

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: March 7, 2017
Public Hearing: April 4, 2017

CONTACT PERSON/PHONE: Larry Nichols, (915) 212-1550, nicholslf@elpasotexas.gov
Andrew Salloum, (915) 212-1643, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 7

SUBJECT:

An Ordinance granting Special Permit No. PZST16-00035, to allow for parking spaces serving another property on the property described as Lot 9, Block 5, North Loop Gardens, Unit 1, 7812 West Drive, City of El Paso, El Paso County, Texas, and imposing conditions pursuant to Section 20.04.260 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 7812 West Drive. Property Owner: Francisco Antonio Leyva. PZST16-00035 (District 7)

BACKGROUND / DISCUSSION:

On January 26, 2017, the CPC reviewed and recommended approval of the special permit request.

PRIOR COUNCIL ACTION:

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

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Approval Recommendation (5-0).

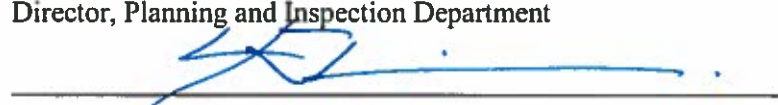
*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Larry F. Nichols
Director, Planning and Inspection Department



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST16-00035, TO ALLOW FOR PARKING SPACES SERVING ANOTHER PROPERTY ON THE PROPERTY DESCRIBED AS LOT 9, BLOCK 5, NORTH LOOP GARDENS, UNIT 1, 7812 WEST DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND IMPOSING CONDITIONS PURSUANT TO SECTION 20.04.260 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Francisco Antonio Leyva has applied for a Special Permit to allow for a hotel under Section 20.04.260 and 20.04.320 of the El Paso City Code; and,

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

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

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

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

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

1. That the property described as follows is in a A-2 (Apartment) Zone District:

Lot 9, Block 5, North Loop Gardens, Unit 1, 7812 West Drive, City of El Paso, El Paso County, Texas; *and,*

2. That the City Council hereby grants a Special Permit under Section 20.04.320 of the El Paso City Code, to allow for parking spaces (serving another property); and,
3. Further, that the property described above be subject to the following conditions which are necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

- 1) *A 10' landscaped buffer with high-profile native trees of at least two-inch (2") caliper and ten (10') in height shall be placed at fifteen (15') on center along the easterly property line. The landscaped buffer shall be irrigated and*

maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.

2) *A 6' rock wall shall be built along the easterly property line prior to the issuance of any building permit.*

3. That this Special Permit is issued subject to the development standards in the A-2 (Apartment) District regulations and is subject to the approved Detailed Site Development Plan, signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes; and,
4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST16-00035 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,
5. That the Owners shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

ADOPTED this _____ day of _____, 2017.

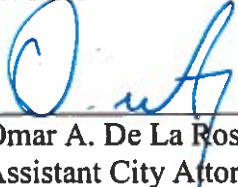
THE CITY OF EL PASO

Oscar Leaser
Mayor

ATTEST:


Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Omar A. De La Rosa
Assistant City Attorney

APPROVED AS TO CONTENT:



Larry F. Nichols, Director
Planning and Inspections Department

AGREEMENT

Francisco Antonio Leyva, (Property Owner) referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan attached to same Ordinance, and in accordance with the standards identified in the A-2 (Apartment) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 22 day of February, 2017.

Francisco Antonio Leyva:

By: Francisco Antonio Leyva
(name/title)

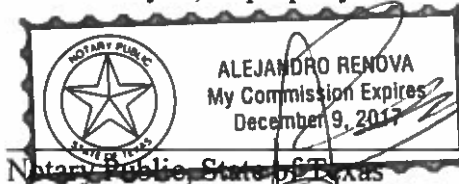
[Signature]
(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 22 day of February, 2017,
by Driver Licence, for Francisco Antonio Leyva, as property owner.

My Commission Expires:



Notary's Printed or Typed Name:

Alejandro Renova

MEMORANDUM

DATE: February 23, 2017

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

FROM: Andrew Salloum, Planner

SUBJECT: PZST16-00035

The City Plan Commission (CPC), on January 26, 2017, voted 5-0 to recommend **approval** of the special permit and detailed site development plan review for a parking lot to be used by a restaurant within approximately 90 feet to the location of 7689 North Loop Drive with the following conditions:

- 1. A 10' landscaped buffer with high-profile native trees of at least two-inch (2") caliper and ten (10') in height shall be placed at fifteen (15') on center along the easterly property lines. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.*
- 2. A 6' rock wall shall be built along the easterly property line prior to the issuance of any building permit.*

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

The Planning Division received three letters via email in opposition to the special permit request. The Planning Division also received a letter via email in support from Mission Valley Civic Association.

The Planning Division received a copy of petition, 17 signatures, in support.

The Planning Division also received a copy of petition, 20 signatures, in opposition.

The president of Mission Valley Civic Association attended the CPC hearing and spoke in support of the request.

Two residents attended the CPC hearing and spoke against the request.

This is a 211.

Property Owner: Antonio Francisco Leyva
Representative: Ray Mancera

Attachments:

Staff Report
Petition in support
Petition in opposition
211 Map

PZST16-00035



City of El Paso – City Plan Commission Staff Report

Case No: PZST16-00035
Application Type: Special Permit
CPC Hearing Date: January 26, 2017
Staff Planner: Andrew Salloum, (915) 212-1643, salloumam@elpasotexas.gov

Location: 7812 West Drive
Legal Description: Lot 9, Block 5, North Loop Gardens Unit 1, City of El Paso, El Paso County, Texas
Acreage: 0.494 acres
Rep District: 7
Existing Zoning: A-2 (Apartment)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: None
Request: Parking spaces (serving another property)
Proposed Use: Parking lot for a restaurant

Property Owner: Antonio Francisco Leyva
Applicant: Antonio Francisco Leyva
Representative: Ray Mancera

SURROUNDING ZONING AND LAND USE

North: A-2 (Apartment) / Single-family dwelling
South: A-2 (Apartment) / Mobile Home Park
East: A-2 (Apartment) / Single-family dwelling
West: A-2 (Apartment) / Church and vacant; C-1/c (Commercial/condition) / Restaurant and bar; and C-4/c (Commercial/condition) / Retail

PLAN EL PASO DESIGNATION: G-3, Post-war (Mission Valley Planning Area)

NEAREST PARK: Carolina Park (2,636 feet)

NEAREST SCHOOL: Constance Hulbert Elementary (1,092 feet)

NEIGHBORHOOD ASSOCIATIONS

Mission Valley Civic Association
Santa Lucia Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on January 12, 2017. The Planning Division received two letters via email in opposition to the special permit request, see attachment 5. The Planning Division also received a letter via email in support from Mission Valley Civic Association, see attachment 6.

APPLICATION DESCRIPTION

The applicant is requesting a special permit and detailed site development plan approval to allow for a parking lot to be used by a restaurant within approximately 90 feet to the location of 7689 North Loop Drive. The detailed site development plan shows 41 parking spaces being provided. Parking spaces serving another property is a permitted use in the A-2 (Apartment) zone district with the approval of a special permit as per Section 20.04.260. Access to the subject property is proposed from West Drive.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit and detailed site development plan review , as it complies with Sections 20.04.260, Special Permit, and 20.04.150, Detailed Site Development Plan with the following condition:

A 10' landscaped buffer with high-profile native trees of at least two-inch (2") caliper and ten (10') in height shall be placed at fifteen (15') on center along the easterly property lines. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.

ANALYSIS

Parking spaces (serving another property) is a permitted use in A-2 (Apartment) zone district with an approved Special Permit and Detailed Site Development Plan as identified by the zone district use regulations.

20.04.260 Special permits generally.

A. The City Council may by special permit after hearing and report by the city plan commission authorize the location of the uses subject to special permits identified in the district regulations.

20.04.320 Special permit approvals.

- A. Building and occupancy permits shall not be issued to any building or use identified in this title as requiring a special permit until after approval of such special permit by the city council.
- B. Building and occupancy permits shall not be issued for any building or use identified in this title as requiring an approved detailed site development plan as required by Article III, until such approval has been granted.
- C. No building or occupancy permit may be granted for the erection, rehabilitation, enlargement or demolition of any building in a designated historic area or for any building that is a designated historic landmark until prior approval has been granted by the historic landmark commission.
- D. The city council, after hearing and report by the city plan commission, may approve a special permit upon a finding that the proposed development meets the following minimum requirements necessary to protect the public health, safety and general welfare of the community:
 - 1. The proposed development complies, except to the extent waived, varied or modified pursuant to the provisions of this title, with all of the standards and conditions applicable in the zoning district in which it is proposed to be located; complies with any special standards applicable to the particular type of development being proposed, or to the particular area in which the development is proposed; complies with any special approvals required in connection with such development or area;
 - 2. The proposed development is in accordance with and in furtherance of the plan for El Paso, any special neighborhood plans or policies adopted by the city regarding the development area, or any approved concept plan;
 - 3. The proposed development is adequately served by and will not impose an undue burden upon the public improvements and rights-of-way by which it will be served or benefited, or which exist or are planned for installation within its boundaries or their immediate vicinity. A traffic impact study may be required to determine the effects of the proposed development on the public rights-of-way;
 - 4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development;
 - 5. The design of the proposed development mitigates substantial environmental problems;
 - 6. The proposed development provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses;
 - 7. The proposed development is compatible with adjacent structures and uses;
 - 8. The proposed development is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.

