

Subject Property

R-4

R-4

C-3

C-3 SC

C-3 SC

C-4 SC

SC C-4 C

R-4

C-4 SC

R-4

YARBROUGH

C-1 SC

C-1

SC C-4 C

YARBROUGH

R-F

R-F

CINECUE

R-4

C-3

C-3

LOWD

CINECUE

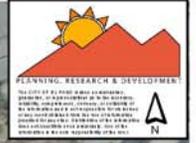
C-4 SC

# ZON04-00070

ZON04-00070



Subject Property



# ZON04-00070



**ZON04-00070**



**PLANNING, RESEARCH & DEVELOPMENT**

The CITY OF EL PASO makes no warranties, guarantees, or representations as to the accuracy, reliability, completeness, currency, or suitability of the information and is not responsible for omissions or any result obtained from the use of information provided for any sites. Distribution of the information does not constitute such a warranty. Use of the information is the sole responsibility of the user.





# ZON04-00070



**ZON04-00070**



**ZON04-00070**



ZON04-00070



**ZON04-00070**



**ZON04-00070**

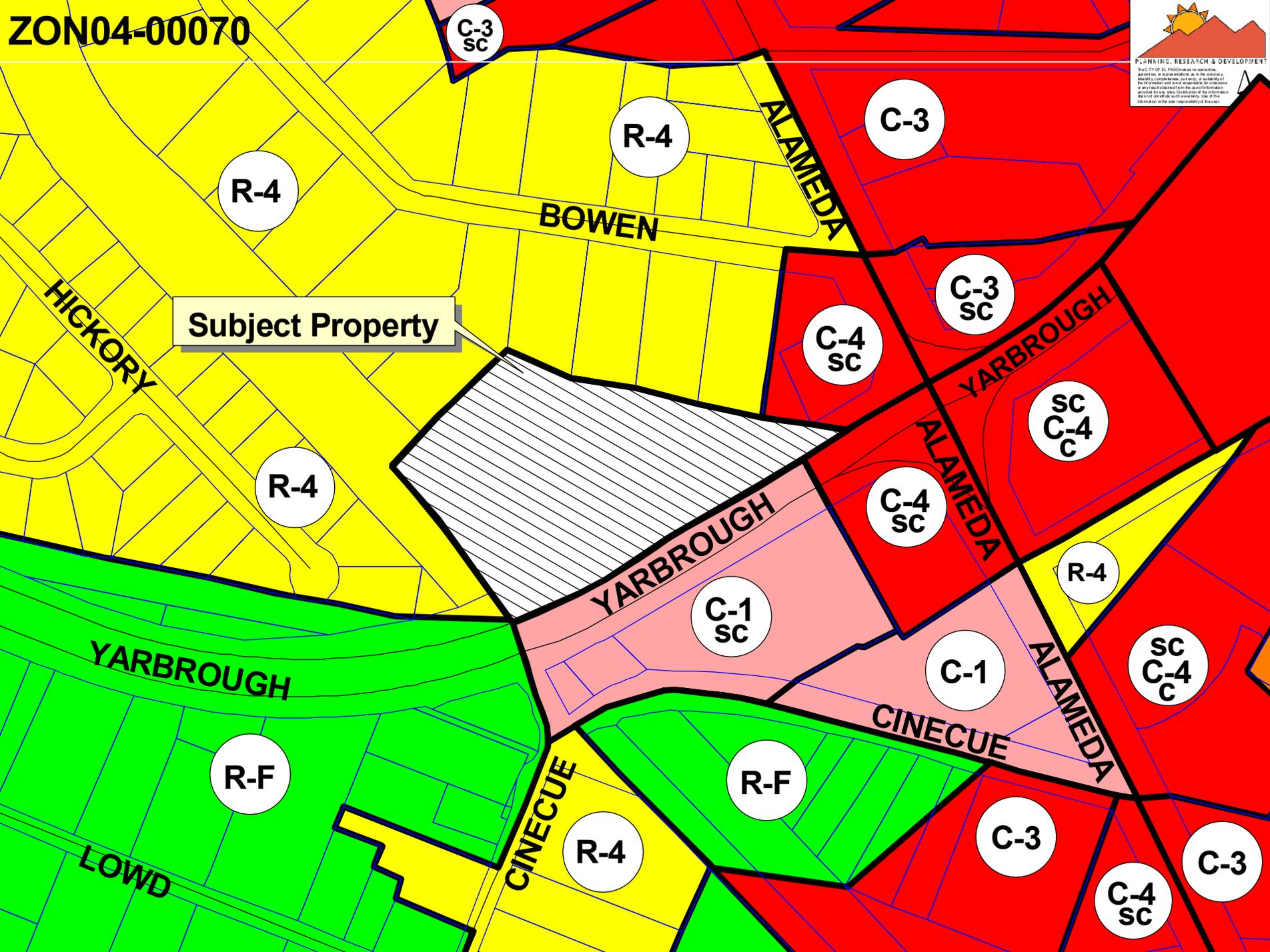


**ZON04-00070**



**ZON04-00070**





Subject Property

C-3 SC

R-4

C-3

R-4

BOWEN

C-3 SC

HICKORY

C-4 SC

YARBROUGH

Subject Property

SC C-4 C

R-4

C-4 SC

ALAMEDA

R-4

YARBROUGH

C-1 SC

C-1

SC C-4 C

YARBROUGH

R-F

R-F

CINECUE

ALAMEDA

R-4

C-3

C-3

LOWD

CINECUE

C-4 SC

"RETAIN FOR SUBSEQUENT COUNCIL PUBLIC HEARING"



CITY OF EL PASO, TEXAS  
PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT

MEMORANDUM

TO: The Honorable Mayor and City Council  
Jim Martinez, Chief Administrative Officer  
Patricia D. Aduato, Deputy Chief Administrative Officer  
Laura Uribarri, Executive Assistant to the Mayor  
Adrian Ocegueda, Executive Assistant to the Mayor

FROM: Jorge E. Rousselin, Urban Planner

SUBJECT: Council Agenda Items (Resolution)  
Public Hearing: September 14, 2004

DATE: September 7, 2004

04 OCT 20 11 12

The following items have been scheduled for City Council action as noted above. Relevant information is attached. If you have any questions, please contact me at 541-4723.

SEE ATTACHED ITEMS FOR INTRODUCTION AND SUBSEQUESNT REGULAR COUNCIL MEETING.

| Office Use Only                     |             |                       |
|-------------------------------------|-------------|-----------------------|
| Mayor's Office (4 copies):          | date: _____ | time: _____ by: _____ |
| Representative District 1:          | date: _____ | time: _____ by: _____ |
| Representative District 2:          | date: _____ | time: _____ by: _____ |
| Representative District 3:          | date: _____ | time: _____ by: _____ |
| Representative District 4:          | date: _____ | time: _____ by: _____ |
| Representative District 5:          | date: _____ | time: _____ by: _____ |
| Representative District 6:          | date: _____ | time: _____ by: _____ |
| Representative District 7:          | date: _____ | time: _____ by: _____ |
| Representative District 8:          | date: _____ | time: _____ by: _____ |
| City Attorney's Office: (4 copies): | date: _____ | time: _____ by: _____ |

c: George Sarmiento, Planning Director; Rudy Valdez, Chief Urban Planner; Esther Guerrero, Planning Tech.; Lisa A. Elizondo, City Attorney; Theresa Cullen-Garney, Deputy City Atty.; Matt Watson, Assistant City Atty.



PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT

**MEMORANDUM**

**DATE:** September 7, 2004

**TO:** The Honorable Mayor and City Council  
Jim Martinez, Chief Administrative Officer  
Patricia D. Aduato, Deputy Chief Administrative Officer  
Laura Uribarri, Executive Assistant to the Mayor  
Adrian Ocegueda, Executive Assistant to the Mayor

**FROM:** Jorge E. Rousselin, Urban Planner 

**SUBJECT: ZON04-00070:** Tract 23B, Block 29, Ysleta Grant & Tract 8H, Block 33, Ysleta Grant

**LOCATION:** 131 S. Yarbrough (District 7)

**REQUEST:** Detailed site development plan to comply with Zoning condition

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The City Plan Commission (CPC), on August 19, 2004, voted 5-1 with one (1) abstention to recommend **APPROVAL** of this detailed site development plan for a proposed automotive sales business, concurring with Staff's recommendation.

The CPC found that this detailed site development plan satisfies the City's the minimum requirements necessary to protect the best interest, health, safety and welfare of the community. The CPC also determined that the proposed development complies with all ordained development standards of the C-3/sc/c (Commercial/special contract/conditions) zoning district and that the proposed use is in conformance with The Plan for El Paso, the Year 2025 Projected General Land Use Map and the proposed use is compatible with adjacent land uses.

There was **OPPOSITION** to this request.

**Attachment:** Staff Report

**RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. ZON04-00070, FOR TRACT 23 B, BLOCK 29, YSLETA GRANT AND TRACT 814, BLOCK 33, YSLETA GRANT, EL PASO, EL PASO COUNTY, TEXAS (131 SOUTH YARBROUGH DR.), PURSUANT TO ZONING CONDITIONS AS IMPOSED BY ORDINANCE NO. 014916. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

WHEREAS, **Ricardo Olague** (the "Applicant") has applied for approval of a detailed site development plan pursuant to a contract condition, to permit the construction and development of an automotive sales facility; and

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

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

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

1. Pursuant to zoning conditions imposed by Ordinance No. 014916, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of an **automotive sales facility** on the following described property which is located in a **C-3/sc/c (Commercial/special contract/conditions)**

**District:**

*Tract 23 B, Block 29, Ysleta Grant and Tract 814, Block 33, Ysleta Grant, El Paso, El Paso County, Texas; and municipally numbered as 131 South Yarbrough Drive.*

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **C-3/sc/c (Commercial/special contract/conditions) District** regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **C-3/sc/c (Commercial/special contract/conditions) District**. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. The Applicant shall agree to the following conditions as part of the detailed site development plan approval:

- a. The Applicant is authorized to install the required rockwall, from the area at point "A" and heading in a counterclockwise direction to point "B," both points shown in the detailed site plan attached hereto as Exhibit "A", up to eight (8) feet into his property. Should the rockwall be placed inside the Applicant's property, then the private pond and landscaping may be moved toward the interior of the Applicant's property no more than that same amount.
- b. With regard to placement of a rockwall along the area abutting Tracts 17, 18, and 19 of San Jose Park Subdivision, the applicant shall not utilize any rockwall located within any of the aforementioned tracts as means of compliance with the requirement of providing a rock wall without express written authorization from the affected property owner regarding same.

5. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

**ADOPTED this \_\_\_\_\_ day of September, 2004**

THE CITY OF EL PASO

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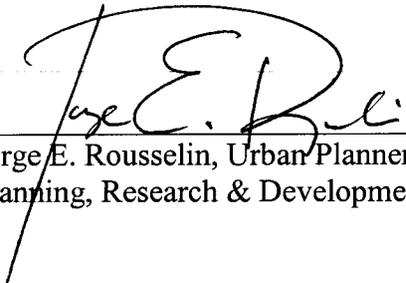
Joe Wardy, Mayor

ATTEST:

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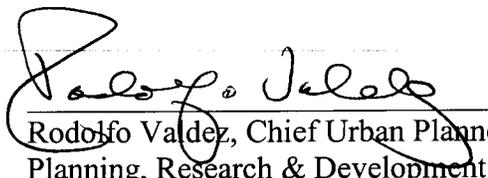
Richarda Duffy Momsen, City Clerk

**APPROVED AS TO CONTENT:**



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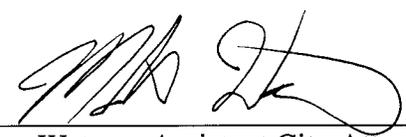
Jorge E. Rousselin, Urban Planner  
Planning, Research & Development



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Rodolfo Valdez, Chief Urban Planner  
Planning, Research & Development

**APPROVED AS TO FORM:**



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Matt Watson, Assistant City Attorney

**RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. ZON04-00070, FOR TRACT 23 B, BLOCK 29, YSLETA GRANT AND TRACT 8H, BLOCK 33, YSLETA GRANT, EL PASO, EL PASO COUNTY, TEXAS (131 SOUTH YARBROUGH DR.), PURSUANT TO ZONING CONDITIONS AS IMPOSED BY ORDINANCE NO. 014916. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

WHEREAS, **Ricardo Olague** (the "Applicant") has applied for approval of a detailed site development plan pursuant to a contract condition, to permit the construction and development of a commercial day care; and

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

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

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

1. Pursuant to zoning conditions imposed by Ordinance No. 014916, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of an **automotive sales facility** on the following described property which is located in a **C-3/sc/c (Commercial/special contract/conditions)**

**District:**

*Tract 23 B, Block 29, Ysleta Grant and Tract 8H, Block 33, Ysleta Grant, El Paso, El Paso County, Texas; and municipally numbered as 131 South Yarbrough Drive.*

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **C-3/sc/c (Commercial/special contract/conditions) District** regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **C-3/sc/c (Commercial/special contract/conditions) District**. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. The Applicant shall agree to the following conditions as part of the detailed site development plan approval:

- a. The Applicant is authorized to install the required rockwall, from the area at point "A" and heading in a counterclockwise direction to point "B," both points shown in the detailed site plan attached hereto as Exhibit "A", up to eight (8) feet into his property. Should the rockwall be placed inside the Applicant's property, then the private pond and landscaping may be moved toward the interior of the Applicant's property no more than that same amount.
- b. With regard to placement of a rockwall along the area abutting Tracts 17, 18, and 19 of San Jose Park Subdivision, the applicant shall not utilize any rockwall located within any of the aforementioned tracts as means of compliance with the requirement of providing a rock wall without express written authorization from the affected property owner regarding same.

5. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

**ADOPTED this \_\_\_\_\_ day of September, 2004**

THE CITY OF EL PASO

\_\_\_\_\_  
Joe Wardy, Mayor

ATTEST:

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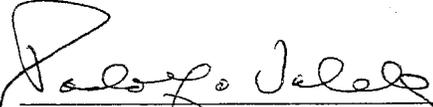
Richarda Duffy Momsen, City Clerk

**APPROVED AS TO CONTENT:**

---

Jorge E. Rousselin, Urban Planner  
Planning, Research & Development

---

Rodolfo Valdez, Chief Urban Planner  
Planning, Research & Development

**APPROVED AS TO FORM:**

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Matt Watson, Assistant City Attorney

**DEVELOPMENT AGREEMENT**

By execution hereof, I, **Ricardo Olague**, the Applicant, identified in the Resolution to which this Development Agreement is attached, hereby covenant and agree to develop the property legally described as *Tract 23 B, Block 29, Ysleta Grant and Tract 8H, Block 33, Ysleta Grant, El Paso, El Paso County, Texas; and municipally numbered as 131 South Yarbrough Drive*, in accordance with the approved detailed site development plan attached hereto as Exhibit "A" and incorporated herein by reference and in accordance with the standards applicable to the **C-3/sc/c (Commercial/special contract/conditions) District** located within the City of El Paso.

EXECUTED this 26th day of August, 2004

*Ricardo Olague*  
Ricardo Olague

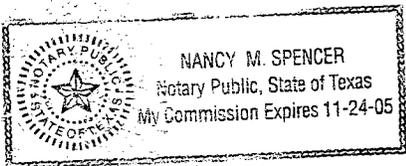
**ACKNOWLEDGMENT**

THE STATE OF TEXAS )  
  )  
COUNTY OF EL PASO )

This instrument is acknowledged before me on this 26th day of August, 2004, by **Ricardo Olague**, as Applicants.

My Commission Expires:

*Nancy M Spencer*  
Notary Public, State of Texas  
Notary's Printed or Typed Name:  
Nancy M Spencer



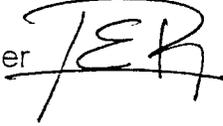


PLANNING, RESEARCH, & DEVELOPMENT DEPARTMENT  
CITY OF EL PASO

MEMORANDUM

To: Matt Watson, Assistant City Attorney

CC: George G. Sarmiento, AICP Director of Planning  
Alan R. Shubert, P.E., Building Permits & Inspections Director  
Rudy Valdez, Chief Urban Planner

From: Jorge E. Rousselin, Urban Planner 

Date: August 30, 2004

Subject: Chronology of Detailed Site Development Plan ZON04-00070  
(131 S. Yarbrough)

Per your request, attached please find the chronology of the property as described above. If you require additional information, please contact me at 541-4723.

**Chronology of Detailed Site Development Plan ZON04-00070 (131 S. Yarbrough)**

**March 21, 1975**

Subject property was rezoned to C-1 (Commercial) under Ordinance No. 5508 and imposing certain conditions:

- Construct 6' masonry screening walls along the northerly, southerly and westerly boundary of property at a point above highest grade of property;
- Construct a facility for on-site ponding of flood waters; and
- Construct a concrete sidewalk along Yarbrough Dr. parallel to eastern boundary of property.

**August 14, 2001**

Subject property was rezoned on August 14, 2001 under Ordinance No. 014916 which changed the Zoning from C-1/sc (Commercial/special contract) to C-3/sc (Commercial/special contract) and imposing the condition of Detailed Site Development Plan approval by the City Plan Commission and City Council before building permits are issued.

**May 19, 2004**

Completed application for Detailed Site Development Plan was received by the Planning, Research & Development Department and accepted for processing.

**June 02, 2004**

Planning, Research & Development Department field checks site.

**June 09, 2004**

Item is placed on Development Coordinating Committee (DCC) for discussion & action. Item is postponed for one week to the June 16, 2004 DCC meeting.

**June 16, 2004**

DCC postpones item for one week to the June 23, 2004 meeting.

**June 23, 2004**

DCC postpones item for one week to the June 30, 2004 meeting.

**June 30, 2004**

DCC approves the application finding that it meets all requirements of a detailed site development plan.

**July 08, 2004**

City Plan Commission (CPC) postpones action on the item to the July 22, 2004 CPC meeting upon request by the property owner.

**July 22, 2004**

CPC postpones action on the item to the August 19, 2004 meeting.

**July 28, 2004**

DCC reconsiders the item and postpones action to the August 04, 2004 meeting.

**August 04, 2004**

DCC postpones item for one week to the August 11, 2004 meeting.

**August 11, 2004**

DCC postpones item for one week to the August 18, 2004 meeting.

**August 18, 2004**

DCC approves the application finding that it meets all requirements of a detailed site development plan.

**August 19, 2004**

CPC approves the application finding that it meets all requirements of a detailed site development plan. Vote: 5-1 with one abstention.

**August 26, 2004**

Resolution scheduled for City Council action on September 14, 2004.

