

Elia Garcia
Mayor
Rene Rodriguez
At Large
Cesar Nevarez
District 1



Ralph Duran
District 2
Victor Perez
District 3 / Mayor Pro Tem
Yvonne Colon-Villalobos
District 4
Adriana Rodarte
City Manager

NOTICE OF A REGULAR MEETING
OF THE
PLANNING AND ZONING COMMISSION
OF THE
CITY OF SOCORRO, TEXAS

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Clerk's office at (915) 858-2915 or fax (915) 858-9288 for further information.

Notice is hereby given that a regular meeting of the Planning and Zoning Commission of the City of Socorro, Texas will be held **Tuesday, February 20, 2018** at 6:30 p.m. at City Council Chambers, 860 N. Rio Vista, Socorro, Texas at which time the following will be discussed:

1. Call to order.
2. Establishment of quorum.
3. Excuse absent commission members.
4. Open Forum.

NOTICE TO THE PUBLIC – OPEN FORUM

This time is reserved for members of the public who would like to address the Commission on any items that are not on the Commission Agenda and that are within the jurisdiction of the Commission. No action shall be taken.

5. Consider and Take Action:

On the approval of meeting minutes for the February 6, 2018 Planning and Zoning Commission meeting.

NOTICE TO THE PUBLIC AND APPLICANTS

The staff report for an agenda item may include conditions, exceptions, or modifications. The Commission's motion to approve an item in accordance with the staff report or with all staff comments means that any modifications, waivers, exceptions requested by the applicant and recommended for approval by staff and any staff recommended conditions, have been approved, without necessitating that the Commission restate the modifications, exceptions, waivers, or conditions as part of the motion to approve and that any findings required to be made by the Commission, have been made.

NOTICE TO PROPERTY OWNER

THE COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THEIR ITEM(S).

6. Consider and Take Action:

On the public hearing request for the proposed amendment to the City of Socorro Master Plan, and the proposed rezoning of Lot 4, Block 1 Wall Estates Replat A, 10790 Socorro Road, from A-1 (Agricultural) to SU-1 (Special Use Zone).

7. Consider and Take Action:

On the public hearing request for the proposed amendment to the City of Socorro Master Plan, and the proposed rezoning of Tracts 2-E and 2-E-2, Block 11 Socorro Grant, from A-1 (Agricultural) to R-2 (Medium Density Residential) and C-2 (General Commercial).

8. Consider and Take Action:

On the final plat approval for Vista Bonita Estates Subdivision Unit 1, being a portion of Tract 5, Block 24, San Elizario Grant.

9. Consider and Take Action:

On amending sections 46-379(8), 46-414(2) and 46-636 of the Code of Ordinances of the City of Socorro, Texas to conform these sections to the requirements of the Texas Alcoholic Beverage Code.

10. Planning and Zoning Commissioners Report:

11. Planning and Zoning Department Report:

REGULAR MEETING AGENDA - SOCORRO PLANNING & ZONING COMMISSION
February 20, 2018 at 6:30 PM

EXECUTIVE SESSION

The Planning and Zoning Commission of the City of Socorro may retire into EXECUTIVE SESSION pursuant to Section 3.08 of the City of Socorro Charter and the Texas Government Code, Sections 551, Subchapter D to discuss any of the following: (The items listed below are matters of the sort routinely discuss in Executive Session, but the Planning and Zoning Commission of the City of Socorro may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The Planning and Zoning Commission will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

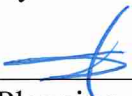
Section 551.071 CONSULTATIONS WITH ATTORNEY
Section 551.072 DELIBERATION REGARDING REAL PROPERTY
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFT
Section 551.074 PERSONNEL MATTERS
Section 551.076 DELIBERATION REGARDING SECURITY
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT
NEGOTIATIONS

12. Consider and Take Action:

Adjournment

I, the undersigned authority hereby certify that the above notice of meeting of the Planning and Zoning Commission of Socorro, Texas is a correct copy and that I posted this notice at least seventy-two (72) hours preceding the scheduled meeting at City Council Chambers, 860 N. Rio Vista, Socorro, Texas.

Dated this 16th, day of February 2018.



Sergio Morales, Planning and Zoning Commission Secretary

DATE & TIME POSTED: 12-16-18 1:00pm /BY: 

CITY OF SOCORRO PLANNING AND ZONING COMMISSION
 Regular Meeting Minutes
 February 6, 2018

Members Present	Members Absent	Staff Present	Others Present
Daniel Hernandez Tommy Faulkner Catherine Kearney Arturo Lafuente Daniel Lopez	Ernest Gomez Jose Landeros	Adam Ochoa Sergio Morales	John S. Birkelbach

Items for discussion and action:

1. Call to order.

Chairperson Ms. Catherine Kearney called the meeting to order at 6:36 p.m.

2. Establish quorum.

Quorum was established with 5 members present.

3. Excuse absent commission members.

A motion to excuse absent commission members was made by Mr. Tommy Faulkner, seconded by Mr. Daniel Hernandez. Motion was carried with all commissioners present in favor.

4. Open Forum.

No One Signed up to speak at this time.

5. Consider and take action on the approval of meeting minutes for the January 9, 2018 Planning and Zoning Commission meeting.

A motion was made by Mr. Daniel Hernandez to approve, seconded by Ms. Catherine Kearney. Motion was carried with 4 commissioners yay, 1 abstained.

6. Consider and take action On the public hearing request for the proposed Conditional Use Permit to allow a home daycare on Lot 1, Block 4, Valle del Sol, 10513 Valle del Mar Drive.

A motion was made by Mr. Tommy Faulkner to approve, seconded by Mr. Daniel Hernandez. Motion was carried with all commissioners in favor.

7. Public hearing on the amendment to the City of Socorro Master Plan, and the proposed rezoning of Tracts 4-C-4 and 4-C-7, Block 3, Socorro Grant, 833 Horizon Boulevard, from C-2 (General Commercial) and R-1 (Single Family Residential) to M-2 (Heavy Industrial).

Public Hearing Open: 6:45 p.m. Tony Aguilar the attorney for the applicant spoke on the item. 6 constituents spoke against this item and a letter with 21 constituents against the item was presented.

Public Hearing Close: 7:10 p.m.

8. Consider and take action on the public hearing on the amendment to the City of Socorro Master Plan, and the proposed rezoning of Tracts 4-C-4 and 4-C-7, Block 3, Socorro Grant, 833 Horizon Boulevard, from C-2 (General Commercial) and R-1 (Single Family Residential) to M-2 (Heavy Industrial).

A motion was made by Mr. Arturo Lafuente to deny, seconded by Mr. Daniel Hernandez. Motion was carried with 4 commissioners yay, 1 abstained.

9. Public hearing for the proposed amendment to the City of Socorro Master Plan, and the proposed rezoning of Tract 6, Block 27, Socorro Grant, 11627 Socorro Road, from A-1 (Agricultural) to C-2 (General Commercial) to allow the continued use of a church on the subject property along with a new adult daycare business.

Public Hearing Open: 7:25 p.m.

Public Hearing Close: 7:26 p.m.

10. Consider and take action on the public hearing for the proposed amendment to the City of Socorro Master Plan, and the proposed rezoning of Tract 6, Block 27, Socorro Grant, 11627 Socorro Road, from A-1 (Agricultural) to C-2 (General Commercial) to allow the continued use of a church on the subject property along with a new adult daycare business.

A motion was made by Mr. Daniel Hernandez to approve with the condition to build the rock wall first and to follow the city's ordinance requirements, seconded by Mr. Arturo Lafuente. Motion was carried with all commissioners in favor.

11. Public hearing for the proposed amendment to the City of Socorro Master Plan, and the proposed rezoning of Lot 8, Block 7, Hacienda Del Valle #2, 320 Valle Palos Verdes, from R-1 (Single Family Residential) to R-2 (Medium Density Residential) for the purpose of adding a second home to the property.

Public Hearing Open: 7:44 p.m.

Public Hearing Close: 7:44 p.m.

12. Consider and take action on the public hearing for the proposed amendment to the City of Socorro Master Plan, and the proposed rezoning of Lot 8, Block 7, Hacienda Del Valle #2, 320 Valle Palos Verdes, from R-1 (Single Family Residential) to R-2 (Medium Density Residential) for the purpose of adding a second home to the property.

A motion was made by Mr. Daniel Hernandez to deny, seconded by Mr. Arturo Lafuente. Motion was carried with 4 commissioners yay, 1 abstained.

13. Public hearing for the proposed amendment to the City of Socorro Master Plan, and the proposed rezoning of Tract 10-1, Block 3, Socorro Grant, 10974 E. Burt Road, from R-1 (Single Family Residential) to R-2 (Medium Density Residential) for the purpose of developing a multi-family development on the subject property.

Public Hearing Open: 7:53 p.m. 2 constituents spoke on this item.

Public Hearing Close: 7:59 p.m.

14. Consider and take action on the public hearing for the proposed amendment to the City of Socorro Master Plan, and the proposed rezoning of Tract 10-1, Block 3, Socorro Grant, 10974 E. Burt Road, from R-1 (Single Family Residential) to R-2 (Medium Density Residential) for the purpose of developing a multi-family development on the subject property.

A motion was made by Mr. Daniel Hernandez to suspend the rules to allow a constituent to speak, seconded by Mr. Tommy Faulkner. Motion was carried with all commissioner in favor.

A motion was made by Mr. Tommy Faulkner to postpone the item until the March 6, 2018 meeting, seconded by Mr. Daniel Hernandez. Motion was carried with all commissioner in favor.

15. Planning and Zoning Commissioners Report:

Various Subjects were discussed.

16. Planning and Zoning Department Report:

Various Subjects were discussed.

17. Consider and take action on adjournment.

A motion was made by Mr. Tommy Faulkner to adjourn, seconded by Ms. Catherine Kearney. Motion was carried with all commissioners in favor. Meeting adjourned at 8:30 p.m.

Catherine Kearney, Chairperson

Sergio Morales, Secretary

Elia Garcia
Mayor

Rene Rodriguez
At Large

Cesar Nevarez
District 1



Item #6
Ralph Duran
District 2

Victor Perez
District 3 / Mayor Pro Tem

Yvonne Colon-Villalobos
District 4

Adriana Rodarte
City Manager

DATE: February 20, 2018
TO: PLANNING AND ZONING COMMISSION
FROM: Adam Ochoa, Planning & Zoning Director
CC: Adriana Rodarte, City Manager

SUBJECT

Public hearing request for the proposed amendment to the City of Socorro Master Plan, and the proposed rezoning of Lot 4, Block 1 Wall Estates Replat A, 10790 Socorro Road, from A-1 (Agricultural) to SU-1 (Special Use Zone).

SUMMARY

The subject property pertaining to this request is located on the south side of Socorro Road, 75 ± feet east of its intersection with Anahi Court. The subject property has an estimated area of 10,236 ± sq. ft. (0.2350 ± acres), is owned by Margaret A. Wall, 10772 Socorro Road, Socorro, TX. 79927, and is being represented by Michael Mang with J5 Infrastructure.

BACKGROUND

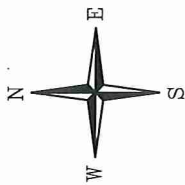
A complete background will be presented before the Commission once we receive the authorization to proceed with the Public Hearing.