- E. The applicant may request that the city plan commission waive one or more of the criteria based on its no applicability to the proposed development. The city plan commission, upon a recommendation of the planning official, shall make a determination on the no applicability of the criteria and shall render a finding based on such determination, and shall forward their recommendation to city council for final review and approval.

The application meets all of the requirements for special permit.

20.10.410 Off-street parking (serving another property).

- A. Any otherwise permitted use for which the off-street parking requirements of Chapter 20.14 are to be satisfied by off-street parking spaces on property which is located on a separate site from the property requiring the off-street parking spaces, and for which the following can be demonstrated:
1. The parking area is compatible with the general development of the neighborhood and does not adversely affect the use of adjacent properties;
 2. The parking area is so arranged as to permit sufficient space for parking spaces and turning maneuvers, as well as adequate ingress and egress to the site;
 3. Lighting shall comply with Chapter 18.18 (Dark Sky Ordinance) of this Code;
 4. The parking area is located in such a manner from the site generating the parking requirement to assure that such parking facility will adequately serve the use;
 5. Access to be provided to the parking area shall not be through private property that is not zoned to permit the use generating the off-street parking;
 6. Adequate provisions shall be made to assure that the parking area is reasonably identifiable as to the patronage it serves, the location, points of access, hours of operation and other appropriate matters made as a condition of the special permit approval;
 7. The parking spaces required to be provided for the use shall be restricted to that use;
 8. Any off-street parking spaces to be provided on the site generating the off-street parking requirement shall be used to accommodate required handicapped accessible spaces and patron parking;
 9. The parking area shall be owned or leased by the same property owner who operates the use generating the off-street parking requirement, and any leasehold interest in the parking area shall be validly held for the duration of the use.
- B. Off-street parking spaces serving another property which are located partially or totally on a separate site from the property requiring the off-street parking spaces.

Site plan demonstrates compliance with Section 20.10.410.

20.04.140 When required.

Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

Detailed Site Development Plan review is required as part of the special permit application.

20.04.150 Procedure.

- D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.

1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.
2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
3. The commission shall consider the following information when approving a proposed detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms to such approval; location of utility rights-of-way and easements and storm water drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.
4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.
5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

Planning Staff has reviewed the detailed site development plan, and it meets all requirements of Sections 20.04.320, Special Permit, and 20.04.150 Detailed Site Development Plan.

Plan El Paso-Future Land Use Map Designation

All applications for special permit shall demonstrate compliance with the following criteria:

G-3, Post-War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the A-2 (Apartment) district is to promote and preserve residential development within the city associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities.

The Planning Division recommendation is based on the compatibility with the G-3, Post-War land use designation through the addition of missing commercial uses provided to surrounding neighborhoods within the area of the existing vacant lots and reducing travel and infrastructure needs.

Plan El Paso - Goals & Policies

Goal 2.2: The City of El Paso should change its growth pattern away from homogeneous land uses and return to a pattern of compact well-connected mixed-use neighborhoods.

Policy 2.2.5: The design of new neighborhoods and additions to existing neighborhoods should strive for a balance of housing, jobs, shopping, recreation, and civic uses to avoid unnecessary travel and reduce infrastructure and public services costs.

The Planning Division recommendation is based on the addition of commercial uses and employment opportunities provided to surrounding neighborhoods within the area which is zoned for residential and commercial uses, while also reducing travel and infrastructure needs through the mix of uses proposed.

COMMENTS:

Planning and Inspections Department - Planning Division - Transportation

No objections to the special permit and detailed site development plan.

Note:

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

Planning and Inspections Department – Building and Development Permitting

6' rock wall is recommended adjacent to the residential use.

Planning and Inspections Department - Land Development

1. No objections to the special permit and detailed site development plan.

2. Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

TXDOT

Development is not abutting State's right of way.

Fire Department

Recommend approval.

Police Department

I visited this site on Friday. My concern is that if this area is to be used as a parking lot, customers are very likely to cross the street at the most convenient place, which is at a point other than a crosswalk or at the intersection. Unfortunately, for our city we have experienced an unusually high number of pedestrian fatality rates over the past couple of years- most because pedestrians are crossing the street in violation of the law. In terms of crime prevention, and to assist us in protecting the public, the lot should have adequate lighting and a surveillance camera system. The primary concern is pedestrians crossing the street, perhaps the property owner will post signs warning or reminding the public to cross the street at the intersection of West and North Loop. It is a short walk to the intersection, but not as convenient as crossing diagonally to the restaurant. People living in the neighborhood have complained in the past of parking violations due to motorists parking on West Drive which does not allow for on street parking. Those signs are already posted and enforced.

Sun Metro

Sun Metro does not oppose this request.

El Paso Water Utilities

1. EPWater does not object to this request.

Water:

2. There is an existing 12-inch diameter water main located along the northside of West Drive, approximately 11-feet south of and parallel to the northern right-of-way line of West Drive. This water main is available for service.
3. There is an existing 12-inch diameter water main located along the southside of West Drive, approximately 8.5-feet north of and parallel to the southern right-of-way line of West Drive. This water main is available for service.
4. EPWater records indicate there is one (1) vacant 3/4" service meter on the property with 7812 West Drive as the service address.

5. Previous water pressure reading from fire hydrant #4233 located at the NW Corner of West Drive and Garden Drive, has yielded a static pressure of 100 psi, a residual pressure of 90 psi, and a discharge flow of 1,244 gallons per minute.
6. The owner should, for his own protection and at his own expense shall install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The lot owner shall be responsible for the operation and maintenance of the water pressure regulator device.

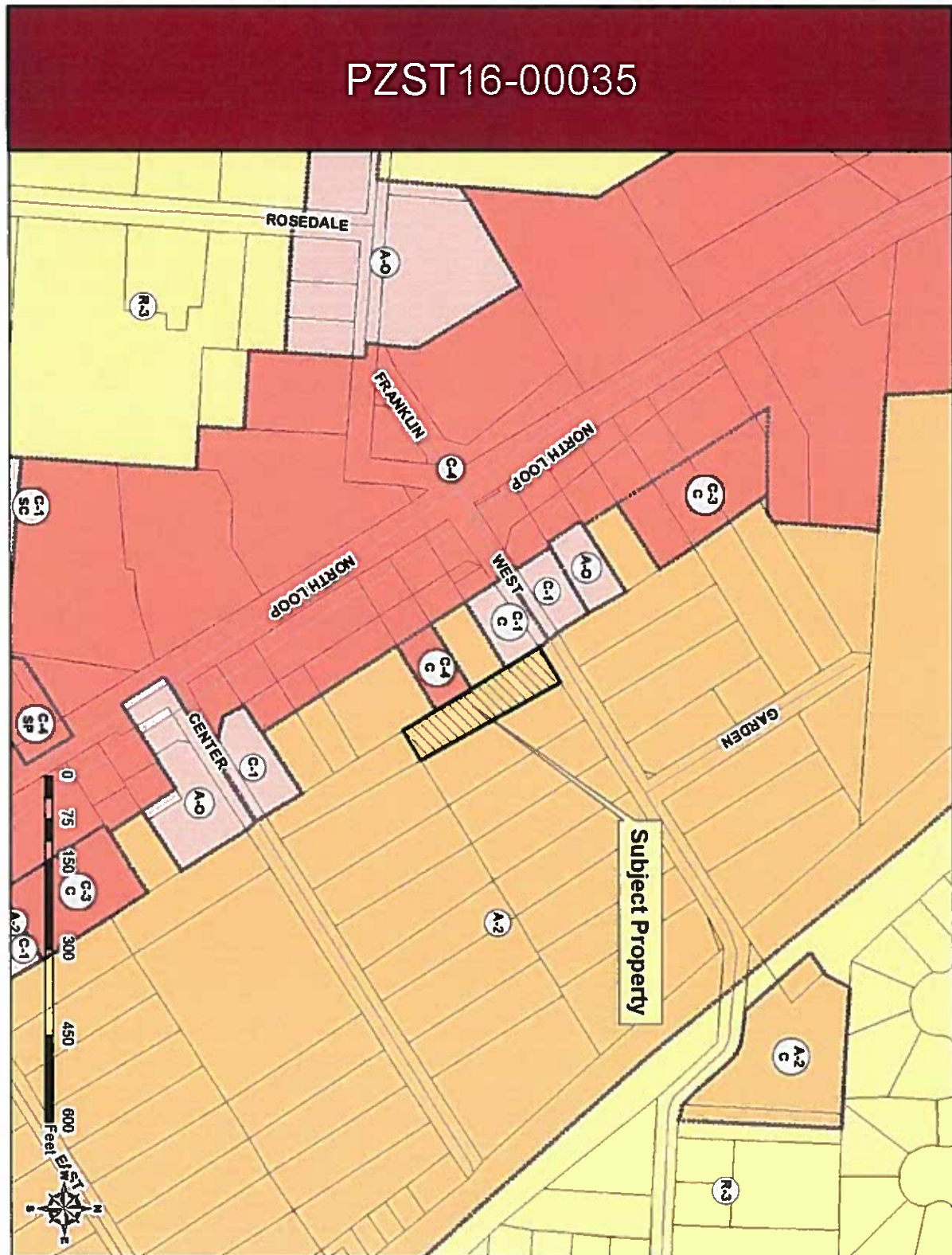
Sanitary Sewer:

7. There is an existing 8-inch diameter sanitary sewer main located along the northside of West Drive, approximately 13-feet south of and parallel to the northern right-of-way line of West Drive. This sanitary sewer main is available for service.

