

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

DEPARTMENT: Development Services Department

AGENDA DATE: Introduction: December 2, 2008
Public Hearing: December 23, 2008

CONTACT PERSON/PHONE: Ismael B. Segovia, (915) 541-4027, segoviaib@elpasotexas.gov

DISTRICT(S) AFFECTED: 1

SUBJECT:

An Ordinance changing the zoning of a portion of Lot 10, Replat of Crown Point Addition, City of El Paso, El Paso County, Texas, from R-3 (Residential) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 100 Crown Point. Applicant: Jaime Portillo. ZON08-00072 (District 1)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

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

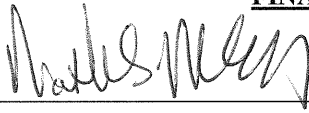
CITY CLERK DEPT.
08 NOV 14 AM 9:19

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Victor Q. Torres



APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 10, REPLAT OF CROWN POINT ADDITION, CITY OF EL PASO, EL PASO COUNTY TEXAS, FROM R-3 (RESIDENTIAL) TO A-O (APARTMENT/OFFICE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

That the zoning of *a portion of Lot 10, Replat of Crown Point Addition, City of El Paso, El Paso County, Texas*, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from **R-3 (Residential)** to **A-O (Apartment/Office)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this _____ day of _____, 2008.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy
Deputy Director – Planning
Development Services Department

CITY CLERK DEPT.
08 NOV 14 AM 9:19

ORDINANCE NO. _____

ZON08-00072

Prepared For: Jaime Portillo
Being a portion of Lot 10,
Replat of Crown Point Addition
August 15, 2008
W.O. 062308-7
FILE: METES and BOUNDS.wpd

METES AND BOUNDS DESCRIPTION
(Proposed Change of Zoning from R-3 to A-O)

Description of a 0.2808 acre parcel of land being a portion of Lot 10, Replat of Crown Point Addition, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows to wit:

Starting from a found 1/2"Ø rebar located at the southwesterly corner of Lot 10, Replat of Crown Point Addition and the northwesterly corner of Lot 1, Block 1, Acacia Commercial Park, located along the northerly right-of-way line of U.S. Highway 80 Mesa Street, said rebar being the "TRUE POINT OF BEGINNING";

Thence North 43°54'00" West along said northerly right-of-way line of U.S. Highway 80 Mesa Street a Distance of 113.22 feet to a found 1/2"Ø rebar;

Thence along an arc of a curve to the right a distance of 39.27 feet, whose radius 25.00 feet, whose central angle is 90°00'00" and whose chord bears North 01°06'00" East a distance of 35.36 feet to a set 5/8"Ø rebar with yellow plastic cap stamped TX 2449, said rebar lying along the easterly right-of-way line of Crown Point Drive;

Thence North 46°06'00" East along said easterly right-of-way line a distance of 24.02 feet to a set 5/8"Ø rebar with yellow plastic stamped TX 2449, ROE ENGR., L.C.;

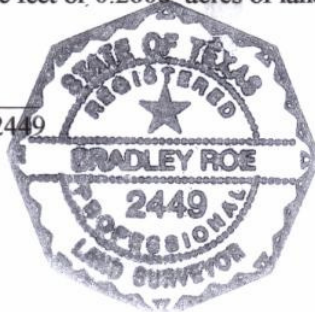
Thence along said easterly right-of-way line along an arc of a curve to the right a distance of 57.34 feet, whose radius 262.22 feet, whose central angle is 12°31'48" and whose chord bears North 52°21'54" East a distance of 57.23 feet to a set 5/8"Ø rebar with yellow plastic cap stamped TX 2449, said rebar lying along the easterly right-of-way line of Crown Point Drive;

Thence South 23°46'20" East a distance of 47.73 feet to a set 5/8"Ø rebar with yellow plastic stamped TX 2449, ROE ENGR., L.C.;

Thence South 44°43'16" East a distance of 78.10 feet to a set 5/8"Ø rebar with yellow plastic stamped TX 2449, ROE ENGR., L.C.;

Thence South 40°23'00" West a Distance of 91.06 feet back to the "TRUE POINT OF BEGINNING" and containing in all 12,230.24 square feet or 0.2808 acres of land.


BRADLEY ROE, R.P.L.S. TX 2449
Roe Engineering, L.C.





**DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

MEMORANDUM

DATE: November 17, 2008

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

FROM: Ismael B. Segovia, Senior Planner

SUBJECT: ZON08-00072

The City Plan Commission (CPC) voted on October 23, 2008 unanimously to recommend **APPROVAL** of rezoning the subject property from R-3 (Residential) to A-O (Apartment/Office) concurring with the recommendation from staff.

The applicant is requesting a rezoning from R-3 (Residential) to A-O (Apartment/Office) in order to permit an office building. The property is 0.2808 acres in size. Access is proposed via Crown Point.

The CPC found that this rezoning is in conformance with The Plan for El Paso and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this rezoning protects the best interest, health, safety, and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

There were no public comments in support or in opposition to this request.

Attachment: Staff Report, Zoning Map, Aerial Map, Survey Plan, and Conceptual Site Plan, Letter in Favor, Letters in Opposition



City of El Paso – City Plan Commission Staff Report

Case No: ZON08-00072
Application Type Rezoning
CPC Hearing Date October 23, 2008
Staff Planner Ismael B. Segovia, 915-541-4027, segoviaib@elpasotexas.gov

Location 100 Crown Point
Legal Description Portion of Lot 10, Replat of Crown Point Addition, City of El Paso, El Paso County, Texas
Acreage 0.2808 acres
Rep District 1
Existing Use Vacant
Existing Zoning R-3 (Residential)
Proposed Zoning A-O (Apartment-Office)

Property Owner Albert and Betty Flores
Applicant Jaime Portillo
Representative Roe Engineering, L.C.

Distance to Park: 3,490 ft. (Crestmont Park)
Distance to School: 2,330 ft. (L.B. Johnson Elementary and Morehead Middle School)

SURROUNDING ZONING AND LAND USE

North: A-O (Apartment-Office); Vacant
South: P-C/sc (Planned Commercial/special contact); Shopping Center
East: R-3 (Residential); Single-Family Residential
West: R-3 (Residential); Church

THE PLAN FOR EL PASO DESIGNATION: Mixed-use (Northwest Planning Area)

NEIGHORHOOD ASSOCIATIONS: Save the Valley; Coronado Neighborhood Association; Upper Mesa Hills Neighborhood Association; Upper Valley Improvement Association; Mountain Arroyos Neighborhood Association

NEIGHBORHOOD INPUT

Notice of the public hearing was mailed to all property owners within 300 feet of this proposed rezoning. Planning did receive twenty (20) letters in opposition and one (1) in favor.

APPLICATION DESCRIPTION

The applicant is requesting a rezoning from R-3 (Residential) to A-O (Apartment-Office) in order to permit an office building. The property is 0.2808 acres in size. Access is proposed via Crown Point Drive. There are no zoning conditions imposed on this property.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

The Development Coordinating Committee (DCC) provides the following comments:
DCC recommends **APPROVAL** of the A-O (Apartment-Office) request.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the rezoning request from R-3 (Residential) to A-O (Apartment-Office).

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

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

- a. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.

The proposed rezoning is for a proposed office development. The request is in compliance with the goal set forth within The Plan for El Paso by requesting a zoning district that will allow for both apartment development and office development.

Development Services Department - Building Permits and Inspections Division:

Proposed Building Use not specified. Shall need to specify Use in order to determine compliance with off-street parking and loading standards. Meets proposed A-O (Apartment-Office) District's yard standards. Shall need to provide a six foot high masonry screening wall along the property line abutting the residential district.

Development Services Department - Planning Division:

Current Planning:

1. The Year 2025 Projected General Land Use Map for the **Northwest Planning Area** designates this property for **Mixed-Use** land uses.
2. A-O (Apartment-Office) zoning permits office buildings and **is compatible** with adjacent development.
3. Planning recommends **APPROVAL**

Engineering Department - Traffic Division:

No objections to proposed rezoning.

Fire Department:

No comments received.

El Paso Water Utilities:

EPWU does not object to this request.

CITY PLAN COMMISSION OPTIONS

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

1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan

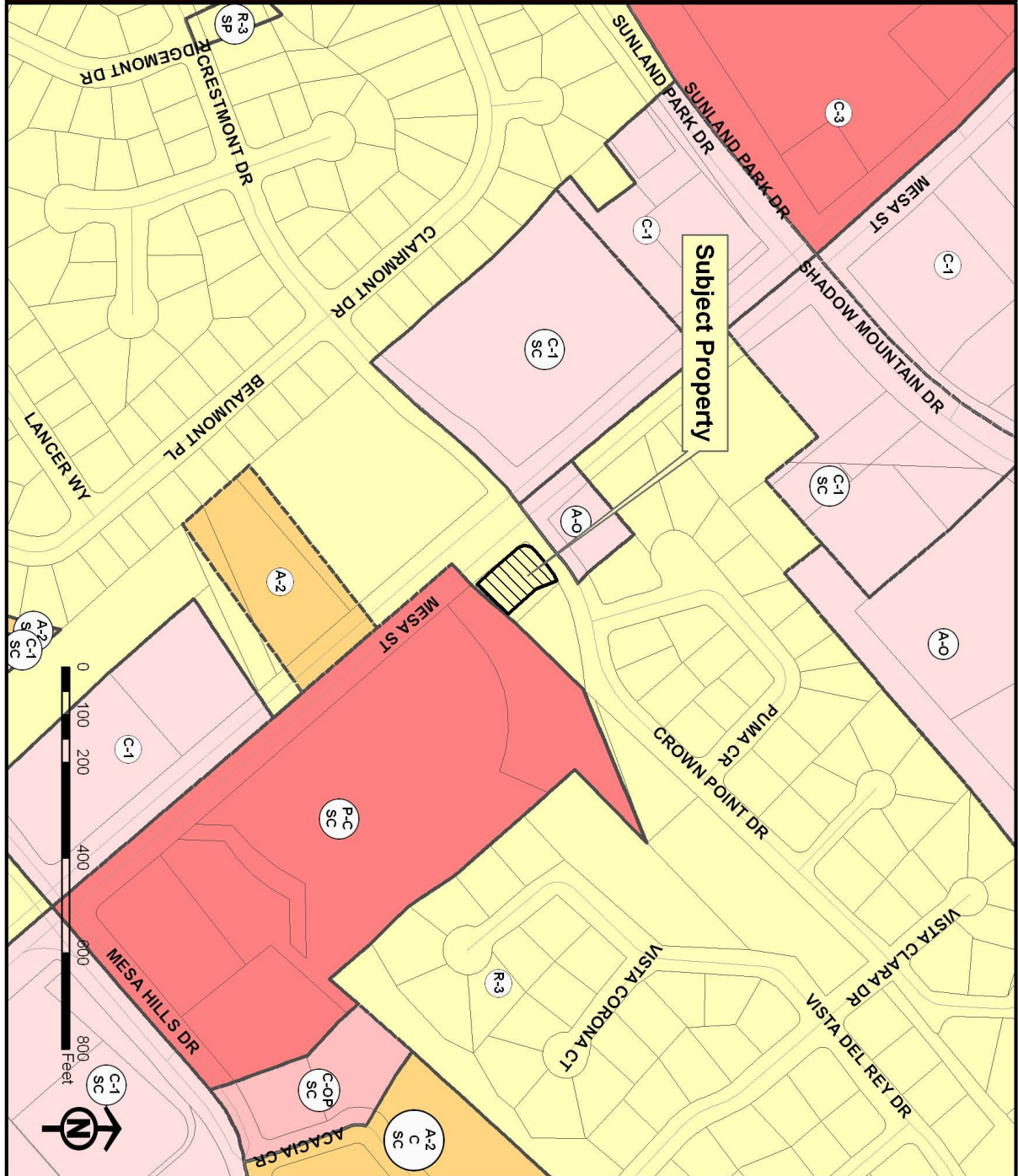
2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments

1. Zoning Map
2. Aerial Map
3. Conceptual Site Plan
4. Letter in Favor
5. Letters in Opposition

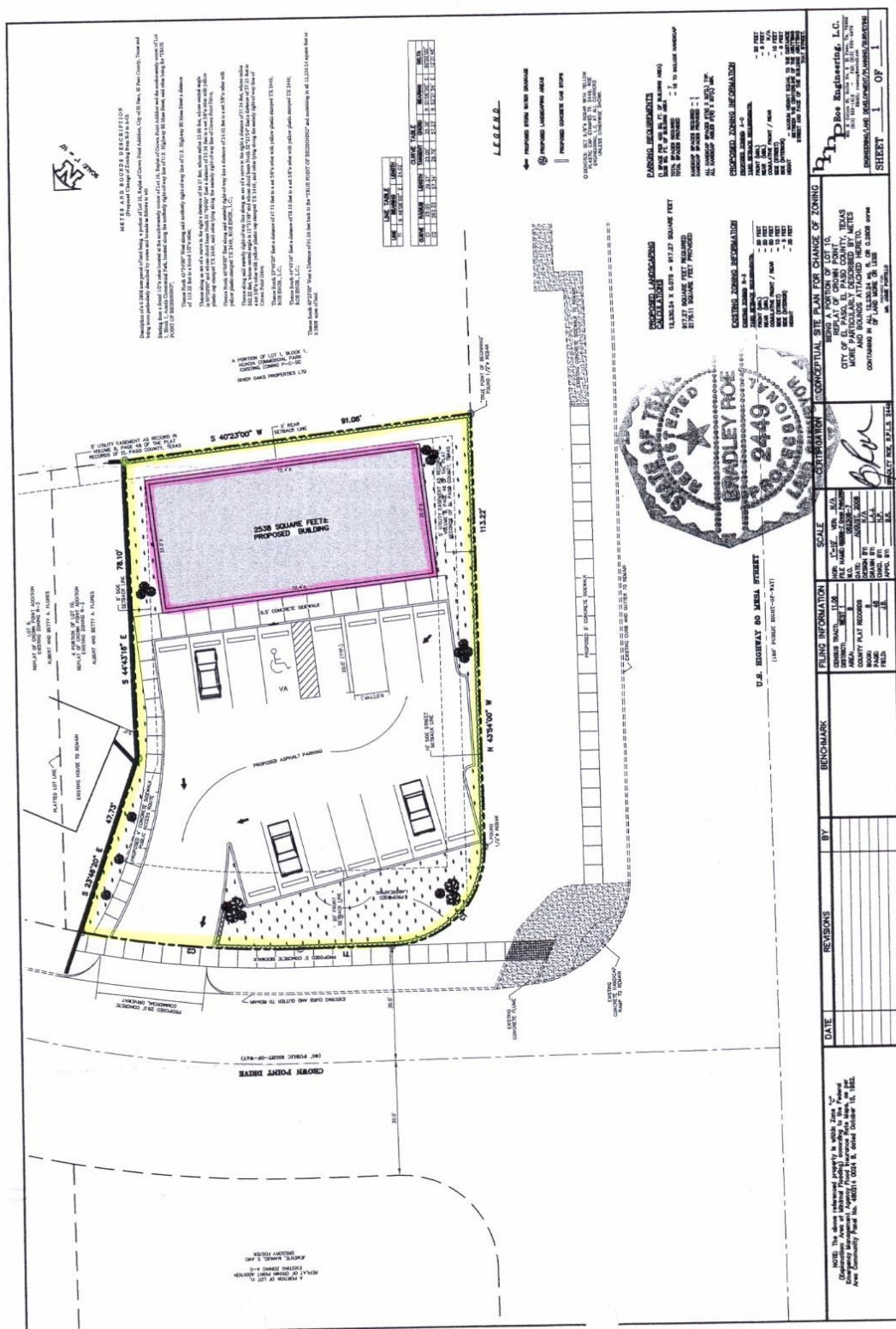
Attachment 1: Zoning Map

ZON08-00072



Attachment 2: Aerial Map



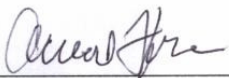


Attachment 4: Letter in Favor

22 October 2008

I am Albert Flores, Title Owner of a Residence known as 104 Crown Point, El Paso Texas 79912. I do not Object to Zoning the Vacant Land known as 100 Crown Point, El Paso Texas 79912, A-O. I also agree that a Professional Office Bldg. will add to the Curb appeal of the Intersection. (Mesa & Crown Point)

I may be contact by Phone at (915)494-9203.



Albert Flores

Attachment 5: Letters in Opposition

October 22, 2008

Dear City Plan Commission

I Elva Vicencio-Alvarez and my husband Daniel Luis Alvarez, own the property located at 109 Puma Circle, in El Paso's Westside. I understand that the commission will meet on October 23, 2008 to consider a request to change the zoning on the property located at 100 Crown Point. The zoning currently is residential and is being considered to become a zone for an office or apartment building. The case number is ZON08-00072.

I would like to extend my views to the commission. I completely oppose the rezoning of the property. I do not want a commercial building built on this property because we do not need additional noise and traffic in the area. A commercial building would also change the view of my property. The view and the quiet neighborhood was the reason that we took the step to make crown point our home. Please consider our request to keep this property a residential zone.

Cordially,



Elva Vicencio-Alvarez

Attachment 5: Letters in Opposition

Edward E. Wishmeyer
Eloise A Wishmeyer
145 Puma Circle
El Paso, TX 79912-4807
915-584-8615

October 22, 2008

City Plan Commission
c/o Planning Division, 5th Floor, City Hall
2 Civic Center Plaza
El Paso, TX 79901-1196

RE: CASE NO.: ZON08-00072

TO: Members, City Planning Commission,

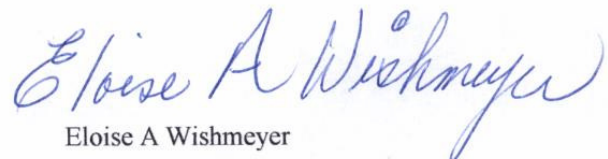
As residents of the nearby residential neighborhood on Puma Circle, we are writing to express our opposition to the zoning change request on the property located at 100 Crown Point. Our concern is two-fold: the traffic safety along Mesa Street, and particularly the intersection of Mesa Street and Crown Point Drive; and the 1955 Covenants which preserved the R3 zoning status.

Mesa Street is a very busy thoroughfare with relatively fast traffic consisting of multiple vehicle types. We are aware of the traffic control devices that the intersection of Mesa Street and Crown Point Drive; but we have observed several traffic accidents at this intersection. Also, although the State of Texas has installed pedestrian assist devices at this same intersection, it is still difficult to negotiate a safe street crossing at this intersection for even a fit person. In our opinion, a change in zoning to A-O would most likely increase the traffic density and increase the traffic hazards along this section of Mesa Street and within the intersection with Crown Point Drive.

The 1955 Covenants were established to preserve the nature of the neighborhood and to provide comfort to the homeowners that their homes would not be encroached upon by commercial-type enterprises. If this zoning change request is allowed, one can surely be assured that further commercial-type encroachment will soon follow. These Covenants should be honored and upheld.

Best Regards,


Edward E. Wishmeyer


Eloise A Wishmeyer

Attachment 5: Letters in Opposition

OCT-23-2008 12:14 PM EL PASO JEWISH ACADEMY

915 833 0808

P.01

October 23, 2008

City Plan Commission
City Planning Division
5th Floor City Hall
2 Civic Center Plaza
El Paso, TX 79901

Attention: Ismael B. Segovia, Senior Planner

RE: Case No. ZON08-00072

Dear Mr. Segovia,

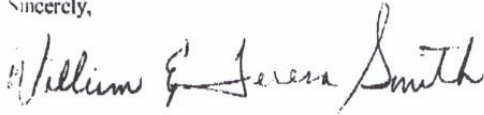
This letter is in regard to the public hearing to consider the rezoning of 100 Crown Point Drive, at the intersection of Mesa Street and Crown Point Drive, from R-3 to A-O.

Please be advised that we believe this rezoning would violate the 1959 Crown Point Subdivision Covenant requiring that all construction in the Subdivision be residential.

The traffic at the intersection of Mesa and Crown Point is already at its maximum. This intersection is narrow, with traffic traveling downhill from Crown Point and curving as it approaches Mesa Street. The cars accessing Crown Point from any of the side streets have to be extra cautious. There is also the heavy and fast traffic traveling north on Mesa. Adding to these existing traffic conditions by rezoning this Subdivision would make it a very dangerous traffic situation.

For these reasons, and the 1959 Crown Point Subdivision Covenant, and other safety and security reasons, we respectfully oppose the rezoning from R-3 to A-O.

Sincerely,



William and Teresa Smith
149 Puma
El Paso, Texas
(915) 832-0999

Attachment 5: Letters in Opposition

Oct 22 08 09:59p

Marcia Turner

9158330202

p.2

2/14

October 22, 2008

To: El Paso City Plan Commission

Re: CASE NO. ZON08-00072

To Whom It May Concern:

I do not want commercial construction at Mesa and Crown Point. I live on Crown Point and object to the proposal.

The people who own these lots purchased them with the knowledge of their restrictions and the zoning. The people who live on Crown Point live with the same restrictions. Why does the City have to pander to Commercial interests?

Herb Ehrlich
424 Crown Point
El Paso, Texas 79912

Attachment 5: Letters in Opposition

Oct 22 08 09:59p

Marcia Turner

9158330202

p.3

3/14

October 22, 2008

To: CPC – El Paso, Texas

Re: Case No. ZON08-00072

To Whom It May Concern:

We are terribly concerned re: the construction of said office building. Traffic is bad enough at that corner, and this would be impossible with regards to congestion, parking which would add to even more traffic at our corner which is bad enough as it is. How could the rezoning be approved if it is in violation of the 1959 Covenant? I don't know if all the neighbors have EMAIL which may be a problem. Also, there may be some elderly neighbors who I'm sure definitely do not have EMAIL and I don't know how to reach them. Let's stop this disaster waiting to happen!

Judy and Phil Bargman
423 Crown Point
El Paso, Texas

Attachment 5: Letters in Opposition

Oct 22 08 10:00p

Marcia Turner

9158330202

p.4

414

October 19, 2008

To: City Plan Commission
El Paso, Texas

To Whom it May Concern:

This is my response to your request for any property owner to send a written letter regarding the Zoning request of Jaime Portillo's request to rezone the lot at 100 Crown Point Dr, (Case # ZON08-00072) set for a hearing on 10/23/08 at 1:30 PM at El Paso City Council Chambers.

I strongly protest this request because of the traffic mess, which already exists, and I know would cause further problems, perhaps even a fatality in the near future. I live close to this property, and view the traffic problem from my picture window.

I also have a copy of the property covenant pertaining to this mentioned property, stating nothing but residential use should apply to the lot.

Thank You
Jack C. & Socorro W. Millis
110 Puma Circle
El Paso, Texas 79912-4808
(915) 684-4956

Attachment 5: Letters in Opposition

Oct 22 08 10:00p

Marcia Turner

9158330202

p.5

5/14

October 21, 2008

To: City Plan Commission

Re: CASE NO: ZON08-00072

I cannot attend Tuesday's meeting to support the opposition. I have looked at those lots for years and wondered how anyone could put an office on either corner. Especially the smaller NE corner. I'm sure it can be done, but it would increase traffic and congestion. I'm not in favor of it. Good luck at the meeting.

Patrick Tuttle
251 Shadow Mountain
El Paso, TX 79912

Attachment 5: Letters in Opposition

Oct 22 08 10:01p

Marcia Turner

9158330202

p.6

6/14

October 21, 2008

To: City Plan Commission

Re: CASE NO: ZON08-00072

I oppose the re-zoning on the corner of Crown Point and Mesa. Many reasons....

- 1959 Crown Point Subdivision Covenant
- Dangerous corner (traffic)
- Entering a lovely Subdivision (traffic and noise)

I do not know what the owner of this piece of property will do with it or what the future holds for the property.

Sorry I will not attend the meeting due to my trip to Arizona.

Mrs. Wm. S. Robertson
321 Sharondale
El Paso, Texas 79912

Attachment 5: Letters in Opposition

Oct 22 08 10:01p

Marcia Turner

9158330202

p.7

7/14

355 Vista Del Rey Drive
El Paso, TX 79912

October 20, 2008

City Planning Commission
City Council Chambers
2nd Floor, City Hall
2 Civic Center Plaza,
El Paso, TX

Re: Case No. ZON08-00072

Dear City Planning Commission,

We have recently been notified that the zoning of lot 100 Crown Point is in consideration for a zoning change from R-3 (residential) to A-O (apartment/office) to permit an office building.

Our family is very concerned about this because we frequently travel on Crown Point and Mesa streets. We believe it will be not only be a bigger problem with traffic congestion, but also a very dangerous one with high traffic and bus stop in that area. As a family that has lived in the neighborhood for over 10 years, we can attest to the fact that that intersection is already a problem with traffic speeding down Vista Del Rey and Crown Point streets and then meeting with congestion at the Crown Point/Mesa intersection due to the bus stop and high traffic area.

I am writing to request that you NOT change the zoning of the lot at the corner of Crown Point and Mesa intersection. It will create additional traffic problems to an intersection that already has too many issues with traffic flow that can lead to increased accidents in that area.

Thank you for your consideration to this very important issue to our neighborhood.

Sincerely,

Luis and Marisa Chavarria

Attachment 5: Letters in Opposition

Oct 22 08 10:01p

Marcia Turner

9158330202

p.8

8/14

October 20, 2008

Ida Tarango
5756 Kingsfield Avenue
El Paso, Texas 79912

City Plan Commission (c/o Planning Division)
CASE NO. ZON08-00072
Date: October 19, 2008

I object to the rezoning of 100 Crown Point Drive, at the intersection of Mesa Street and Crown Point Drive. The rezoning will permit apartment or office construction on the lot and, as a resident of 129 Puma Circle, it will be a problematic situation in regards to the traffic congestion that already exist on that particular intersection. I am afraid that this particular lot might be too small for a parking lot to accommodate all the customer's vehicles and because of that situation, the customers might end up parking on our street, Puma Circle. Or, the customers might just end up entering and exiting Puma Circle for a more convenient flow of traffic. This situation will make it very dangerous for all residents in our area.

Greatly concerned,

Ida Tarango

Attachment 5: Letters in Opposition

Oct 22 08 10:02p

Marcia Turner

9158330202

p.9

9/14

October 17, 2008

To: City Plan Commission

Re: Case No. ZON08-00072

Crown Point/Mesa lot..... It's very difficult to believe that that lot could support a business and parking lot.....most likely the parking for the business will be on our streets..... I certainly do oppose the construction.....

The city should buy it and make a small oasis with shade trees, a donated bench or two (paid for by family who wish to keep the memory of a 'departed' member alive.....and it would offer a glimpse of beauty on an otherwise ugly, billboard dotted street! My views. I shall mark my calendar.

Jessica Barriac
5734 Kingsfield Ave.
El Paso, Texas 79912

Attachment 5: Letters in Opposition

Oct 22 08 10:02p

Marcia Turner

9158330202

p.10

10/14

October 18, 2008

To: The City Plan Commission
Re: Case ZON08-00072

I would like to express my opposition to the proposed zone change at the corner of Mesa and Crown Point. There is already a great deal of congestion at that intersection during busy times of the day, and the intersection is often blocked by cars heading toward Shadow Mountain. If a business of any kind is built there, the traffic problem will increase.

I would like to suggest that the empty lot in question be made a paved area for a bus stop. I believe that would reduce the congestion at that intersection.

Thank you.

Anne Walker
5765 Kingsfield
El Paso, Tx 79912

Attachment 5: Letters in Opposition

Oct 22 08 10:02p

Marcia Turner

9158330202

p.11

11/14

**Maxon
425 Indian Bluff Road
El Paso, Texas 79912**

October 17, 2008

City Planning Commission
City of El Paso
2 Civic Center Plaza
El Paso, Texas 79901

Re: Case No. ZON08-00072

Members of the Commission,

We are adamantly opposed to any change in zoning for the referenced property. The lot, located at the intersection of Mesa and Crown Point, is too small to accommodate any commercial property. It would be impossible to provide safe access to and from the business, and would worsen an already congested traffic-area.

Please consider the affects commercial zoning have on well-established residential neighborhoods and vote AGAINST this zoning change.

Thank you,

Earl & Brenda Maxon

Attachment 5: Letters in Opposition

Oct 22 08 10:03p

Marcia Turner

9158330202

p.12

12/14

October 22, 2008

To: Development Services, Planning Division

Re: Case No. ZON08-00072

I am totally against the proposed rezoning. It will only open the door to becoming a more dangerous intersection that already has too much traffic. We must protect the 1959 covenant so that it does not become a useless document. I will not be able to attend the meeting but I will be there in spirit.

Bill Isaac
5840 Kingsfield Ave.
El Paso, Texas 79912

Attachment 5: Letters in Opposition

Oct 22 08 10:03p

Marcia Turner

9158330202

p.13

13/14

October 22, 2008

Development Services, Planning Division

Re: Case No. ZON08-00072

Marcia -

Attached is a letter objecting to the re-zoning of 100 Crown Point.

I sent it in WordPerfect. Let me know if you received it or need me to send it in some other form.

Victor Salas

5813 Sierra Fria

El Paso, Texas 79912

(I was unable to open the attachment from Mr. Salas.....however, his position is clear -
Marcia Turner)

Attachment 5: Letters in Opposition

Oct 22 08 10:04p

Marcia Turner

9158330202

p.14

14 of 14

October 22, 2008

To: City Plan Commission, El Paso, Texas

Re: CASO NO. ZON08-00072

Dear Commissioners:

Several years ago the possibility of re-zoning this lot to accommodate an office building was discussed by our neighborhood association.

It was our determination that this particular lot was too small to accommodate any type of commercial property because any such enterprise would increase traffic and congestion in what is already a compromised intersection and a problem to the residents in the area.

We know that this particular intersection is already a "problem intersection". Two years ago residents on Crown Point, Vista del Rey and Puma Circle complained to the City about the speeding traffic coming down Crown Point and Vista del Rey from "cut through" traffic. Residents on Puma Circle are often unable to access Crown Point due to the amount of traffic coming down the hill. (The City completed a study of the area and found the complaints of the residents were justified.) The intersection is further compromised by the bus stop at that corner which stops traffic going north on Mesa and also any vehicles attempting to turn right on Mesa or cross Mesa from Crown Point.

Certainly the addition of any commercial property at this location would only cause further unsafe traffic congestion for residents in our area.

One suggestion was that the city purchase the lot and create an area for the buses to pull over, rather than the present procedure which is for the bus to stop on Mesa and hold up traffic traveling North on Mesa.

In addition to the traffic problems, and probably of more importance, the Crown Point Subdivision clearly states that the property is zoned R-3. If the city is able to re-zone this residential property in spite of the protestations of nearby residents, then it seems there is no validity to any current residential zoning in El Paso.

Thank you for your consideration in denying the request to re-zone this lot.

Sincerely,

Marcia
Marcia Turner
Upper Mesa Hills Neighborhood Association
5755 Kingsfield
El Paso, Texas

Attachment 5: Letters in Opposition

10/21/2008 18:29 9155842382

PAGE 01

FAX to 541-4028

October 21, 2008

**City Plan Commission
Planning Division**

CASE NO. ZON08-00072

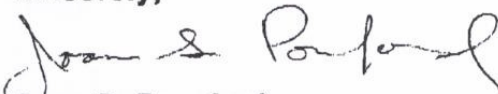
My name is Joan Ponsford and I am the owner and resident of the property at 267 Crown Point. I am writing to OPPOSE the rezoning of the property at 100 Crown Point from R-3 to A-O, because of the additional traffic it would put onto Crown Point Drive.

The traffic here is already a problem at rush hour as it backs up from Sunland Park/Shadow Mountain across the Crown Point intersection.

In addition, the change would violate the 1959 Crown Point Subdivision Covenant which requires that all construction in the Subdivision be residential.

Please do not change the zoning on this property.

Sincerely,



**Joan S. Ponsford
267 Crown Point Drive
El Paso, Texas 79912
Tel.: 915-584-2382**

Attachment 5: Letters in Opposition

Oct 21 08 06:54p

p. 1

Randy and Lisa Studdard
270 Crown Point Drive
El Paso, Texas 79912
845-1375
lstuddard@elpasotx.com

October 21, 2008

Re: CASE # ZON08-00072

City Planning Commission:

We write to state our opposition to the above-referenced proposed zoning change. We oppose any change in our neighborhood which would increase traffic, construction, and commerce. All of the previous changes would add pollution, congestion, and unwanted activity in our residential area. According to our Subdivision Covenant, all construction must be residential.

We would attend the hearing in person, but Lisa teaches at Coronado High and Randy works full time as well. As parents, we wish to ensure a safe, quiet neighborhood.

Thank you for considering our opinion.



Lisa Studdard



Randy Studdard

Brooke Ann Studdard
Brooke Studdard, age 9

Attachment 5: Letters in Opposition

October 18, 2008

City of El Paso Development Services Planning Division
The City of El Paso
City Council Chambers, 2nd Floor, City Hall
2 Civic Center Plaza
El Paso, Texas 79901 - 1196

Dear Mr. Ismael B. Segovia, Senior Planner,

CASE NO: ZON08-00072 - Portion of Lot 10 Replat of Crown Point
Addition, City of El Paso, El Paso County, Texas. The total
property consists of 0.2807 acres and is vacant. The 1959
Crown Point Subdivision Covenant requires that all
construction in the Subdivision be residential. I want the
zoning to remain R-3 (Residential). Do not violate the 1959
Crown Point Subdivision Covenant requiring that all construction
in the Subdivision be residential.

Yours truly,

Amy Olivia Buzzard

Amy Olivia Buzzard

126 Puma Circle

Real Estate - 1 Crown Point

Lot 1 (9176 SQ FT)

Legal Acres .2107

El Paso, Texas 79912-4808

Home Phone (915) 584-9900