STATEMENT OF THE ISSUE

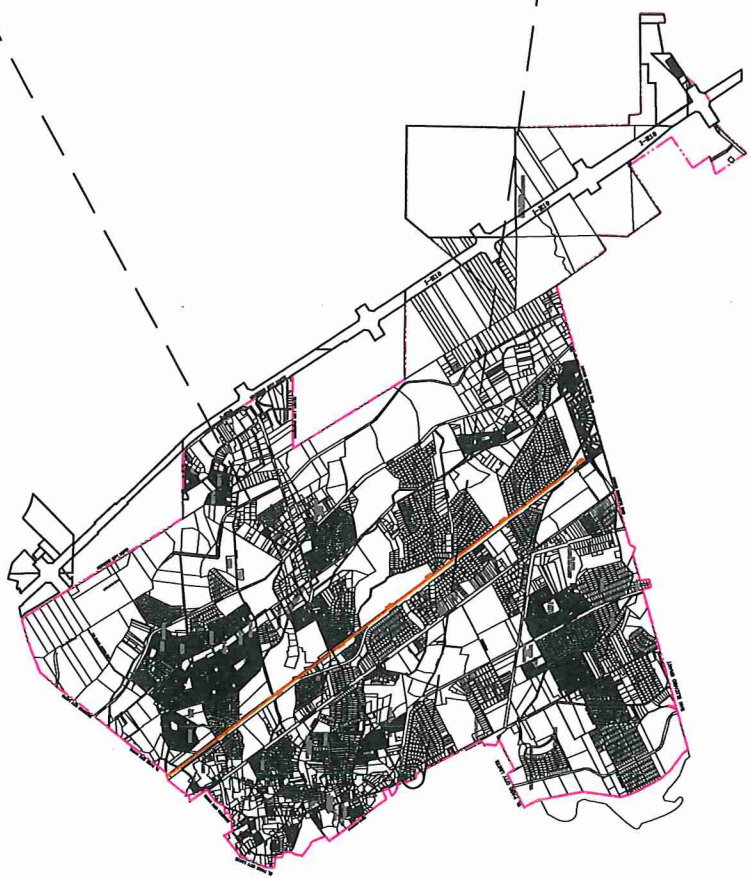
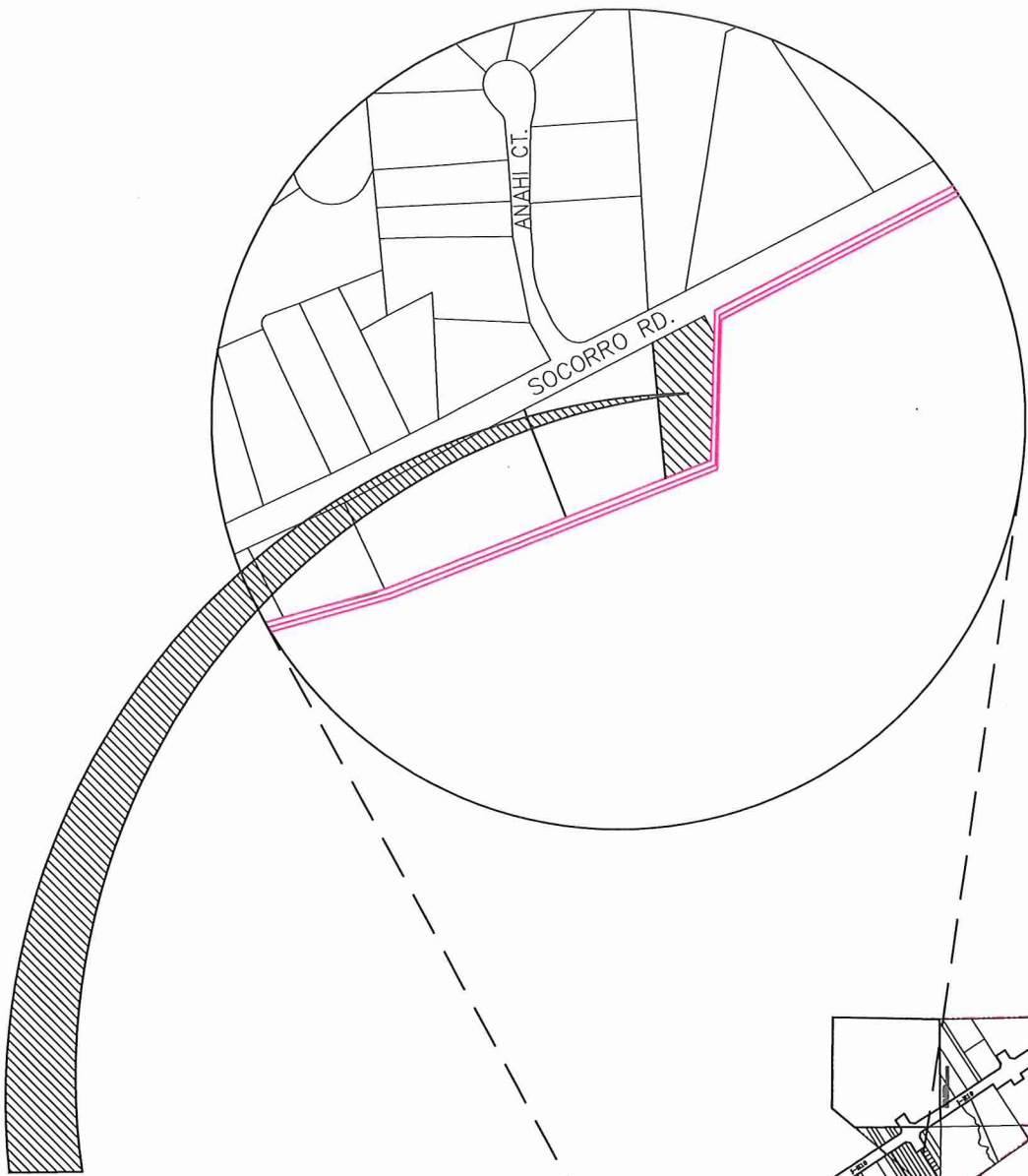
The statement will be provided once the research has been carried out.

STAFF RECOMMENDATION

The Planning and Zoning Department recommends APPROVAL to provide a complete report and background of the properties to the Commission.



PROJECT SITE;
10790 Socorro Rd.
Lot 4, Blk.1
Wall Estates Replat A



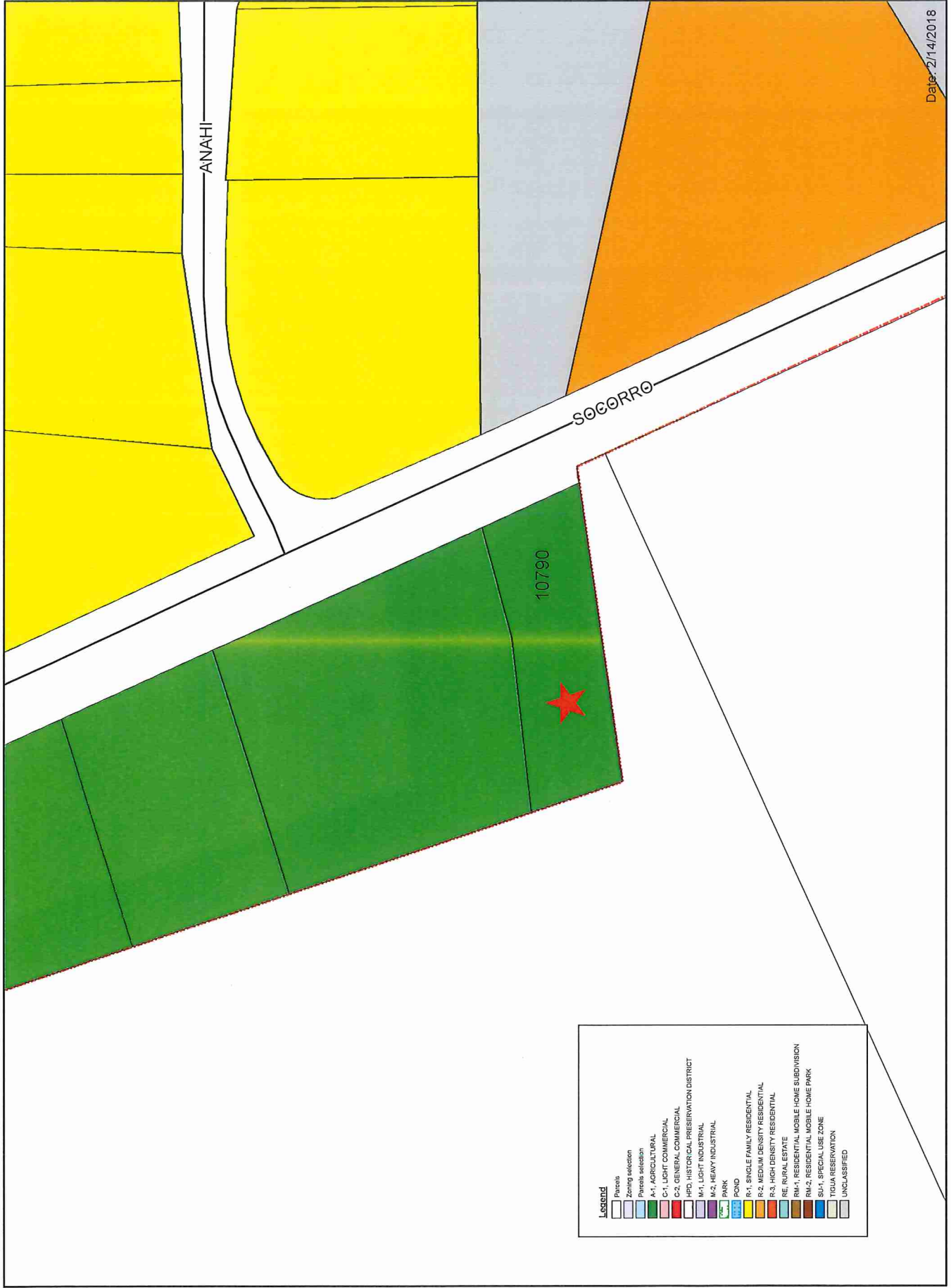
CITY OF SOCORRO

LOCATION MAP

Scale: AS SHOWN



10790 Socorro Rd.





PLANNING AND ZONING DEPARTMENT

Request for Rezoning


1. Name: Horizon Towers on behalf Bobby Wall
 Address: 10772 Socorro Rd. Socorro TX 79927 Phone: 1-915-309-1082
 Representative: Michael Mang J5 Infrastructure
 Address: 4520 Montgomery Blvd. N.E. #5 Phone: 505-328-6264
2. Property Location: 10790 Socorro Rd. Socorro TX 79927

Legal Description: Block 1, Lot 4, Wall Estates Replat A Property situated in El Paso County, State of Texas. Containing 0.7970 Acres.

If legal description is not available, a metes and bounds description will be required.

<u>11,375 +/-</u> Area (Sq. ft. or Acreage)	<u>A1</u> Current Zoning	<u>Raw Land Agricultural</u> Current Land Use
<u>SU-1</u> Proposed Zoning		<u>Wireless Communication Tower</u> Proposed Land Use

3. All owners of record must sign document.


Bobby Wall

Each item on this form must be completed and all exhibits must be submitted before this request can be scheduled for a public hearing.