**STAFF REPORT**

**Detailed Site Plan:** ZON04-00070

**Property Owner(s):** Ricardo Olague

**Applicant(s):** Same

**Representative(s):** Fermin Dorado

**Legal Description:** Tract 23B, Block 29, Ysleta Grant & Tract 814, Block 33, Ysleta Grant

**Location:** 131 S. Yarbrough

**Representative District:** # 7

**Area:** 2.16 Acres (94,182.64 square feet)

**Present Zoning:** C-3/sc (Commercial/special contract/conditions)

**Present Use:** Vacant

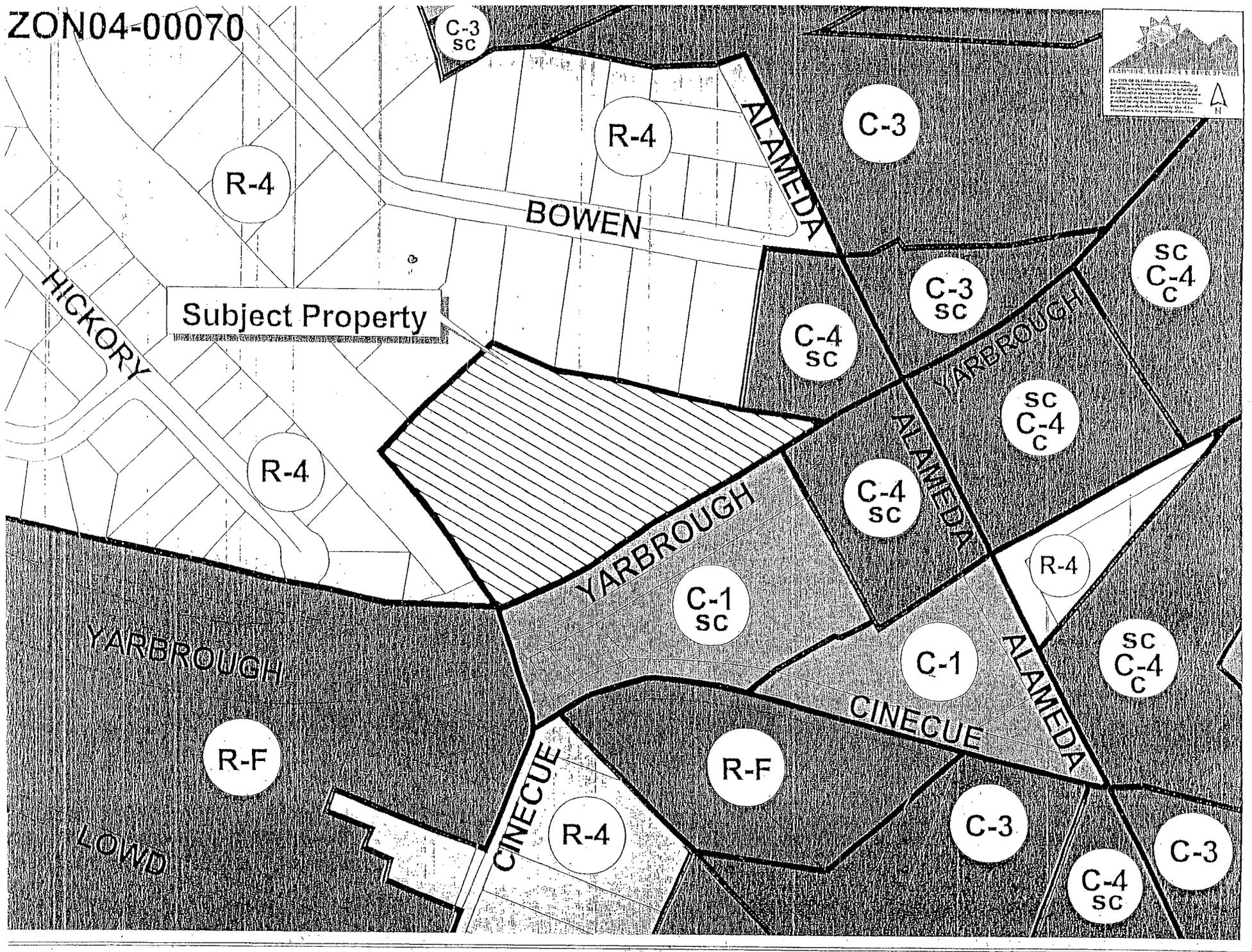
**Proposed Use:** Automotive sales

**Surrounding Land Uses:**

- North -** R-4 (Residential) Residences
- South -** C-1/sc (Commercial/special contract) Vacant land
- East -** C-4/sc (Commercial/special contract) Running Bear Convenience Store
- West-** R-4 (Residential) Residences / Franklin Drain

**Year 2025 Designation:** Commercial (Lower Valley Planning Area)

ZON04-00070



Subject Property

R-4

R-4

C-3

C-3  
SC

BOWEN

ALAMEDA

C-3  
SC

SC  
C-4  
C

HICKORY

C-4  
SC

Subject Property

SC  
C-4  
C

R-4

C-4  
SC

ALAMEDA

R-4

YARBROUGH

C-1  
SC

YARBROUGH

C-1

SC  
C-4  
C

R-F

R-F

CINECUE

ALAMEDA

R-4

C-3

LOWD

CINECUE

C-4  
SC

C-3

## Detailed Site Development Plan: ZON04-00070

### General Information:

On July 22, 2004, the City Plan Commission (CPC) postponed the subject site plan to the August 19, 2004 meeting of the CPC. The postponement was enacted to allow the applicant to address the various development issues concerning the irrigation ditch, ponding area location, and location of existing and proposed screening walls. The Development Coordinating Committee (DCC) reconsidered the item and their recommendation is stated below.

The subject site plan was submitted in order to permit automotive sales. Site plan review is required because zoning conditions and a special contract exist on the subject property as imposed by Ordinance #014916 which granted a change of zoning from C-1 (Commercial) to C-3/sc/c (Commercial/special contract/conditions). The property is currently zoned C-3/sc/c (Commercial/special contract/conditions) which requires detailed site plan review and approval by the Plan Commission and the City Council. The site is currently vacant and is 2.16 acres in size. The proposed site plan shows one building to be located on the site. Access is proposed via Yarbrough; 28 parking spaces are provided; 5820 sq. feet of landscape is proposed. A 6' screening wall is proposed near the north property line abutting residential. There is a zoning condition imposed on this property requiring site plan review.

### Information to the Commission:

The Planning, Research & Development Department has received a petition dated June 17, 2004 with **eight (8) signatures** in **OPPOSITION** to the proposed plan; **one (1) faxed letter** dated June 16, 2004 in **OPPOSITION** to C-3 zoning on the subject property; and **one (1) faxed letter** dated July 7, 2004 in **OPPOSITION** to unauthorized construction work on the site.

### Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **APPROVAL** of this detailed site development plan review with the following condition(s):

*"Forming a point between Lots 16 & 17 of San Jose Subdivision at the north end of the subject property and heading in a counter-clockwise direction to a point where the subject property intersects with Yarbrough Drive, applicant is authorized to install the required rock wall up to 8' into his property and away from the property line shown on this detailed site plan, at his discretion, as same may be necessary in consideration of possible issues pertaining to an abutting community ditch. Should the rock wall be placed further inside applicant's property than the property line, features to include the private pond and landscaping, may be moved toward the interior of applicants property no more than that same amount.*

*With regard to the rock wall placement in the area abutting lots 17, 18, & 19 of San Jose Subdivision to the north, the applicant shall not utilize any rock wall actually in one of the aforementioned lots and not in his property or otherwise extend same as means of compliance with the*

*requirement of providing a rock wall without express written authorization from the affected property owner regarding same."*

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso "provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development."

The Year 2025 Projected General Land Use Map for the Lower Valley Planning Area designates this property for **Commercial** land uses.

**C-3/sc/c (Commercial/special contract/conditions)** zoning permits automotive sales.

The Commission must determine the following:

- A. Does the detailed site development plan satisfy the city's minimum requirements necessary to protect the public health, safety, and general welfare of the community?
- B. Does the proposed development comply with all ordained development standards of the **C-3/sc/c (Commercial/special contract/conditions) zoning** district.

**Information To The Applicant:**

Building Permits and Inspections Department, Zoning Division Notes:

- o Screening walls are required along the northern and western property lines.

Engineering, Construction Division Notes:

- o See enclosure 1

Engineering, Traffic Division Notes:

- o No apparent concerns

Fire Department Notes:

- o Site plan does not adversely affect Fire Department.

El Paso Water Utilities Notes:

- o See enclosure 2

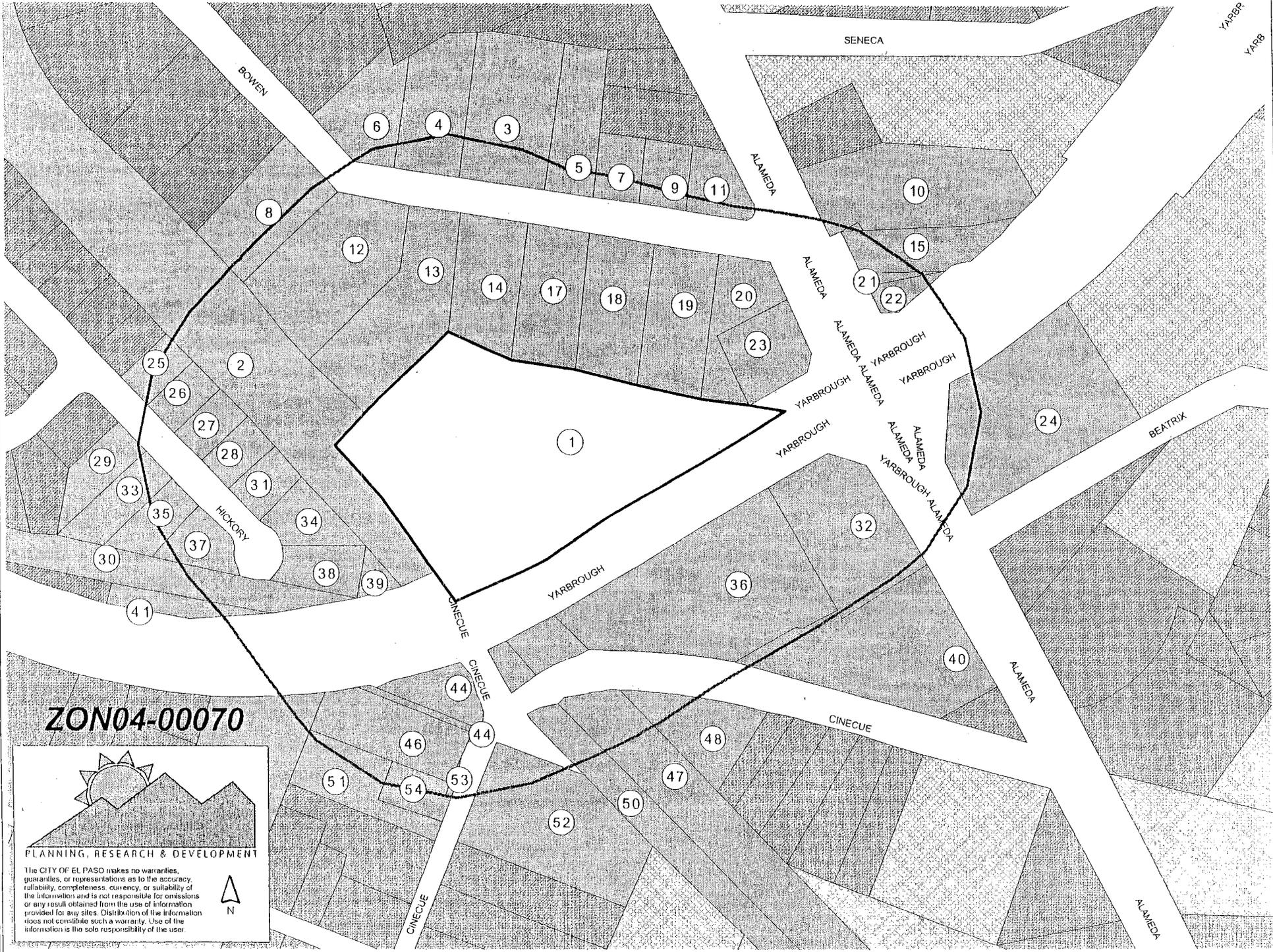
Planning, Research and Development Department Notes:

- o Coordination with Engineering on drainage, ponding, and irrigation issues

- o Coordination with Building Permits & Inspections on screening walls, landscape calculations, and parking requirements.