Attachments

1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Detailed Site Development Plan
5. Letter In Opposition
6. Email in Support

ATTACHMENT 1: ZONING MAP



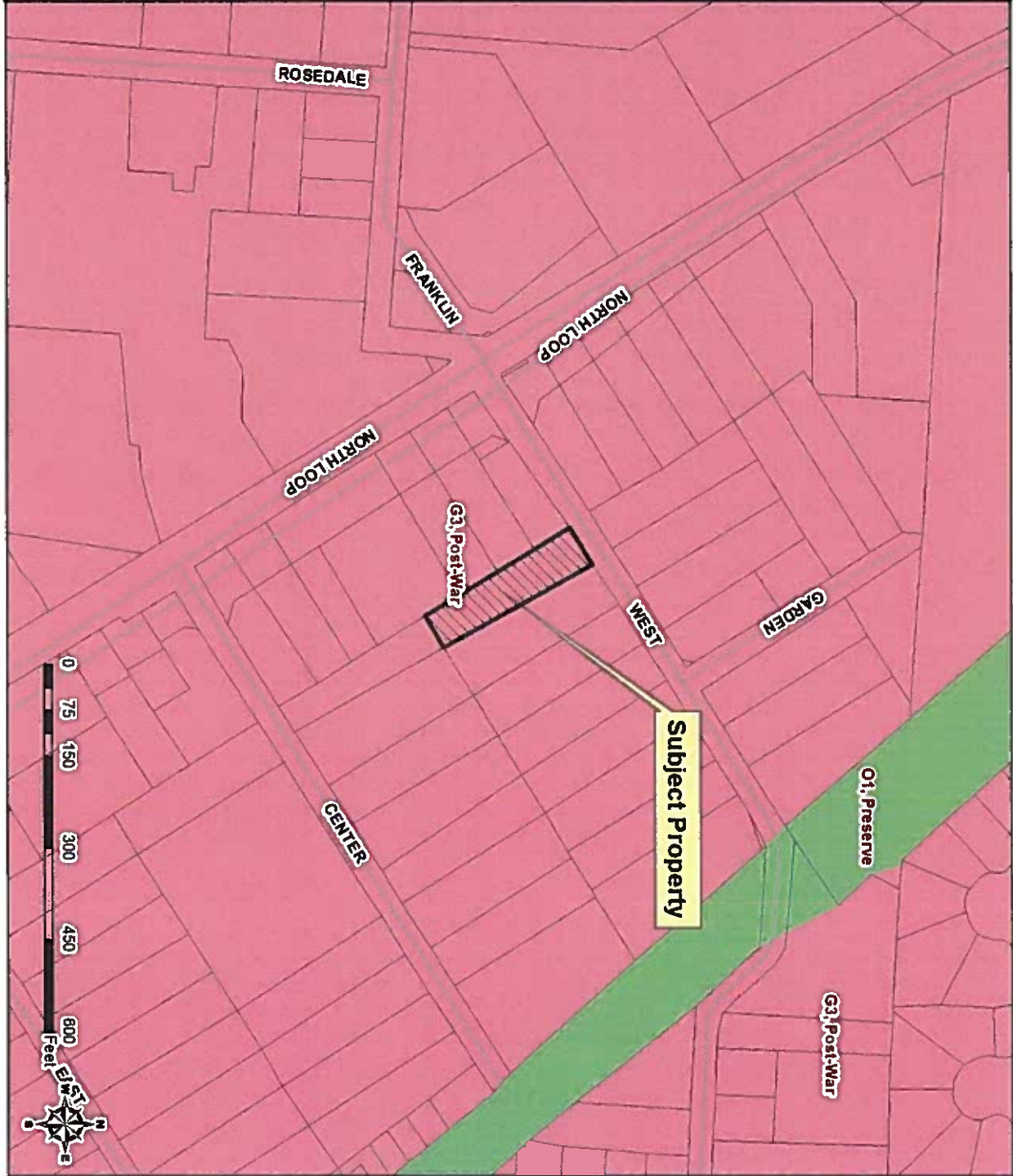
ATTACHMENT 2: AERIAL MAP

PZST16-00035

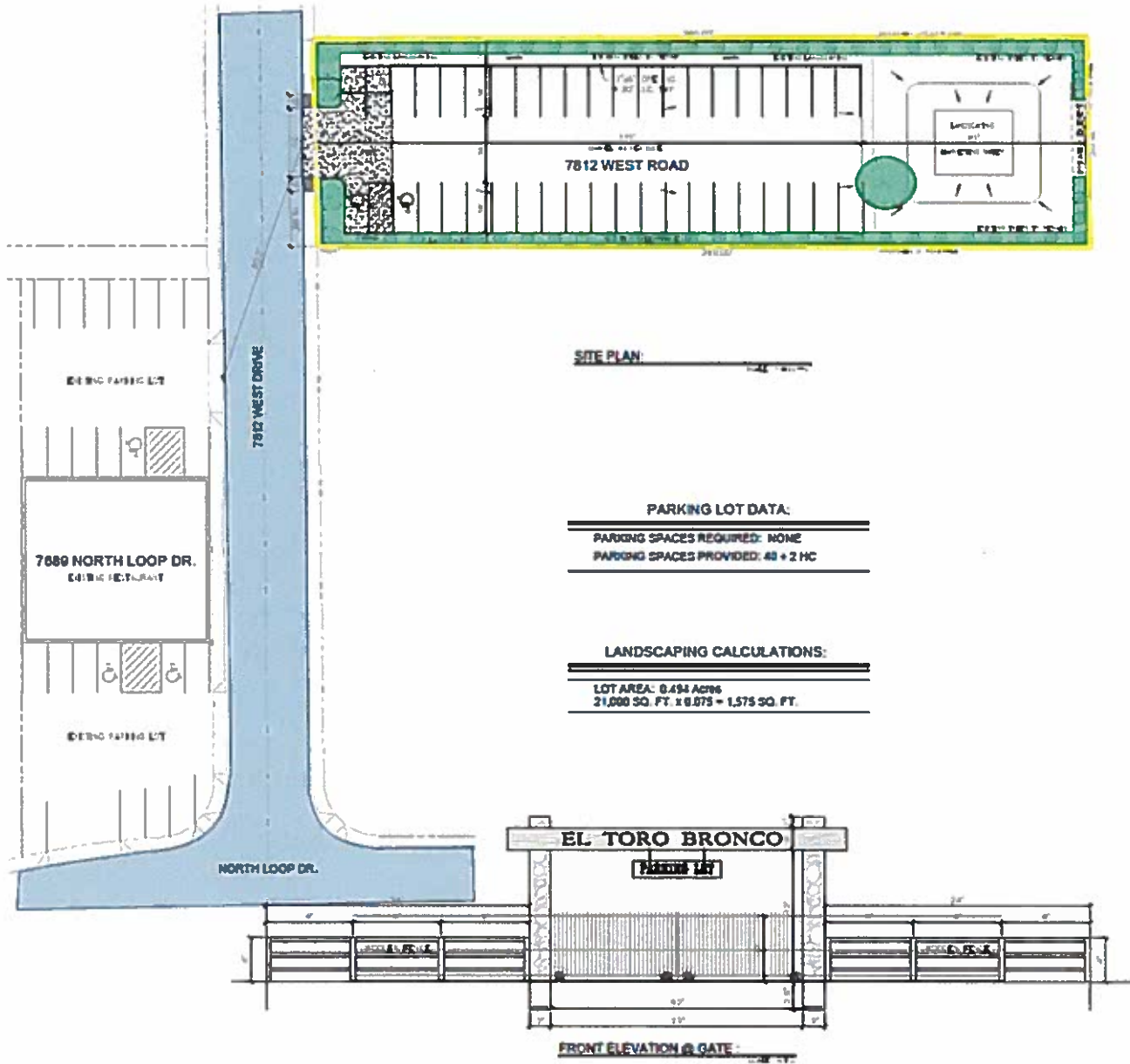


ATTACHMENT 3: FUTURE LAND USE MAP

PZST16-00035



ATTACHMENT 4: DETAILED SITE DEVELOPMENT PLAN



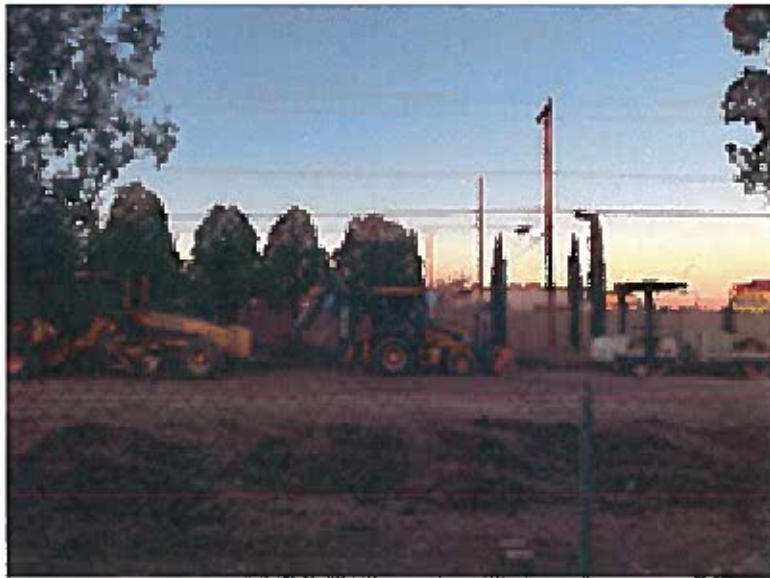
ATTACHMENT 5: LETTER IN OPPOSITION

Salloum, Andrew M.