Rezoning per parcel/tract: Less than one acre - \$650.00
 1 to 10 acres - \$750.00
 10.1 to 30 acres - \$950.00
 30.1 to 50 acres - \$1,150.00
 50.1 to 75 acres - \$1,400.00
 75.1 or more - \$1,650.00

ALL FEES ARE NONREFUNDABLE

860 N. Rio Vista · Socorro, Texas 79927 · Tel: (915) 872-8531 · Fax: (915) 872-8673 · www.socorrotexas.org

Came Apoaca- Chair
Place of Mayor:
Pro Tem Rene Rodriguez

Daniel Fresquez
Place of District 1:
Maria Reyes

Ina Pinales
Place of District 2:
Alejandro Garcia



Gilbert Lujan
Place of District 3:
Victor Pérez

Hector De La Canal
Place of District 4:
Yvonne Colon-Villalobos

(2) Spaces Vacant
By:
Mayor & Rep-At Large

CERTIFICATE OF APPROPRIATENESS

No: 2017-6-14.8

Let this document serve as the certification that the City of Socorro's Historical Landmark Commission (HLC) has reviewed & is approving the following application as stated below. Furthermore the HLC finds that this proposed work will not adversely affect the architectural or historical significance of the mentioned property, and is consistent with the spirit and purpose of the historic preservation of the City of Socorro. Therefore, an appropriate building permit may be issued.

Applicant: Bobby Ray Wall & Michael Mang

For Work Located at: 10772 Socorro Rd

Work Specifically for: Cell phone Tower.

Conditions: 6ft cinder block covered in stucco & painted Mexican chile (Home Depot) & Entrance gate made out of chain link fence.

SIGNED: *Came Apoaca*
Chairperson, Historical Landmark Commission
City of Socorro

DATE: 7/13/17



PREPARED 2/24/17 BY:



**EXISTING VIEW
LOOKING NORTHEAST
TX4501**

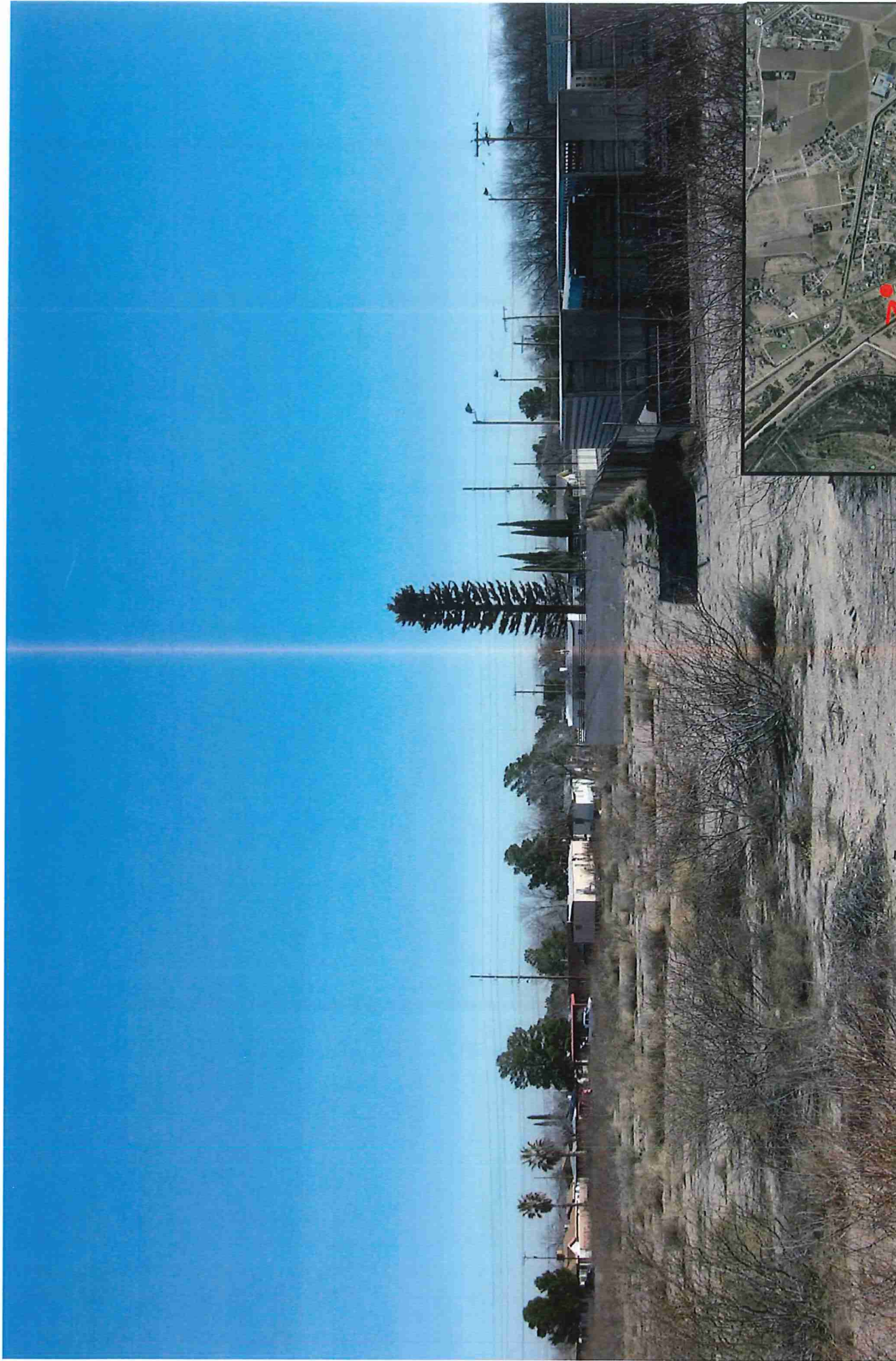
**10772 SOCORRO RD.
EL PASO, TX 79927**

PREPARED FOR:

HORIZON TOWER, LLC



VIEW ORIENTATION MAP



VIEW ORIENTATION MAP

PREPARED FOR:

HORIZON TOWER, LLC

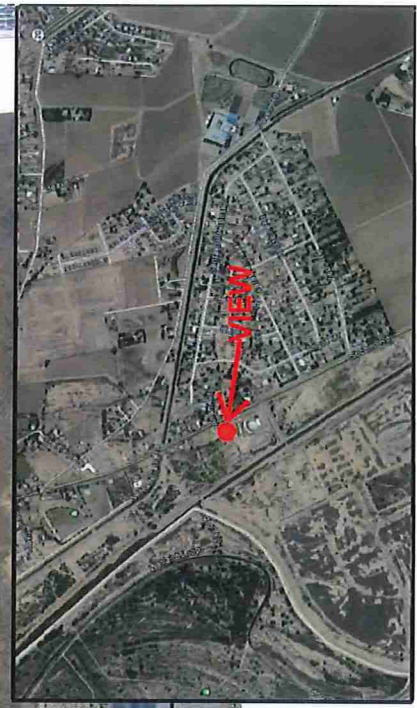
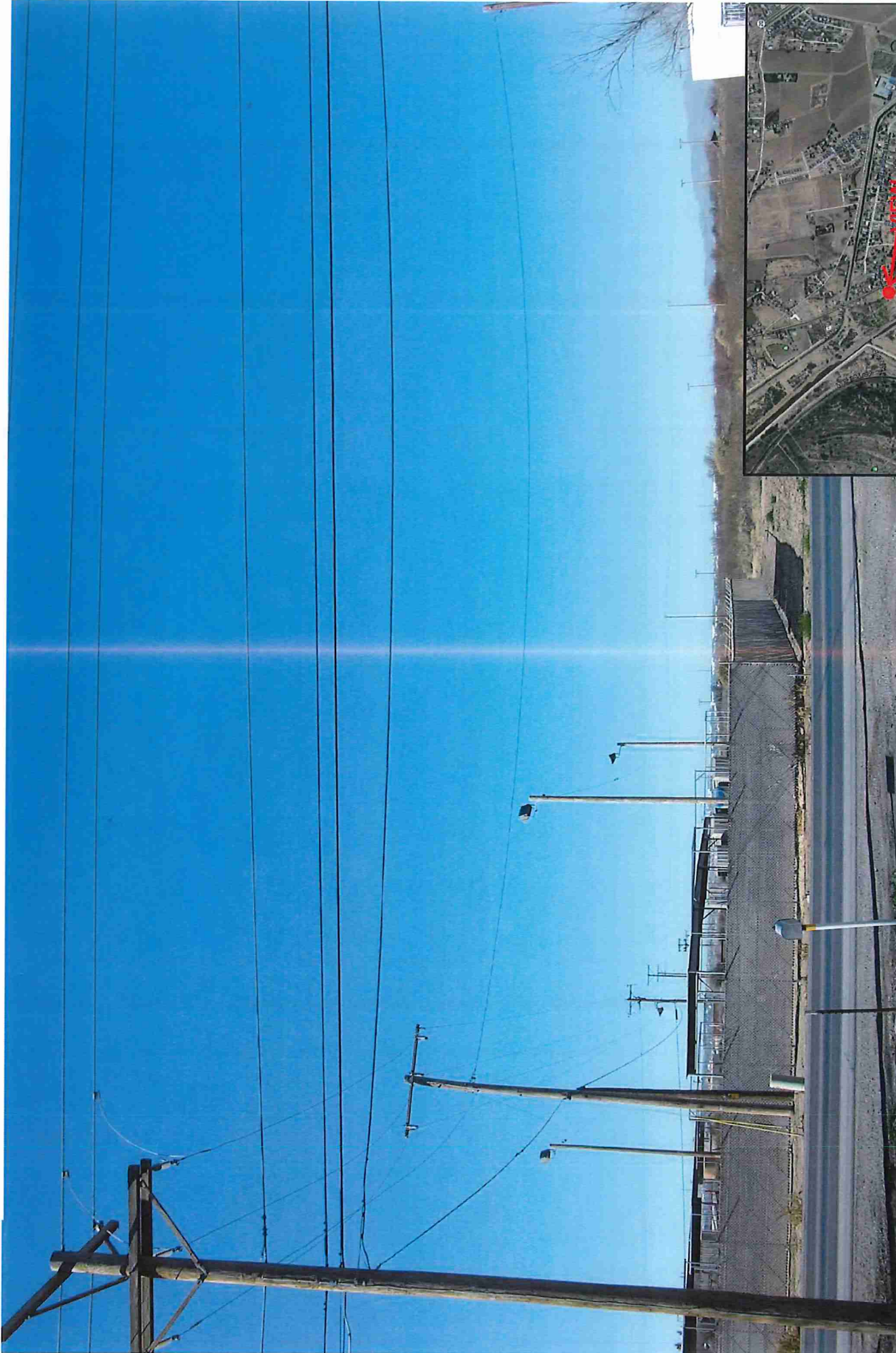
**PROPOSED VIEW
LOOKING NORTHEAST**

TX4501

**10772 SOCORRO RD.
EL PASO, TX 79927**

PREPARED 2/24/17 BY:





VIEW ORIENTATION MAP

PREPARED FOR:
 HORIZON TOWER, LLC

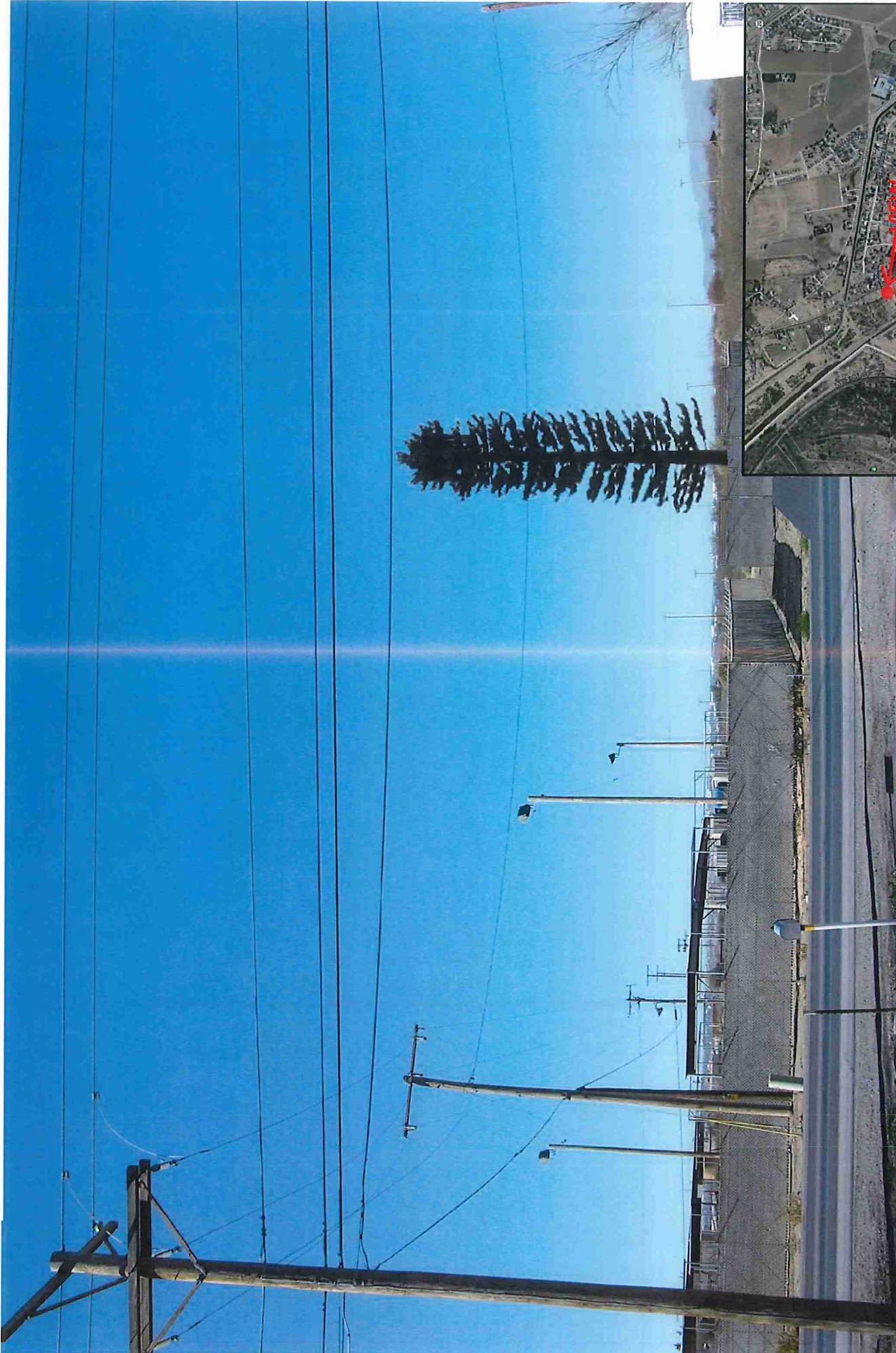
EXISTING VIEW
LOOKING NORTHWEST
 TX4501
 10772 SOCORRO RD.
 EL PASO, TX 79927



PREPARED 2/24/17 BY:

Clear Blue
Services
 407 S. PRICE RD.
 TEMPE, AZ 85281 602-426-9600





PREPARED 2/24/17 BY:



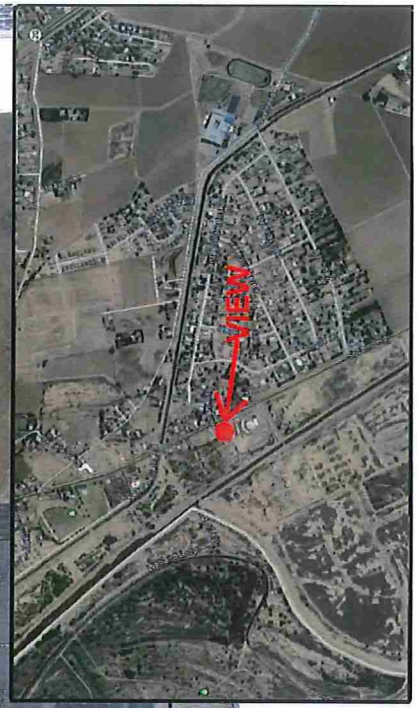
Clear Blue
Services
407 S. PRICE RD.
TEMPE, AZ 85281 602-426-9500

PROPOSED VIEW
LOOKING NORTHWEST

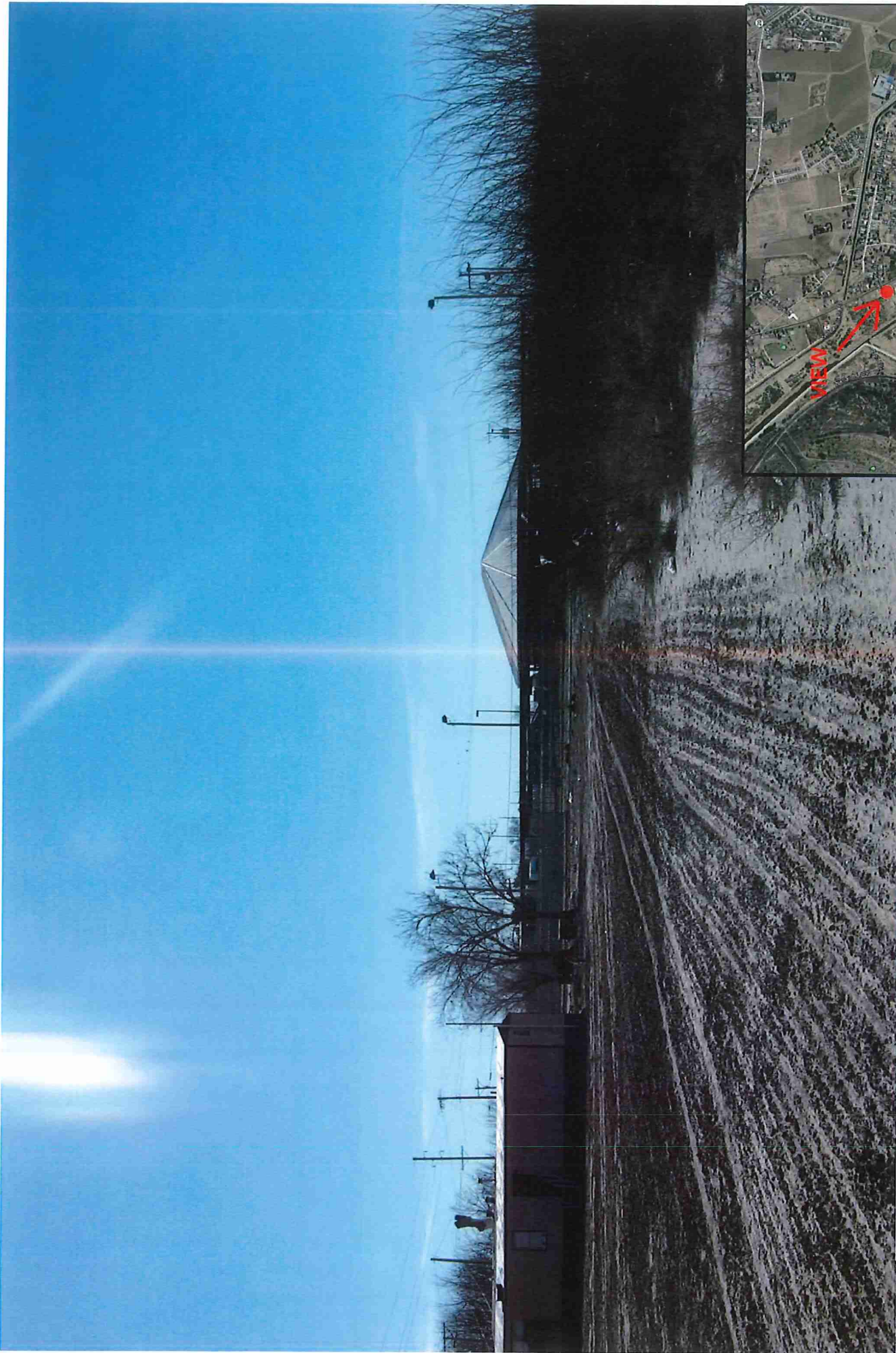
TX4501
10772 SOCORRO RD.
EL PASO, TX 79927

PREPARED FOR:

HORIZON TOWER, LLC



VIEW ORIENTATION MAP



VIEW ORIENTATION MAP

PREPARED FOR:

HORIZON TOWER, LLC

**EXISTING VIEW
LOOKING SOUTHEAST**

**TX4501
10772 SOCORRO RD.
EL PASO, TX 79927**



PREPARED 2/24/17 BY:



407 S. PRICE RD.
TEMPE, AZ 85281 602-426-9500

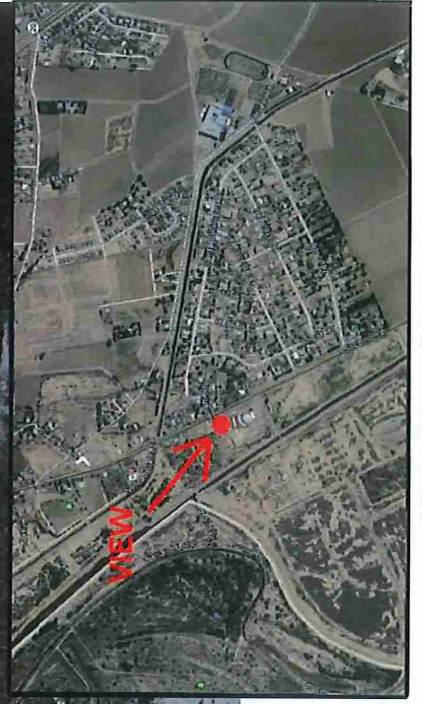
PREPARED 2/24/17 BY:



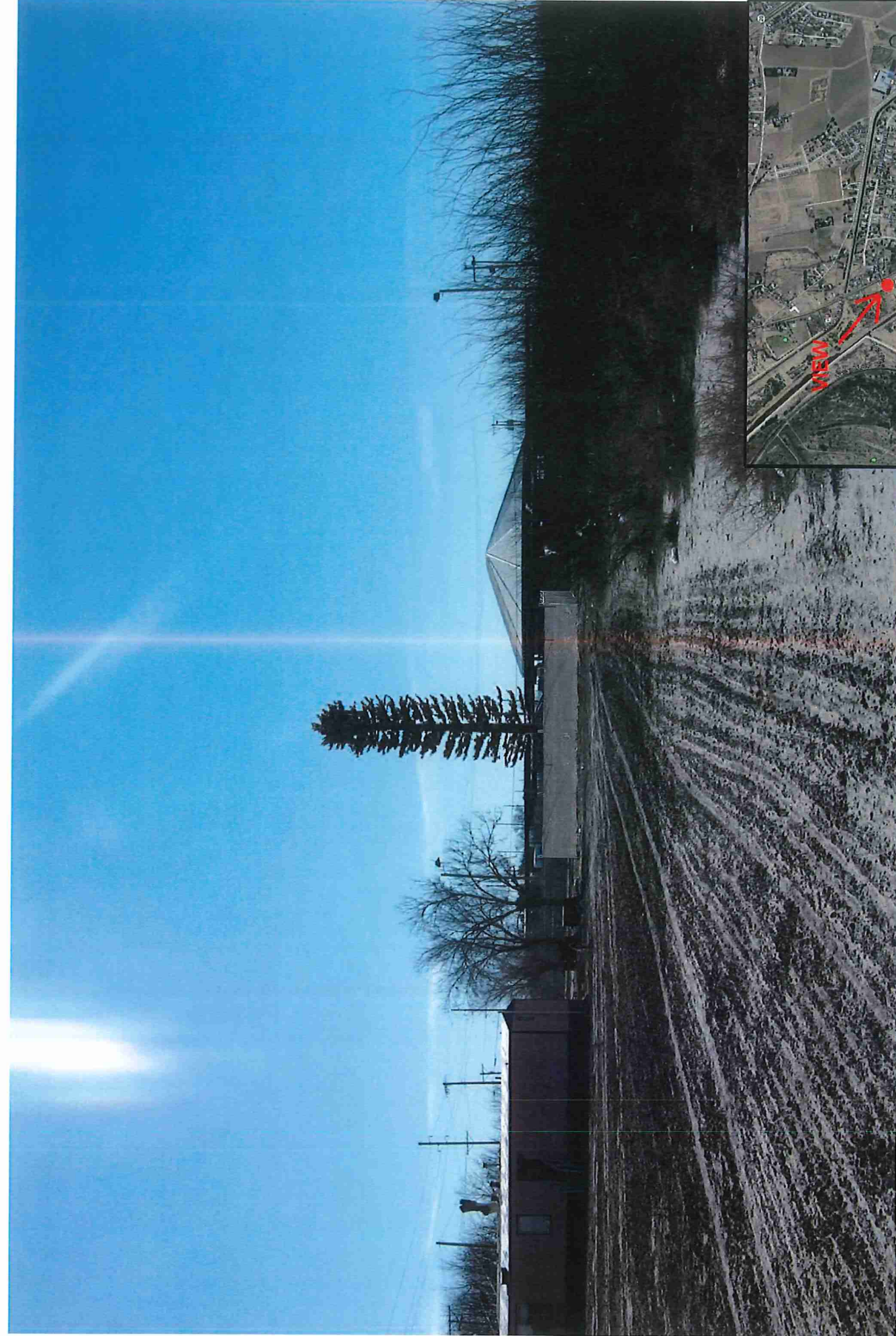
PROPOSED VIEW
LOOKING SOUTHEAST
TX4501

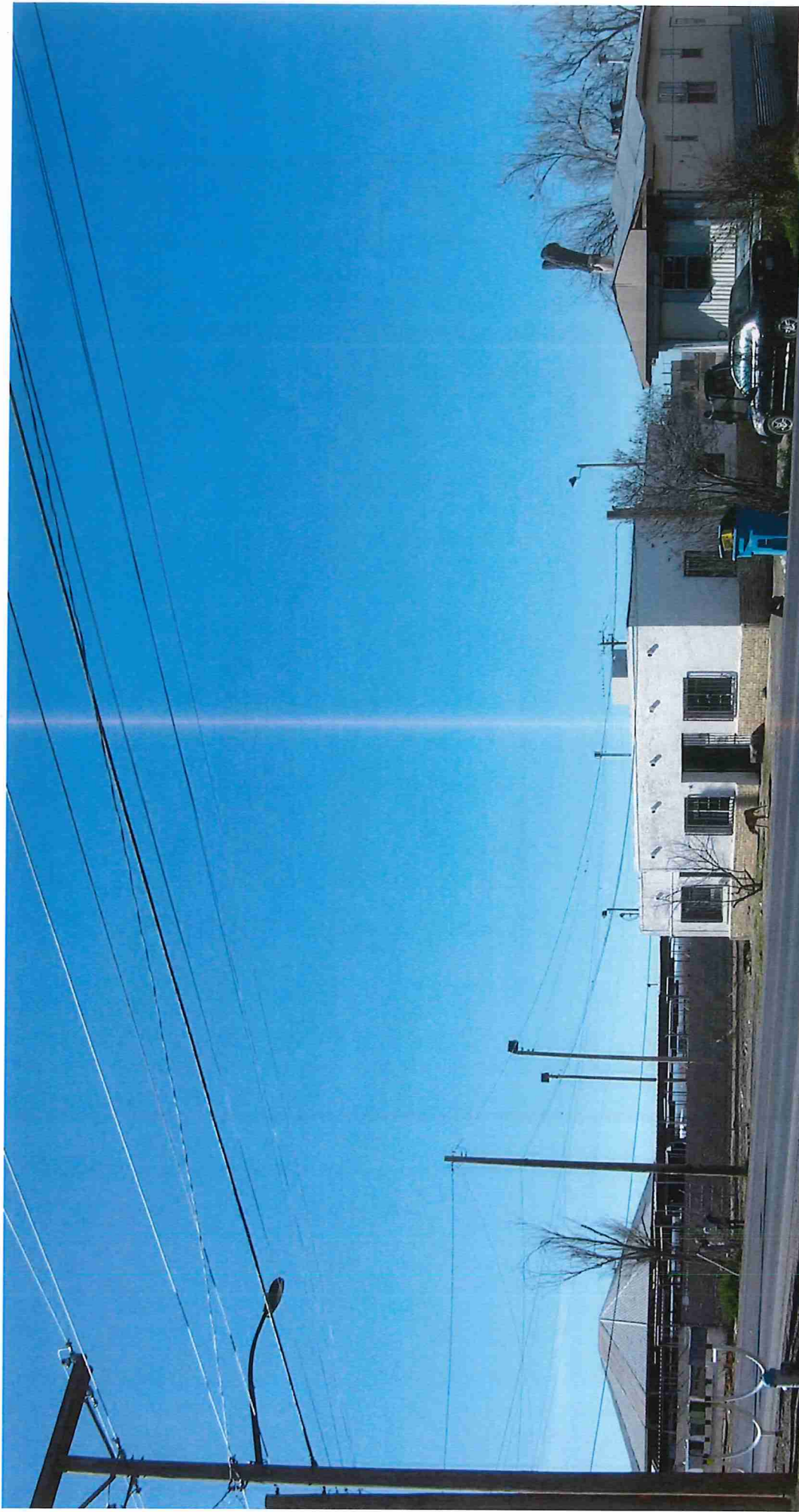
10772 SOCORRO RD.
EL PASO, TX 79927

PREPARED FOR:
HORIZON TOWER, LLC



VIEW ORIENTATION MAP





VIEW ORIENTATION MAP

PREPARED 2/24/17 BY:



EXISTING VIEW
LOOKING SOUTHWEST
TX4501

10772 SOCORRO RD.
EL PASO, TX 79927

PREPARED FOR:
HORIZON TOWER, LLC





VIEW ORIENTATION MAP

PREPARED 2/24/17 BY:



Clear Blue
Services
407 S. PRICE RD.
TEMPE, AZ 85281 602-226-9500

PROPOSED VIEW
LOOKING SOUTHWEST
TX4501

PREPARED FOR:
HORIZON TOWER, LLC



Fleet Net™

10772 SOCORRO RD.
EL PASO, TX 79927

Elia Garcia
Mayor

Rene Rodriguez
At Large

Cesar Nevarez
District 1



Item #7
Ralph Duran
District 2

Victor Perez
District 3 / Mayor Pro Tem

Yvonne Colon-Villalobos
District 4

Adriana Rodarte
City Manager

DATE: February 20, 2018
TO: PLANNING AND ZONING COMMISSION
FROM: Adam Ochoa, Planning & Zoning Director
CC: Adriana Rodarte, City Manager

SUBJECT

Public hearing request for the proposed amendment to the City of Socorro Master Plan, and the proposed rezoning of Tracts 2-E and 2-E-2, Block 11 Socorro Grant, from A-1 (Agricultural) to R-2 (Medium Density Residential) and C-2 (General Commercial).

SUMMARY

The subject property pertaining to this request is located on the south side of North Loop, 345 ± feet west of its intersection with Rancho Viejo Drive. The subject property has an estimated area of 50.6911 ± acres, is owned by Ranchos of Socorro, LLC, 337 Borderland #7, El Paso, TX. 79932, and is being represented by CEA Group, 4712 Woodrow Beam, Suite F, El Paso, TX. 79924.

BACKGROUND

A complete background will be presented before the Commission once we receive the authorization to proceed with the Public Hearing.

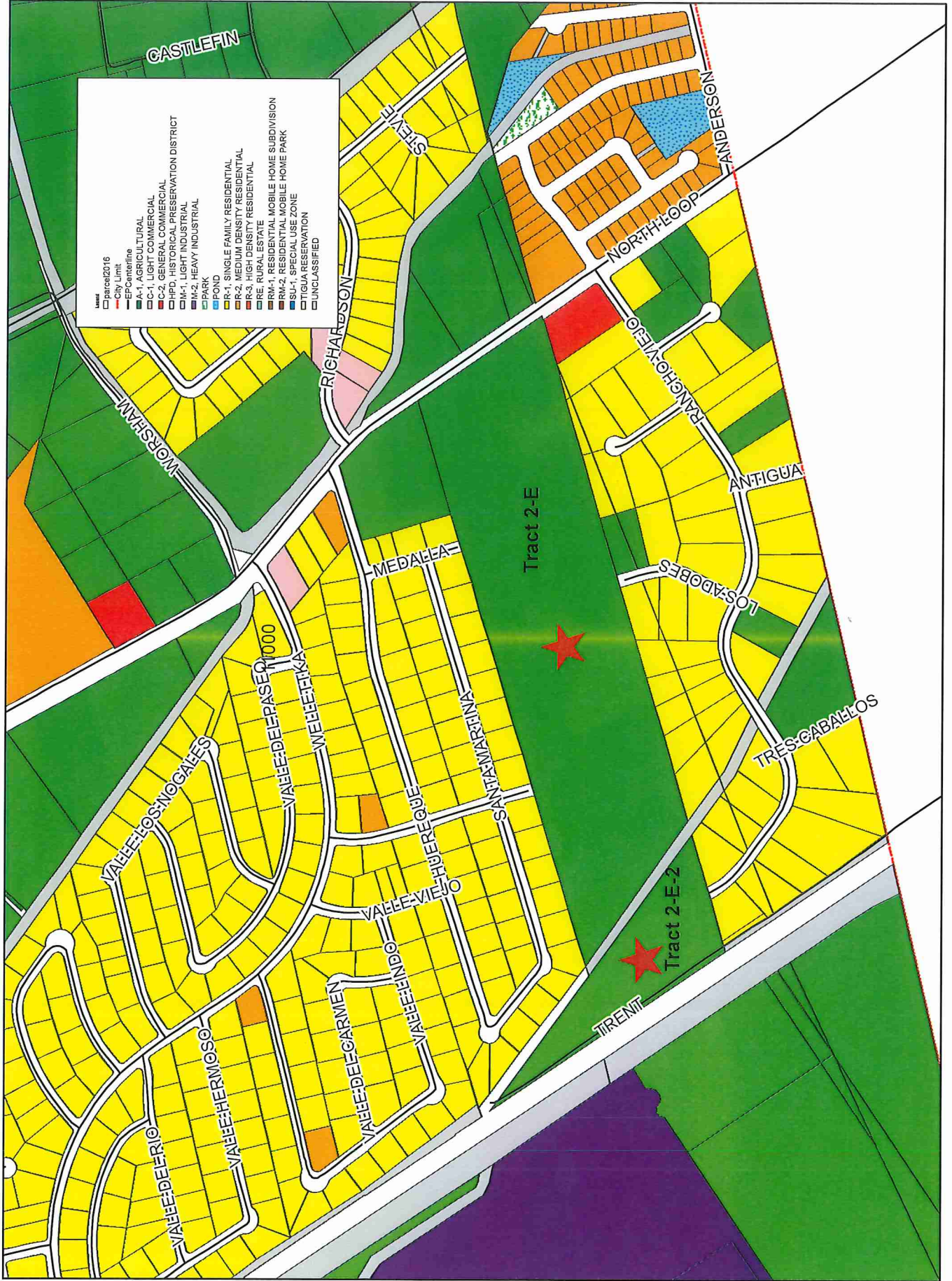
STATEMENT OF THE ISSUE

The statement will be provided once the research has been carried out.

