

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

DEPARTMENT: Development Services Department Planning Division

AGENDA DATE: Introduction: May 30, 2006
Public Hearing: June 20, 2006

CONTACT PERSON/PHONE: Mirian Spencer, 541-4723

DISTRICT(S) AFFECTED: 5

SUBJECT:

An Ordinance changing the zoning of Lot 2, Block 1, Las Palmas Unit Two, and a portion of Lot 1, Block 1, Las Palmas Unit One, El Paso, El Paso County, Texas from C-3/c (Commercial/condition) to PR-I (Planned Residential 1); and a portion of Lot 1, Block 1, Las Palmas Unit One, El Paso, El Paso County, Texas from C-4 (Commercial) to PR-I (Planned Residential 1). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 11600 Montana Avenue Applicant: Avenida de Palmas, LTD. ZON06-00006 (District 5)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

There is a concurrent zoning condition release application for the subject property requesting the condition requiring detailed site development plan review for the property be released (ZON06-00022).

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: George Sarmiento, AICP

APPROVED FOR AGENDA:

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 2, BLOCK 1, LAS PALMAS UNIT TWO AND A PORTION OF LOT 1, BLOCK 1, LAS PALMAS UNIT ONE, EL PASO, EL PASO COUNTY TEXAS FROM C-3/C (COMMERCIAL/CONDITION) TO PR-I (PLANNED RESIDENTIAL I); AND A PORTION OF LOT 1, BLOCK 1, LAS PALMAS, UNIT ONE, EL PASO, EL PASO COUNTY, TEXAS FROM C-4 (COMMERCIAL) TO PR-I (PLANNED RESIDENTIAL I). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 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 *Lot 2, Block 1, Las Palmas Unit Two and a portion of Lot 1, Block 1, Las Palmas Unit One, El Paso, El Paso County Texas*, and as more particularly described by metes and bounds on Exhibit "A", attached and incorporated by reference, **from C-3/c (Commercial/Condition) to PR-I (Planned Residential I)**, and a portion of *Lot 1, Block 1, Las Palmas, Unit One, El Paso, El Paso County, Texas*, and as more particularly described by metes and bounds on Exhibit "B", attached and incorporated by reference, **from C-4 (Commercial) to PR-I (Planned Residential I)** within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this _____ day of _____, 2006.

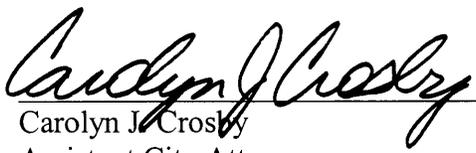
THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

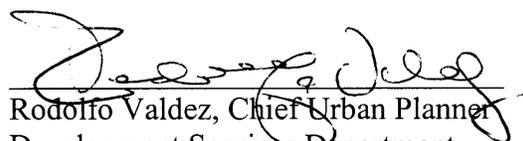
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Carolyn J. Crosby
Assistant City Attorney

APPROVED AS TO CONTENT:



Rodolfo Valdez, Chief Urban Planner
Development Services Department

Tract 1, Section 31, Block 79, Township 2
Texas and Pacific Railroad Company Surveys
City of El Paso, El Paso County, Texas

**PARCEL TO BE REZONED C-3
METES AND BOUNDS DESCRIPTION**

Being the description of a parcel of land consisting of a portion of Tract 1, Section 31, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, in the City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 2 inch Iron Pipe and the Southeast corner of Section 31, Block 79, Township 2, Texas and Pacific Railroad Company Surveys;

THENCE, along the South boundary line of Section 31, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, South 90 degrees 00 minutes 00 seconds West, a distance of 1172.40 feet to a ½ inch rebar set for corner;

THENCE, leaving the South boundary line of Section 31, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, North 00 degrees 33 minutes 12 seconds West, a distance of 983.43 feet to a ½ inch rebar set for corner;

THENCE, South 81 degrees 11 minutes 30 seconds West, a distance of 164.29 feet to a point for corner;

THENCE, North 00 degrees 33 minutes 12 seconds West, a distance of 960.59 feet to a point for corner on the Southerly right-of-way line of Montana Avenue (U.S. Highway No. 62-180);

THENCE, along the Southerly right-of-way line of Montana Avenue (U.S. Highway No. 62-180) North 81 degrees 11 minutes 30 seconds East, a distance of 825.91 feet to a point for corner;

THENCE, leaving the Southerly right-of-way line of Montana Avenue (U.S. Highway No. 62-180), South 00 degrees 33 minutes 12 seconds East, a distance of 473.00 feet to a point for corner;

THENCE, North 81 degrees 11 minutes 30 seconds East, a distance of 523.00 feet to a point for corner on the East Boundary line of Section 31, Block 79, Township 2, Texas and Pacific Railroad Company Surveys;

THENCE, along the East Boundary line of Section 31, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, South 00 degrees 33 minutes 12 seconds East, a distance of 1647.43 feet to the "POINT OF BEGINNING" of the herein described parcel and containing 2,294,181 square feet or 52.667 acres of land more or less.