From: Mark Santilli <msantilli68@yahoo.com>
Sent: Tuesday, January 10, 2017 3:45 PM
To: Salloum, Andrew M.
Subject: 7812 West Drive request for special permit update

Hello Andrew,

My name is Mark Santilli and I live at 7816 West Dr. which is right next to the property about which I'm inquiring. I have been dealing with my district representative's assistant regarding my opposition to the rezoning of 7812 West Dr.. It's come to my attention that the property owner has requested a permit to create a parking lot to serve his business located at the end of my block. It is my understanding that in order for him to do this a rezoning of the property needs to be approved and in order for that to happen the input from the neighborhood residents needs to be considered. If this is so, then something is wrong because he has started constructing a wall adjacent to my property and is finished grading the land as well as spreading the base material for the parking lot. Apparently he feels that the approval is a given and has chosen to proceed full force. I have yet to see a city inspector since construction has begun. Just so it is clear, I am adamantly against the rezoning of this property for several reasons. The first being the noise a parking lot with vehicles coming in and out all day would generate. Next is the privacy issue that would result from the number of patrons parking next to my home on a daily basis. There is also the critical issue of the additional traffic that would be created in an already densely populated and frequently congested neighborhood. This person has zero regard for public policy and procedures, and even less for the preservation and tranquility of our neighborhood. I've taken the liberty of attaching some photos of the construction in process.



Salloum, Andrew M.

From: Mark Santilli <msantilli68@yahoo.com>
Sent: Wednesday, January 11, 2017 2:19 PM
To: Salloum, Andrew M.
Subject: Re: 7812 West Drive request for special permit update

I'd like to know what you as a City Planner considers when a request for a special permit is submitted to you. The property is a residential property that is going to serve a commercial property. I don't understand how you would consider this plan to be in "substantial conformity" with the initial subdivision plan. Why should a property in my neighborhood be used to assist a business in increasing it's sales and as a result profits at the expense of a normally quite, peaceful neighborhood. Is it because it's in the Lower Valley and the Planning Division or Planner believes that the residents in our neighborhood don't care or won't object to this infringement on our quality of life. Has the Traffic Division been included in the decision to approve, what in essence is a rezoning of this property in our neighborhood? You may think that creating this parking lot will help alleviate the congestion that the restaurant's customers will create, but that has already been taken care of by the NO PARKING ANYTIME signs that we requested be posted on our block. This parking lot is going to create traffic issues for the residents on this block due to the frequent ingress and egress of the restaurant's patrons. There is also a bar right across the street from the restaurant and adjacent to the proposed parking lot. In addition, these businesses are within 150 feet of a busy intersection. Did you take this information into consideration, or is it as I suspect? You overlooked it and just don't care.

Mark A. Santilli

Salloum, Andrew M.

From: Elizabeth Cloud <cloudydays4@yahoo.com>
Sent: Thursday, January 26, 2017 1:11 AM
To: Salloum, Andrew M.
Subject: PZST16-00035 7812 West Drive

I, Elizabeth Cloud, homeowner at 7820 West Drive OPPOSE the special permit for parking spaces located at 7812 West Drive.

Allowing parking spaces for the restaurant El Toro Bronco will encourage bar owner of Esteban's Quinta Feliz located at [7806 West Drive](#) (which by the way,

Is an illegal bar which we will be addressing soon) to gain access for their patrons as well. In doing so, people will be coming in and out all evening often past [2:30 am](#) drunk, belligerent, loud and obnoxious disturbing our peace. We don't need strangers congregating and loitering under the influence in our Neighborhood at all hours of the night.

There is plenty of parking available across the street on North Loop Drive which is also commercial property. It is safe, well lit, with crosswalks to go directly to restaurant and bar.

Thank you for taking into account my position. Like you, I too would like to have a peaceful and restful good nights sleep. Should you have any questions I can be reached at 915 637-0777.

Sincerely,

Elizabeth Cloud

Sent from my iPhone

Salloum, Andrew M.

From: jorge chavez <jchavez2@elp.rr.com>
Sent: Thursday, January 26, 2017 12:10 PM
To: Salloum, Andrew M.
Subject: Case number PZST16-00035

Importance: High

Mr. Salloum

I am writing to you regarding above case. I am the owner of the house and property located at 7817 West Drive, right across from 7812 West Drive. Mr. Antonio Leyva has requested a special permit to build a parking lot on property located at 7812 West Drive.

I am completely against the Planning and Inspections Dept. approving said permit and ask that it be denied.

I have owned my house for over 21 years and have many concerns regarding said permit. Having owned this property for so long, I have seen many changes and events in the immediate area and my experience with increased traffic, noise, and reduced safety has not been positive. I am outlining some of my concerns below:

Traffic – increased traffic in an already busy and narrow street will undoubtedly increase risk for residents, especially children and elderly, of which we have many in this area. Location of proposed parking is extremely close to major street, North Loop, and I fear that entrance and egress to said lot will increase likelihood of accidents due to speed at which people turn into West Drive, people leaving the bar next door, and limited sight along the street and current traffic patterns. Noise generated by constant in/out of patrons will disturb our natural and deserved tranquility in this neighborhood, especially for those living so close to this lot.

My experience is that people looking for parking will often make u-turns, using OUR driveways frequently. People rarely take the time to drive all the way down the street to next corner and make a u-turn there. That is not acceptable, and I fear a high increase of said unwanted use of our driveways.

Trash - proposed lot will generate multiple, daily patrons who (again, from past experience) litter the area and trash ends up on our yards. Who will be liable for cleaning up litter? I can't begin to tell you how many weekends I have had to pick up empty beer bottles and broken glass from MY front yard, from patrons who frequent the bar next door to lot in question. I often barred my kids from playing in yard area close to the street to keep them getting injured from broken beer bottle glass and other debris

Future use of lot – If Mr. Leyva receives permit, what is to keep him from renting the lot to other businesses, especially the bar next door? Bar is often full and again there are already significant issues with That location.

Should Mr. Leyva decide to rent/lend said lot, and he rents to the bar, residents will now have to contend with issues stemming from a parking lot that is essentially open for 22-23 hours a day! 7 days a week!

In addition to trash issue mentioned, I have often seen altercations outside the bar, typically involving bar patrons, and now they can potentially spill over closer to our homes?! Will Mr. Leyva readily assume liability and responsibility for any damages /injuries resulting from these? Probably not.

An increase in commercial vehicle activity on this street is also highly likely, since the lot could now be potentially used for loading/unloading, long-term parking of commercial vehicles, commercial storage, etc. Again, it's a narrow street, and we don't need or want additional noise, pollution, and traffic.

Property Value – The proposed lot will definitely have a negative impact on my home's property value. Should I want to sell in the future, I strongly believe a significantly smaller than normal pool of prospective buyers would be willing to live across from a busy parking lot. Thereby affecting my property value.

Security – the significant increase of people coming thru this immediate area does pose a security /safety /vandalism risk for residents in immediate area.

I respect Mr. Leyvas right to own a business and operate it as he sees best. However, when he purchased his business, he was aware of the parking space limitations and was ok with it. He should not be able to impose on nearby residents his expansions plans at our indirect expense; as per my concerns outlined above.

It is therefore my respectful request, that in the best interest of the safety, security, and well being of the residents nearby, the Planning and Inspections Dept. DENY the special permit request for parking spaces requested by Mr. Leyva

Please call or email me if I can be of additional assistance in this matter.

Jorge Chavez
7817 West Drive
El Paso, TX. 79915
(915)449-7059

ATTACHMENT 6: LETTER IN SUPPORT

Salloum, Andrew M.

From: Sylvia Carreon <longhorn_1989@hotmail.com>
Sent: Wednesday, January 25, 2017 12:10 PM
To: Salloum, Andrew M.
Subject: PZST16-00035

Mr. Salloum, this is Sylvia Carreon, president of the Mission Valley Civic Association and I received notice of this special permit request for 7812 West Dr. 79915. I have spoken with Mr. Leyva, owner of the property in question and I do support his request for the Special Permit.

I will be at the commission meeting tomorrow to present signature list of property owners and businesses who also support the parking lot request. Mark Santilli, who is opposing this permit, called me yesterday and said he also had signatures to oppose this request, but please be advised that the signatures he will present are from Santa Lucia Church and they are not living within the required footprint of the property in question. I will also present pictures to the board to show the area in question and the need for this special permit. Thank you and if you have any questions please call me 915-227-2738.