STAFF RECOMMENDATION

The Planning and Zoning Department recommends APPROVAL to provide a complete report and background of the properties to the Commission.

Tracts 2-E & 2-E-2, Blk. 11, Socorro Grant





PLANNING AND ZONING DEPARTMENT

Request for Rezoning

1. Name: Ranchos of Socorro LLC
 Address: 337 Borderland #7, El Paso, Texas 79932 Phone: (915) 581-2939
 Representative: CEA Group
 Address: 4712 Woodrow Bean, Suite F, El Paso, TX 79924 Phone: (915) 544-5232
2. Property Location: Approximately 1,400 lf west from the intersection of Anderson and North Loop
 Legal Description: Tracts 2-E and 2-E-2, Block 11, Socorro Grant, El Paso County, Texas

If legal description is not available, a metes and bounds description will be required.

<u>50.6911 acres</u>	<u>Agricultural</u>	<u>vacant</u>
Area (Sq. ft. or Acreage)	Current Zoning	Current Land Use
<u>R-2 and C-2</u>		<u>residential and commercial development</u>
Proposed Zoning		Proposed Land Use

3. All owners of record must sign document.

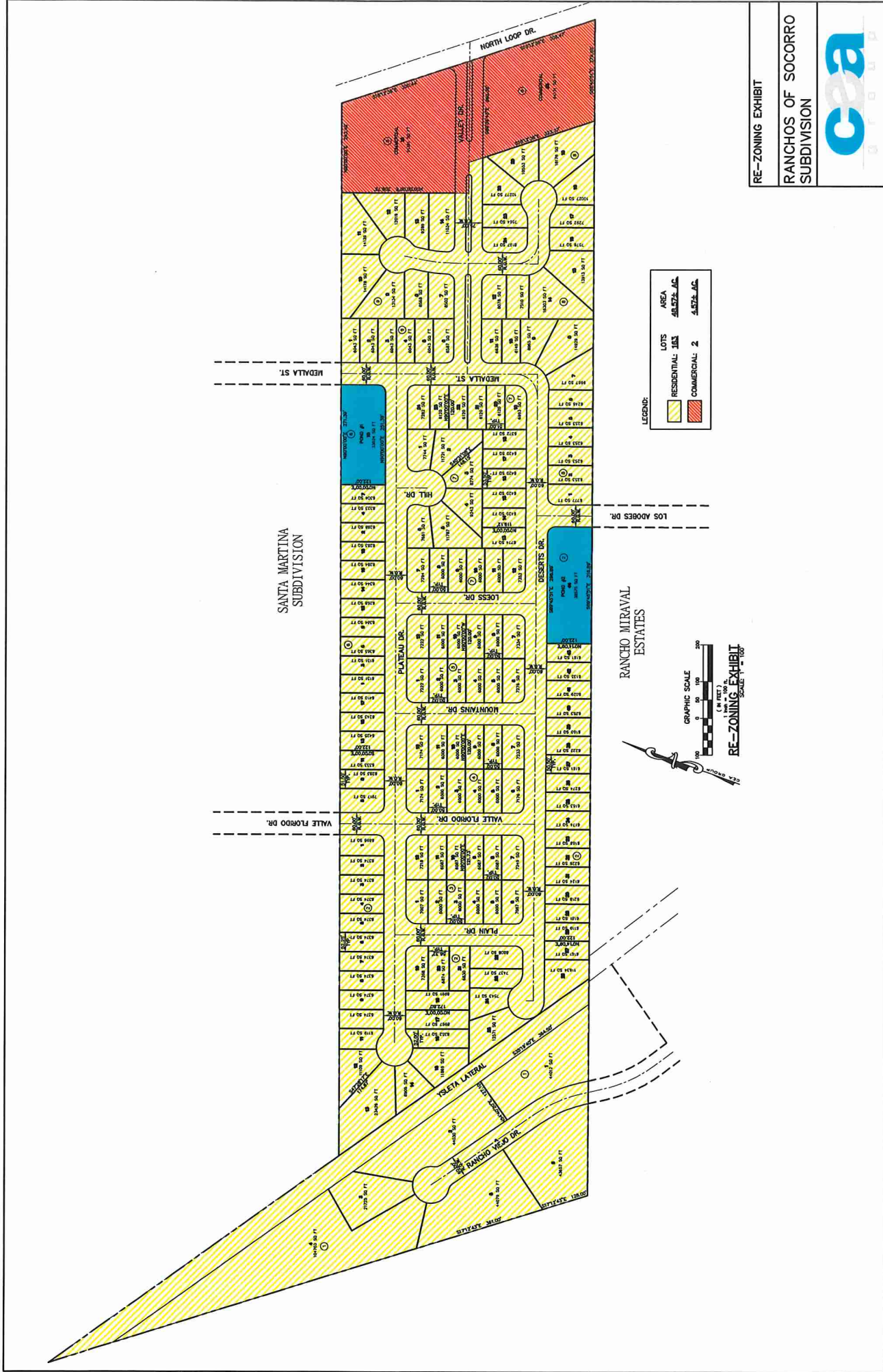


Each item on this form must be completed and all exhibits must be submitted before this request can be scheduled for a public hearing.

Rezoning per parcel/tract: Less than one acre - \$650.00
 1 to 10 acres - \$750.00
 10.1 to 30 acres - \$950.00
 30.1 to 50 acres - \$1,150.00
50.1 to 75 acres - \$1,400.00
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ALL FEES ARE NONREFUNDABLE

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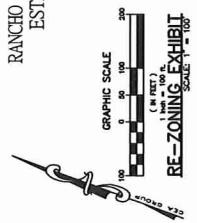


SANTA MARTINA
SUBDIVISION

RANCHO MIRAVALE
ESTATES

LEGEND:

LOTS	AREA
	RESIDENTIAL 163 28,672 AC
	COMMERCIAL 2 4,674 AC



RE-ZONING EXHIBIT

RANCHOS OF SOCORRO
SUBDIVISION

Item #8

Elia Garcia
Mayor

Rene Rodriguez
At Large

Cesar Nevarez
District 1



Ralph Duran
District 2

Victor Perez
District 3/Mayor Pro Tem

Yvonne Colon-Villalobos
District 4

Adriana Rodarte
City Manager

DATE: February 20, 2018
TO: PLANNING AND ZONING COMMISSION
FROM: Adam Ochoa, Planning & Zoning Director
CC: Adriana Rodarte, City Manager

SUBJECT

Consider and take action on the final plat approval for Vista Bonita Estates Subdivision Unit 1, being a portion of Tract 5, Block 24, San Elizario Grant.

SUMMARY

The subject property is located adjacent to the southeast boundary of the City of Socorro within the Extra Territorial Jurisdiction east of the Rancho Miraval Estates Subdivision. The proposed final plat area encompasses a total area of 68.954 acres and is owned by T4S, LLC. and El Paso Natural Gas Co. and is represented by Conde Engineering, Inc.

BACKGROUND

The Vista Bonita Estates Subdivision Preliminary Plat was approved by City Council on January 4, 2018. All comments related to the preliminary plat have been addressed. Per the Flood Insurance Rate Maps, the referenced property lies within **Zone X** (Community Panel # 480212 0250B-B / FEMA, September 4, 1991).

STATEMENT OF THE ISSUE

The proposed subdivision will consist of the first initial phase of the Vista Bonita Estates Subdivision that will gain access to the area from Burbridge Road. Vista Bonita Estates Subdivision Unit 1 will consist of 200 single family residential lots with asphalt pavement, sanitary sewer, concrete sidewalks, water lines, street lighting, and street signalization. The proposed design does not include a public park, or a public pond (proposing on-site ponding).

STAFF RECOMMENDATION

The Planning and Zoning Department recommends APPROVAL with the condition that all comments from city staff and the city engineer be resolved before the filing of the final plat.

City of Socorro Planning & Zoning Department

Vista Bonita Estates Subdivision Unit 1

Comments

1. There is 30 feet of Natural Gas Co. ROW within this subdivision. Since it is ROW, it should be removed from within any proposed lot. It cannot be part of any proposed lot. Please adjust lots as needed as long as they still meet the minimum lot size requirement.
2. Please provide the date of the survey.
3. Please provide ALL location and descriptions of all monuments found or set within the plat area. Include benchmarks within elevations shown and property corners.
4. Please provide the total acreage of the subdivision to the fourth decimal place.
5. Lot sizes shall also be provided in acreage to the fourth decimal place.
6. Please provide certification that all monuments are in place.
7. Please provide approval from all land authorities and utility companies having franchise in the area, including the adjacent railroad granting access to the subdivision.
8. Please make sure that the new addresses on Burbridge Road align with the those existing to the other side of the railroad tracks.

DRAINAGE REPORT:

VISTA BONITA ESTATES SUBDIVISION UNIT 1 is on land that is flat due to being former farm land. The current subdivision retains its own runoff and there is no drainage shed entering or exiting the site. Within the subdivision, the lots will retain their own runoff. The streets will drain to the lots and the lots shall provide sufficient storm-water retention to capture 1/2 of the street runoff abutting each lot and the corner lots shall retain 1/2 of the street runoff abutting the front and sides of each lot. The local streets have 3/8 feet of pavement, curb to curb. The streets will incorporate header curb (zero height curb) in order to drain the streets to the residential lots. Each residential lot will have a finished pad site that is eighteen (18) inches higher than the curb height at a minimum in order to prevent storm runoff infiltration into the residential homes.

Since Vista Bonita Estates Subdivision Unit 1 will be an on-site pending subdivision, the lot owners are responsible for maintaining adequate provisions to accommodate all storm-water runoff generated from their respective lot, plus 1/2 of the runoff generated from all abutting street right-of-ways directly fronting the lot. Residential On Site Pending shall be limited to a maximum depth of 12 inches based on 100 year storm event. Residential lots shall have permanent elevation markers installed to define the levels in which effective on site ponding are maintained. No more than 50 percent of the area of each residential lot conveyed by deed shall be covered by improvements either temporary or permanent which shed storm-water, including but not limited to buildings, driveways, sidewalks, patios or landscaping underlaid with plastic sheathing or other impermeable material.