Carlos M. Jimenez
Registered Professional Land Surveyor
Texas No. 3950

KISTENMACHER ENGINEERING COMPANY, INC.
1420 Geronimo Drive, Suite A2
El Paso, Texas, 79925
(915) 778-4476

30 October, 1995
sec-31a.wpd



Being a portion of Lot 1, Block 1,
Las Palmas
City of El Paso, El Paso County, Texas
Prepared for: Mimco Inc.
May 12, 2006

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Lot 1, Block 1, Las Palmas, City of El Paso El Paso County, Texas and being more particularly described by metes and bounds as follows:

The "TRUE POINT OF BEGINNING" being a point at the northwest corner of lot 1, block 1, Las Palmas as recorded in volume 71, Page 33, Plat records of El Paso County, Texas, said point also lying on the southerly right of way line of Montana Avenue (U.S. Highway 62/180)

Thence along said right of way line North 81°11'30" East a distance of 226.31 feet to a point;

Thence leaving said right of way line South 00°33'12" East a distance of 960.59 feet to a point on the southerly line of lot 1, block 1, Las Palmas ;

Thence along said line South 81°11'30" West a distance of 226.31 feet to a point on the westerly line of lot 1, block 1, Las Palmas;

Thence along said line North 00°33'12" West a distance of 960.59 feet to the "TRUE POINT OF BEGINNING" and containing 215,140 Sq. Ft. or 4.939 Acres of land more or less.

NOTE: Not a ground survey, description prepared from record information.


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



job# 1205-61

EXHIBIT "B"

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
DEPUTY DIRECTOR



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

**DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

CITY MANAGER: _____ DATE: _____

April 21, 2006

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

FROM: Mirian Spencer, Urban Planner

SUBJECT: ZON06-00006

Lot 1 Block 1, Las Palmas Unit One, and Lot 2, Block 1, Las Palmas Unit Two, El Paso, El Paso County, Texas

LOCATION: 11600 Montana Avenue

REQUEST: From C-3/c (Commercial/conditions) and C-4 (Commercial) to PR-I (Planned Residential)

The City Plan Commission (CPC), on April 20, 2006, voted **6-0** to unanimously recommend **Approval** of rezoning the subject property to PR-I (Planned Residential) concurring with Staff's recommendation.

The CPC found that this rezoning is in conformance with The Plan for El Paso Citywide land uses goals: "That El Paso provide a wide range of housing types that respond to the needs of all economic segments of the community; and preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods." The proposed use is in conformance with the Year 2025 Projected General Land Use Map, which designates the subject property for mixed uses. The proposed PR-I (Planned Residential) zone and the proposed single-family residential development is compatible with adjacent zoning and land uses. The CPC also determined the rezoning protects the best interest, health, safety, and welfare of the public in general.

The proposed rezoning request received opposition from the current mobile home park residents. The residents submitted a petition with 51 signatures, four letters and four emails in opposition to this rezoning request. This case was initially heard at the February 16, 2006 CPC hearing, where many residents were in attendance to oppose the rezoning request. At the hearing, the applicant's representative postponed the rezoning request until the March 20, 2006 CPC hearing in order to work out the residents' concerns. The item was subsequently postponed prior to the March 20, 2006 CPC hearing. There have been no additional calls, letters or petition signatures in opposition from the residents since February 24, 2006.

There were three calls in support and no calls or letters of opposition to this application request by the surrounding property owners, therefore, this case will not fall under the 211 provision. The applicant has also submitted a zoning condition release for the property to release the zoning condition which requires detailed site development plan review for the property (ZON06-00022).

Attachment: Location Map, Aerial, Site Plan, and Opposition Letters

STAFF REPORT

Rezoning Case: ZON06-00006

Owner(s)/Applicant(s): Avenida de Palmas, LTD.

Representative(s): Conde, Inc.

Legal Description: Lot 1, Block 1, Las Palmas Unit One and Lot 2, Block 1, Las Palmas Unit 2

Location: 11600 Montana Avenue

Representative District: # 5

Area: 61.33 Acres

Present Zoning: C-3/c (Commercial/conditions), C-4 (Commercial)

Present Use: Residential Mobile Home Park

Proposed Zoning: PR-I (Planned Residential)

Proposed Use: Single-family Residential

Recognized Neighborhood Associations Contacted: East Side Civic Association, Stoneridge Property Owners Association, Inc.

