORDINANCE 7384

CONTRACT

THIS CONTRACT, made this 19th day of November, 1981, by and between ALBERT COCA and wife, RORY COCA, First Parties, GRACE V. DAVIS and HARDY W. LEWIS, Second Parties, and the CITY OF EL PASO, Third Party, witnesseth:

Application has been made to the City of El Paso for rezoning of Tract 4C, Block 52, Ysleta Grant, in the City of El Paso, El Paso County, Texas, such property being more particularly described in Ordinance No. 7384 now pending before the City Council of the City of El Paso, a copy of which is attached hereto and made a part hereof by reference. To remove certain objections to rezoning of said property, First Parties covenant that if the property is rezoned to A-2 (Apartment) District within the meaning of the zoning ordinance of the City of El Paso, it shall be subject to the following restriction, condition and covenant:

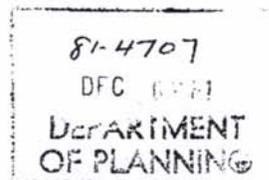
No building permits shall be issued for any construction on the property until a subdivision plat of the property has been approved and filed for record.

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

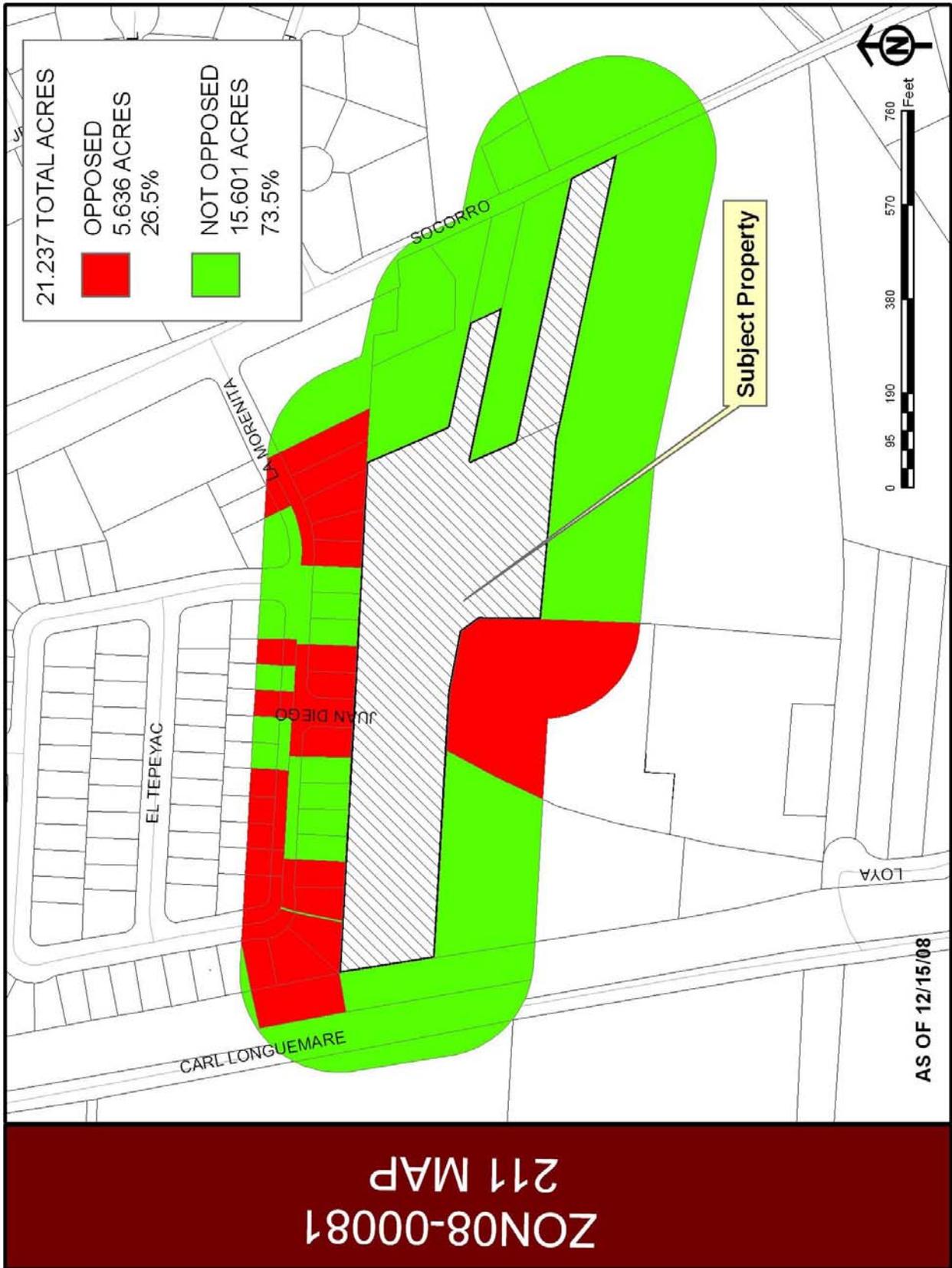
The City may enforce this contract by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may release the above restriction, condition and covenant in its discretion without the consent of any third person who may be benefited thereby.