Jan. 21, 2017

El Paso City Planning Commission

City Council of El Paso, TX

Ref: PZST16-00035

7812 West Dr. El Paso, TX 79915

We the residents in the Mission Valley Planning Area so SUPPORT the request for the property in question to allow the property owner, Mr. Antonio Leyva, to have the use of his property for a parking lot to service his restaurant business. We are members in the Mission Valley Civic Association.

Print Name	Address	Zip	Phone	Signature
Blanca Ibarra	7680 N. Loop	79915	7793824	Blanca
Marine Briones	7796 Franklin	79915	915 3552924	Marine Briones
Ramon M. S. V. Lla	7796 Franklin	79915	781 7175	Ramon
Hector Castañeda	7718 North Loop Rear	79915	(915) 691-6802	Hector
Mario Lopez	Mario Padilla	79915	915) 875-5532	Mario
Ana Caballero	7710 North Loop	79915	915-680-8085	Ana
Alejandro Rencua	7707 North Loop	79915	915-355-3716	Alejandro
Dr. Victor Lamin	7681 North Loop	79915	915-772-9488	Victor

Jan. 21, 2017

El Paso City Planning Commission

City Council of El Paso, TX

Ref: PZST16-00035

7812 West Dr. El Paso, TX 79915

We the residents in the Mission Valley Planning Area so SUPPORT the request for the property in question to allow the property owner, Mr. Antonio Leyva, to have the use of his property for a parking lot to service his restaurant business. We are members in the Mission Valley Civic Association.

Print Name	Address	Zip	Phone	Signature
Joseph Barboza	7840 West Dr.	79915	912.203-9906	Joseph Barboza
Mariela Nieto	7828 West	79915	915.500-2221	Mariela Nieto
Maria Nieto	7828 West	79915	957.271831	Maria Nieto
Risilla Nieto	7828 West	79915	915.2414745	Risilla Nieto
Maria Henon	7828 West.	79915		Maria Henon
Robert Chavez	7837 West	79915	(915) 751-1805	Robert Chavez
Claudia V.	7837 West.	79915	(915) 222-2720	Claudia V.
Anna Anthony	7863 Guadalupe	79915	(915) 740-2889	Anna Anthony
Marta Chacon	7628 Garden Rd	79915	715 772 1585	Marta Chacon

7689 North Loop Dr. 79915



Parking lot in front

24/01/2017

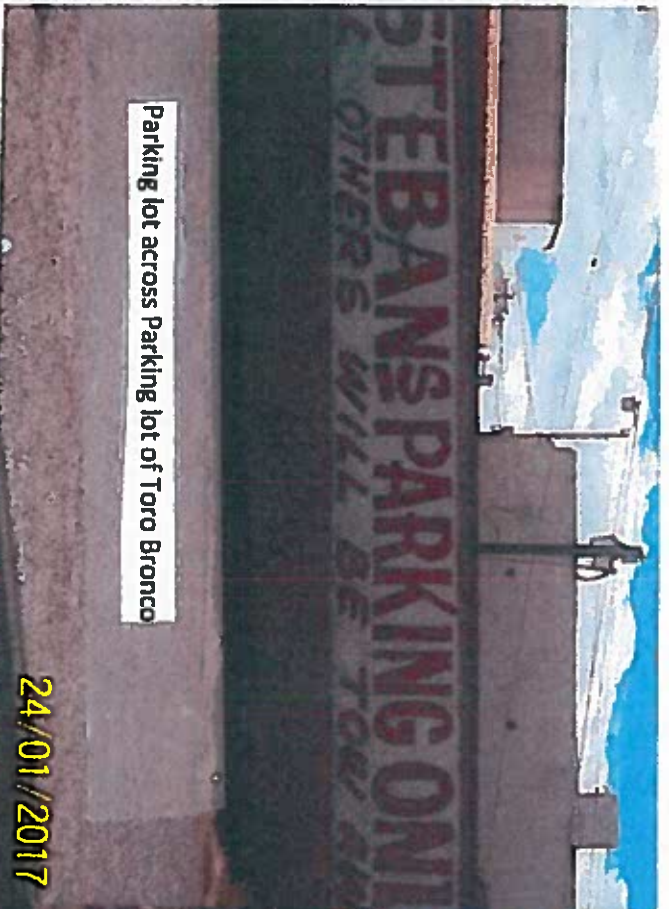
Parking on West Dr.



Parking lot behind Toro Bronco

24/01/2017

24/01/2017

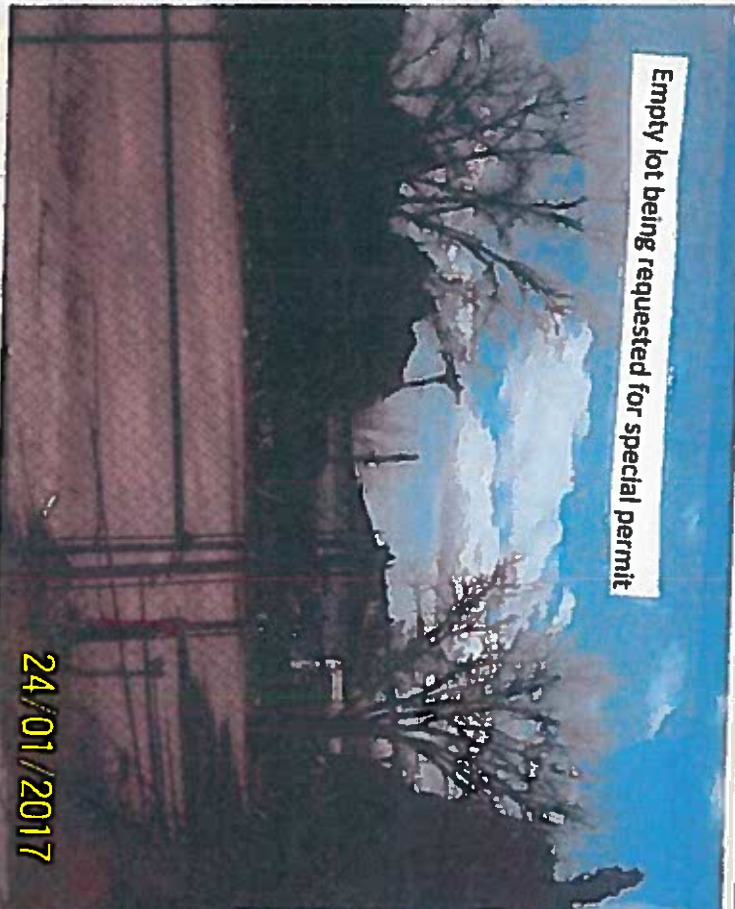


Parking lot across Parking lot of Toro Bronco

24/01/2017

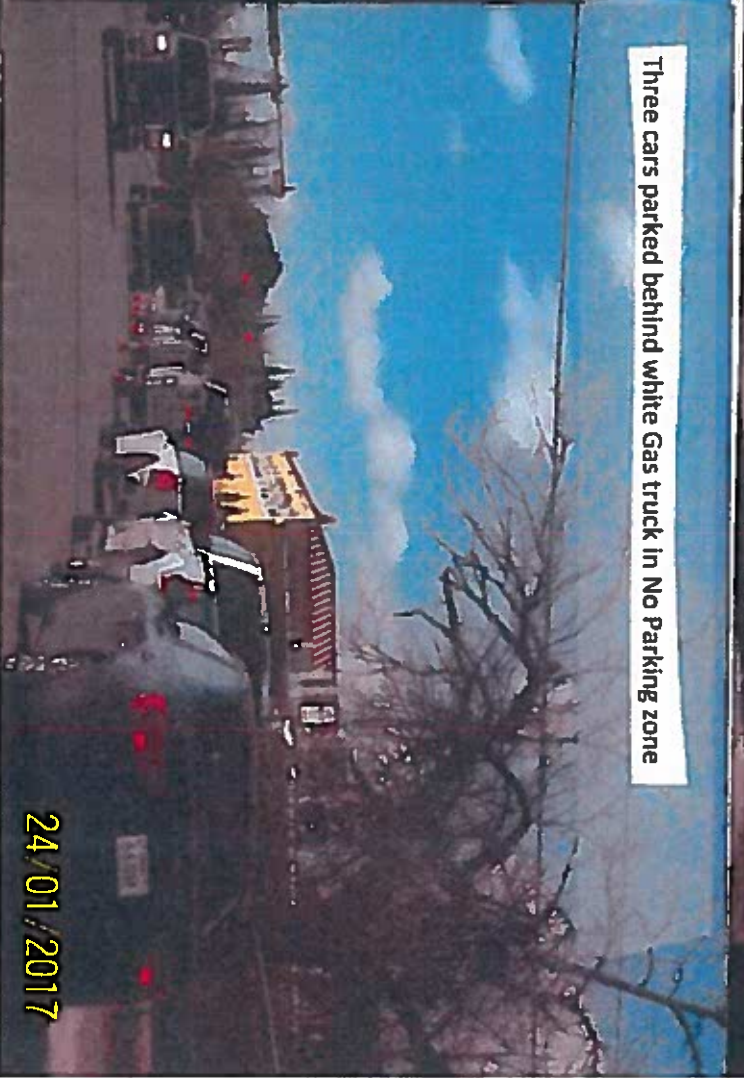


24/01/2017



Empty lot being requested for special permit

24/01/2017



Three cars parked behind white Gas truck in No Parking zone

24/01/2017

from North on West Dr. traveling south
out of School Zone and speed limit at 30 mph.