**ATTACHMENT:** Location Map; Site Plan; Department comments.

**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 DEPARTMENT OF PLANNING AT (915) 541-4056.



**ZON04-00070**

**PLANNING, RESEARCH & DEVELOPMENT**

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# RICHY'S AUTO CENTER

TRACT 23B, BLOCK 29, YSLETA GRANT &  
TRACT 8H, BLOCK 33, YSLETA GRANT  
City of El Paso, County of El Paso, Texas  
Containing 94,182.84 Sq. Ft. or 2.162 Acres



*Permits*  
08.09.04

### FLOOD ZONE

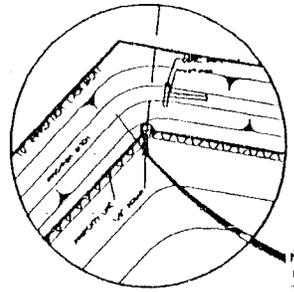
THIS PROPERTY IS LOCATED IN  
FLOOD ZONE C AS PER FLOOD INSURANCE  
RATE MAP COMMUNITY PANEL NUMBER 4001  
DATED 10-15-82

### ZONE

C-3 DC

### BENCH MARK

N. E. CORNER TOP OF RFP MAP  
YARBROUGH DR.  
ELEV. 5472.4

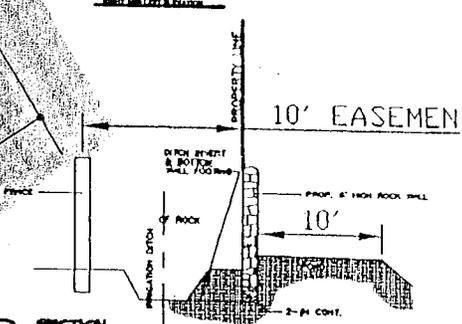
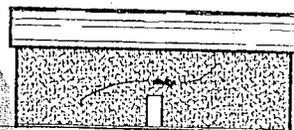
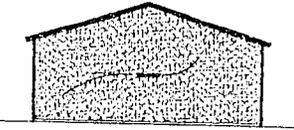


DETAIL "A" R.I.S.

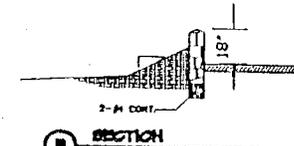
NOTE:  
IRRIGATION DITCH TO BE RELOCATED  
TO LIE WITHIN THE 10' EASEMENT

### YARD AND LOT STANDARDS:

- ALL USES SHALL HAVE A MINIMUM:
- FRONT YARD-----15'
  - REAR YARD-----10'
  - SIDE YARD-----15'



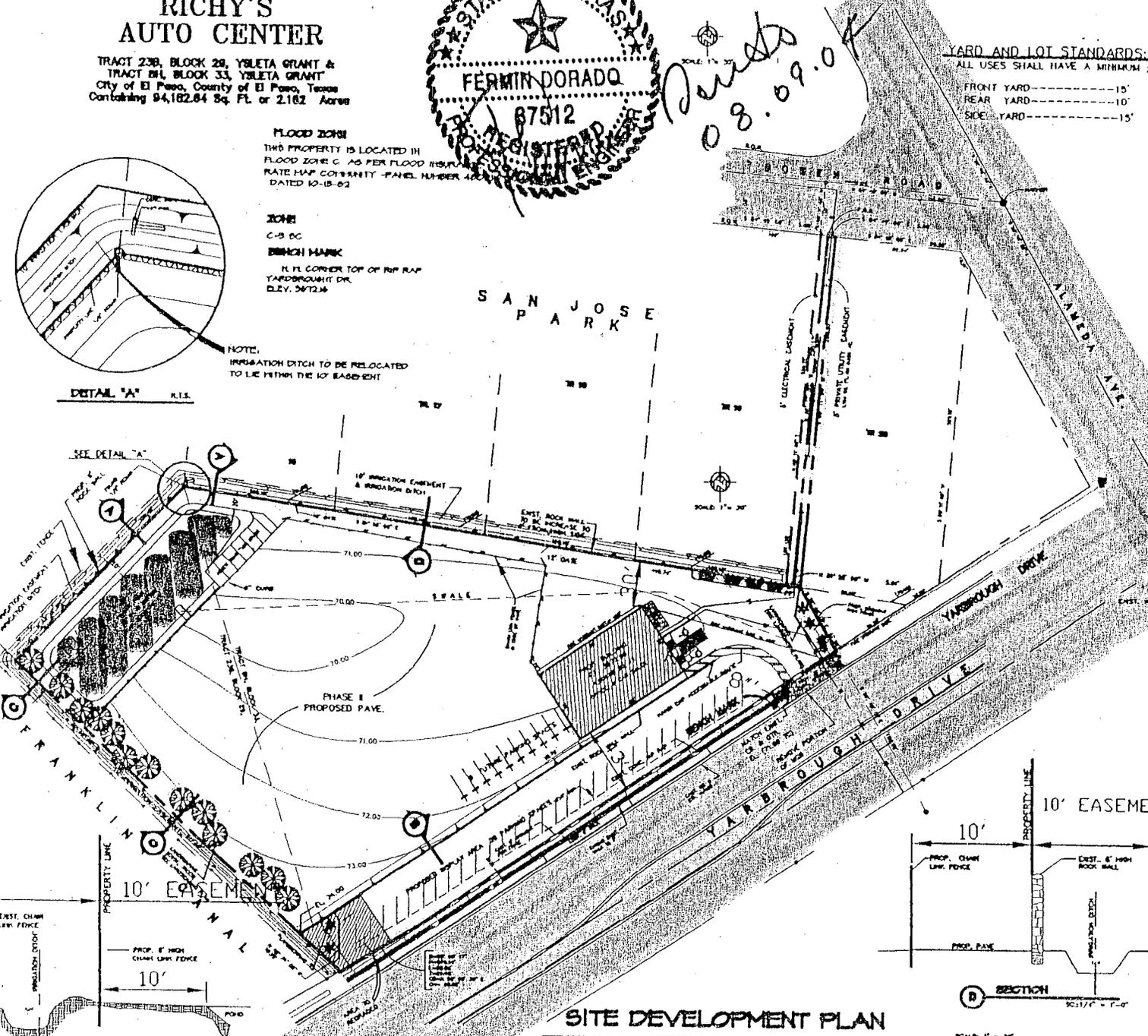
SECTION A



SECTION B

| Lottery Schedule |          |
|------------------|----------|
| Lottery #1       | 10/1/04  |
| Lottery #2       | 10/15/04 |
| Lottery #3       | 10/29/04 |
| Lottery #4       | 11/12/04 |
| Lottery #5       | 11/26/04 |
| Lottery #6       | 12/10/04 |
| Lottery #7       | 12/24/04 |
| Lottery #8       | 1/7/05   |
| Lottery #9       | 1/21/05  |
| Lottery #10      | 2/4/05   |
| Lottery #11      | 2/18/05  |
| Lottery #12      | 3/4/05   |
| Lottery #13      | 3/18/05  |
| Lottery #14      | 4/1/05   |
| Lottery #15      | 4/15/05  |
| Lottery #16      | 4/29/05  |
| Lottery #17      | 5/13/05  |
| Lottery #18      | 5/27/05  |
| Lottery #19      | 6/10/05  |
| Lottery #20      | 6/24/05  |
| Lottery #21      | 7/8/05   |
| Lottery #22      | 7/22/05  |
| Lottery #23      | 8/5/05   |
| Lottery #24      | 8/19/05  |
| Lottery #25      | 9/2/05   |
| Lottery #26      | 9/16/05  |
| Lottery #27      | 9/30/05  |
| Lottery #28      | 10/14/05 |
| Lottery #29      | 10/28/05 |
| Lottery #30      | 11/11/05 |
| Lottery #31      | 11/25/05 |
| Lottery #32      | 12/9/05  |
| Lottery #33      | 12/23/05 |
| Lottery #34      | 1/6/06   |
| Lottery #35      | 1/20/06  |
| Lottery #36      | 2/3/06   |
| Lottery #37      | 2/17/06  |
| Lottery #38      | 2/28/06  |
| Lottery #39      | 3/13/06  |
| Lottery #40      | 3/27/06  |
| Lottery #41      | 4/10/06  |
| Lottery #42      | 4/24/06  |
| Lottery #43      | 5/8/06   |
| Lottery #44      | 5/22/06  |
| Lottery #45      | 6/5/06   |
| Lottery #46      | 6/19/06  |
| Lottery #47      | 7/3/06   |
| Lottery #48      | 7/17/06  |
| Lottery #49      | 7/31/06  |
| Lottery #50      | 8/14/06  |
| Lottery #51      | 8/28/06  |
| Lottery #52      | 9/11/06  |
| Lottery #53      | 9/25/06  |
| Lottery #54      | 10/9/06  |
| Lottery #55      | 10/23/06 |
| Lottery #56      | 11/6/06  |
| Lottery #57      | 11/20/06 |
| Lottery #58      | 12/4/06  |
| Lottery #59      | 12/18/06 |
| Lottery #60      | 1/1/07   |

**PARKING SPACES CALCULATIONS**  
 1 BUILDING 80'x50=4,000 SQ. FT.  
 10 PARKING SPACES REQ.  
 PARKING FOR OFFICE = 1 / 300 SQ. FT.  
 2 PARKING SPACES REQUIRED  
 PARKING SPACES REQUIRED = 12  
 PARKING SPACES AVAILABLE = 28