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

-1-



ATTACHMENT 5: OPPOSITION MAP



ATTACHMENT 6: SUPPORT LETTER

Case# ZON08-00081

October 27, 2008

To The City of El Paso Texas,

This letter is to state that I, Bulfrano Damian am the owner of 9736 El Tepeyac Avenue with case number ZON08-00081. In this letter I am stating I am agreeing to the change of the zoning as long as everyone agrees to it or a majority of vote. I believe there will be a hearing on November 6, 2008 and I am unable to attend and with this letter I am responding to the request.

Bulfrano Damian

Marisela Mayorga
Notary Public



ATTACHMENT 7: OPPOSITION LETTER

October 20, 2008

Historic Landmark Commission
c/o Planning Division
#2 Civic Center Plaza, 5th Floor
El Paso, TX 79901

RE: ZON08-00081

Meeting : 10/20/2008

Dear Planner,

We are in receipt of the letter in reference to *Case No., ZON08-00081*. We will not be able to attend the meeting date. We would like to voice, through this statement, **our complete DISAGREEMENT. We strongly oppose this request for various reasons.**

- First, and most importantly to US, the homeowner, this would depreciate the value of our home significantly. We already have a mobile home park a few yards away.
- Second, this would pose a safety hazard, as it is known that mobile homes burn faster should there be a fire.
- And many more reasons,.....

When we received this notice, we was disgusted, because this development where my home is, is a development done by Ms. Martinez, and would this have been the case, she should just have made this a mobile home park development from the beginning, because that way we would have known what we were getting into, instead of trying to force this against our home and property value. We have invested a lot of time, effort, love, and money to make this our home. We put in a lot of time looking for an area with property value, comfort, location, and privacy.

Ismael Osoria



ATTACHMENT 8: OPPOSITION PETITION

Valle de la Misiones Neighborhood Association
El Paso, Texas 79927

30 October 2008

Miriam Spencer
Development Service Department
Planning Division, 5th Floor
City Hall
2 Civic Center Plaza
El Paso, Texas 79901-1196

RE: Case number: ZON08-00081

Dear Ms. Spencer:

By means of this letter, we would like to emphatically voice our disapproval to changing the zoning and allow a trailer park in my community in which we have vested time. Some of our residents have more than 32 years of living and creating this community. We have always welcomed improvements to our community, which by definition means to make something better, but this proposal for rezoning would really mean deterioration for this established community. The community surrounding this proposed land is made up of citizens who have worked hard to obtain a piece of the American dream. We have made major sacrifices to buy a lot and build a home in order to provide a safe neighborhood to raise our children. This safe neighbor is now being threatened by this proposed trailer park. Allowing this trailer park would mean depreciation of our properties values, cause stress to our schools, hurt the tax base, become a permanent eye sore, be a deterrent for future development, create congestion and safety hazards and bring the possibility of having predators for our kids, crime, drugs and a negative environment for the community.

We have put our future on the line and worked extremely hard to obtain our modest homes to have someone looking to make a quick buck run down our dreams and achievements. For many of us this will be our biggest monetary achievement and a trailer park next to it will only diminish the value of our homes, dreams and safety. Over the years we have paid, and some of us are still paying, full price for the construction of our homes, and now in a matter of days our value will be brought down significantly solely because somebody wants to maximize their income without taking into account the community she helped create. The value of our properties should not only be a concern to us, but to the local government as well. It is this value that assesses what tax amount we contribute to the government with the hopes of making our city better.

They are proposing cramming 55 mobile units that will most likely have an average value of \$20,000 for a total of \$1,100,000 value a year from which the city will obtain their percent of property taxes. This amount would be matched if not surpassed by only 10 houses. This property has the potential of creating 18 to 25 single family dwellings

which would have an estimated value of \$1,980,000 to \$2,750,000 a year, thus generating more than double the money to help keep our community and city in great shape. Furthermore, at 55 units at an average of 5 people per trailer would yield a 275 influx of people to the community's population, while 18 to 25 single family dwellings would yield a maximum average of 125 citizens, easily less than half for double to triple the amount of taxes the area would generate. If you approve this trailer park, not only will the police, fire department, ambulance service, street maintenance and many more organizations that work to keep our community safe and functional have a lot more people to look after, but the city will be doing it with much less income, downgrading the quality of service they provide.

This proposed trailer park would also put a much unneeded burden on its area schools and teachers without really contributing its fair share to helping improve them. The affected schools would be South Loop Elementary, Camino Real Middle and Ysleta High. South Loop Elementary currently has 8 portables and their six grade population was moved to Camino Real Middle School in order to accommodate its student population. Ysleta High also utilizes portables to accommodate its student population and this is after considerable additions were made to this majestic learning center. Current classroom population would increase diminishing the quality of education because the district would not be properly compensated and be able to hire additional teachers.

In addition to the financial burden this trailer park will have on our community, it also poses a burden of becoming more of an eye sore with every passing day. Trailer parks usually become eye sores to communities because trailers owners usually don't have the financial means to keep up with the trailer's maintenance, compiled with the fact that unlike stationary homes, mobile homes don't appreciate in value, keeping the mobile home owner from building any equity, making unlikely to be able to "trade-up" to a new model, further decreasing their value and the established community's as well. The trailer population only gets older and older deteriorating the appearance of the park and the community, regardless of any barriers put to mask its appearance. The developer acknowledges that it would be an eye sore and is more than willing to create a rock wall or any other barrier to minimize this detrimental appearance. If a rock wall is constructed as a barrier, it will only provide more space and liberty for vandals to degrade our community with graffiti, which will not provide the Historic Mission Trail an appealing scenery. With the city and surrounding community's best interest in mind, the best barrier would be not to allow this mobile park. We must look forward and do as much as we can to attract and stimulate future positive development in the area.

Seeing our community take forward steps towards improvement is everyone's heartfelt desire, but this trailer park would do completely the opposite and would continue to do so for as long as it exists. Not many people would like to build a home, if they know their value will be diminished by what surrounds their investment. Furthermore developers would steer away from positive development in this area because of the trailer park's baggage, thus making it only suitable for more trailer parks and further deteriorating our wonderful community. Although the monetary drawbacks that this trailer park brings

should be enough to prevent it from happening, there are safety issues that demand a resounding "NO, to the trailer park" by its existing citizens of this community and the planning board.