24/01/2017

Intersection of West Dr. and Garden-dead end



24/01/2017

No parking sign located just north of El Toro Bronco



24/01/2017

No Parking Signs up & down West Dr.



24/01/2017

PETITION

CASE NO.: PZST16-00035

WE the undersigned residents of North Loop Gardens at West Drive oppose the proposed granting of a special permit for a parking lot at 7812 West Dr. to serve the restaurant, (El Toro Bronco) located at 7689 North Loop Road.

WHEREAS The owners of the business located at 7689 North Loop Rd. named Toro Bronco have purchased the property at 7812 West Dr. with the intention of turning it into a parking lot for their restaurant. This will create more traffic in a neighborhood that already experiences excessive automobile traffic and noise, due in part to the bar on the neighboring corner of North Loop and West Drive and our proximity to this busy intersection. Moreover, this increase in traffic endangers the neighborhood children, and makes it more difficult to get into and out of our properties. Lastly, it makes the area less attractive for families not to mention adversely affecting our property value.

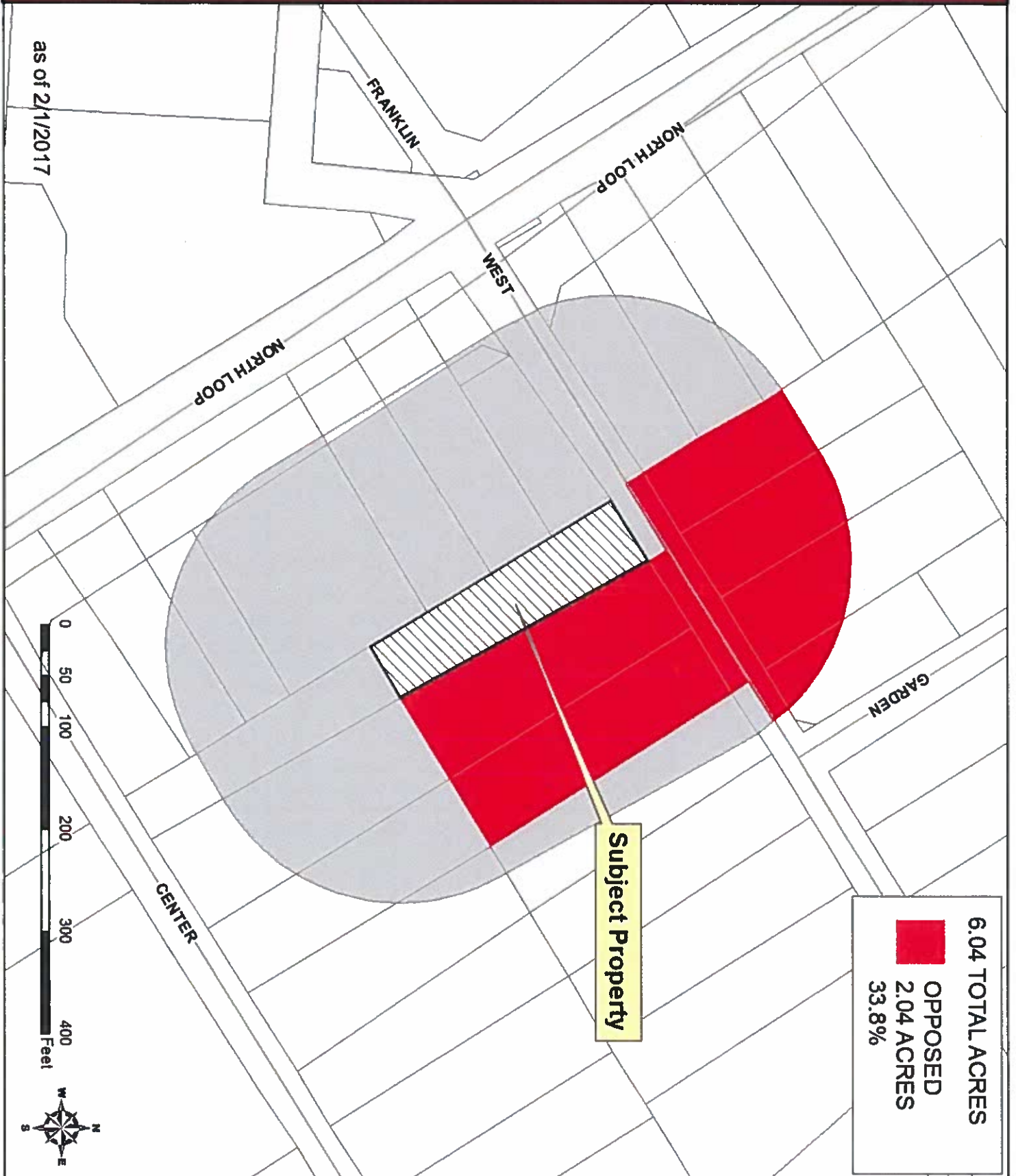
Name (printed)	Address (printed)	Signature
Mark A. Santilli	7816 West Dr.	Mark A. Santilli
Cynthia Santilli	7816 West Drive	C. Santilli
Elizabeth Cloud	7820 West Dr	E. Cloud
Tyler Cloud	7820 West Drive	Tyler Cloud
untis Cloud	7820 West Drive	untis Cloud
Margarita Arreda	7813 west Drive	Margarita Arreda
Delicia Cardo	7833 west Drive	Delicia Cardo
Edwards Cardo	7833 West Dr	Edwards Cardo
1052 East Dr	7833 West Dr	1052 East Dr
DUBOUSO	7667 GARDEN PL	DUBOUSO
MORRIS Mucillo	7664 Garden	MORRIS Mucillo
Dolores Saenz	7664 Garden	Dolores Saenz
DANN GOMEZ	7672 GARDEN PL	DANN GOMEZ
JOSE A GOMEZ	7672 GARDEN PL	JOSE A GOMEZ
Christabelle Guzman	7821 West Dr	Christabelle Guzman
Joe Hernandez	7836 West Dr	Joe Hernandez
OSCAR	7837 West Dr #4	OSCAR
DANNY VARELA	7646 Garden Pl	DANNY VARELA
STELEZANA	7817 West	STELEZANA

PETITION

CASE NO.: PZST16-00035

[illegible]

PZST16-00035





Recommendation/Public Input

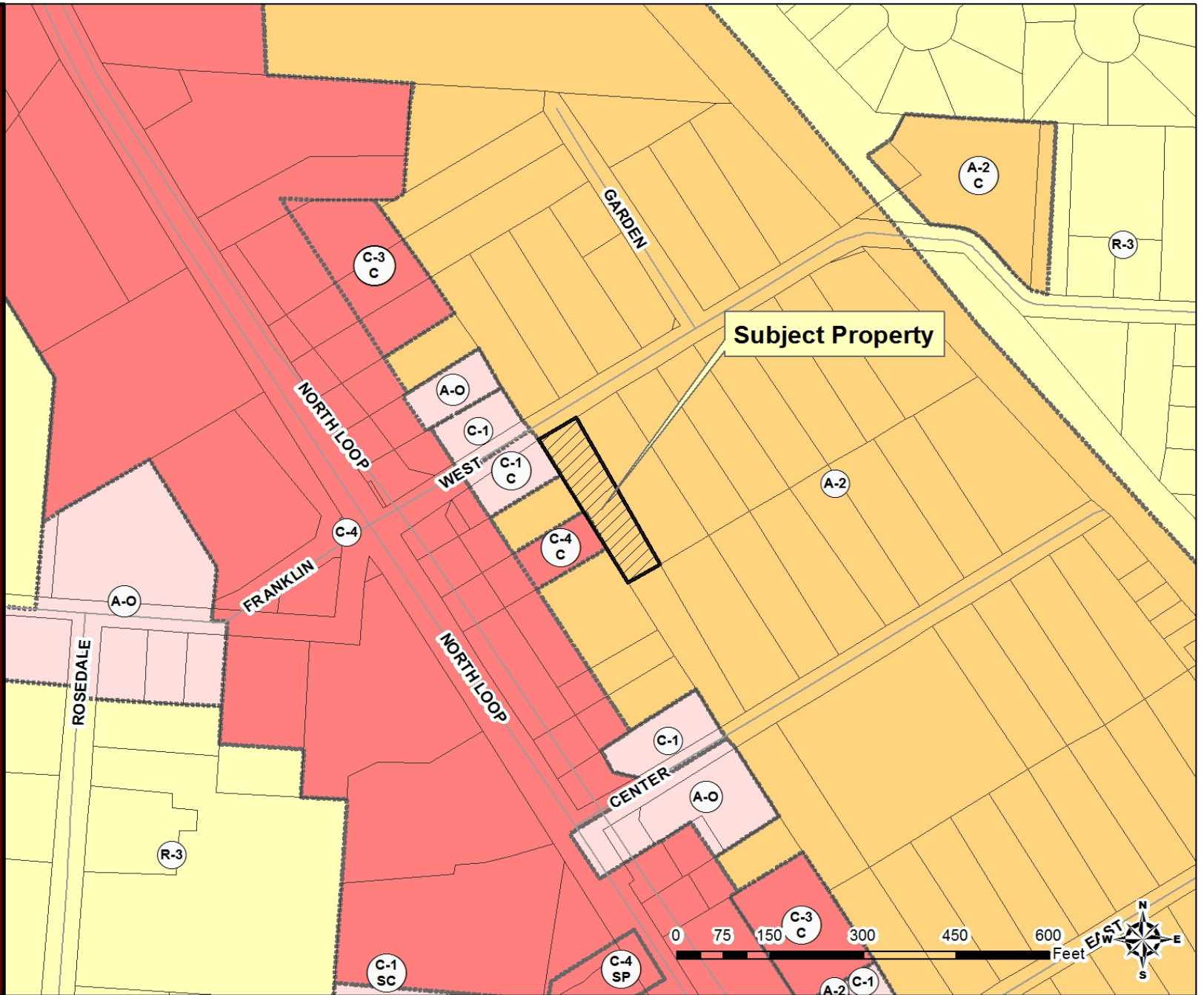
- **Planning Division recommendation:** Approval
- **CPC Vote:** Approval Recommendation (5-0)
- **Public Input:** The Planning Division received three letters and petition, 20 signatures, in opposition and one letter and petition, 17 signatures, in support to the special permit request.

Strategic Goal #3 Promote the Visual Image of El Paso

3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community

PZST16-00035



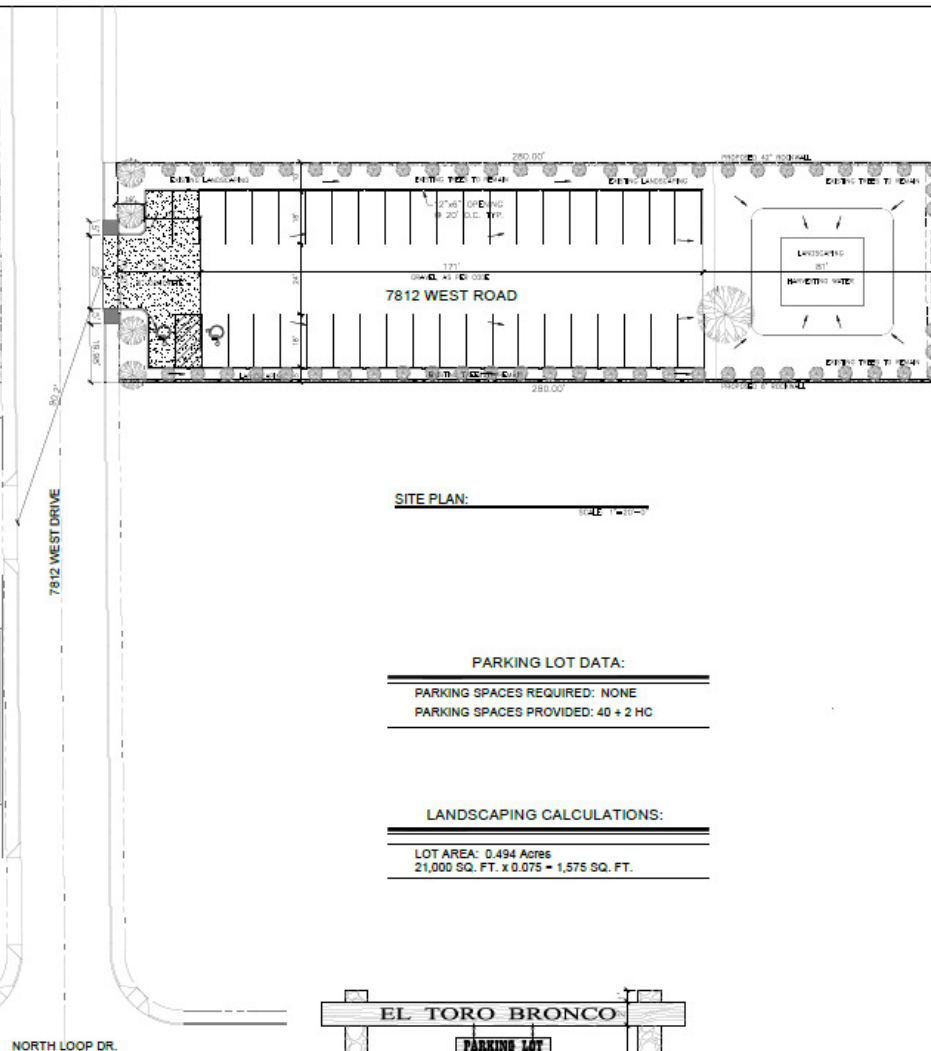
PZST16-00035



DETAILED SITE PLAN

LOT: 9, BLOCK: 5

NORTH LOOP GARDENS #1
EL PASO COUNTY, TEXAS
(CONTAINING: .494 Ac.)



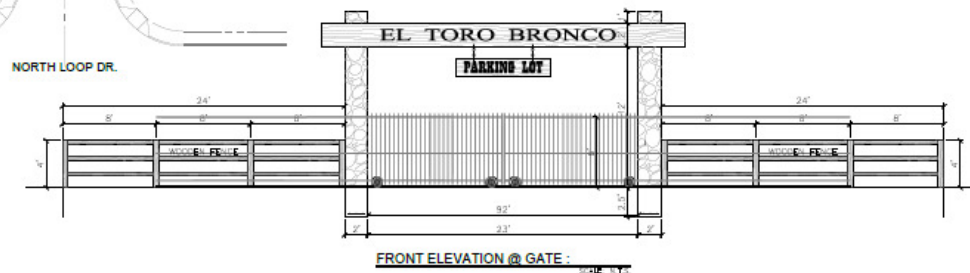
SITE PLAN:
SCALE: 1"=100'

PARKING LOT DATA:

PARKING SPACES REQUIRED: NONE
PARKING SPACES PROVIDED: 40 + 2 HC

LANDSCAPING CALCULATIONS:

LOT AREA: 0.494 Acres
21,000 SQ. FT. x 0.075 = 1,575 SQ. FT.



FRONT ELEVATION @ GATE:
SCALE: 1"=10'



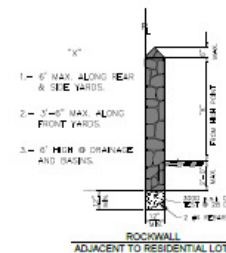
LOCATION PLAN:
SCALE: 1"=100'

PROJECT DATA:

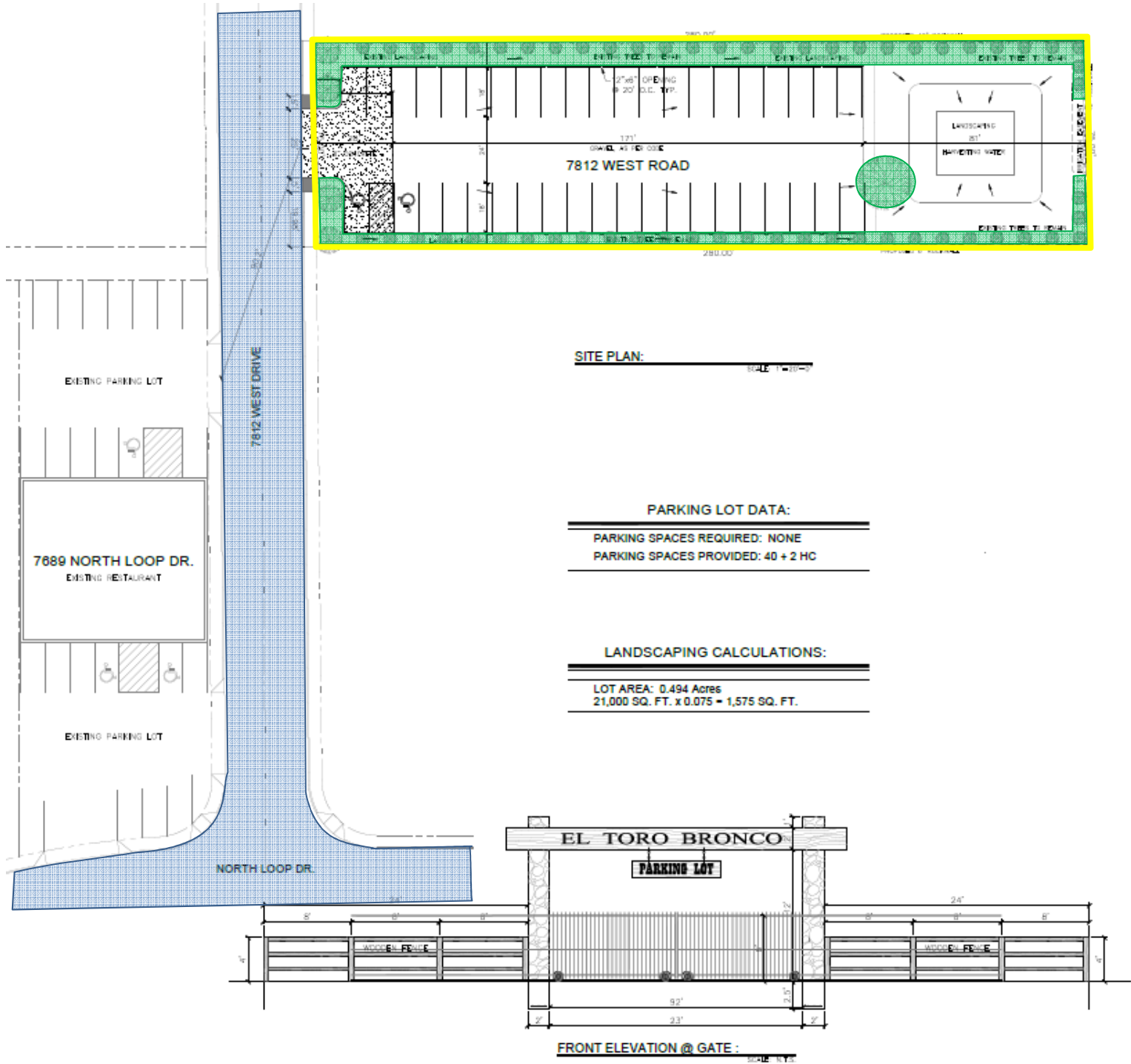
ADDRESS:
7812 WEST DRIVE
LOCAL DESCRIPTION:
LOT 9, BLOCK 5
NORTH LOOP GARDENS #1
OCCUPANCY TYPE:
SD (SPECIAL DEVELOPMENT)
NEIGHBOR:
CITY MONUMENT @ INTERSECTION OF
NORTH LOOP ST. & EVERTON DR.
ELEVATION: 3672.63 CITY DATUM
NOTES:
THIS PROPERTY LIES WITHIN FLOOD ZONE "C" AREAS
DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL
CHANCE FLOODPLAIN PANEL 480214 00348
DATED OCTOBER 5, 1992

POND & DRAINAGE CALCULATIONS:

WS & PONDING AREA #1
 $Q_c = A \cdot R \cdot C / 12$
 $0.017 \times 4 \times 0.95 / 12 = 0.005 \text{ cfs} / 12 =$
 $Q_c = 0.006 \text{ cfs}$
POND TOP = 0.193
POND BOTTOM = 0.015
 $TOP + BOTTOM / 2$
 $0.14 + 0.02 = 0.08 / 2 = 0.04$
 $0.04 \times 2 = 0.08$
POND CAPACITY = 0.08 AC. FT.
C/A = 0.08
C = 0.95
A = 0.17 Acres
T₀ = 15 MIN.
INT. = 100 yrs.
Q_{req} = 1.965 CFS



- NOTES:
1. STONE FOR ROCKWALL SHALL BE AS NEARLY UNIFORM IN SIZES AS POSSIBLE. THE STONE SHALL BE DENSE AND RESISTANT TO AIR AND WATER.
 2. MORTAR SHALL BE TYPE "S" 1800 P.S.I. AS PER ASTM C270.
 3. MASONRY WALLS OVER 6" AND THOSE USED FOR EARTH RETENTION OVER 2' SHALL BE DESIGNED AS STRUCTURAL WALLS.
 4. WALLS ADJACENT TO PONDING OR DRAINAGE (DITCHES) MAY BE MADE OF BRICK, ROCK, STONE OR CONCRETE BLOCK AND SHALL NOT BE LESS THAN 6".
 5. ROCKWALL MORTAR JOINTS SHALL NOT EXCEED TWO (2) INCHES.
 6. PROVIDE ONE (1) INCH EXPANSION JOINTS AT EVERY 100 FEET.
 7. ALL STONE SHALL BE THOROUGHLY SOAKED BEFORE BEING PLACED.
 8. NO RIVER ROCK SHALL BE ALLOWED FOR ROCKWALLS.







Approximately 90 ft.

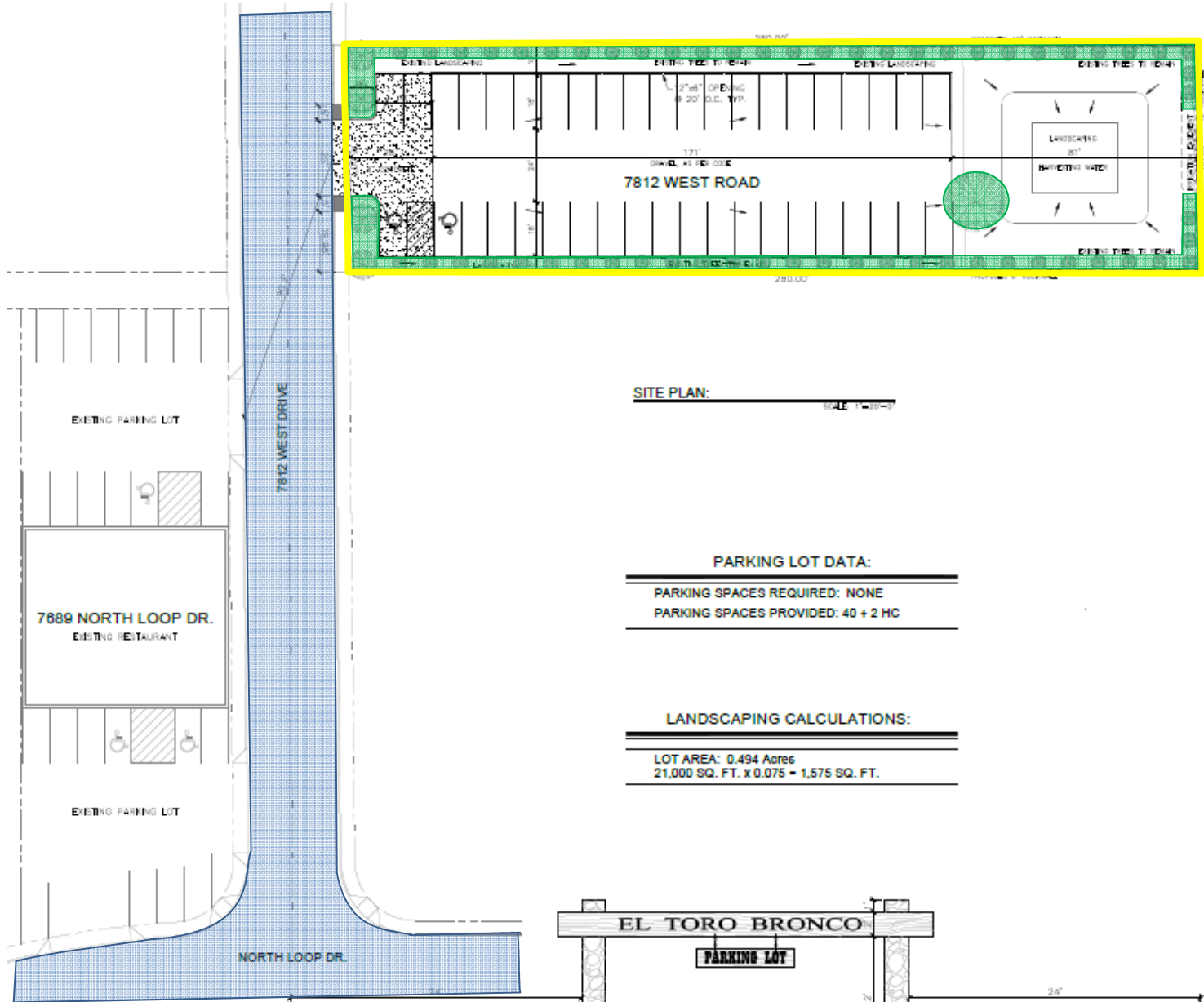


"Delivering Outstanding Services"



The Planning Division recommends **approval** of the special permit and detailed site development plan review , as it complies with Sections 20.04.260, Special Permit, and 20.04.150, Detailed Site Development Plan with the following condition:

A 10' landscaped buffer with high-profile native trees of at least two-inch (2") caliper and ten (10') in height shall be placed at fifteen (15') on center along the easterly property lines. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.



SITE PLAN:

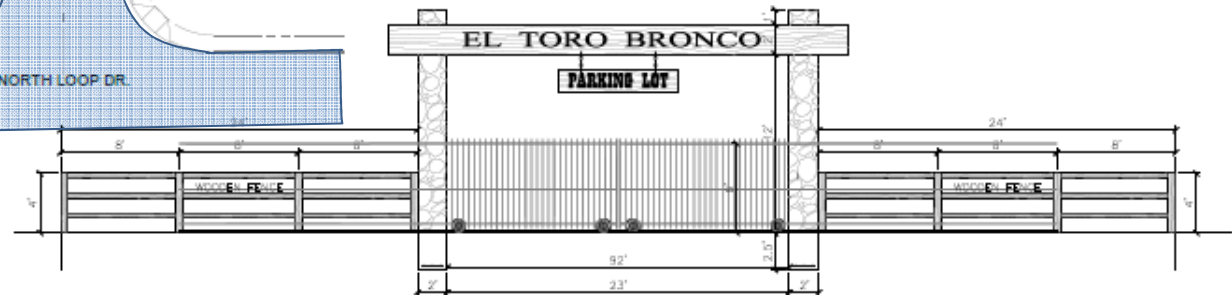
SCALE: 1"=20'-0"

PARKING LOT DATA:

PARKING SPACES REQUIRED: NONE
PARKING SPACES PROVIDED: 40 + 2 HC

LANDSCAPING CALCULATIONS:

LOT AREA: 0.494 Acres
21,000 SQ. FT. x 0.075 = 1,575 SQ. FT.



FRONT ELEVATION @ GATE:

SCALE: 1/4"=1'-0"

PZST16-00035