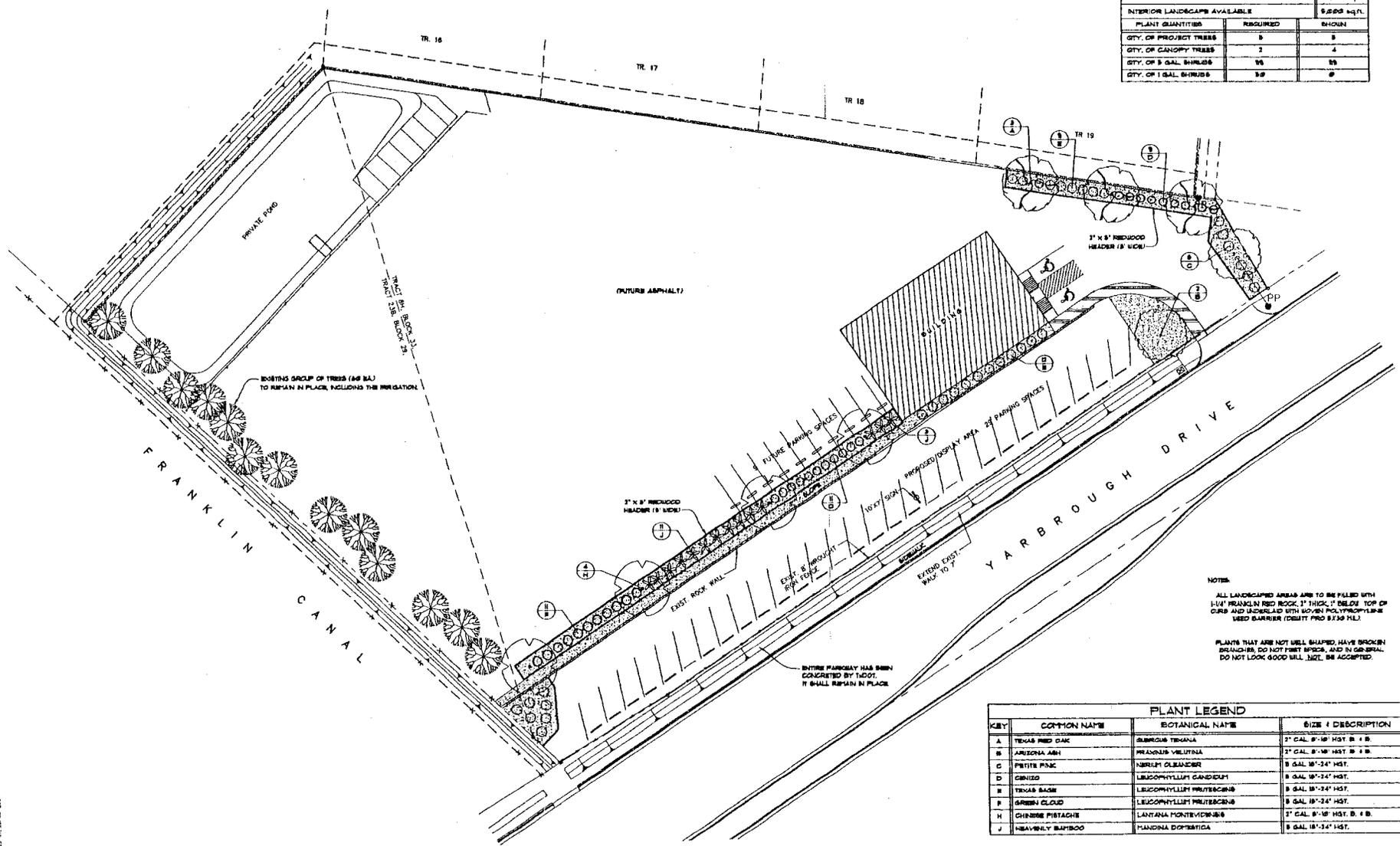


## SITE DEVELOPMENT PLAN

SCALE 1" = 20'

ZON04-00070 (REVISED 08.09.04)

| LANDSCAPE ORDINANCE                 |                  |               |
|-------------------------------------|------------------|---------------|
| TOTAL LANDSCAPE AREA REQUIRED:      | 337 x 1508 x 878 | 43849 sq. ft. |
| PARKWAY LANDSCAPE AREA (11' W 331') |                  | 3287 sq. ft.  |
| REQUIRED INTERIOR LANDSCAPE AREA    |                  | 1338 sq. ft.  |
| INTERIOR LANDSCAPE AVAILABLE        |                  | 8288 sq. ft.  |
| PLANT QUANTITIES                    |                  |               |
|                                     | REQUIRED         | SHOWN         |
| QTY. OF PROJECT TREES               | 8                | 8             |
| QTY. OF CANOPY TREES                | 7                | 4             |
| QTY. OF 8 GAL. SHRUBS               | 98               | 98            |
| QTY. OF 1 GAL. SHRUBS               | 82               | 8             |



NOTE:  
 ALL LANDSCAPED AREAS ARE TO BE FILLED WITH 1/4\"/>

PLANTS THAT ARE NOT WELL SHAPED HAVE BROKEN BRANCHES, DO NOT FIRST SPEC, AND IN GENERAL DO NOT LOOK GOOD WILL NOT BE ACCEPTED.

| PLANT LEGEND |                   |                         |                             |
|--------------|-------------------|-------------------------|-----------------------------|
| KEY          | COMMON NAME       | BOTANICAL NAME          | SIZE & DESCRIPTION          |
| A            | TEXAS RED OAK     | QUERCUS TEXANA          | 2' GAL. 8'-10" HST. B. 4 B. |
| B            | ARIZONA ASH       | FRAXINUS VELUTINA       | 2' GAL. 8'-10" HST. B. 4 B. |
| C            | WHITE PINE        | NEROLIA OLIVACEA        | 8 GAL. 18'-24" HST.         |
| D            | ORANGE            | LEUCOPHYLLUM GANDOLPHI  | 8 GAL. 18'-24" HST.         |
| E            | TEXAS BALSAM      | LEUCOPHYLLUM FRUTICOSUM | 8 GAL. 18'-24" HST.         |
| F            | GREEN GLOBE       | LEUCOPHYLLUM FRUTICOSUM | 8 GAL. 18'-24" HST.         |
| H            | CHINESE PINEAPPLE | LANTANA MONTEVIDEOSIS   | 2' GAL. 8'-10" HST. B. 4 B. |
| J            | HEAVENLY BLAZEBUD | PLANDIA DORNICATA       | 8 GAL. 18'-24" HST.         |

LANDSCAPE PLAN  
 SCALE: 1" = 20'

DRAFTING SERVICE & DESIGN C.A.D.  
 348 Guadalupe St. El Paso, Texas 79907  
 958-0226

AND LANDSCAPE ARCHITECTURE  
 131 S. YARBROUGH DRIVE  
 EL PASO, TEXAS 79907

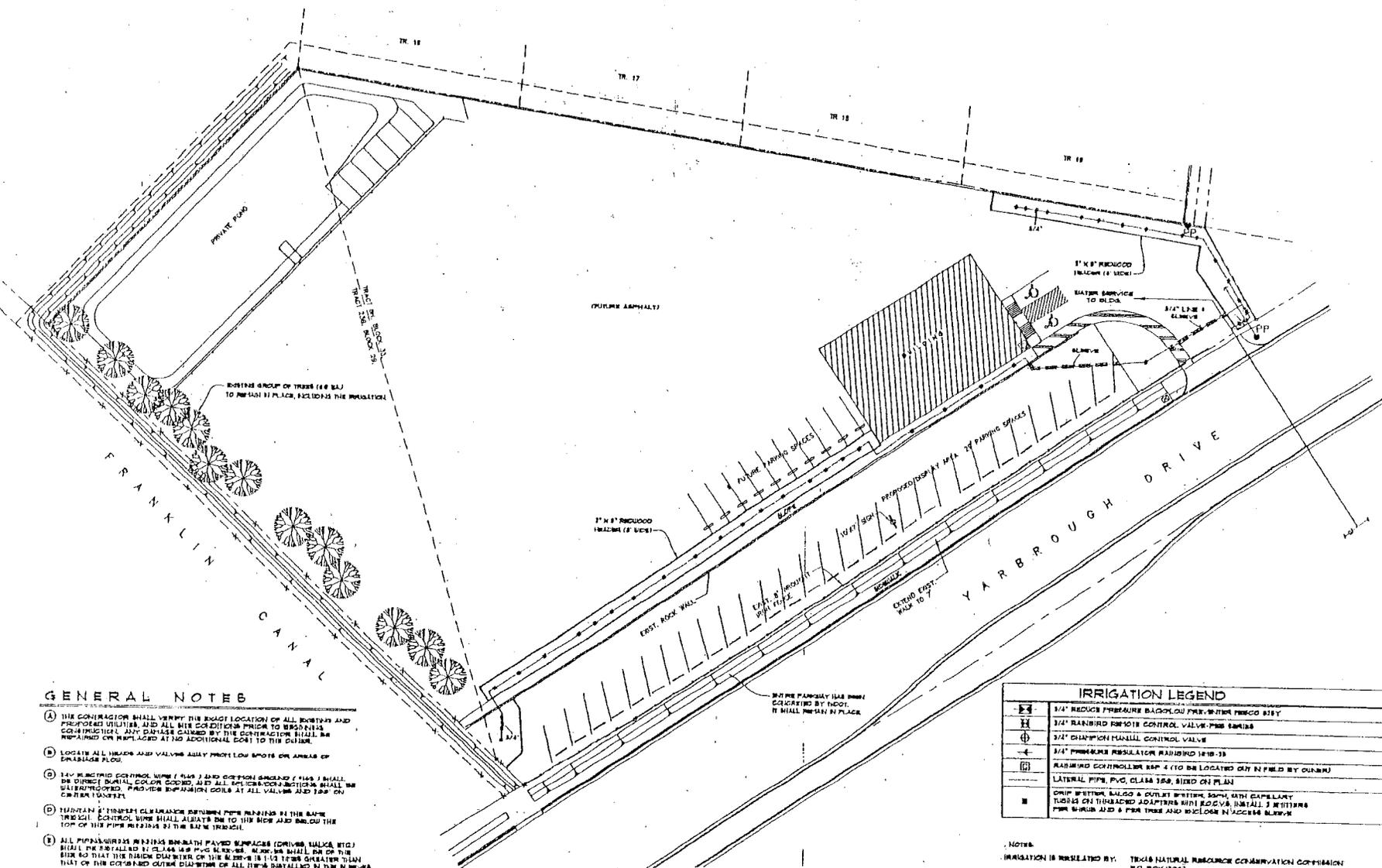
RICHY'S AUTO CENTER  
 131 S. YARBROUGH DRIVE  
 CITY OF EL PASO,  
 EL PASO COUNTY, TX.

LANDSCAPE PLAN

1 of 3

26N04-00070 (REVISED)

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**GENERAL NOTES**

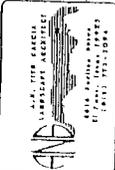
- 1. THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL EXISTING AND PROPOSED UTILITIES, AND ALL NEW CONDUITS PRIOR TO BEGINNING CONSTRUCTION. ANY DAMAGES CAUSED BY THE CONTRACTOR SHALL BE REPAIRED OR REPLACED AT HIS ADDITIONAL COST TO THE OWNER.
- 2. LOCATE ALL TRUNKS AND VALVES AWAY FROM LOW SPOTS OR AREAS OF STAGNANT FLOOD.
- 3. 1/2" RAINBIRD CONTROL WIRE (1/2" & 3/4" SECTION SHOWN) (1/2" & 3/4" SHALL BE DIRECT BURIAL COLOR CODED) AND ALL 1/2" & 3/4" SECTION SHALL BE UNBUNDLED. PROVIDE EXPANSION COILS AT ALL VALVES AND 100' ON CENTER (MIN). MAINTAIN 2" MINIMUM CLEARANCE BETWEEN PIPE PLACED IN THE SAME TRENCH. CONTROL WIRE SHALL ALWAYS BE TO THE RIGHT AND BELOW THE TOP OF THE PIPE RUNNING IN THE SAME TRENCH.
- 4. ALL PIPES/WIRES IN AREAS BENEATH PAVED SURFACES (DRIVES, WALKS, ETC) SHALL BE INSTALLED IN CLASS 150 PVC MANHOLES. MANHOLES SHALL BE OF THE SIZE SO THAT THE NOMINAL DIAMETER OF THE PIPE IS 1/2" TO THE CENTER THAN THAT OF THE CONTAINED OUTER DIAMETER OF ALL ITEMS INSTALLED IN THE MANHOLE.
- 5. THE CONTRACTOR SHALL PERFORM AND ADJUST THE IRRIGATION SYSTEM SO THAT IT OPERATES WELL, NOT ONTO THE STREET, WALKS, OR ON ANY BUILDING, WALLS, ETC. THIS SHALL INCLUDE ADJUSTING TRUCK HOLES, SPRAY JACKS, TRUCKS, ETC.
- 6. THE CONTRACTOR SHALL PROVIDE THE OWNER WITH AS-BUILT DRAWINGS OF THIS PLAN PRIOR TO APPROVAL OF FINAL PAYMENT.

| IRRIGATION LEGEND |   |
|-------------------|---|
|                   | 1/2" REDUCED PRESSURE BACKFLOW PREVENTER (PESCO 8157)   |
|                   | 1/2" RAINBIRD PRESSURE CONTROL VALVE (PVC SERIES)   |
|                   | 1/2" CHAMPION MANUAL CONTROL VALVE  |
|                   | 1/2" PRESSURE REGULATOR (RAINBIRD 1410-13)  |
|                   | RAINBIRD CONTROLLER (PVC) (TO BE LOCATED OUT IN FIELD BY OWNER)   |
|                   | LATERAL PIPE, PVC, CLASS 150, SIZED ON PLAN   |
|                   | DRIP EMITTER (ALSO A OUTLET EMITTER, 30PH, WITH CAPILLARY TUBING ON THREADED ADAPTERS WITH 1/2" HOLES, INSTALL 3 EMITTERS PER WHEEL AND 4 PER TREE AND INCLUDE 1/2" ACCESS BLOCK) |

NOTES:  
 IRRIGATION IS REGULATED BY: TEXAS NATURAL RESOURCE CONSERVATION COMMISSION  
 P.O. BOX 10061  
 AUSTIN, TX 78710-0061  
 ALL LATERALS UNDER CONCRETE SURFACES MUST BE INSTALLED IN PVC MANHOLES 1/2" TO THE SIZE OF LATERAL.

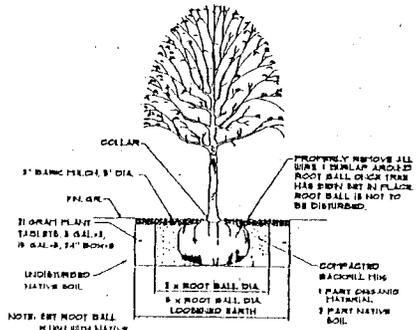
**IRRIGATION PLAN**  
 SCALE: 1" = 20'

DRAFTING SERVICE  
 & DESIGN  
 J. G. GARDNER  
 3145 Guadalupe Dr.  
 El Paso, Texas 79907  
 915-735-0228

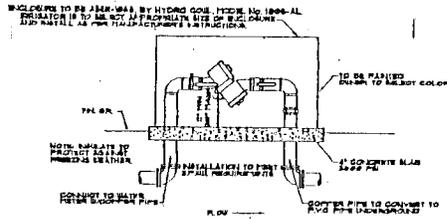


RICHY'S AUTO CENTER  
 151 S. YARBROUGH DRIVE  
 CITY OF EL PASO,  
 EL PASO COUNTY, TX.

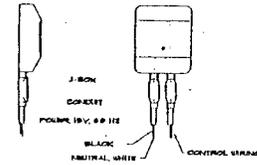
IRRIGATION  
 PLAN  
 2 of 3



**TREE PLANTING DETAIL**  
NOT TO SCALE

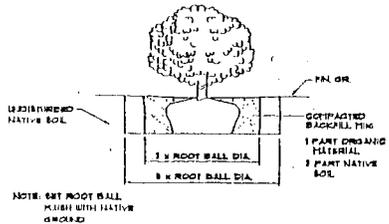


**RPA FEBCO No. 82BY DETAIL**  
NOT TO SCALE

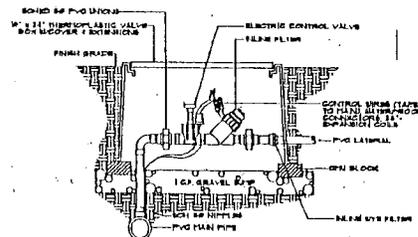


**WALL MOUNTED AUTO. ELEC. CONTROLLER DETAIL**  
NOT TO SCALE

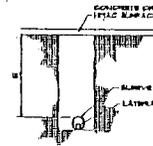
**INSTALLATION:**  
USE P.V.C. COATED SOLID COPPER WEAVER-BRAND COPPER WIRE AND COPPER J-BOX WIRE THE DEL. DIST. SYSTEMS FOR ELEC. W. A.C. EQUIPMENT. LAY WIRE BELOW P.V.C. TUBING. PROVIDE A 1/2\"/>



**SHRUB PLANTING DETAIL**  
NOT TO SCALE

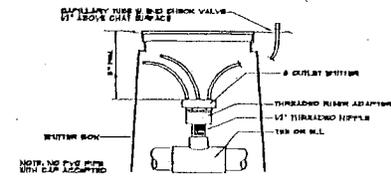


**ELECTRIC CONTROL VALVE W/ FILTER DETAIL**  
NOT TO SCALE



**BLEEDING STANDARD DETAIL**  
NOT TO SCALE

BLEEDING MUST BE DONE BY DESIGN BOND OF PLASTIC OR COPPER SURFACES AND UNWAP TUBING WITH THE PLASTIC.



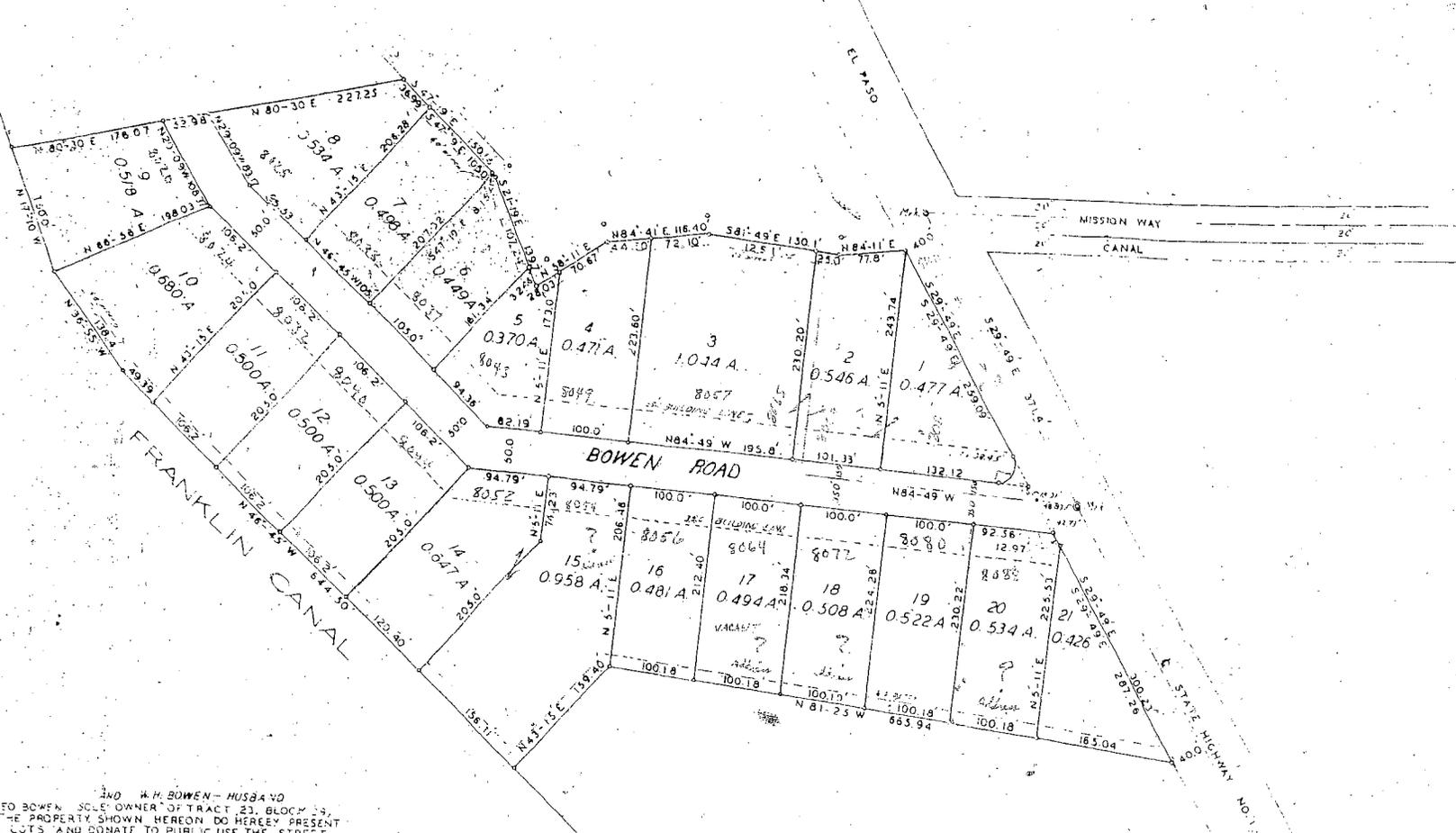
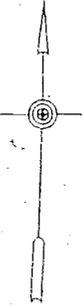
**DRIP EMITTERS/CAPILLARY TUBING DETAIL**  
NOT TO SCALE

DRAFTING SERVICE  
& DESIGN  
C. A. D.  
J. G.

ALL THE QUALITY  
LANDSCAPE ARCHITECTURE  
EL PASO, TEXAS  
1972-1984

RICHY'S AUTO CENTER  
151 S. YARBROUGHT DRIVE  
CITY OF EL PASO,  
EL PASO COUNTY, TX.

LANDSCAPE  
DETAILS



STATE OF TEXAS  
 EL PASO COUNTY  
 LORENA LEO BOWEN, SGL. OWNER OF TRACT 23, BLOCK 29, YSLETA GRANT, BEING THE PROPERTY SHOWN HEREON DO HEREBY PRESENT THIS MAP, DESIGNATING LOTS AND DONATE TO PUBLIC USE THE STREET AND EASEMENTS - UTILITY EASEMENTS WITH PERMISSION TO INSTALL POLES, WIRES, AND ORDERS AND GUYS.  
 EXECUTED THIS THE 12 DAY OF April 1947  
 Lorena Leo Bowen, *L. Bowen*

STATE OF TEXAS — JOINT ACKNOWLEDGMENT —  
 EL PASO COUNTY  
 BEFORE ME, NOTARY PUBLIC IN AND FOR SAID COUNTY, TEXAS, ON THE 12 DAY OF April 1947, *L. Bowen* AND *Lorena Leo Bowen* HIS WIFE, BOTH KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EACH EXECUTED THE SAME FOR THE PURPOSES THEREIN EXPRESSED, AND THE SAID *Lorena Leo Bowen* WIFE OF THE SAID *L. Bowen* HAVING BEEN EXAMINED BY ME PRIVILY AND APART FROM HUSBAND, AND HAVING THE SAME FULLY EXPLAINED TO HER, SHE THE SAID *Lorena Leo Bowen* ACKNOWLEDGED SUCH INSTRUMENT TO BE HER ACT AND DEED, AND SHE DECLARED THAT SHE HAD WILLINGLY SIGNED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND THAT SHE DID NOT WISH TO RETRACT IT.  
 GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 12 DAY OF April A D 1947  
*W. M. Jones*

APPROVED FOR FILING APRIL 14 1947  
*Lee Bowen* #88272  
 COUNTY ENGINEER  
 FILED FOR RECORD THIS THE 12 DAY OF April 1947  
*P. J. Owen*  
 COUNTY CLERK  
 SURVEYED BY \_\_\_\_\_ COUNTY SURVEYOR

PLAT  
 OF  
 SAN JOSE PARK

BEING A SUBDIVISION OF A PORTION OF TRACT 23 LOCATED IN BLOCK 29 IN THE YSLETA GRANT, EL PASO COUNTY, TEXAS.

PREPARED MARCH 1947 L. C. LANDON

CHECKED BY *W. C. Carter*  
 Surveyed April 1947  
*W. C. Carter*

ACCEPTED AND ORDERED FILED BY COMMISSIONERS COURT OF EL PASO COUNTY THE 12 DAY OF April 1947

*W. C. Carter*  
 COUNTY JUDGE

AN ORDINANCE CHANGING THE ZONING OF TRACT 23B, BLOCK 29 AND TRACT 8E, BLOCK 33, YSLETA GRANT, EL PASO, EL PASO COUNTY, TEXAS, (100 BLOCK OF SOUTH YARBROUGH DRIVE NEAR INTERSECTION WITH ALAMEDA AVENUE) FROM C-1/SC (COMMERCIAL/SPECIAL CONDITIONS) TO C-3/SC (COMMERCIAL/SPECIAL CONDITIONS) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.

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

That the zoning of *Tract 23B, Block 29 and Tract 8E, Block 33, YSLETA GRANT, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached Exhibits "A" and "B,"* be changed from C-1/sc (Commercial/special conditions) to C-3/sc (Commercial/special conditions) within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; and

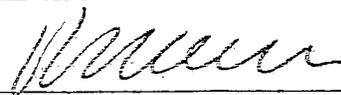
That the property be subject to the following condition which is necessitated by and attributable to the increased intensity of use generated by the change of zoning from C-1/sc (Commercial/special conditions) to C-3/sc (Commercial/special conditions) in order to protect the health, safety and welfare of adjacent property owners and the residents of this city:

Submittal of a detailed site development plan, subject to the notice and approval requirements of Article III of Title 20 (Zoning) of the El Paso Municipal Code, for approval by the City Plan Commission and City Council prior to the issuance of a building permit or a certificate of occupancy.

This condition runs with the land, is a charge and servitude thereon, and binds the current property owner and any successors in title. The City may enforce this condition by injunction, by rescission of the zoning which is made appropriate as a result of these conditions, or by any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above condition in their discretion without the consent of any third person who may be benefited thereby, and without affecting the validity of this Ordinance.)

PASSED AND APPROVED this 14<sup>th</sup> day of August, 2001.

THE CITY OF EL PASO

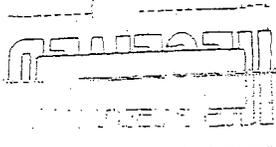
  
Raymond C. Caballero  
Mayor

CJC:pmc#78275\ZON\PLA\Y6

ORDINANCE NO. 014916

7/18/01

Zoning Case No. ZC-01031



Carole Hutto

City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Carolyn J. Celum

Carolyn J. Celum  
Assistant City Attorney

Verónica Rosales

Verónica Rosales, AICP, Zoning Coordinator  
Dept. of Planning, Research & Development

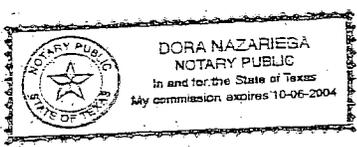
Acknowledgment

THE STATE OF TEXAS )  
  )  
COUNTY OF EL PASO )

This instrument is acknowledged before me on this 14<sup>th</sup> day of August  
2001, by Raymond C. Caballero as Mayor of THE CITY OF EL PASO.

My Commission Expires:

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



5508

~~5000~~  
AN ORDINANCE CHANGING THE ZONING  
OF A PORTION OF TRACT 23B, BLOCK  
29 AND ALL OF TRACT 8A, BLOCK 33,  
YSLETA GRANT, THE PENALTY BEING  
AS PROVIDED IN SECTION 25-10 OF THE  
EL PASO CITY CODE

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

That the zoning of a portion of Tract 23B, Block 29, as more particularly described below, and all of Tract 8A, Block 33, Ysleta Grant be changed to C-1 within the meaning of the Zoning Ordinance, and the zoning map of the City be revised accordingly:

Being the description of 4.348 acres of land in Tract 23B, Block 29 and Tract 8-A, Block 33, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at a point for the intersection of the easterly line of the Franklin Canal (80.8 feet wide) and the northerly line of an irrigation lateral (20 feet wide), said point being the southwesterly corner of Tract 8-A, Block 33, Ysleta Grant, City of El Paso, El Paso County, Texas;

Thence North  $46^{\circ} 34'$  West a distance of 169.00 feet along the easterly right of way line of the Franklin Canal to a point;

Thence North  $16^{\circ} 50'$  West a distance of 4.00 feet along the easterly right of way line of the Franklin Canal to a point for the southerly corner of Tract 23-B, Block 29, Ysleta Grant;

Thence North  $46^{\circ} 45'$  West a distance of 277.00 feet to a point for the northwest corner of Tract 23-B, said Block 29;

Thence North  $43^{\circ} 15'$  East a distance of 159.40 feet to a point for the northerly common corner of said Tract 23-B, Block 29 and Tract 8-A, Block 33;

Thence South  $81^{\circ} 25'$  East a distance of 478.31 feet to a point;

Thence South  $29^{\circ} 49'$  East a distance of 1.28 feet to a point on the northerly right of way line of Yarbrough Drive (120 feet wide);

Thence South  $56^{\circ} 11'$  West a distance of 53.09 feet along the northerly line of Yarbrough Drive to a point;

Thence South  $29^{\circ} 49'$  East a distance of 328.49 feet to a point on the common boundary between Tract 8-A and Tract 8-B, said Block 46;

Thence South  $59^{\circ} 16' 56''$  West a distance of 35.69 feet to a point;

5508

Thence North 44° 49' 30" West a distance of 14.10 feet to a point;

Thence South 58° 56' West a distance of 115.80 feet to a point on the northerly line of an irrigation lateral;

Thence North 78° 11' West a distance of 181.37 feet along the northerly line of an irrigation lateral to a point;

Thence South 82° 16' West a distance of 59.60 feet along the northerly line of an irrigation lateral to the point of beginning.

PASSED AND APPROVED this 27<sup>th</sup> day of MARCH,

1975.

Fred Hervey  
Mayor

ATTEST:

W. Regis  
City Clerk

I certify that the zoning map has been revised to reflect the amendment of ordinance 5508

Paul Gonzales Date 4-15-75

I CERTIFY THAT THE FOLLOWING ZONING MAPS

HAVE BEEN REVISED: 20 CT.  
4-11-75 COUNTER  
4-11-75 ORIGINAL  
4-11-75 Bldg. Inspecting  
4-15-75 CONTROL  
Paul Gonzales

5508

5008

5

RESOLUTION

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

That the Mayor be authorized to sign a contract with JOHN MUIR KIPP, TRUSTEE, et al., placing certain restrictions on property rezoned by Ordinance No. 5508.

ADOPTED this 27<sup>th</sup> day of MARCH, 1975.

Fred Newmyer  
Mayor

ATTEST:

W. Rieger  
City Clerk

MAR 28 1975  
DEPT. OF  
PLANNING

CONTRACT

This contract, made this 21 day of March, 1975,  
by and between JOHN MUIR KIPP, TRUSTEE, First Party, the BANK OF  
YSLETA, a corporation, Second Party, and the CITY OF EL PASO, Third  
Party, witnesseth:

Application has been made to the City of El Paso for rezoning of a  
portion of Tract 23B, Block 29, and Tract 8A, Block 33, Ysleta Grant in  
the City of El Paso, El Paso County, Texas, such property being more  
particularly described in Ordinance No. 5508, now pending before the  
City Council of the City of El Paso, a copy of which is attached hereto,  
marked Exhibit "A" and made a part hereof by reference.

In order to remove certain objections to such rezoning, First Party  
covenants that if the property is rezoned as indicated in the attached ordi-  
nance, it shall be subject to the following restrictions, conditions and cove-  
nants:

1. First Party will, at no cost to the City, construct the following  
improvements:

- (a) Masonry screening walls along the northerly, southerly and  
westerly boundary of First Party's property, which walls  
shall be six feet in height above the finished grade of such  
property;
- (b) A facility for on-site ponding of flood waters on the prop-  
erty;
- (c) A concrete sidewalk along Yarbrough Drive parallel to the  
easterly boundary of the property.

2. Such improvements shall be constructed in accordance with plans  
and specifications to be approved by the City Engineer of the City of El Paso  
and must be completed by First Party and approved by the City Engineer  
prior to the issuance of certificates of occupancy and compliance for any  
buildings constructed on the property.

This agreement is a restriction, condition and covenant running with

the land and a charge and servitude thereon, and shall bind First Party and his 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 agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby.

Second Party is the owner and holder of recorded liens on the property and consents to this contract.

WITNESS the following signatures and seals:

John Muir Kipp, Trustee  
John Muir Kipp, Trustee

THE BANK OF YSLETA, a corporation

By

[Signature]  
President

ATTEST:

[Signature]  
Cashier

THE CITY OF EL PASO

By

[Signature]  
Mayor

ATTEST:

[Signature]  
City Clerk

Engineering Department  
DEVELOPMENT DIVISION  
COMMENTS

TO: PLANNING DEPARTMENT

DATE: June 7, 2004

FROM: Engineering Department

ADDRESS: 131 S. Yarbrough Dr.

ATTN: Kimberly Forsyth or  
Fred Lopez, Urban Planners

PROPOSED USE: Auto Repair

CASE NO.: ZON04-00070

ZONE: C-3/sc

REQUEST: Detailed Site Plan review,

LEGAL DESCRIPTION: Tract 23B, Blk 29, Ysleta Grant & Tract 814, Blk 33, Ysleta Grant

- 1. No comments
- 2. Must be submitted as a subdivision
- 3. Sidewalks will be required,
- 4. Grading plan and permit required, only asphalt or concrete will be approved for the remainder of the lot, if it will be accessed by vehicles.
- 5. Storm Water Pollution Prevention details required.
- 6. Storm Water Pollution Prevention plan and permit required.
- 7. Drainage plans must be approved by the City Engineer
- 8. On-site ponding will be required.
- 9. Private pond is required.
- 10. No water runoff allowed onto Yarbrough Dr.
- 11. Additional R.O.W. required.
- 12. Additional Comments: Site location is not located within the Special Flood Hazard Area. Zone C, Panel 44 B. A 6' high fence will be required abutting the Franklin Canal and the perimeter of the proposed Pond. The relocation of the Metal Beam Guardrail in relation with the proposed driveway needs to be coordinated with the Traffic and Street Dept.s.



Bashar Abugalyon, P. E.  
Interim Assistant City Engineer

DISTRICT: 67

HME

DHCC Action:

Approved: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

V/ Modification(s) \_\_\_\_\_

denied \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Reason \_\_\_\_\_

abied \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Until \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Week(s)

o. Times Tabled \_\_\_\_\_



## ENGINEERING DEPARTMENT

Traffic Division  
memorandum

TO: Jorge E. Rousselin  
Planning Department

FROM: Traffic Division

DATE: June 4, 2004

SUBJECT: ZON04 – 00070 131 S. Yarbrough  
Detailed Site Plan

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Regarding the above referenced DCC item, the Traffic Division has the following comments:

- Driveway shall be improved to comply with City's Ordinance.
- Surface shall be upgraded to comply with City's Ordinance.

Should your office or the applicant have any questions or comments regarding these issues, please contact Pilo Guevara or Margarita Molina, at 541-4223.

## INTEROFFICE MEMORANDUM

To: Jorge Rousselin  
Urban Planner

From: El Paso Water Utilities – Engineering.

Date: June 25, 2004

Subject: ZON04 – 00070 (Detailed Site Plan)  
Tract 23B, Block 29, Ysleta Grant & Tract 8H, Block 33, Ysleta Grant, City of El Paso, El Paso County, Texas (the Property).  
Location: 131 S. Yarbrough (south of Alameda).  
Present: C-3/sc (Commercial/special; contract); vacant.  
Proposed Use: automotive repair

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We have reviewed the detailed site plan described above and provide the following comments:

**Water:**

Along Yarbrough Drive between Cinecue Street and Alameda Avenue there is an existing eight (8) inch diameter water main. This main is located along the southernmost portion of Yarbrough Drive.

**Sanitary Sewer:**

Along Yarbrough Drive between Cinecue Street and Alameda Avenue there are no existing sanitary sewer mains.

**General:**

Water service for this Property is available from the above described water main located along Yarbrough Drive.

Sanitary sewer service for this Property is anticipated to be provided by constructing sanitary sewer mains from the intersection of Yarbrough Drive and Alameda Avenue, along Yarbrough Drive towards the Property.

Alameda Avenue is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Alameda Avenue right-of-way requires written permission from TxDOT.

In the event that the City of El Paso Fire Department requires additional fire hydrants on Public right-of-way and/or an on-site fire protection system within the private property, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

The El Paso Water Utilities requires a finalized set of improvement plans including drainage and grading plans to initialize the design of the sanitary sewer main extensions to serve subject

June 16, 2004

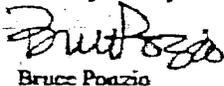
Mr. Jorge E. Rousselin  
City of El Paso Planning  
Two Civic Center Plaza  
El Paso, TX 79901

Re: Case No. ZONO4-00070

Dear Mr. Rousselin:

My name is Bruce Poncio, part owner of 8116 Alameda, El Paso TX. I received the notification of zoning change for the above case number. My partner David Puente and myself are opposed to the rezoning due to the fact that the property in question is surrounded by residential zoning and the majority of the parcels dimensions are surrounded by R- zoning. The east boundary of the subject property which is also one of the largest sides of the property is fronted by C-1 zoning. C-3 would be an intrusion into what is primarily a residentially zoned area.

Thank you for your hearing of our concerns.



Bruce Poncio

# COPY

June 17, 2004

In December 2000-January 2001, Mr. Ricardo Olague came to our homes and presented a 3-D model of a residence and small business which he planned to build behind our properties. He requested we sign a letter of non-opposition to the model. Since it was within the current designated use for the property (residence/commercial) we were not opposed and signed the attached letters.

Subsequently in 2001 an application for rezoning was submitted for a car dealership that would cause a significant negative impact to our families, homes, neighborhood, and District.

Due to the change of use and representation of intent we retract our letters of non-opposition (see attachments) and strongly oppose the current plan.

Sincerely,

| Name  | Address                     | Phone    | Signature              |
|---|-----------------------------|----------|------------------------|
| Abelardo Jurado                                     | 8057 Bowen Road El Paso, TX | 859-3560 | <i>Abelardo Jurado</i> |
| Juan Archuleta                                      | 8064 Bowen Road El Paso, TX | 860-1124 | <i>Juan Archuleta</i>  |
| Bert Sherwood                                       | 8056 Bowen Road El Paso, TX | 859-8155 | <i>Bert Sherwood</i>   |
| Mary Cooper   | 8052 Bowen Road El Paso, TX | 859-6716 | <i>Mary Cooper</i>     |
| P. S. Montes  | 8065 Bowen Road El Paso, TX |          | <i>P. S. Montes</i>    |
| Joel Gomez<br>per Abelardo Jurado (attorney in law) | 8043 Bowen Road El Paso, TX | 478-2405 | <i>Joel Gomez</i>      |
| Ralph Solis   | 8048 Bowen Road El Paso, TX | 858-6760 | <i>Rafael Solis</i>    |
| Joe Melendez  | 8049 Bowen Road El Paso, TX | 859-6442 | <i>Joe Melendez</i>    |

PLANNING DEPARTMENT  
LAND DEVELOPMENT

JUN 17 2004

PLANNING DEPARTMENT  
LAND DEVELOPMENT

JUN 17 2004

EL PASO, TX. DEC. 30, 2000.

TO WHOM IT MAY CONCERN:

DEAR SIRs:

WE, THE PEOPLE THAT LIVE BEHIND THE PROPERTY LOCATED  
AT 401 S. YARBOROUGH, EL PASO, TX., WHERE RICARDO OLAGUE  
PLANS TO BUILD IN THE LAND ABOVE MENTIONED, HEREBY, WE  
MANIFEST THAT WE DO NOT OPPOSE TO MR. OLAGUE'S PLANS.

Abelardo S. Jurado

8057-BOWEN. RA

EL Paso Texas

79915-

859-3560

1-6-01

PLANNING DEPARTMENT  
LAND DEVELOPMENT

JUN 17 2004

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Mary Cooper

8052 Bowen Rd.

El Paso 79915

859-6716

1-7-01

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BERT CHERWOOD  
3056 BOWEN Rd  
EL PASO, TX. 79915

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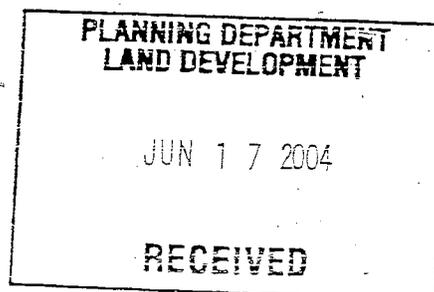
*Ricardo Olague*

8043 Bowen Rd.

EL PASO, TX 79915

915 478-2405

01/06/01

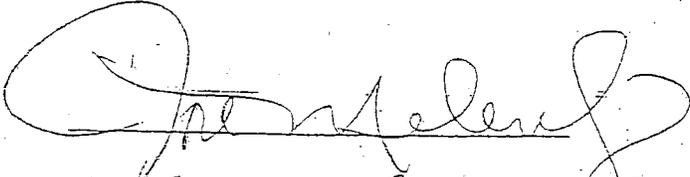


EL PASO, TX. DEC. 30, 2000.

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\_\_\_\_\_  
8049 BOWEN RD

\_\_\_\_\_  
EL PASO TX

\_\_\_\_\_  
79905

\_\_\_\_\_  
1-6-2001

PLANNING DEPARTMENT  
LAND DEVELOPMENT

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P. S. Montes

8065 BOWEN RD

EL PASO TEXAS

79915

PLANNING DEPARTMENT  
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Jim D. Archibald

8064 Bowen Rd.

El Paso, Texas 79905

860-1129

1-8-01

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LAND DEVELOPMENT

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Rafael Solis

8048 BOWEN

858-6760

1-6-01

PLANNING DEPARTMENT  
LAND DEVELOPMENT

JUN 17 2004

RECEIVED

July 7, 2004

**LUCIERO  
MIELLENDEZ**  
ARCHITECTS A.C.A. INC.

1325 MONTANA AVE.  
EL PASO, TEXAS 79902  
OFFICE FAX  
(915) 532-0066 (915) 532-0099

VENAC  
2914 E. Yandell, Space 3  
El Paso, Texas 79903

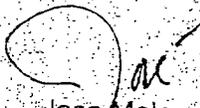
ATTN: Mr. Oscar Venegas  
RE: Property located at 131 S. Yarbrough  
Owner Ricardo Olague  
SUBJECT: Case No. ZON0400070

I have serious concerns with the unauthorized construction work on this site:

1. Work was started with the proper permit.
2. There was no topographic survey or drainage plan approved by the Planning Commission Committee.
3. This project is proceeding without the recommendation of the Planning Commission Committee.
4. The site was site was used last year as a junk yard.

I would appreciate your denial off this request since Mr. Olague has failed to comply with any of the City's requirements.

Thank You,

  
Jose Melendez AIA  
JM/elf

ZON04-00070