Safety for its citizens should be the main concern and the deciding factor against passing this preposterous proposal. There are roughly 19 million Americans living in manufactured housing today, so the problems that come with them are well known. Mobile homes are not well insulated, making it a necessity to constantly find a way to keep it warm in the winter, plus faulty wiring and wood stoves, most often found in older mobile homes, often contribute to fires. A mobile home can burn down in less than ten minutes, often creating a chain reaction. By the time fire department arrives four to five mobile homes could be on fire. Many people loose their lives each year due to fires in mobile homes. Furthermore, some chemicals used in the production of the mobile homes can be hazardous to asthmatics. Add this to the attempt by the developer to utilize the most of the area by cramming 55 lots into it and paying little attention to the safe construction of roads, common areas and facilities, puts in danger the well being of their future residents and the established community surrounding it. One of the proposed roads leads to a dead end and will be too narrow to allow emergency vehicles ample space to easily negotiate in case of an emergency once it is occupied, putting in danger almost half its trailer population not to mention the existing community. Safety problems do not end there, it is estimated that 51 percent of the mobile homes are improperly installed. Most often, the tie-down process which connects the home to its foundation is carried out incorrectly, leaving the home unstable. Compiled with the most well-known safety issues particular to mobile homes, trouble resisting severe weather situations like strong winds we get here in El Paso, plus the fact that there is nothing keeping the wind from picking up speed make this mobile homes more susceptible to being overturned or even carried away by high winds. Moreover, most mobile homes have little or no storage space, so many mobile home owners construct make-shift storage sheds outside. Not only can these sheds not resist any strong wind, debris created by their destruction can damage the mobile home and the existing community's homes as well.

Some of these mobile parks create a perfect place for criminal activity. Some renters really don't care about the property or the community they live in, making it easy for criminals to operate. This is mostly due to their ability to just pick up their belongings and move once things don't appease them. In the same line of not caring for the community, infestation of roaches is fairly prevalent which will ultimately run from trailer to trailer to the surrounding neighborhood. Another problem is the range of possible renters who will be brought to our community. People of all ranges have a great chance to make their way to our community. People who have been evicted from other places, criminals and even sex offenders are good candidates because of the low cost of renting one of these lots. The possibility is too great for our community to take a chance on our dreams, property, livelihood, future and most important our kids. It only takes one resident of this type to turn our peaceful and healthy community into to a dying and cancerous community. Only one predator to do away with everything we have worked for. While on the other hand, home owners must make the best of their situation because it is harder to pick up and leave; putting a lot more work and keeping a watchful eye in

order to improve their community. Ownership gives one more responsibility to take care of your belongings and your surroundings.

Needless congestion is another major problem that will arise, if we approve this mobile park. The influx of 275 possible citizens and the possibility of at least 110 vehicles at a minimum (two working vehicles per trailer lot) for a two exit community put astronomical pressure on the surrounding roads, but mainly to the community's safety. This is not including the additional cars that would come in to visit or do business with their residents. Congestion promotes accidents and slow response of emergency personnel. Our kids will be further limited of enjoying the neighborhood because of the added traffic and the ones that do venture out to enjoy their neighborhood run the risk of being trampled. We could become prisoners within our own homes because the outside is dangerously congested. And finally, there is always risk that the residents of the park will have abandoned vehicles which not only makes the eyesore more evident, but further congesting the street and limiting access to emergency vehicles. We must take the protective measures to prevent the loss of property, especially life. The key to protecting this community is to reject the proposal of the trailer park.

We will cut my letter short for there exist many other reasons why we should not rezone and allow for a trailer park. The safety reasons alone should be enough to restrain the planning board from allowing this inconceivable scheme from affecting our community, but complied with the monetary reasons makes this scheme ludicrous. We, as a community, pay our taxes, look after our property and welcome progress; and we pray that the planning board also recognizes the tribulations and evils this developer is willing to bring on to this hard working peaceful community for a couple of dollars in her pocket in exchange. We as citizens have done our best and given our all to help this great city and community move forward, it is the planning boards' turn to back this community's total effort and not allow a trailer park anywhere near this community. We thank you in advance for your help with this matter and look forward to your disapproval of this trailer park.

Sincerely,

Our established community

08 DEC 29 AM 8:47

OPPOSE REZONING

CASE# ZON08-00081

TEL.

