**Rene Rodriguez** Representative 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**, **August 6**, **2019** at 5:30 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. 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.

#### 3. CONSENT AGENDA

a. Consider and Take Action:

On the approval of meeting minutes for the July 16, 2019 Planning and Zoning Commission meeting.

#### 4. REGULAR AGENDA-DISCUSSION AND ACTION

#### 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.

#### (a) Rezonings - Public Hearings

(1) Proposed: To be used for a commercial venture.

Legal: Robert E. Nix Survey 302 ABST 10170, Tracts 11B1, 11B2, & 11B3

Location: 16143, 16133, & 16106 Gateway Boulevard West Property Owner: Garcia Family Grantors Irrevocable Trust

Representative: Eva Rojas

Attachment:

(2) Proposed: For a second Dwelling.

Legal: Lot 8, Friedman Estates #2, Block 11

Location: 11460 Datsun

Property Owner: Reymundo F. Resendez

Representative: Owner

Attachment:

#### (b) Replat Approval – Public Hearing

(1) Proposed: Navarrete-Blanco Subdivision

Legal: Being a replat of Lot 5, Block 2, Sunhaven Farms

Location: 557 Sunhaven Drive

Property Owner: Grecelda Navarrete and Andres Navarrete

Representative: Calderon Engineering

Attachment:

#### (c) Consider and Take Action:

On the proposed Conditional Use Permit for a mechanic shop for a mechanic shop for Lot 6, Block 2, Bagge Estates Subdivision located at 10074 North Loop.

## REGULAR MEETING AGENDA – SOCORRO PLANNING & ZONING COMMISSION August 6, 2019 at 5:30 PM

- (d) Consider and Take Action:
  On amending sections 42-69, 42-102, and 46-633 (c) of the Code of Ordinances of the City of Socorro, Texas to restrict large commercial vehicle parking and storage within residential and agricultural zoning districts.
- 5. Planning and Zoning Commissioners Report:
- 6. Planning and Zoning Department Report:
- 7. Excuse absent commission members:
- 8. Adjournment:

#### **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

#### **NOTICE TO PROPERTY OWNER**

The Commission Policy requires that the applicant or representative be present at the public hearing for their item(s). Failure of the applicant or his/her/its representative to be present may result in the deletion of the matter from the agenda or such matter may be tabled until such time as the applicant or his/her/its representative is present.

## REGULAR MEETING AGENDA – SOCORRO PLANNING & ZONING COMMISSION August 6, 2019 at 5:30 PM

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 2<sup>nd</sup>, day of August 2019.

Sergio Morales, Planning & Zoning Secretary

DATE &TIME POSTED: 8-2-209 9:00 M. /BY:

ALL PLANNING AND ZONING COMMISSION AGENDAS ARE PLACED ON THE INTERNET AT THE ADDRESS BELOW:

(www.ci.socorro.tx.us)

### CITY OF SOCORRO PLANNING AND ZONING COMMISSION Regular Meeting Minutes

July 2, 2019

Members Absent	Staff Present	Others Present
Ernest Gomez Daniel Lopez	Job Terrazas Sergio Morales	John Birkelbach
	Ernest Gomez	Ernest Gomez Job Terrazas

#### Items for discussion and action:

#### 1. Call to order.

Chairperson Mr. Arturo Lafuente called the meeting to order at 5:34 p.m.

#### 2. Notice to the Public - Open Forum.

Miriam Cruz asked the commissioners not to consider approving the minutes until a visual aid was added for the presentation that was made by Mr. Enrique Escobar on the meeting of July 2, 2019. She also asked the commissioners when they were going to schedule another workshop.

#### 3. Consent Agenda.

a. Consider and Take Action:

On the approval of meeting minutes for the July 2, 2019 Planning and Zoning Commission meeting.

A motion was made by Mr. David Estrada to approve, seconded by Mr. Enrique Cisneros. Motion was carried with 4 commissioners present in favor.

#### 4. Regular Agenda – Discussion and Action:

a. Conditional Use Permit - Public Hearing

(1) Proposed: C.U.P. for a mechanic shop.

Legal: Block 2, Bagge Estates Subdivision, Lot 6

Location: 10074 North Loop Drive Property Owner: Zapata Auto Sales Representative: Lorenzo D. Zapata

**Attachment:** 

PUBLIC HEARING OPEN: 5:47 p.m. Miriam Cruz asked if the C.U.P. is approved does the owner

have to comply with the conditions set forth before the permit is issued.

PUBLIC HEARING CLOSE: 5:48 p.m.

A motion was made by Mr. Andrew Arroyos to table the item since the owner was not present, seconded by Mr. David Estrada. Motion was carried with all commissioners present in favor.

#### b. Rezonings - Public Hearings

(1) Proposed: To use the property for commercial purposes.

Legal: Block 21, Socorro Grant, Tracts 3B, 4C, & 4D

Location: 10180 Socorro Road

Property Owner: HZ Ventures, LLC. Representative: Pierre Hernandez

Attachment:

PUBLIC HEARING OPEN: 6:00 p.m. Miriam Cruz mentioned she thought this building or another building had roof problems. She also stated she loved this area and she's glad they are making it better and she added that we have to make sure the buildings are safe and adequate for the public.

PUBLIC HEARING CLOSE: 6:02 p.m.

A motion was made by Mr. Enrique Cisneros to approve, seconded by Mr. Andrew Arroyos. Motion was carried with all commissioners in favor.

(2) Proposed: Rezoning for a parking lot.

Legal: Block 21, Socorro Grant, Tract 5

Location: 10166 Socorro Road

Property Owner: Pierre & Norma Hernandez

Representative: Pierre Hernandez

Attachment:

PUBLIC HEARING OPEN: 6:10 p.m. Miriam Cruz was concerned with the residential impact the events being held at this location would have on the surrounding neighbors.

PUBLIC HEARING CLOSE: 6:11 p.m.

A motion was made by Mr. Enrique Cisneros to approve, seconded by Mr. Andrew Arroyos. Motion was carried with all commissioners in favor.

#### c. Plat Approval – Public Hearings

(1) Proposed: Belen Plaza Replat K

Legal: Being all of Lot 2, Block 6, Belen Plaza

Location: 10815 Regina Drive

Property Owner: Ricardo Herrera and Ruby Herrera

Representative: Owner

Attachment:

PUBLIC HEARING OPEN: 6:17 p.m. Irma Hall a constituent spoke against this item. Gilbert Lopez a constituent spoke against this item. Miriam Cruz asked to show other lot splits in the area and to verify further lot splits are permitted. Ruby Herrera the owner stated that the lot was being split to build two new homes only.

PUBLIC HEARING CLOSE: 6:23 p.m.

A motion was made by Mr. Andrew Arroyos to approve, seconded by Mr. Enrique Cisneros. Motion was carried with 3 commissioners in yes and 1 no.

(2) Proposed: La Jolla Replat I

Legal: Being a lot split of Lot 4, La Jolla Subdivision, Block 6

Location: 10560 Santa Paula

Property Owner: Yolanda Hernandez Representative: Calderon Engineering

Attachment:

PUBLIC HEARING OPEN: 6:33 p.m. Yolanda Hernandez the owner and Lauri Lozano the niece explained the lot split is being done to leave her niece a property where she can build her own home.

PUBLIC HEARING CLOSE: 6:37 p.m.

A motion was made by Mr. Andrew Arroyos to approve, seconded by Mr. Enrique Cisneros. Motion was carried with 3 commissioners yes and 1 no.

#### d. Consider and Take Action:

On the Public hearing for the proposed Amendment to Section 46-92 of the Code of Ordinances of the City of Socorro, Texas – Application Fees, and to remove consideration of value of Residential Dwelling and to remove consideration of cost of construction or improving of Residential Dwelling related to building permit and inspection fees; Adopting building permit fees based on the square footage of the structure; providing for a savings/repealing clause; providing a severability clause; providing for publication and providing an effective date.

PUBLIC HEARING OPEN: 6:51 p.m. Miriam Cruz stated the double fee being charged for starting any construction job without a permit should be changed to a triple fee and she asked how the evaluation for other structures was going to be charged, if it was going to be based on a certain standard or just a flat rate.

PUBLIC HEARING CLOSE: 6:53 p.m.

A motion was made by Mr. Andrew Arroyos to approve with a condition to revisit the fee schedule, seconded by Mr. Enrique Cisneros. Motion was carried with all commissioners in favor.

#### 5. Planning and Zoning Commissioners Report:

Various subjects were discussed.

#### 6. Planning and Zoning Department Report:

Mr. Job Terrazas reported the City is currently working with S.I.S.D. to start the remodeling of the school sometime in February 2020. S.I.S.D. agreed to dedicate an additional 60 feet for the Rio Vista Road expansion and development and that 3 entrances are being planned on Rio Vista Road once the remodeling starts. IDEA School is also planning the second part of the schools' renovation coming soon.

#### 7. Excuse absent commission members.

A motion to deny absent commission members was made by Mr. David Estrada, seconded by Mr. Andrew Arroyos. Motion was carried with all commissioners in favor.

#### 8. Consider and take action on adjournment.

A motion was made by Mr. Arturo Lafuente to adjourn, seconded by Mr. David Estrada. Meeting adjourned at 7:29 p.m.

Arturo Lafuente, Chairperson	Sergio Morales, Secretary

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:

August 6, 2019

TO:

PLANNING AND ZONING COMMISSION

FROM:

Job Terrazas, Building Official

 $\mathbb{CC}$ :

Adriana Rodarte, City Manager

#### SUBJECT

Public hearing for proposed rezoning of Tracts 11B1, 11B2 & 11B3, Robert E. Nix Survey 302 ABST 10170 located at 16143, 16133, 16106 Gateway Blvd West from Unclassified and C-2 (General Commercial) for a commercial venture.

#### SUMMARY

The subject properties of this request are located on the north of Gateway Boulevard West. The properties have an estimated area of 1,360,814 sq. ft. (31.24 acres) combined and are owned by Garcia Family Grantors Irrevocable Trust.

These properties are in an area that was annexed to Socorro in 2008 with properties without a zoning classification.

According to the Flood Insurance Rate Maps, the referenced property lies within an area determined to be outside of the 500-year flood plain, more particularly described as **Zone X**; this classification is the safest area with the less possibility of being flooded (Community Panels # 480212 0277-B and 480212 0281-B/ FEMA, September 4, 1991).

The current land use: Vacant Land Proposed land use: Commercial

Per the Future Land Use Map, the projected land use for this property is: Medium Density Residential

Adjacent Land Uses:

North: Unclassified

South: C-2 (General Commercial)

East: Unclassified West: Unclassified

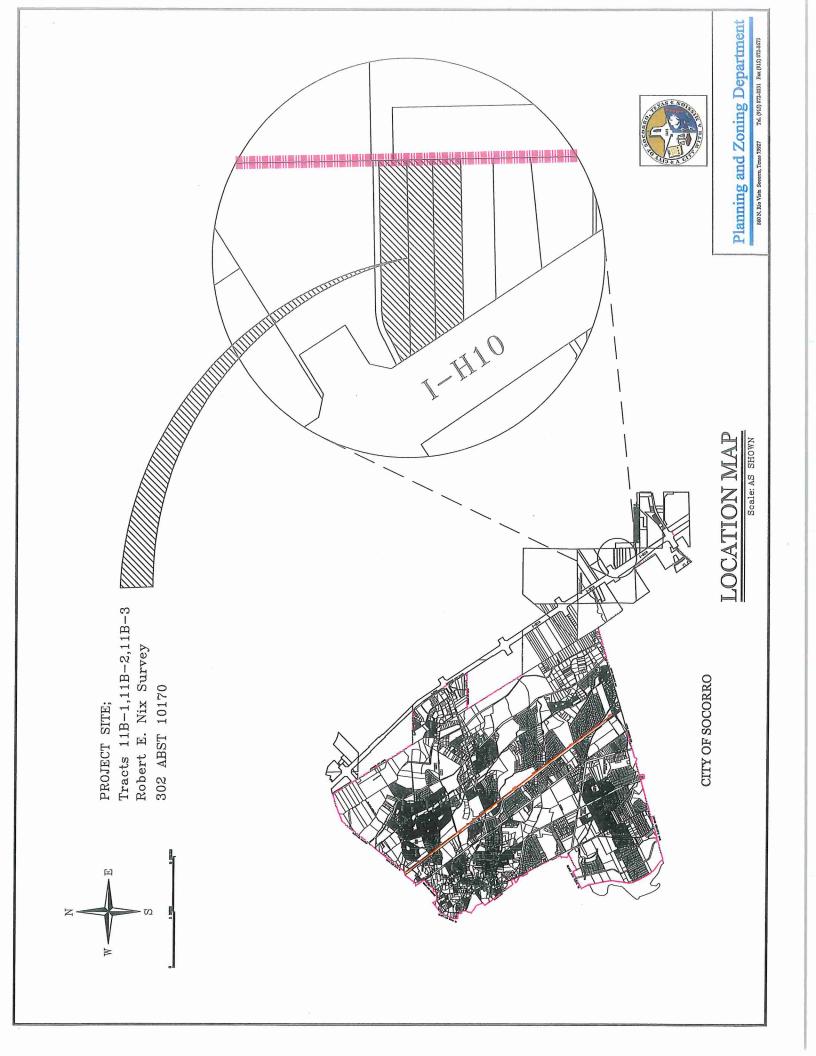
#### STATEMENT OF THE ISSUE

Petitioner is asking for a zoning classification to use the land for a trucking business.

#### STAFF RECOMMENDATION:

The Planning and Zoning Department recommends APPROVAL.

	FINANCIAL IMPACT		
Account Code (GF/GL/Dept):			
Funding Source:			
Amount:			
Quotes (Name/Commodity/Price)			
Co-op Agreement (Name/Contract#)			
REQUIRED AUTHORIZATION			
City Manager	Date		
CFO	Date		
Attorney	Date		





#### PLANNING AND ZONING DEPARTMENT REZONING APPLICATION CITY OF SOCORRO

1.	Name: Garcia Family Grantors Irrevocable Trust
	Address: 1353 Marta Duron Ln 79936 Phone: 915) 248-7521
	Representative: Eva Rojas
	Representative: Eva Rojas  Address: 179 Defoe Rd El Paso TX 79928 Phone: 915)603-8324
	Email Address: <u>Evarojas (200 gmail. com</u>
2.	Property Location: RENS 302 ABST 10170
	Legal Description: Tracts //8/, //82, //83
	If legal description is not available, a metes and bounds description will be required.
	Area (Sq. ft. or Acreage)  Current Zoning  Current Land Use  C-2 Commercial  Proposed Zoning  Proposed Land Use
	Proposed Zoning Proposed Land Use
3.	All owners of record must sign document.
	re: Each item on this form must be completed and all supporting documentation must be mitted before this request can be scheduled for a public hearing.
_	Representative/Owner Date

ALL FEES ARE NON-REFUNDABLE / NO GUARANTEE IS MADE IT WILL BE APPROVED LAS TARIFAS NO SON REEMBOLSABLES / NINGUNA GARANTÍA SE HACE QUE SE APROBARÁ



#### PLANNING AND ZONING DEPARTEMNT REZONING APPLICATION CITY OF SOCORRO

- 1. Material to be submitted with the application:
  - A. Proof of ownership, including a copy of the Warranty Deed or Certificate of Title.
  - B. A copy of deed restrictions, existing or proposed, or a statement from the Title Company certifying that deed restrictions do not exist.
  - C. A copy of the Property Tax Certificate for each parcel described in the application. Delinquent taxes must be paid in full before application is considered.

## NOTE: PHOTOGRAPHS OF THE CURRENT STATE OF THE PROPERTY MAYBE REQUIRED DURING THE PROCESS.

- 2. Applications will be accepted on a first come, first served basis. The Planning and Zoning Commission reserves the right to limit the amount of zoning cases heard each month.
- 3. Dismissal for want of Prosecution- If an applicant fails to appear or be represented at the time their case is being heard, the Commission can, at their discretion, postpone or hear the case with or without the applicants being represented. The applicant's case shall be automatically dismissed for want of prosecution. Failure to receive the notice by certified mail will not excuse failure to appear.
- 4. <u>FEE</u> A fee will be charged for review of the application by the Planning and Zoning Department.

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

FEES ARE NON-REFUNDABLE / NO GUARANTEE IS MADE IT WILL BE APPROVED
LAS TARIFAS NO SON REEMBOLSABLES / NINGUNA GARANTÍA SE HACE QUE SE APROBARÁ

Initials: L.G.

Date: 6/11/19

Rene Rodriguez Representative 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:

August 6, 2019

TO:

PLANNING AND ZONING COMMISSION

FROM:

Job Terrazas, Building Official

CC:

Adriana Rodarte, City Manager

#### SUBJECT:

Public hearing for the proposed amendment to the City of Socorro Master Plan and rezoning of Lot 8, Friedman Estates #2, Block 11 located at 11460 Datsun from R-1, Single Family Residential to R-2, Medium Density Residential for a second dwelling.

#### STATEMENT OF THE ISSUE:

According to information provided by the applicant, they are asking for a Medium Density Residential zoning classification to build a duplex.

#### **SUMMARY:**

The property matter of this request is located at 580 feet southeast from Passmore Rd. and Datsun Dr. This property has an estimated area of 10,546 sq. ft. (0.2421 acres), owned by Reymundo F. Resendez, 707 Camichin Rd., Socorro, TX 79927.

Friedman Estates #2 Subdivision was recorded in 1976 with 280 lots classified as R-1, Single Family Residential after the City's reactivation in 1986.

The current use of the property is: Single Family Residential

Future Land use Map: Single Family Residential

The proposed use of the property: Medium Density Residential

Adjacent Land Uses: North: R-1, (SFR), South: R-1, (SFR) East: R-1, (SFR), West: R-1, (SFR)

#### **ALTERNATIVE:**

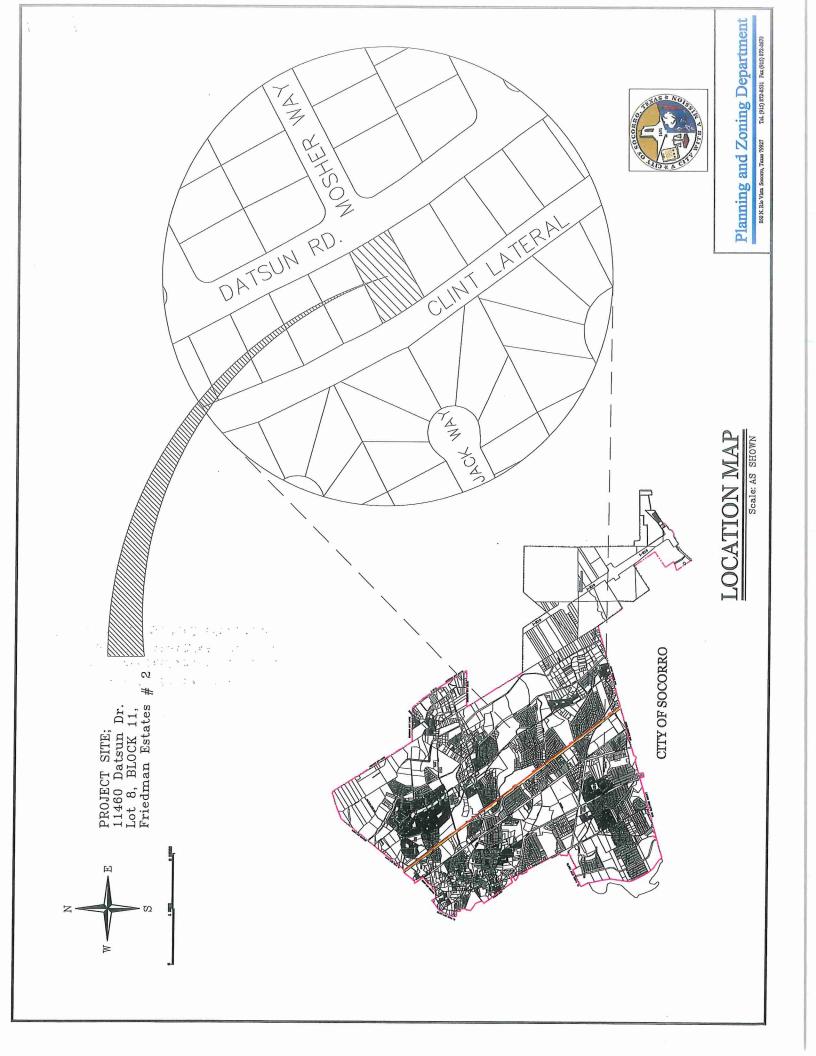
The only way to approve this petition is if there is a "change in conditions". This request is inconsistent with the surrounding land, the comprehensive plan and serves no public purpose. The land may be rezoned upon proof of a real public need or substantially changed conditions in the neighborhood.

#### **STAFF RECOMMENDATION:**

The Planning and Zoning Department recommends DENIAL because this request is considered spot zoning and is not in accordance to the comprehensive plan.

FINANCIAL	IMPACT

Account Code (GF/GL/Dept):		
Funding Source:		
Amount:		
Quotes (Name/Commodity/Price)		
Co-op Agreement (Name/Contract#)		
REQUIRED AUTHORIZATION		
City Manager	Date	
CFO	Date	
Attorney	Date	





## PLANNING AND ZONING DEPARTMENT REZONING APPLICATION CITY OF SOCORRO

. Name: Keymundo F. Reser	dez
Name: <u>Reymundo</u> F. Reser Address: 107 Camichin P	Phone: 915 - 920 - 1
Representative:	
Address:	Phone:
Email Address:	
Property Location: 11440 Datsur	)
Legal Description: 11 Friedman Estat	es #2 Lot 8
If legal description is not available, a metes and	bounds description will be required.
Area (Sq. ft. or Acreage)  R  Current Zon	Single family  Current Land Use
Proposed Zoning	Proposed Land Use
All owners of record must sign document.	
no	
ote: Each item on this form must be completed and comitted before this request can be scheduled for a	
ns	5-29-19
Representative/Owner	Date

ALL FEES ARE NON-REFUNDABLE / NO GUARANTEE IS MADE IT WILL BE APPROVED LAS TARIFAS NO SON REEMBOLSABLES / NINGUNA GARANTÍA SE HACE QUE SE APROBARÁ



#### PLANNING AND ZONING DEPARTEMNT REZONING APPLICATION CITY OF SOCORRO

- 1. Material to be submitted with the application:
  - A. Proof of ownership, including a copy of the Warranty Deed or Certificate of Title.
  - B. A copy of deed restrictions, existing or proposed, or a statement from the Title Company certifying that deed restrictions do not exist.
  - C. A copy of the Property Tax Certificate for each parcel described in the application. Delinquent taxes must be paid in full before application is considered.

## NOTE: PHOTOGRAPHS OF THE CURRENT STATE OF THE PROPERTY MAYBE REQUIRED DURING THE PROCESS.

- 2. Applications will be accepted on a first come, first served basis. The Planning and Zoning Commission reserves the right to limit the amount of zoning cases heard each month.
- 3. Dismissal for want of Prosecution- If an applicant fails to appear or be represented at the time their case is being heard, the Commission can, at their discretion, postpone or hear the case with or without the applicants being represented. The applicant's case shall be automatically dismissed for want of prosecution. Failure to receive the notice by certified mail will not excuse failure to appear.
- 4. <u>FEE</u> A fee will be charged for review of the application by the Planning and Zoning Department.

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

FEES ARE NON-REFUNDABLE / NO GUARANTEE IS MADE IT WILL BE APPROVED LAS TARIFAS NO SON REEMBOLSABLES / NINGUNA GARANTÍA SE HACE QUE SE APROBARÁ

Initials: h

Date: 5-29-19

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:

August 6, 2019

TO:

PLANNING AND ZONING COMMISSION

FROM:

Job Terrazas, Building Official

CC:

Adriana Rodarte, City Manager

#### SUBJECT

Consider and Take Action on the Replat approval for Navarrete-Blanco Subdivision, for a lot split being Lot 5, Block 2, Sunhaven Farms at 557 Sunhaven Dr.

#### **SUMMARY**

The subject property is located about 350' feet west of North Loop Dr. The properties are owned by Andres and Grecelda Navarrete.

#### **BACKGROUND**

The proposed land division is as follows:

Lot #1 Area.....10,890 sq. ft. (0.250 acres) Lot #2 Area.....10,890 sq. ft. (0.250 acres)

Total Area Area...21,780 sq. ft. (0.500 acres)

According to the Flood Insurance Rate Maps, the referenced property lies within an area determined to be outside of the 500-year flood plain, more particularly described as Zone X.

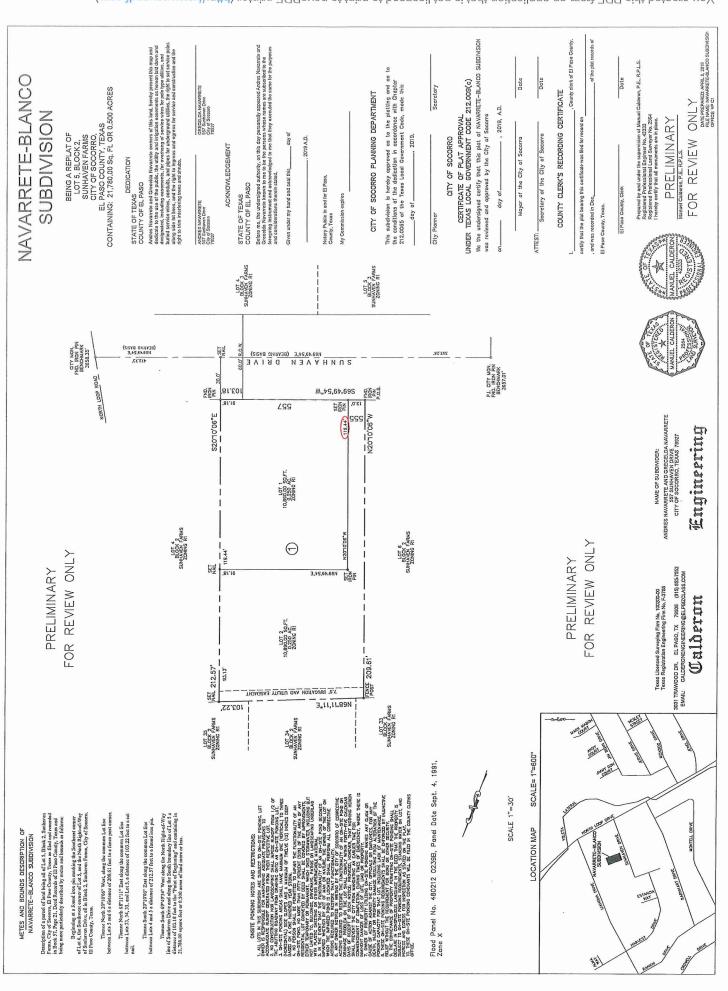
#### STATEMENT OF THE ISSUE

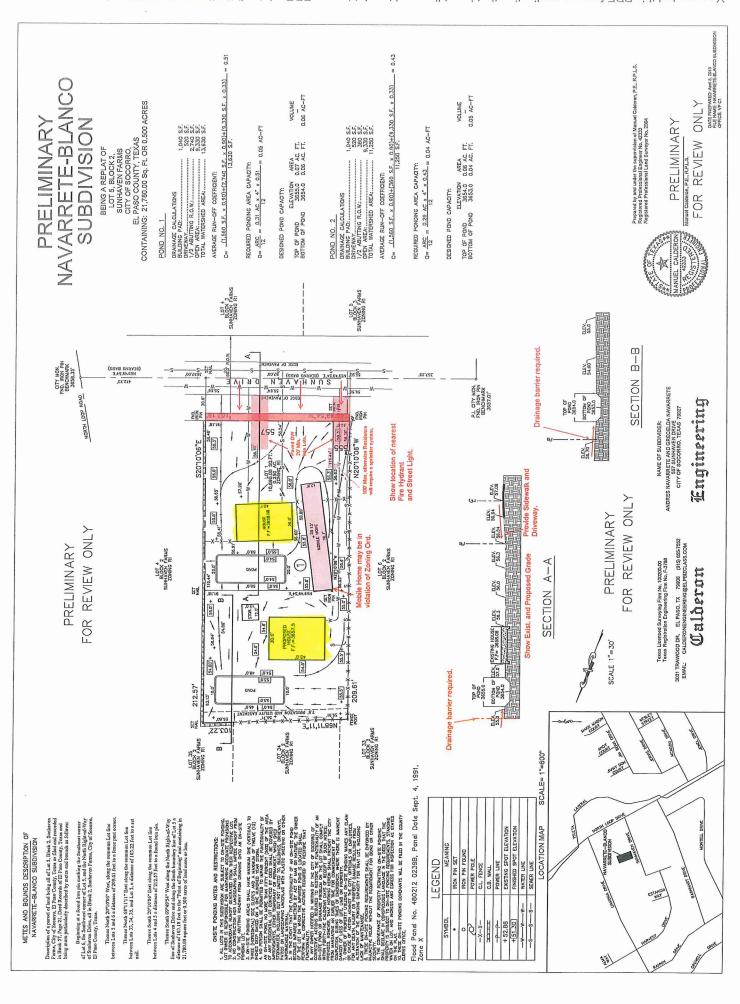
The proposed replat was requested by the applicant to split the property in half to allow a second dwelling in the rear. The lots in the original plat are restricted to residential use by not more than 2 units per lot.

#### STAFF RECOMMENDATION

The Planning and Zoning Department recommends DENIAL until issues are addressed.

- The panhandle on lot 2 shall have a minimum 20' width for ingress/egress of the fire apparatus and/or other emergency vehicles
- The existing mobile home shall be removed prior to recording of the plat
- Agreement from all the adjoining properties







## SUBDIVISION SUMMARY PROCEDURE MUNICODE CHAPTER 38-13

<u>Note:</u> The Council has authorized the City building official or his designee to approve a subdivision as a combined preliminary and final plat in any case where no public purposes would be served by separate steps. Such summary approval shall be given only when one or both following conditions exist:

- 1. The subdivision contains four or fewer lots;
- 2. Revision of subdivision, where the combination or recombination or portions of previously platted lots does not increase the total number of lots.

In all cases, the subdivision plat being considered for approval under this summary procedure shall be prepared according to the standards for plans and data for both preliminary and final plats as contained herein.

#### MUNICODE CHAPTER 38-7(a)(1)

<u>Note:</u> Whenever there is no need for dedication of streets or easements as described in Section 38-4 or 38-13, the City Council may waive the requirements for topography, street, utility and/or storm drainage as set forth.

#### LOT SPLIT APPLICATION

Name Home	10-3-19 of Subdivider: Grecelda Navarrete Address: 557 Sun Haven Dr. Number: (915) 843-10192	Andres Navarrete
1.	Legal description of property to be subdivided:	
2.	Present zoning:Area (Sq. Ft.)	Present Land Use
3.	Proposed land division:	
	Lot 1 Area: 10,890.00	_Acres
	Lot 2 Area: 10,890.00	_Acres
	Total Area: 21,780.00	_Acres
2.00		

4. Is dedication of easement required? No . If yes, appropriate letter from utilities is required. DOCUMENTS REQUIRED 1. Plat of proposed subdivision done by a registered land surveyor showing existing easements. 2. Title guarantee by a Certified Abstractor showing that the subdivider 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. Location of existing structures and septic systems on the proposed subdivision. Future development requires the appropriate permits. 5. Property Tax Certificate. **FEES** Application Fee: \$150.00 Preliminary Plat Review: \$100.00 Final Plat Review: \$100.00 Engineering Report Review: \$200.00 Capital Improvement fee \$400.00 (per lot) Total (non-refundable): Under the Environmental Protection Agency's (EPA) regulations, construction sites larger than five (5) acres are required to have a storm water run-off plan and maintain detailed records during the project's operation.

U-3-19 Date

Rene Rodriguez Representative 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:

August 6, 2019

TO:

PLANNING AND ZONING COMMISSION

FROM:

Job Terrazas, Building Official

CC:

Adriana Rodarte, City Manager

#### SUBJECT:

Consider and Take Action on the proposed conditional use permit for a mechanic shop for Lot 6, Block 2, Bagge Estates subdivision located at 10074 North Loop Dr.

#### **SUMMARY:**

The property matter of this request is 820' feet from the intersection of Old Hueco Tanks and North Loop Dr. This property has an estimated area of 6,325 sf. (0.15 acres). This property is owned by Benito Zapata.

#### **BACKGROUND:**

Bagge Estates Subdivision was recorded in 1971 with 118 classified R-1 after the City's activation in 1986.

According to the Flood Insurance Rate Maps, the referenced property lies within **Zone X**.

Per the Future Land Use map, the projected land use for this property is: Single Family Residential

The current use of the property is: Commercial

The proposed use of the property: Commercial plus a conditional use permit for a mechanic.

Adjacent Land Uses: North: C-2, South: C-2, East: R-1, West: R-1

The property was rezoned to C-2, General Commercial on April 5, 2007. Zapata's Auto Sales has been operating since 2014. An inspection was made, and violations were found in the property on February 26, 2019. The owner was found conducting mechanic work within the property. He was given time to comply. A final notice was mailed March 11, 2019.

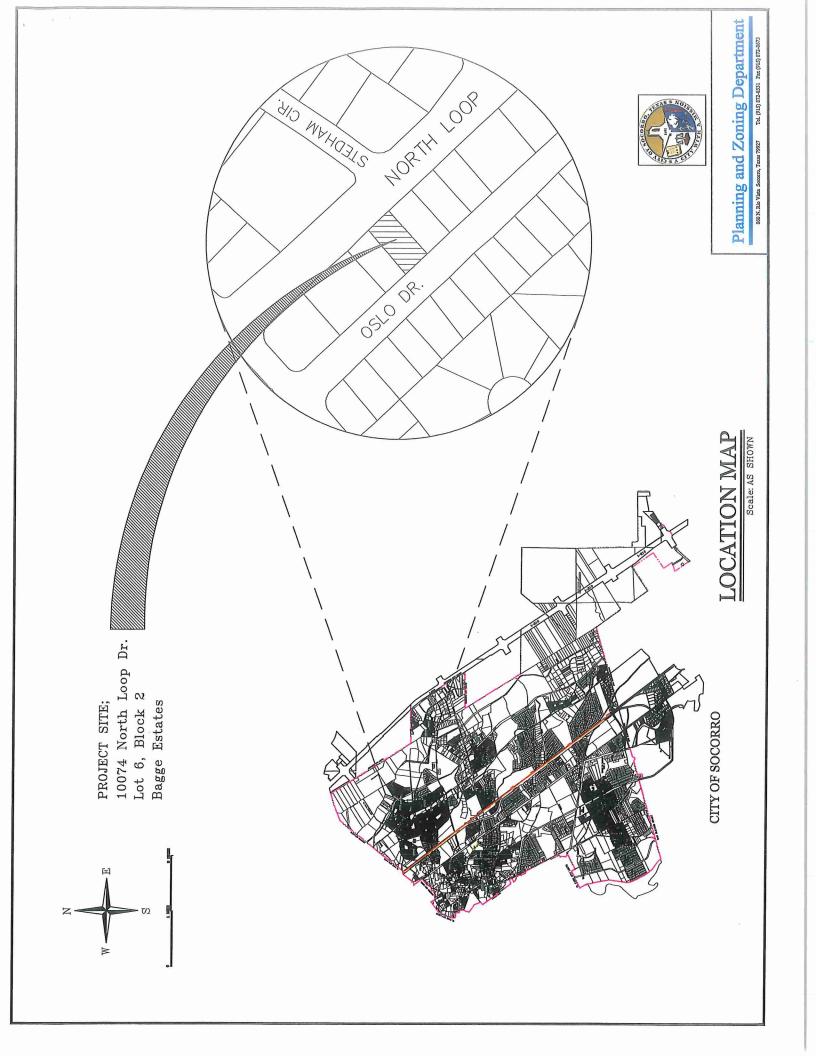
#### STATEMENT OF THE ISSUE:

The property has the proper zoning to allow the sales of vehicles. However, no mechanic work is allowed without a conditional use permit.

#### STAFF RECOMMENDATION:

The Planning and Zoning Department recommends APPROVAL with the condition that they comply with the provisions of section 46-414(6) shown below.

- (6) Motor vehicle body shops, parts manufacturing, repair and maintenance facilities, provided that:
- a. All body and fender repairing must be done within a completely enclosed building or room with stationary windows that may be opened only at intervals necessary for ingress and egress.
- b. No spray painting may be done except in a completely enclosed spray booth especially designed for that purpose.
- c. All other auto repairing, etc., must be conducted within a building enclosed on at least three sides.
- d. Service stations primarily for automobiles and petroleum gas for consumption but not for resale and including lubricating, minor repairs and associated activities that are conducted within a completely enclosed building. A solid wall or fence at least six feet high shall be erected between the activity and any abutting or contiguous residential zone, or other buffer as may be required by the planning and zoning commission.
- e. Garage for automotive repair and painting provided it complies with the following:
- 1. All activities shall be conducted within a completely enclosed building.
- 2. Storage of not more than five inoperable automobiles intended for repair, owned by customers only, provided that the outdoor area in which such cars are stored shall be enclosed by a solid wall or fence at least six feet high.





### CONDITIONAL USE PERMIT REQUEST

1.	1. Name: Zapatas Asto Sales. Date:	JARCH-29-2019.
	Address: 10074 N. WOOP DR. SOUD((OTX 799))	Phone: (915) 502 - 8309
	Representative: Joyenzo D. Zapaka.	
	Address: 775 Lopo Anna Ln.	Phone: (915) 502-8309
2.	2. Property Location: 10074 N. LOOP DR SOLOM	OTX 79927.
	Legal Description:	
	If legal description is not available, a metes and bounds description w	ill be required.
	Area (Sq. ft. or Acreage)  Current Zoning  Proposed C.U.P.	Carrent Land Use  AF LOT WITH COP.  Proposed Land Use
3.	3. All owners of record must sign document.	
	13en 1 to Z6.	
E	EACH ITEM ON THIS FORM MUST BE COMPLETED AND ALL EXBEFORE THIS REQUEST CAN BE SCHEDULED FOR A	
	Planning Department Own	er or Representative
	Data Data	29-2019.
	Date	Date



## PLANNING AND ZONING DEPARTMENT CONDITIONAL USE PERMIT REQUEST

#### 1. ITEMS TO BE SUBMITTED WITH APPLICATION:

- A. Upon submission of this application, applicant must submit the necessary legal documents to verify ownership. This may include a copy of a Warranty Deed or Certificate of Title.
- B. Attach a copy of deed restrictions existing and/or proposed or a statement from a Title Company certifying that deed restrictions do not exist.
- C. Property Tax Certificate.

#### FEES ARE NON-REFUNDABLE

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

- 2. Applications will be accepted and scheduled on a first-come, first-serve basis; however, the Planning and Zoning Commission must limit the number of zoning cases to be heard each month.
- 3. <u>DISMISSAL FOR WANT OF PROSECUTION</u> If an applicant fails to appear or be represented at the time his or her case is scheduled for hearing before the Planning and Zoning Commission, the case may be postponed or may be heard without the applicant's presence or representation. If the applicant fails to appear or be represented at the rescheduled hearing, the applicant's case shall be automatically dismissed for want of prosecution. Failure to receive the notice by certified mail shall not excuse failure to appear.

ALL FEES ARE NON-REFUNDABLE / NO GUARANTEE IS MADE IT WILL BE APPROVED
LAS TARIFAS NO SON REEMBOLSABLES / NINGUNA GARANTÍA SE HACE QUE SE
APROBARÁ

Initials: <u>6Z</u>

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:

August 6, 2019

TO:

PLANNING AND ZONING COMMISSION

FROM: CC:

Job Terrazas, Building Official Adriana Rodarte, City Manager

#### SUBJECT

Consider and take action on amending sections 42-69, 42-102 and 46-633(c) of the Code of Ordinances of the City of Socorro, Texas to restrict large commercial vehicle parking and storage within residential and agricultural zoning districts.

#### **SUMMARY**

Chapters 42 (Traffic and Vehicles) and 46 (Zoning) currently have regulations for the parking and storage of large commercial vehicles. An amendment to these chapters is needed to restrict large commercial vehicles from being parked and stored in residential areas of the City of Socorro, Texas in order to better protect residents and the residential streets of the City.

#### **BACKGROUND**

Currently these three sections of the Code of Ordinances allow large commercial vehicles to be parked and stored in residentially zoned properties as long as a permit is obtained from the Planning and Zoning Department. Some permits have been issued to allow this and those permits shall continue to be valid as non-conforming uses on the properties. With the proposed amendment, no further permits will be issued and no additional large commercial vehicles shall be permitted to be parked or stored in the residential zoning areas of the City of Socorro. The proposed amendment would restrict large commercial vehicles to be parked and stored in commercial and industrial zoned areas and would limit their access to City streets to those designated for large commercial vehicle routes as listed in section 42-99 of the Code of Ordinances of the City of Socorro.

#### STATEMENT OF THE ISSUE

Numerous large commercial vehicles are currently being parked and stored in residential areas of the City of Socorro creating a nuisance to surrounding residents and damaging the residential streets of the City.

#### STAFF RECOMMENDATION

The Planning and Zoning Department recommends APPROVAL for the proposed amendment.

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	
	F. States

AN ORDINANCE AMENDING SECTIONS 46-69, 46-102 AND 46-633(c) OF THE CODE OF ORDINANCES OF THE CITY OF SOCORRO, TEXAS TO RESTRICT LARGE COMMERCIAL VEHICLE PARKING AND STORAGE IN RESIDENTIAL ZONING DISTRICTS.

WHEREAS, the City of Socorro has heretofore adopted ordinances pertaining to large commercial vehicles; and;

WHEREAS, in order to protect residential areas from large commercial vehicles in the City of Socorro, Texas;

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 42 (Traffic and Vehicles), Article III (Heavy, Oversized and Other Commercial Vehicles), Division 1 (Generally), Section 46-69 (Heavy Hauling Prohibited) be revised as follows:

Sec. 42-69. - Heavy hauling prohibited.

No person shall operate or park for any period of time any vehicle in excess of 26 feet in length from front axle to rear axle, eight feet in width or 13 feet six inches in height within the districts or upon any of the streets or parts of streets not designated as truck routes unless the person possesses a permit issued by the city to park the vehicle on the property.

<u>Section 2.</u> That Chapter 42 (Traffic and Vehicles), Article III (Heavy, Oversized and Other Commercial Vehicles), Division 2 (Truck Routes), Section 46.102 (Local Commercial Vehicles Must Use Truck Routes; Exceptions) of the Code of Ordinances of the City of Socorro, Texas, be revised as follows:

Sec. 42-102. - Local commercial vehicles must use truck routes; exceptions.

It is unlawful for any person to operate any local commercial vehicle upon any highway, street, alley or road within the limits of the city, except as follows:

- (1) A local commercial vehicle may travel or be operated upon any highway, street or road designated as a truck route.
- (2) A local commercial vehicle may be off of a designated truck route in order to travel directly to or from a point of destination or origin within the city.

(3) To and from owner's permitted parking area, provided the owner possesses a permit issued by the city to park the vehicle on the property and owner accesses closest truck route to owner's permitted parking area.

Section 3. That Chapter 46 (Zoning), Article V (Supplemental Regulations for all Districts), Section 46-6339(c) (Parking Spaces) of the Code of Ordinances of the City of Socorro, Texas, be revised as follows:

Sec. 46-633. - Parking spaces.

Second Reading and Adoption:

- (c) Semitractor and commercial trailer parking and storage shall be prohibited in all residential and agricultural zones areas. Semitractor parking may be permitted in residential and agricultural zones, subject to the following requirements:
  - (1) In R. 1, R. 2, RE, and A. 1 subdivisions on lots, no smaller than one half acre.
  - (2) Parking in these zones may be permitted only if the occupant first obtains a permit from the planning director of the city. The permit must be issued pursuant to application prescribed by the planning director and renewed annually. No permit may be issued or renewed until the location is inspected and approved for compliance with these regulations and an inspection report is filed with the planning director.
  - (3) Semitractor access on the permitted lot shall only be permitted on an approved driveway consisting of at least four inches of 3,000 pounds per square inch, steel reinforced, concrete, which shall be located from the street to the property boundary entrance, and be adequate to prevent damage to the street surface.
  - (4) No maintenance or repairs of the semitractor will be permitted on the premises.
  - (5) Semitractors are not permitted to have ignition on for more than five minutes during the hours of 8:00 p.m. through 7:30 a.m.
  - (6) One tractor per one-half acre is allowed. A maximum of two tractors per lot may be permitted.

<u>Section 4</u>. Except as expressly herein amended, Chapter 42 (Traffic and Vehicles) and 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 2019.
	CITY OF SOCORRO, TEXAS
ATTEST:	Elia Garcia, Mayor
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:	

#### **DIVISION 2. - TRUCK ROUTES**

Sec. 42-99. - Designated.

The following streets, roads and highways are hereby designated commercial vehicle truck routes within the city limits:

- (1) Horizon Boulevard within the city limits;
- (2) Alameda Avenue within the city limits;
- (3) North Loop within the city limits;
- (4) Socorro Road within the city limits;
- (5) Gateway West within the city limits:
- (6) Darrington Road and FM 1110 within the city limits;
- (7) Interstate 10 within the city limits;
- (8) Gateway East within the city limits;
- (9) Gateway East and Alyssa Road;
- (10) Alyssa Road left on Stockyard Road;
- (11) Robin Road and Jaime Road;
- (12) Nancy Drive and Visa Road;
- (13) North Nevarez Road from the Middle Drain Canal to Inglewood Drive (no commercial vehicle trucks shall utilize North Nevarez Road to access Alameda Avenue and vice versa);
- (14) Inglewood Drive;
- (15) Ormsby Court;
- (16) Tanion Road;
- (17) Middle Drain Road from Ormsby Court to Tanton Road;
- (18) Reid Road; and
- (19) 700 feet of Stockyard Road from Alyssa Road to Reid Road.

(Ord. of 9-7-2010, § 4; Ord. No. 415, 7-20-2017; Ord. No. 433, 2-15-2018)

Sec. 42-100. - Marking of truck routes; truck route map.

The city shall keep and maintain an accurate map setting out the truck routes established within the city. The latest version of the official truck route map shall be kept on file in the office of the city clerk, and shall be available to the public. In addition, the city will erect appropriate truck route signage on all streets within the corporate limits of the city other than state-maintained roadways.

(Ord. of 9-7-2010, § 8)

Sec. 42-101. - Through commercial vehicles must use truck routes; exceptions.

It is unlawful for any person to operate a through commercial vehicle upon any highway, street, alley or road within the limits of the city, except that such commercial vehicle may travel or be operated upon any highway, street or road designated as a truck route.

(Ord. of 9-7-2010, § 3(a))