Vista Bonita Estates Subdivision Unit 1, as per Federal Emergency Management Agencies Flood Insurance Rate Map, Community Panel number 480212-0277B, effective date of September 4, 1991 is located in Flood Zone X (unshaded). No portion of Vista Bonita Estates Subdivision Unit 1 is shown to be within a special flood hazard area subject to a one percent or greater chance of flooding in any given year.

The 100-year flood is thus contained within each residential lot. As further noted, the finished floor elevation of each house is required to be at least 18 inches above the top of the average height of the curb in front of the lot, or 12 inches above the natural ground level surrounding the foundation, whichever is higher.

See typical graded lot detail below.

Certification:

Under local Gov. code §232.021 (4), "floodplain" means any area in the 100-year floodplain that is susceptible to being inundated by water from any source or that is identified by FEMA under the National Flood Insurance Act. By my signature below, I certify that the 100-year floodplain as so defined is contained within the following areas of Vista Bonita Estates Subdivision Unit 1:

ENGINEER:
Yvonne C. Curry
(Registration No. 64648 Tx.)

DATE:

INFORME DE DRENAJE:

EL FRACCIONAMIENTO DE VISTA BONITA ESTATES UNIDAD 1 es una superficie plana ninguna area de drenaje entrando o saliendo del sitio. Dentro de la subdivision, los lotes conservaran su propio drenaje. Las calles drenaran a los lotes y los lotes deberan proporcionar suficiente drenaje de retencion de agua que provenga de 1/2 medio calle de en frente y de los lados de cada lote. Las calles locales tienen 3/8 de pulgada de pavimento, de borde a borde. Las calles incorporaran un borde de calle (cero altura de borde) para drenar las calles a los lotes residenciales. Cada lote residencial tendra un acabado de sitio que sea dieciocho (18) pulgadas más alto que la altura del borde por lo menos con un

Como el Fraccionamiento de Vista Bonita Estates Unidad 1 retendra su propio drenaje necesario para dar cobijo a toda tormenta-accidental genera directamente al frente del lote. Los lotes residenciales con Enchacamientos-en-situ formados de 100 años. Los lotes residenciales tendran marcadores permanentes con elevos se mantienen. No más del 50 por ciento de la superficie de cada lote que cubren agua bajo un convenio escrito, incluyendo pero no limitado para con material impermeable.

El Fraccionamiento de Vista Bonita Estates Unidad 1, según Federal Emergency Ma de vigencia del Septiembre 4, 1991 se encuentra en zona de inundación X (sin muestra dentro de un área de riesgo de inundación especial sujeta a un por cien

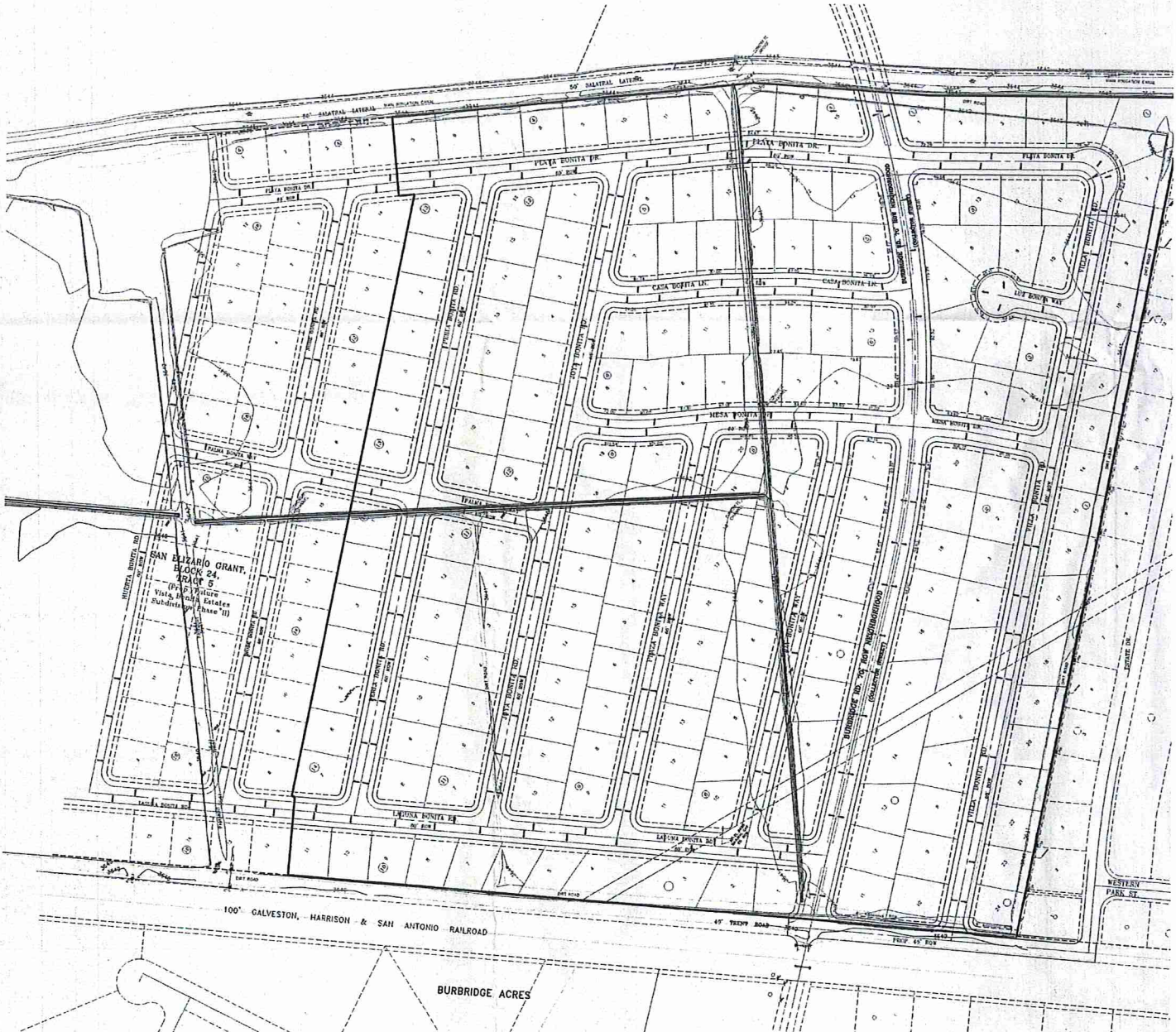
La inundación de 100 años por lo tanto está contenida dentro de cada lote resid menos 18 pulgadas por encima de la parte superior de la altura media de la or los cimientos, o cualquier que sea mayor.

Ver detalle típico a continuación.

Certificación:

Bajo §232.021 de código de gobierno local (4), "inundación" significa cualquier zona por el agua de cualquier fuente o que se identifica por FEMA bajo la ley nacional de inundación de 100 años como así definido está contenido dentro de los sigue

**MAP OF TOPOGRAPHY AND DRAINAGE
(MAPA DE TOPOGRAFIA Y DRENAJE)
(DRENAJE PLUVIAL)**





PLANNING AND ZONING DEPARTMENT
APPLICATION FOR SUBDIVISION APPROVAL

Date: January 30, 2018

REQUIRED DOCUMENTS

1. Plat of proposed subdivision done by a registered land surveyor showing easements.
2. Title guarantee by a Certified Abstractor showing that the applicant owns or controls the proposed property and that the property is free from any liens or other encumbrances.
3. Property deed of proposed subdivision.
4. Property Tax Certificate.

Application must be completed and validated prior to subdivision processing.

Subdivision Name: Vista Bonita Estates Subdivision Unit 1

1. Legal description of Area: Being a Portion Tract 5, Block 24, San Elizario Grant, El Paso County, Texas.

2. Proposed Land Uses:

	Acres	Sites		Acres	Sites
Single Family	55.163	200	Office		
Duplex			Street & Alley	13.791	1
Apartment			Ponding/Drainage		
Mobile Home			Institutional		
P.U.D.			Other (Specify)		
Park/Pond					
School					
Commercial			Total No. Sites	201	
Industrial			Total Acreage	68.954	

3. What is existing zoning of the above described property? N/A
4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s). Yes X No _____

5. Which of the following public improvements will be installed in this development:

Pavement	X	Water Lines	X
Sidewalks, Curb and Gutter	X	Street Name Signs	X
Storm Sewer	X	Protective Fence	X
Flood Retention Pond	X	Guardrails	
Fire Protection		Street Lights	X
Survey Monuments	X	U/G Electric Lines	X
Sanitary Sewer	X	Other (Specify)	

6. Are sidewalks proposed along all dedicated streets? Yes X No _____
 If only along some streets, which ones? _____

7. What type of telephone easements are proposed?
 Underground _____ Overhead _____ Both X

What type of electrical easements are proposed?
 Underground _____ Overhead _____ Both X

What type of cable T.V. easements are proposed?
 Underground _____ Overhead _____ Both _____

8. What type of drainage is proposed?
On Site Ponding

9. Remarks and/or explanation of special circumstances:

10. Owner of record: T 4 S, LLC P.O. Box 3860, Fabens, TX 79838 915-592-0283
 Name & address Zip Phone

11. Developer: T 4 S, LLC P.O. Box 3860, Fabens, TX 79838 915-592-0283
 Name & address Zip Phone

12. Engineer: Conde, Inc., 6080 Surety Drive, Ste. 100, El Paso, TX 79905 915-592-0283
 Name & address Zip Phone

Applicant's Signature: 

Capacity: Representative

Item #9

Elia Garcia
Mayor

Rene Rodriguez
At Large

Cesar Nevarez
District 1



Ralph Duran
District 2

Victor Perez
District 3/Mayor Pro Tem

Yvonne Colon-Villalobos
District 4

Adriana Rodarte
City Manager

DATE: February 20, 2018
TO: PLANNING AND ZONING COMMISSION
FROM: Adam Ochoa, Planning & Zoning Director
CC: Adriana Rodarte, City Manager

SUBJECT

Consider and take action on amending sections 46-379(8), 46-414(2) and 46-636 of the Code of Ordinances of the City of Socorro, Texas to conform these sections to the requirements of the Texas Alcoholic Beverage Code.

SUMMARY

Any and all businesses that sell, store or handle alcoholic beverages for the purpose of sale are required to follow all requirements of the Texas Alcoholic Beverage Code. The Texas Alcoholic Beverage Code also outlines provisions that the City of Socorro can adopt to regulate these types of businesses.

BACKGROUND

The City of Socorro Zoning Code currently contains regulations for alcoholic beverages and the businesses that sell, store and handle them for the purpose of sale (please see attached). These regulations do not conform with the requirements of the Texas Alcoholic Beverage Code.

STATEMENT OF THE ISSUE

The proposed amendment to sections 46-379(8), 46-414(2) and 46-636 of the of the City of Socorro Zoning Code will align the regulations of the City with the requirements of the Texas Alcoholic Beverage Code. Please see the attached Ordinance showing the changes to these sections.

STAFF RECOMMENDATION

The Planning and Zoning Department recommends APPROVAL for the proposed amendment to conform with the Texas Alcoholic Beverage Code.

Existing City of Socorro Regulations.

Sec. 46-379. - Permitted uses.