Surrounding Land Uses:

North -	Ft. Bliss Military Reservation
South -	R-3A/c/sp (Residential/conditions/special permit) / Single-family Residential
East -	R-3A/sp (Residential/special permit) / Single-family Residential
West-	C-4 (Commercial)/ Residential Mobile Home Park

Year 2025 Designation: **Mixed-Use** (East Planning Area)

**CITY PLAN COMMISSION HEARING, APRIL 20, 2006,
4:00 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

ZONING CASE: ZON06-00006

GENERAL INFORMATION:

The applicant is requesting to rezone the subject property from C-3/c (Commercial/conditions) and C-4 (Commercial) to PR-I (Planned Residential) in order to develop single-family residential homes. The property is 61.33 acres in size and is currently a residential mobile home park. The proposed site plan shows the current configuration of the mobile home lots. Access is proposed via Saul Kleinfeld Dr., Montana Ave, and Turner Dr. There is a zoning condition currently imposed on a portion of the property requiring detailed site development plan review for the portion of the property that is currently zoned C-3/c (Commercial/condition).

The applicant has also submitted a zoning condition release application (ZON06-00022) requesting the detailed site development plan review requirement be released because of the change of zoning from C-3/c (Commercial/conditions) to PR-I (Planned Residential) and the change of use from residential mobile homes to single-family residential homes.

INFORMATION TO THE COMMISSION:

There has been one petition, four letters, and four emails in opposition to this rezoning request submitted by the current mobile home park residents (See Enclosures 1-5). There have been three calls from surrounding property owners in support of this application.

STAFF RECOMMENDATION:

The Development Coordinating Committee (DCC) unanimously recommends **Approval** of this request for rezoning from C-3/c (Commercial/conditions) and C-4 (Commercial) to PR-I (Planned Residential).

The recommendation is based on the following:

The Plan for El Paso Citywide Land Use Goals recommend that El Paso “provide a wide range of housing types that respond to the needs of all economic segments of the community; and preserve, protect, and enhance the integrity, economic vitality and livability of the city’s neighborhoods.”

The Year 2025 Projected General Land Use Map for the East Planning Area designates this property for **Mixed** land uses.

PR-I (Planned Residential) zoning permits single-family residential development and is **compatible** with adjacent development.

The Commission must determine the following:

- A. Will the PR-I (Planned Residential) zoning protect the best interest, health, safety and welfare of the public in general?
- B. Will single-family residential development be compatible with adjacent land uses?
- C. What is the relation of the proposed change to the city’s Comprehensive Plan?

- D. What effects will the PR-I (Planned Residential) zoning have upon the natural environment, social and economic conditions, and property values in the vicinity and in the city as a whole?

INFORMATION TO THE APPLICANT:

Development Services Department – Building Permits and Inspections Division Notes:

- A. Landscaping - Landscaping is not required for residential areas at this time.
- B. Zoning - No zoning comments.

Development Services Department – Planning Division Notes:

- A. The lot dimensions, setbacks, and density need to meet PR-I zoning standards.
- B. The subdivision will need to be re-platted to show single-family residential lot layout.
- C. The Year 2025 Projected General Land Use Map for the East Planning Area designates this property for mixed land uses.
- D. PR-I (Planned Residential) zoning permits Single-Family Residential Development and is compatible with adjacent development.

Development Services Department – Land Development Division Notes:

- A. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
- B. Grading plan and permit shall/may be required.*
- C. Storm Water Pollution Prevention plan and/or permit shall/may be required.*
- D. Drainage plans must be approved by the City Engineer.*
- E. Coordination with TXDOT.*
- F. On-Site ponding will be required.*
- G. Additional Comments: Site location is located within a Special Flood Hazard Area, Flood Zone(s) C Panel 480214 0037 B. There is a question on the improvements for Turner and Saul Kleinfeld.

* This requirement will be applied at the time of development..

Engineering Department - Traffic Division Notes:

No apparent traffic concerns.

Fire Department Notes:

No comments received.

El Paso Water Utilities Notes:

- A. Water - Currently, there are existing water mains along the streets within Las Palmas Unit 1 and Las Palmas Unit 2 residential developments. Previous water pressure readings from a fire hydrant located at Street H, 196-feet south of Street J, have yielded a static pressure of 40 pounds per square inch, a residual pressure of 34 pounds per square inch, a pitot pressure of 26 pounds per square inch, at a discharge of 856 gallons per minute.

- B. Sanitary sewer - Currently, there are existing sanitary sewer mains along the streets within Las Palmas Unit 1 and Las Palmas Unit 2 residential developments.
- C. General - Private streets within the subject property are required to be designated as full-width utility easements in order to enable the construction, operation, maintenance, and repair of water and sanitary sewer mains and appurtenances. Application for additional water and sanitary sewer services should be made 6 to 8 weeks prior to any construction to ensure water for construction work. A site plan, a 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. The owner 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.
- D. EPWU does not object to this request.

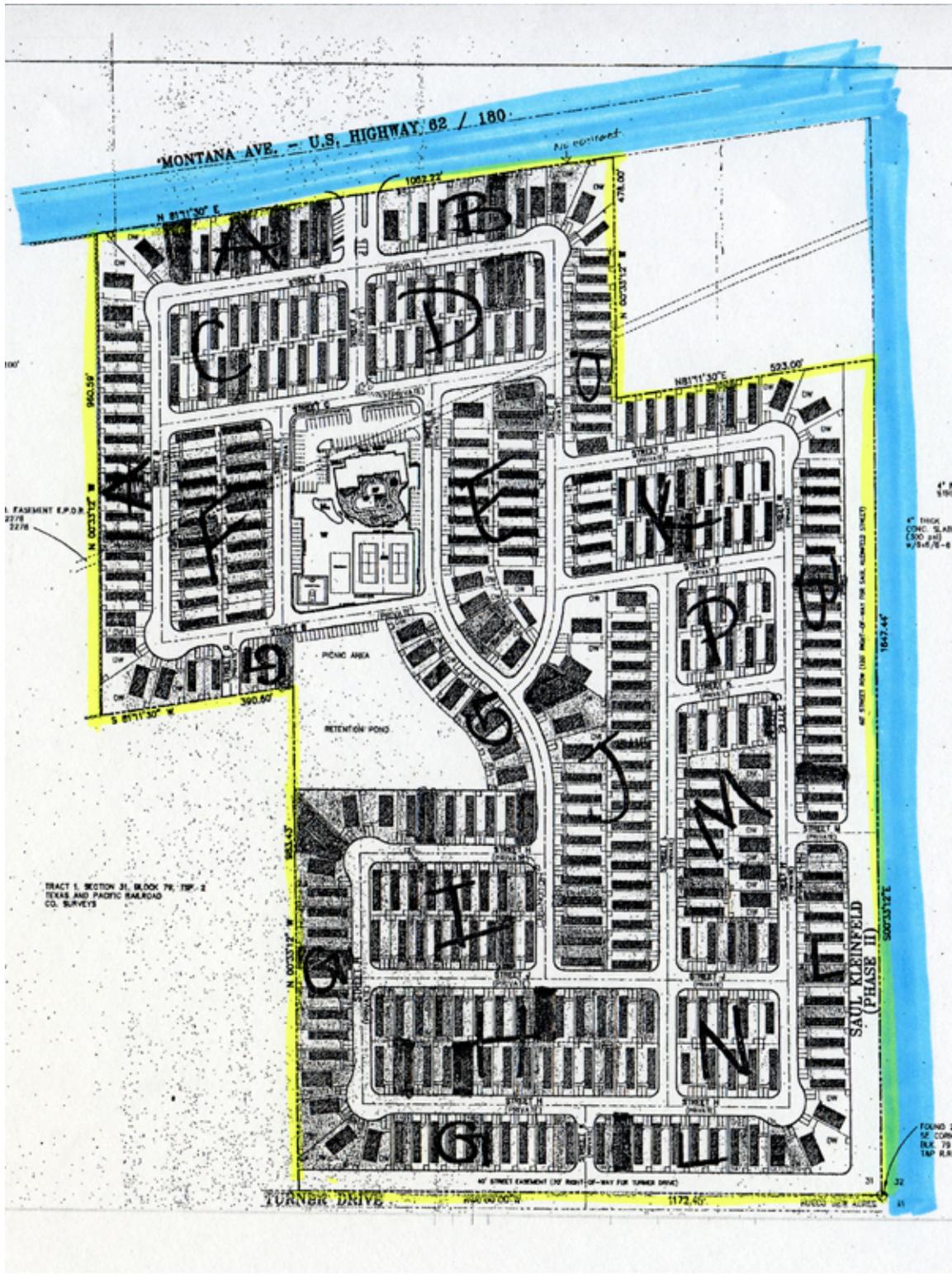
ATTACHMENTS: Ordinance, Location Map, Aerial Map, Site Plan, Enclosures 1-5

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (915) 541-4056.

AERIAL MAP



SITE PLAN



ENCLOSURE TWO

Feb 16 05 10:38a

P. 2

Las Palmas Mobile Home Community
c/o Ida Hinojosa
11600 Montana K-16
El Paso, Texas 79936
(915)449-0807

Re: Las Palmas Community
11600 Montana
El Paso, Texas 79936

Dear Miriam,

The residence of Las Palmas Mobile Home Community were given notice to vacate the property by May 31, 2006. The notice to vacate property was handed out to all residents on February 7, 2006 and explanation given was that property was being rezoned to build homes. To our understanding Bella Homes is the builder that purchased property and in no way has offered to help with the move of our homes.

Integrity Management Company is the company that manages the property and advised us that we must give them a 30 day notice before we move. In no way has Integrity Management Company offered to help us with the move as it will cost us the residence over \$2,200.00 for a single wide and \$4,400. for a double wide. This does not include the cost for storage space for our personal belongings that need to be moved out of the mobile home in order for it to be moved.

Some of the residence do not have any means to pay for such a move as there are low income families living in the community. There are also retired families that are on a fixed income and cannot afford any extra cost and single mothers with children that are attending local schools in the area with the Socorro Independent School District.

We the residence of Las Palmas Community believe that we have not been treated fairly and should be compensated for our time, expense, mental anguish and troubles that we have had to incur due to this problem.

Sincerely,

Las Palmas Mobile Home Community

Ida Hinojosa

February 22, 2006



To our City Representatives:

I am attaching copies of two articles that appeared in the El Paso Herald Post during the year of 1997. As you can see, at that time the owners of Las Palmas offered the residents a lot of promises and dreams. They boasted to the newspaper that they were going to be a premier manufactured home community. This was to be a well-planned, well-developed community, which, sadly, has been allowed to deteriorate by the owner in the past 12 months.

I talked to an office staff member in late December 2005, inquiring about all the empty lots and empty mobile homes. At that time, the staff member made it sound like the park was here to stay as they were going to be so many military personnel coming into town and the park would be offering affordable housing in an excellent location. That statement offered some ray of hope that things would improve within the community.

Then, the Notice to Vacate was received on 02/07/06. The notice was just placed on our doors. Mr. Aguilar did not even send the notice Certified Mail to each resident, which would have made it a formal and official notice. As we were being displaced and not evicted, Mr. Aguilar did not offer to reimburse anyone for the cost of the move - moving the mobile home, extra cost of insurance for the move, the permit, utility deposits, deposit needed at the new site, any damage incurred to the home during the move, plumbing hookups and a-haul expenses. He even had the audacity to continue charging us rent.

I went to the office on 02/29/06 and spoke to Rommie who stated that the rent still had to be paid even though we had been asked to move. Mr. Aguilar was not going to give any of us a break - he was still going to make money at our expense.

This man has dashed a lot of people's dreams and frankly, he and his staff are not honest people or people of integrity. He has put people in a severe financial bind. I do not see why his dream of having the place rezoned should be granted at the expense of the residents. Please delay the rezoning of the property until all residents are completely reimbursed by Mr. Aguilar for any moving expenses that are incurred. Only then should "his dream" be granted.

Thank you.

Christina Casas
Christina Casas
11600 Montana #A-3
El Paso, Texas 79936
(915)856-8610



Developers offer affordable housing

El Paso lacks sites for placing popular factory-built homes

By Sara Lopez

El Paso is a place that will not give up on the idea of having a large number of affordable housing units. The city is looking for a way to build more of them, and the developers are looking for a way to build more of them. The city is looking for a way to build more of them, and the developers are looking for a way to build more of them.



Photo above: Manufactured homes are getting the attention of local and national investors. In El Paso, a developer is looking for a way to build more of them.



Photo above: A large industrial building, likely a factory or warehouse.



Manufactured homes are getting the attention of local and national investors. In El Paso, a developer is looking for a way to build more of them.

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Mobile living

New generation of manufactured homes in well-planned subdivisions offers buyers an enjoyable choice

By Sara Lopez

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ENCLOSURE THREE

FVI

Castillo, Norma A.

From: casu47@aol.com
Sent: Wednesday, February 15, 2006 6:46 PM
To: district5@epesotexas.gov, mayor@epesotexas.gov
Subject: Rezoning of 11600 Montana (Las Palmas Mobile Home Park)

Mr. Mayor, Mr. Ortega,

I am writing this letter to inform you of the hardship placed on my family, myself and our many neighbors who now reside within the Las Palmas Mobile Home Park.

On Tuesday, Feb. 7, 2006, we were all advised (by a note placed on our fence) that the park was being rezoned and we have until May 31 to relocate. In effect we have been evicted from our homes without any notice on our part.

Please understand what "relocating" means for us. Unlike renters who can pack their valuables and find an apartment, we must have our HOMES and FAMILIES moved to new, hard to find, mobile home locations. This is not an easy task considering that it takes money to move these homes. The estimate I received to relocate our double wide home is \$2,600.00 dollars. This does not include the electrician and plumbers I will have to hire to reconnect me. I was told it would take the movers 4 days to complete the job. That's 4 days and nights in a hotel. My pets have to be housed as well.

Also, many of my neighbors are retirees and folks on fixed incomes.

The owner of this land HAS NOT given us proper notice! It takes time to find a new location, secure the funds (that I DO NOT have) and get re-established. I am a city employee myself and I am having to ask for these funds from my ING deferred compensation plan.

No one has considered the children either. There are many children (I have one) in the park who attend Jane A. Hambrick elementary school. All of these children are being upset and relocated to 77777 because of the actions of one. It is not fair to the children!

If you have been lead to believe that the residents of this park were notified any sooner than Feb. 7 I will bring homeowner after homeowner in front of you to tell you the truth. We have heard that the owner is claiming he gave residents a six month notice. That is simply a lie.

All of the homeowners (approx 94) have met and we plan on attending the rezoning hearing set for Thursday the 16th. We want to let the council know that we are opposed to the rezoning.

I am realistic enough to know that we will not win the war on this one, but we are looking to at least postpone the rezoning long enough to give us time to find new places for our homes.

Lastly, I am going to ask that the land owner be given some choices as well. 1) allow us the time needed, 2) pay the relocation costs for all homeowners. We have already secured an attorney and if the land owner is not willing to pay our relocation fees then he will be sued for the losses, at least 94 times.

Mr. Ortega, please stand by your community on this one and support those who support you.

Respectfully,

Tom Monday
11600 Montana G21

TO: Planning
DATE: 2/15/06
<input type="checkbox"/> COPY FILE
<input type="checkbox"/> Forward to: Please handle
<input type="checkbox"/> Use my ADAP
<input type="checkbox"/> Please your signature for

2/16/2006

of the move. I am not even sure if there are enough open spaces in quality parks to absorb all these homes. I was reading about the planning commission meeting at City Hall on Thursday, Feb 16th at 6pm and it says the recommendation is made for the rezoning -

The recommendation is based on the following:

- The Plan for El Paso City-Wide Land Use Goals recommend that El Paso "provide a wide range of housing types that respond to the needs of all economic segments of the community."
- If you take away this park it will lower the diversity of homes and create less affordable housing in East El Paso. Mobile homes are less expensive than site built homes and are easier to get into for first time buyers.
- The Year 2025 Projected General Land Use Map for the East Planning Area designates this property for Mixed land uses.
- PR-1 (Planned Residential) zoning permits single-family residential development and is compatible with adjacent development.

The Commission must determine the following:

- A. Will the PR-1 conditions (Planned Residential/conditions) and PR-1 (Planned Residential) zoning protect the best interest, health, safety and welfare of the public in general?
I can't see how single family homes are any better than mobile homes. Plus it sure doesn't look out for the current residents welfare and best interests some of whom have been here 7 years or more and want to stay.
- B. Will single-family residential development be compatible with adjacent land uses?
It will, but so will mobile homes. There are two mobile home parks on either side of Las Palmas one of which is owned by the same owner.
- C. What is the relation of the proposed change to the city's Comprehensive Plan?
If this is the same as the city wide plan mentioned above it makes the choice of housing less diverse.
- D. What effects will the PR-1/c (Planned Residential/conditions) and PR-1 (Planned Residential) zoning have upon the natural environment, social and economic conditions, and property values in the vicinity and in the city as a whole?

Property values might rise. Does this small change really impact things that greatly? And isn't the welfare of the current residents just as important as anyone else in the city.

2/16/2006

Spencer, Mirian D.

From: Valdez, Rodolfo
Sent: Wednesday, February 15, 2006 4:15 PM
To: Villanueva, Terry
Cc: Valdes, Maria C., Spencer, Mirian D.
Subject: FW: Important!: Proposed rezoning of Las Palmas Mobile Home Park

I will let the folks in our department handling the case respond to you

-----Original Message-----

From: Villanueva, Terry
Sent: Wednesday, February 15, 2006 4:09 PM
To: Valdez, Rodolfo
Subject: FW: Important!: Proposed rezoning of Las Palmas Mobile Home Park

Hi Rudy - we are starting to receive calls, emails, letters about this upcoming issue (I believe it is ZON05-00005). If you have any further information about this, please let Representative Pres Ortega know. Thank you.

From: Mary Ann Paul [mailto:aggie_agrhy@hotmail.com]
Sent: Wednesday, February 15, 2006 10:33 AM
To: district5@epesotexas.gov
Subject: Important!: Proposed rezoning of Las Palmas Mobile Home Park

Dear Mr. Ortega,

I live in Las Palmas (mortgage since June 1999/rent the land) and the owner submitted a zoning request to go from mobile homes (approx 190 spaces capacity) to single family residential (100 homes). I first noticed the rezoning sign on Feb 3rd, 2006. I heard from one of the other residents that they stated in their rezoning application the owners notified us 6 months ago which is a total lie. I am angry that we are getting notices to move when it hasn't been rezoned and voted on by City Council.

I am very much opposed to this. For the residents that have their leases expiring by or before May 31st we have until then to move out. But, some people have leases into 2007 and they can stay until then. This is a financial hardship to move for many of the residents. Some are retired, on fixed incomes, single parents, etc. Some mobile home parks have offered to pay for the move, but won't pay for the set up when the home gets to it is new location. It will also be hard on the kids that will most likely have to change schools during the school year. About 90 of the residents met together and we realize that stopping the rezoning is unlikely, but we would like more time (8-9 months) to decide where we want to move, would the owner put in money for the set up costs and the move? I know that all the residents need to be involved and I am stating some proposed possible solutions. We would like to hire our own movers to know they are licensed and legit because when he moved people out of the phase III addition the movers damaged quite a few of the homes because the movers were unlicensed. I would be wary of moving to any park this owner owns for fear he will rezone again. If the owner would fix the street lights, brought in newer homes to rent he could probably make just as much money renting mobile homes and lots or just the lots. I would like to move where I want to not to just the ones that are willing to pay for part

2/16/2006

I would appreciate any help or support you can give. If it makes it thru the Planning Commission vote I would like for you to talk to your fellow city representatives to vote NO when the time comes for the final approval at the City Council meeting when it arises.

Thank you for your time,

Mary Ann Paul
11600 Montana Ave Trlr L3
915-820-2646

2/16/2006

ENCLOSURE FOUR

Las Palmas Manufactured Home Community
11600 Montana
El Paso, Texas 79936

February 7, 2006

URGENT NOTICE PERTAINING TO YOUR LEASE AGREEMENT - PLEASE
READ CAREFULLY

Dear Residents,

The Las Palmas Manufactured Home Community has submitted a request to the City of El Paso to be rezoned for construction of new homes. Please read this letter carefully so that you understand how this process will affect you. The options available vary depending on whether you OWN your home and LEASE the LAND from Las Palmas or whether you LEASE a HOME.

If you OWN your HOME and LEASE the LAND:

The options vary depending on the expiration of your rental agreement. **If your lease is expired and you have been some month to month, please accept this letter as ADVANCE NOTICE TO VACATE on or before MAY 31, 2006.** This allows you over 90 days to make arrangements to relocate. Because the lease agreement only requires a written 30 day notice from either party prior to vacating, if you have the opportunity to relocate prior to that date, you may do so with just a written 30 day notice to the office.

If your lease is not expired, please accept this as advance notice that your lease will not be renewed. This letter serves as ADVANCE NOTICE TO VACATE upon expiration of your lease agreement. If your lease agreement expires prior to May 31, 2006, you will also have until May 31, 2006 to vacate.

This means that any lease expired or expiring has been given NOTICE to VACATE with at least 90 days prior notice to vacate. Should you have an opportunity to relocate prior to the expiration of your lease term, we will release you from your lease agreement without penalty provided a written 30 days notice be provided to the office.

If you LEASE a HOME:

There are several options available to you. All of the rental homes at Las Palmas are owned by various individuals. The owners of the rental homes have been given notice to move their homes since all of their land agreements are month to month. Depending on the expiration of your home lease agreement, you have several options available. There are brand new homes available at Palm Desert with specials to assist with the move. Please call the office to discuss the many options available to you.

If your lease is expired, the home that you are living in will be relocated no later than Mar 31, 2006 therefore this letter serves as ADVANCE NOTICE TO VACATE on Mar 31, 2006.

If your lease is not expired, please accept this letter ADVANCE notice to VACATE at the end of your lease term or by May 31, 2006 if your lease expires prior to May 31, 2006.

If you are unsure of the status of your lease term or do not understand which options apply to you, please feel free to call me at 857-3330. I will be more than happy to meet with you. It is important that you understand all of the options available to you.

Please feel free to call me with any questions or concerns. We want to assist you in any way possible throughout this transition.

Sincerely,

Robin Serrano
Property Manager

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Spencer, Mirian D.

From: Valdez, Rodolfo
Sent: Thursday, February 16, 2006 8:44 AM
To: Valles, Maria C.; Spencer, Mirian D.
Subject: FW: Rezoning of 11600 Montana (Las Palmas Mobile Home Park)

FYI: Another one

-----Original Message-----

From: Villanueva, Terry
Sent: Thursday, February 16, 2006 8:20 AM
To: Valdez, Rodolfo
Subject: FW: Rezoning of 11600 Montana (Las Palmas Mobile Home Park)

Still another complaint about rezoning being proposed.

From: cou47@aol.com [mailto:cou47@aol.com]
Sent: Wednesday, February 15, 2006 6:46 PM
To: district5@elpasotexas.gov; mayor@elpasotexas.gov
Subject: Rezoning of 11600 Montana (Las Palmas Mobile Home Park)

Mr. Mayor, Mr. Ortega,

I am writing this letter to inform you of the hardship placed on my family, myself and our many neighbors who now reside within the Las Palmas Mobile Home Park.

On Tuesday, Feb. 7, 2006, we were all advised (by a note placed on our fence) that the park was being rezoned and we have until May 31 to relocate. In effect we have been evicted from our homes without any malice on our part.

Please understand what "relocating" means for us. Unlike renters who can pack their valuables and find an apartment, we must have our HOMES and FAMILIES moved to new, hard to find, mobile home locations. This is not an easy task considering that it takes money to move these homes. The estimate I received to relocate our double wide home is \$2,600.00 dollars. This does not include the electrician and plumbers I will have to hire to reconnect me. I was told it would take the movers 4 days to complete the job. That's 4 days and nights in a hotel. My pets have to be housed as well.

Also, many of my neighbors are retirees and folks on fixed incomes.

The owner of this land HAS NOT given us proper notice! It takes time to find a new location, secure the funds that I DO NOT have! and get re-established. I am a city employee myself and I am having to ask for these funds from my ING deferred compensation plan.

No one has considered the children either. There are many children (I have one) in the park who attend Jane A. Hambro elementary school. All of these children are being upset and relocated to ?????? because of the actions of one. It is not fair to the children!

If you have been lead to believe that the residents of this park were notified any sooner than Feb. 7 I will bring homeowner after homeowner in front of you to tell you the truth. We have heard that the owner is claiming he gave residents a six month notice. That is simply a lie.

All of the homeowners (approx 94) have met and we plan on attending the rezoning hearing set for Thursday

2/16/2006

3/16/2006

the 16th. We want to let the council know that we are opposed to the rezoning.

I am realistic enough to know that we will not win the war on this one, but we are looking to at least postpone the rezoning long enough to give us time to find new places for our homes.

Lastly, I am going to ask that the land owner be given some choices as well. 1) allow us the time needed, 2) pay the relocation costs for all homeowners. We have already secured an attorney and if the land owner is not willing to pay our relocation fees then he will be sued for the losses, at least 94 times.

Mr. Ortega, please stand by your community on this one and support those who support you.

Respectfully,

Tom Monday
11600 Montana G21

ENCLOSURE FIVE

Spencer, Mirian D.

From: Sarmiento, George G.
Sent: Wednesday, February 08, 2006 10:58 AM
To: Fortnyth, Kimberly; Valles, Maria C.; Spencer, Mirian D.
Cc: Valdez, Rodolfo
Subject: FW: Rezoning case

Please note opposition for the record.

Thanks!

GS

-----Original Message-----

From: Nolas, Dana
Sent: Wednesday, February 08, 2006 10:07 AM
To: Sarmiento, George G.
Subject: Rezoning case

George, in case Mr. Arballo did not send his opposition to Planning:

Bill Arballo, Ph: 929-2559

He expressed his opposition to the rezoning of Las Palmas Mobile Home Park at 11600 Montana, the owner wants to build homes in there. He mentioned the item will be on the Zoning Board Meeting agenda on 02/16/06 at 9:00 p.m.

Thank you.

Office of Mayor John F. Cook
Diana Nufiez, Executive Secretary
42 Civic Center Plaza, 10th Floor
El Paso, Texas 79901
Ph: (915) 541-4145
Fax: (915) 541-4501