NOMBRE	DIRECCION
1. ✓ Ramiro & Delacruces	(9737 LA MORENITA CIR)
2. ✓ MARTIN CHAPARRO	9736 LA MORENITA
3. ✓ MARIA G. y MIGUEL BARAJAS	(9740 LA MORENITA CIR)
4. ✓ Jack and Rosa Alayuan	9752 La Morenita.
5. ✓ Humberto Herrera	9761 La Morenita.
6. ✓ David E. Barraza	9760 La Morenita Cir
7. ✓ Rita Pacheco	9764 La Morenita Cir
8. ✓ Javier Ruiz	9813 LA Morenita
9. ✓ San Ismael Osoria	9768 La Morenita
10. ✓ Jesus Delgado	9801 LA Morenita
11. ✓ Ruben Pereyra	9805 La Morenita
12. Jose Flor Puentes	9845 LA MORENITA
13. Emmanuel Soria	9837 La Morenita
14. Noel Avenda	9841 LA MORENITA
15. Manuel Chevalier	9870 La Morenita
16. Maria Tejeda	9864 La Morenita
17. ✓ Oscar Loera	9873 La Morenita Cir
18. Nicolas & Patricia Sanchez	9877 La Morenita Cir
19. Silvia N Torres	9889 LA MORENITA
20. Jose A Castedena	9897. LA MORENITA
21. Raul Paz	9893. La morenita
22. Juan Ruiz	9890 La Morenita
23. Antonio Vidal	9861 LA MORENITA CIR
24. ✓ Roberto Morcada	9753 La Morenita Cir
25. ✓ Omar Traves Garcia	9749 La Morenita Cir
26. ✓ Ramon Ruzon	9716 LA MORENITA

- 27. ✓ Antonio y María De La Paz Mendoza
- 28. ✓ Luis & Susana Godina 9700 La Morenita Cr.
- 29. ✓ Juan y Norma Avila 9701 La Morenita Cir
- 30. Manuel Chavez y Mariabel Villalpando. 9705 (La Morenita)
- 31. ✓ Jose Muñoz 9708 LA Morenita Cr.
- 32. ✓ ~~Luis Guerrero~~ 9712 La Morenita Cir
- 33. Verónica Castro 9878 La Morenita Cir
- 34. Maura Jessica Mtz 9885 La Morenita Cir
- 35. SONIA NEUAREZ 9904 LA MORENITA CIR
- 36. ✓ China Afonso 9732 La Morenita Cir Mirca A Fierro
- 37. ✓ Socorro Solís 9765 La Morenita Cr.
- 38. Emeritza E Millender 9825 La Morenita
- 39. ✓ José Ramón III 9757 Vallarta
- 40. Laura Castro 9757 A HUMEDA
- 41. Concepción Rave 9755 Vallarta Dr
- 42. Trinidad de La Torre 9747 Vallarta Dr
- 43. José Ruben Orea
- 44. José Bautista 9854 LA Morenita Cr
- 45. Rosendo Herrera Gler. La Morenita
- 46. Emigdio Ugarte 9757 La Morenita
- 47. ✓ ~~Juan Valdez~~ (Javier Barrera) 9828 Laya
- 48. ✓ ~~Edna Velasco~~ 317 Salamanca Ln
- 49. EISA Jaquez 9735 Penjamo DR.
- 50. Lidia M. Barrera 9828 Laya
- 51. ~~Berta Magueta~~
- 52. ~~[Signature]~~
- 53. Emeritza Barrera

EL TEPEYAC

9733 ✗ Juana Villalobos
9717 Joseph Hernandez
9708 ~~Stads.~~
9709 Olga Lopez
~~9705 Manuel Shireles~~
9700 ~~Rosalinda Cordoba~~
9716 Ana Ramirez
9741 Mario J Puebla
9740 Rosa E Mendoza
97 Ana Barbara

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CITY CLERK DEPT.

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- 1° Guila Valenzuela 9839 Socorro Rd.
- 2° MARTIN OLIVERAS 9724 EL TEPEYAC AVE
- 3° Noemil. Galvez 9721 EL TEPEYAC AVE.
- 4° Blanca Cortes 9720 EL TEPEYAC AVE
- 5° Ricardo Garcia 9821 La Morenita
- 6° Yvonne Quinones 9858 La Morenita
- 7° Anmar Novarez 9862 la morenita
8. Melissa Grenad 9828 Loya
Celia M... 9828 Loya
9. Elsa Jacuz 9635 penlamo
- 10 Juan Nijima 317 Salinanca
- 11 Ivan Barraza 9828 Loya