- (8) Any other neighborhood office, retail, service, or commercial use occupying no more than 3,000 square feet, except bars, liquor stores, and adult businesses.

Sec. 46-414. - Conditional uses (requires permit).

- (2) Bars, liquor stores, and adult businesses, provided that:
 - a. No such businesses shall be located within 1,500 feet of the nearest point of a lot on which is located a religious and/or educational institution, a public park or recreation facility.
 - b. No such business shall be located within 1,500 feet of any lot within any residential zone.
 - c. No such business shall operate between the hours of 2:00 a.m. and 9:00 a.m.

Sec. 46-636. - Alcoholic beverages.

- (a) Grocery stores. The sale of beer and wine not to be consumed on the premises shall be permitted in any grocery store complying with the terms of this section, except that nonconforming grocery stores shall not place any beer or wine, or any sign, picture or wine bottle, can, barrel, cask or other advertising device relating to beer or wine, so that it may be visible from the outside of such store.
- (b) In commercial and manufacturing districts, the sale of wine and beer, or other alcoholic beverages in packages or for consumption on the premises, shall be permitted in any commercial or manufacturing district provided it is not otherwise prohibited by any other law or ordinance.
- (c) Where not otherwise prohibited by this chapter, a special permit for private club may include permission to serve alcoholic beverages to members and guests under procedures authorized by state law.
- (d) No person shall sell any alcoholic beverage at any place within the residential zones of the city.
- (e) A business operated under authority of this section shall not be enlarged or extended; and if the business shall cease to be conducted for a continuous period of 120 days, it shall be deemed to be permanently abandoned, and all right to operate a business in that location by virtue of this section shall expire.
- (f) All sales of alcoholic beverages shall comply with state law.
- (g) There shall be levied and collected by the city from every licensee or permittee issued any license or permit by the state or its authorized agents under state law, and from which licensee or permittee the city is given the power by such code to levy and collect a fee, an annual fee for a city license or permit equal to one-half of the annual fee levied and collected by the state from such licensee or permittee. The city license or permit shall

correspond to the same class of license or permit issued such licensee or permittee by the state.

- (h) Upon securing any license or permit from the state issued in accordance with and under the terms of the Texas Alcoholic Beverage Code, such licensee or permittee shall, before engaging in such business within the limits of the city, apply in writing under oath to the license collector, or other official designated by the city to issue licenses, for a city license or permit to engage in the same class of business as authorized by such state license or permit, and shall present to such license clerk or other person designated by the city to issue licenses for examination, such state license or permit so issued such licensee or permittee and upon payment to the license clerk, or other person designated by the city to issue licenses, or the fee called for in subsection (g) of this section, shall be issued a city license or permit by the license collector or other person designated by the city to issue licenses.
- (i) Such license or permit fees shall be paid in the same manner and for the same period of time as the state license or permit issued such licensee or permittee so that same will correspond to the period covered by the state license or permit, and will terminate at the same time as the state license or permit.
- (j) No person shall possess, transport or consume any alcoholic beverage, as defined in the Texas Alcoholic Beverage Code, on the grounds or in the buildings of any public school situated within the city limits.
- (k) Subsection (j) of this section does not prohibit the possession, transportation or use of alcohol or any mixture containing alcohol when authorized by school authorities for laboratory use or technical purposes in connection with school property, or when taken in good faith for medicinal purposes upon the advice of a licensed physician.
- (l) The sale of alcoholic beverages, including beer, wine or intoxicating liquor by any dealer whose place of business is within 1,5000 feet of a church, public school or public hospital, is prohibited unless expressly varied pursuant to subsection (m) of this section. The measurement of the distance between the place of business where alcoholic beverages are sold and the church, public school or public hospital shall be as follows:
 - (1) Between restaurants with liquor sales, bars, private clubs, or any other establishments where alcoholic beverages are sold for consumption on the premises and any church or public hospital: from front door to front door along the property lines of the street front, and in direct line across intersections where they occur.
 - (2) Between package stores or other establishments where alcoholic beverages are sold in sealed containers for off-premises consumption, and any church, public school or public hospital: from front door to front door, along the property line of the street front, and in direct line across intersections where they occur.
 - (3) Between restaurants with liquor sales, bars, private clubs or any other establishments where alcoholic beverages are sold for consumption on the premises and any public school: from the nearest property line of the public school to the nearest doorway by which the public may enter the restaurant, bar, private club or other establishment, along street lines and in direct line across intersections where they occur.

- (m) Upon application from the person seeking relief from the regulation of subsection (l) of this section, the city council may, in its discretion, grant a variance from the regulation if it determines that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the city council, after consideration of the health, safety and welfare of the public and the equities of the situation, determines is in the best interest of the community.
- (n) Upon application by the person entitled to possession of any place where the sale of alcoholic beverages is prohibited by subsection (d) or (l) of this section, the city clerk shall grant a temporary permit for such sale, providing the following conditions are met:
 - (1) The applicant must provide proof of approval by the city planning and zoning commission.
 - (2) Such sale must be incident to a party, bazaar or entertainment given by and for the benefit of a charitable organization, and not for private profit.
 - (3) Such permit shall not be valid unless the person making such sales complies with all applicable state laws and local ordinances.
 - (4) The duration of such temporary permit shall not exceed a period of four days.
- (o) No employees under 21 years of age.
 - (1) No person shall employ any person under the age of 21 years to work as an entertainer in any place where distilled liquor, wine or beer is served, dispensed or consumed on the premises.
 - (2) The owner, manager or other person in charge of any place where distilled liquor, wine or beer is served, dispensed or consumed on the premises shall not permit any person under the age of 21 years to work as an entertainer at such place.
 - (3) Any person violating this section shall be deemed guilty of a misdemeanor and punished as provided in section 1-15.

Elia Garcia
Mayor

Rene Rodriguez
At Large

Cesar Nevarez
District 1



Ralph Duran
District 2

Victor Perez
District 3/Mayor Pro Tem

Yvonne Colon-Villalobos
District 4

Adriana Rodarte
City Manager

ORDINANCE _____

AN ORDINANCE AMENDING SECTIONS 46-379(8), 46-414(2) AND 46-636 OF THE CODE OF ORDINANCES OF THE CITY OF SOCORRO, TEXAS TO CONFORM THESE SECTIONS TO THE REQUIREMENTS OF THE TEXAS ALCOHOLIC BEVERAGE CODE.

WHEREAS, the City of Socorro has heretofore established designated commercial vehicle truck routes within the city limits;

WHEREAS, in order to provide additional safety and protection to residential properties located along North Nevarez Road;

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

(Deletions of current text are noted in red strike through font and additions are noted in blue underline font)

Section 1. That Chapter 46 (Zoning), Article IV (District Regulations), Division 8 (C-1 District), Section 46.379(8) (Permitted Uses) be revised as follows:

Section 46-379. – Permitted uses

- (8) Any other neighborhood office, retail, service, or commercial use occupying no more than 3,000 square feet, except ~~bars, liquor stores and~~ adult businesses.

Section 2. That Chapter 46 (Zoning), Article IV (District Regulations), Division 9 (C-2 District), Section 46.414(2) (Conditional Uses [requires permits]) of the Code of Ordinances of the City of Socorro, Texas, be revised as follows:

Sec. 46-414. - Conditional uses (requires permit).

Conditional uses in this zone shall include:

- (2) ~~Bars, liquor stores, and~~ Adult businesses, provided that:
- No such businesses shall be located within 1,500 feet of the nearest point of a lot on which is located a religious and/or educational institution, a public park or recreation facility.
 - No such business shall be located within 1,500 feet of any lot within any residential zone.
 - No such business shall operate between the hours of 2:00 a.m. and 9:00 a.m.

Section 3. That Chapter 46 (Zoning), Article V (Supplemental Regulations for all Districts), Section 46-636 (Alcoholic beverages) shall be amended in its entirety, as follows:

Sec. 46-636. - Alcoholic beverages.

(a) Requirements. The sale, storage or handling of alcoholic beverages for the purpose of sale is permitted only where the use is authorized by and complies with all applicable provisions of this Chapter and the Texas Alcoholic Beverage Code, as same may be amended or replaced.

- (1) The sale, storage or handling of alcoholic beverages for the purpose of sale is permitted only where licensed in accordance with the Texas Alcoholic Beverage Code and the provisions hereof.
- (2) The sale, storage or handling of alcoholic beverages for the purpose of sale is permitted only in approved locations within the interior of buildings or structures that have a valid certificate of occupancy allowing such use.
- (3) The sale, storage or handling of alcoholic beverages for the purpose of sale is permitted in any commercial or manufacturing district provided it is not otherwise prohibited by any other law or ordinance.
- (4) The sale, storage or handling of alcoholic beverages for the purpose of sale within a residential district is prohibited.
- (5) Subject to the provisions of Section 11.38 of the Texas Alcoholic Beverage Code, there shall be levied and collected by the city from every licensee or permittee issued any license or permit by the state or its authorized agents, and from which licensee or permittee the city is given the power by the Texas Alcoholic Beverage Code to levy and collect a fee, an annual fee for a city license or permit equal to one-half of the annual fee levied and collected by the state from such licensee or permittee. The city license or permit shall correspond to the same class of license or permit issued such licensee or permittee by the state and shall be paid in the same manner and for the same period of time as the state license or permit issued such licensee or permittee so that same will correspond to the period covered by the state license or permit, and will terminate at the same time as the state license or permit.

(b) Restrictions.

- (1) The sale, storage or handling of alcoholic beverages for the purpose of sale is not permitted in any zoning district where the place of business is located within 300 feet of a church, public or private school, or public hospital, unless expressly granted an exception pursuant to the requirements of this Section.
- (2) A 1,000-foot separation may be required from a public school if city council receives a request from the board of trustees of the school district under Section 38.007 of the Education Code. A 1,000-foot separation may also be required from a private school if city council receives a request from the governing body of the private school.
- (3) The measurement of the distance between the place of business where alcoholic beverages are sold and the church, public or private school, or public hospital shall be as follows:
 - a. The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections; and
 - b. The measurement of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be in a direct line from the property line of the public or private school to the property

line of the place of business, and in a direct line across intersections.

(4) The City Council may grant an exception from prohibition of the sale of alcoholic beverages within 300 feet of a church, public hospital and public or private school after notice and public hearing if the City Council determines that the enforcement of the prohibition in a particular instance:

- a. is not in the best interest of the public;
- b. constitutes waste or inefficient use of land or other resources;
- c. creates an undue hardship on an applicant;
- d. does not serve its intended purpose;
- e. is not effective or necessary; or
- f. for any other reason, the City Council, after consideration of the health, safety and welfare of the public and the equities of the situation, determines is in the best interest of the City.

(c) Violations and penalties. Any person, firm, corporation or agent who shall violate a provision of this Chapter, or fail to comply therewith, or with any of the requirements thereof, shall be deemed guilty of a misdemeanor and punished by a fine not to exceed two thousand dollars. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Chapter is committed or continued.

Section 4. Except as expressly herein amended, Chapter 46 (Zoning), of the Code of Ordinances of the City of Socorro, Texas, shall remain in full force and effect.

READ, APPROVED AND ADOPTED this ____ day of ____ 2018.

CITY OF SOCORRO, TEXAS

Elia Garcia, Mayor

ATTEST:

Olivia Navarro, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

James A. Martinez
Socorro City Attorney

Adriana Rodarte, City Manager

Introduction and First Reading:
Second Reading and Adoption: