

West Gate

City Plan Commission — March 13, 2025

SPECIAL PERMIT



CASE NUMBER:	PZST24-00009
CASE MANAGER:	Saul J. G. Pina, (915) 212-1604, PinaSJ@elpasotexas.gov
PROPERTY OWNER:	Jacide Investments, LLC, Horizonte Residential Developers, LLC, and Pulling Investments LLC
REPRESENTATIVE:	Vision Consultants, Inc.
LOCATION:	North of Westside Dr. and West of Upper Valley Rd. (District 1)
PROPERTY AREA:	9.0 acres
EXISTING ZONING:	R-2 (Residential)
REQUEST:	Special Permit to allow for a planned residential development with reductions to setbacks.
PUBLIC INPUT:	Three (3) calls of inquiry, four (4) emails, and two (2) letters in opposition received as of March 6, 2025

SUMMARY OF REQUEST: The applicant is requesting a special permit and detailed site development plan approval for a planned residential development in the R-2 (Residential) zone district.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the special permit and detailed site development plan requests for a planned residential development. The proposed development meets all the requirements of El Paso City Code Section 20.04.320 – Special Permit and Section 20.04.150 – Detailed Site Development Plan. Furthermore, the proposed development is in accordance with both the G-4, Suburban (Walkable) Neighborhood Future Land Use Designation and *Plan El Paso*, the City’s adopted Comprehensive Plan.

PZST24-00009



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Subject Property

0 65 130 260 390 520 Feet



Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting review and approval of a special permit and detailed site development plan for a planned residential development on the subject property, with reductions to the cumulative (front and rear) setback from 60 feet to 0 feet; the side setback from 8 feet to 5 feet; and the cumulative (side and side street) setbacks from 20 feet to 0 feet. If approved, the minimum reduced setbacks will be maintained. The zoning district for the property is R-2 (Residential) and the development consists of two (2) phases. The detailed site development plan for phase one shows seventeen (17) residential lots with reduced setbacks, a proposed 0.49-acre park, and a private street. The detailed site development plan for phase two shows five (5) residential lots with reduced setbacks, and a private street. Both developments are 9.03 acres in total with a maximum proposed residential dwelling unit of 2.4 dwellings per acre. Lots on both phases will range from 10,700 to 18,900 square feet. Main access to the subject property will be from Lee Shannon Drive. The detailed site development plan demonstrates compliance with all applicable standards as per the El Paso City Code.

COMPLIANCE WITH SPECIAL PERMIT REQUIREMENTS (EL PASO CITY CODE SECTION 20.04.320.D)	
Criteria	Does the Request Comply?
1. The proposed development complies, except to the extent waived, varied or modified pursuant to the provisions of this title, with all of the standards and conditions applicable in the zoning district in which it is proposed to be located.	Yes. The detailed site development plan demonstrates compliance with all other applicable standards per the El Paso City Code.
2. Furthers <i>Plan El Paso</i> and applicable neighborhood plans or policies.	Yes. The request complies with the recommendations of <i>Plan El Paso</i> and the G-4, Suburban (Walkable) Land Use designation. The proposed development will provide a single-family housing type for the area.
3. Adequately served by and will not impose an undue burden upon public improvements.	Yes. The subject property fronts Lee Shannon Drive, a local road classified on the City of El Paso's Major Thoroughfare Plan (MTP). The classification of this road is appropriate for connectivity between other residential areas.
4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.	Yes. No impact is anticipated from the approval of the proposed special permit and detailed site development plan. The proposed development will adhere to zoning requirements as requested and will not impose a risk to neighboring properties.
5. The design of the proposed development mitigates substantial environmental problems.	Yes. The subject property does not involve greenfield/ environmentally sensitive land or arroyo disturbance. Onsite ponding will be provided to account for stormwater management.
6. The proposed development provides adequate landscaping and/or screening where needed.	Yes. The proposed development will include green or open-space areas.
7. The proposed development is compatible with adjacent structures and uses.	Yes. The proposed development aligns with the neighboring residential housing types and will preserve low-density residential housing through single-family dwellings.
8. The proposed development is not materially detrimental to the property adjacent to the site.	Yes. The proposed development will not impact the adjacent and neighboring properties. The purpose of the special permit is to seek a reduction in setback requirements while maintaining compliance with zoning and other code regulations.

COMPLIANCE WITH *PLAN EL PASO* GOALS & POLICIES – When evaluating whether a proposed special permit is in accordance with *Plan El Paso*, consider the following factors:

Criteria	Does the Request Comply?
<p>Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p>G-4, Suburban (Walkable): This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.</p>	<p>Yes, the proposed development is consistent with the future land use designation as it provides a single-family housing type for the area.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>R-2 (Residential) District: The purpose of this district is to promote and preserve residential development within the city to create basic neighborhood units. It is intended that the district regulations maintain a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations. The regulations of the districts will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.</p>	<p>Yes, the proposed special permit is compatible with the surrounding single-family residential housing types. The development will integrate with the surrounding area while maintaining low-density residential housing in the form of single-family dwellings.</p>
<p>THE PROPOSED PROJECT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:</p>	
<p>Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.</p>	<p>Yes. The property is located within the Upper Valley Plan and complies with this plan as well as other applicable zoning standards. The two phases will include open space areas that meet the plan's 30% requirement.</p>
<p>Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.</p>	<p>None. There are no anticipated adverse impacts on the proposed development and its surroundings. The construction of additional dwellings is not expected to affect Lee Shannon Drive and its connection to other residential dwellings.</p>
<p>Natural Environment: Anticipated effects on the natural environment.</p>	<p>None. The subject property does not involve green field or environmentally sensitive land or arroyo disturbance.</p>
<p>Stability: Whether the area is stable or in transition.</p>	<p>Yes. The area has been stable with no development in the past year.</p>
<p>Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.</p>	<p>Existing zoning will not be changed. The special permit will permit development of the property as proposed.</p>

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property fronts Lee Shannon Drive, a street designated as a local road on the City of El Paso’s Major Thoroughfare Plan (MTP) and is adequate for the interconnectivity between other residential dwellings on the area. Vehicular access will be available only through private access into both phases. No bus stops are available on the area. Sidewalks are largely not present throughout the area.

PUBLIC COMMENT: The subject property is located within the Mary Francis Neighborhood Association and the Upper Valley Neighborhood Association, which the applicant has contacted. Additionally, the applicant has a planned meeting scheduled with the neighboring home owners’ associations as part of public outreach. Notices were sent to

property owners within 300 feet of the subject property on February 14, 2025. As of February 27, 2025, the Planning Division received three (3) calls of inquiry, four (4) emails, and two (2) letters in opposition, mainly citing concerns about home depreciation values in the area, increased traffic, and lack of open space, among other issues.

RELATED APPLICATIONS: SUSU21-0065 (Major Combination) and SUSU22-00136 (Major Combination) are two subdivision applications that were approved by the City Plan Commission for both phases of Horizonte Residential. Both subdivision applications comply with the special permit requirements for planned residential.

CITY PLAN COMMISSION OPTIONS: The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

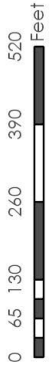
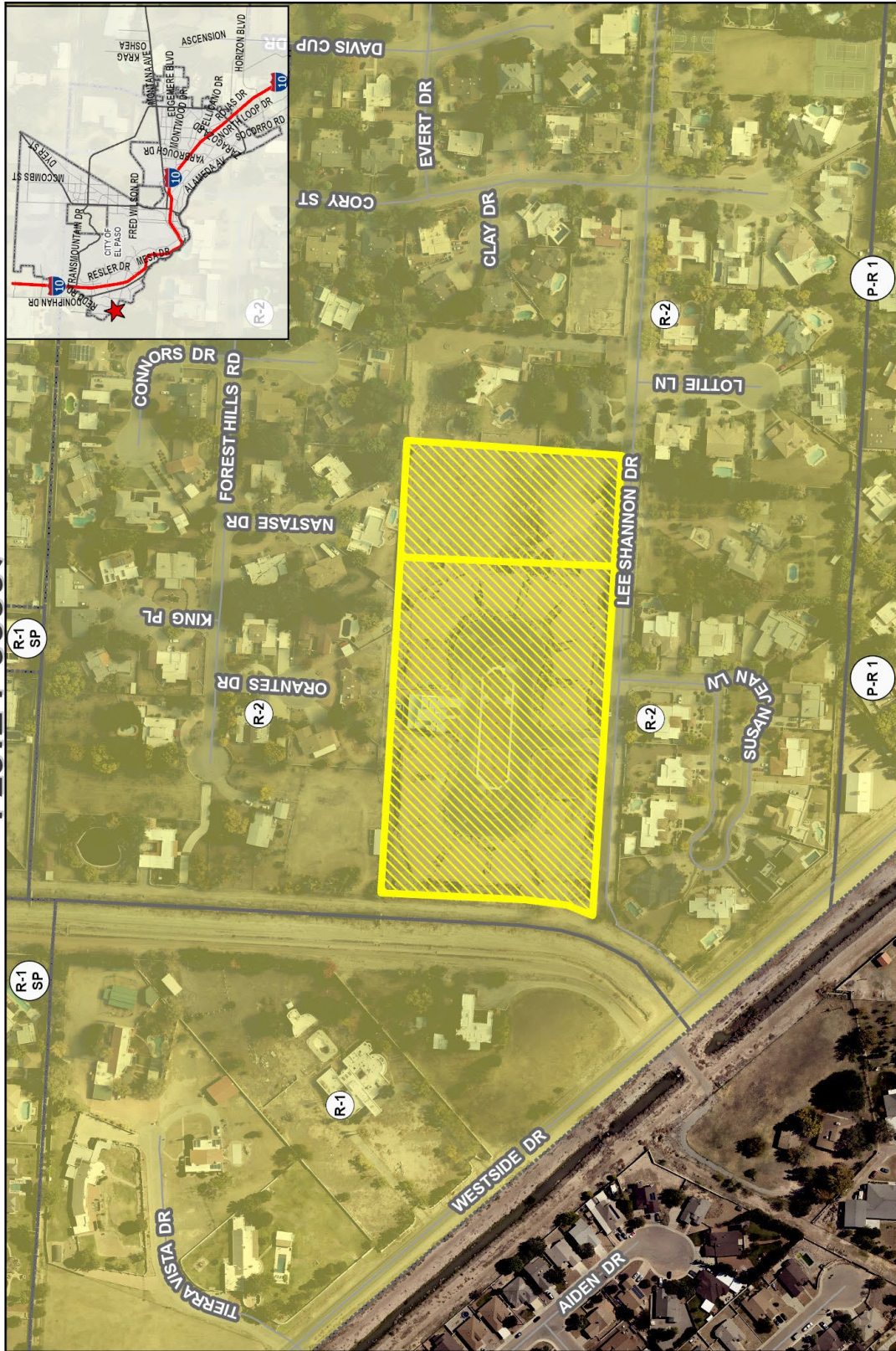
1. **Recommend Approval** of the special permit request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**
2. **Recommend Approval of the special permit request With Modifications** to bring the request into conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.
3. **Recommend Denial** of the special permit request, finding that the request does not conform to the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

ATTACHMENTS:

1. Zoning Map
2. Future Land Use Designation
3. Detailed Site Development Plan
4. Department Comments
5. Neighborhood Notification Boundary Map
6. Public Input

ATTACHMENT 1

PZST24-00009



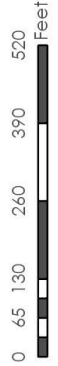
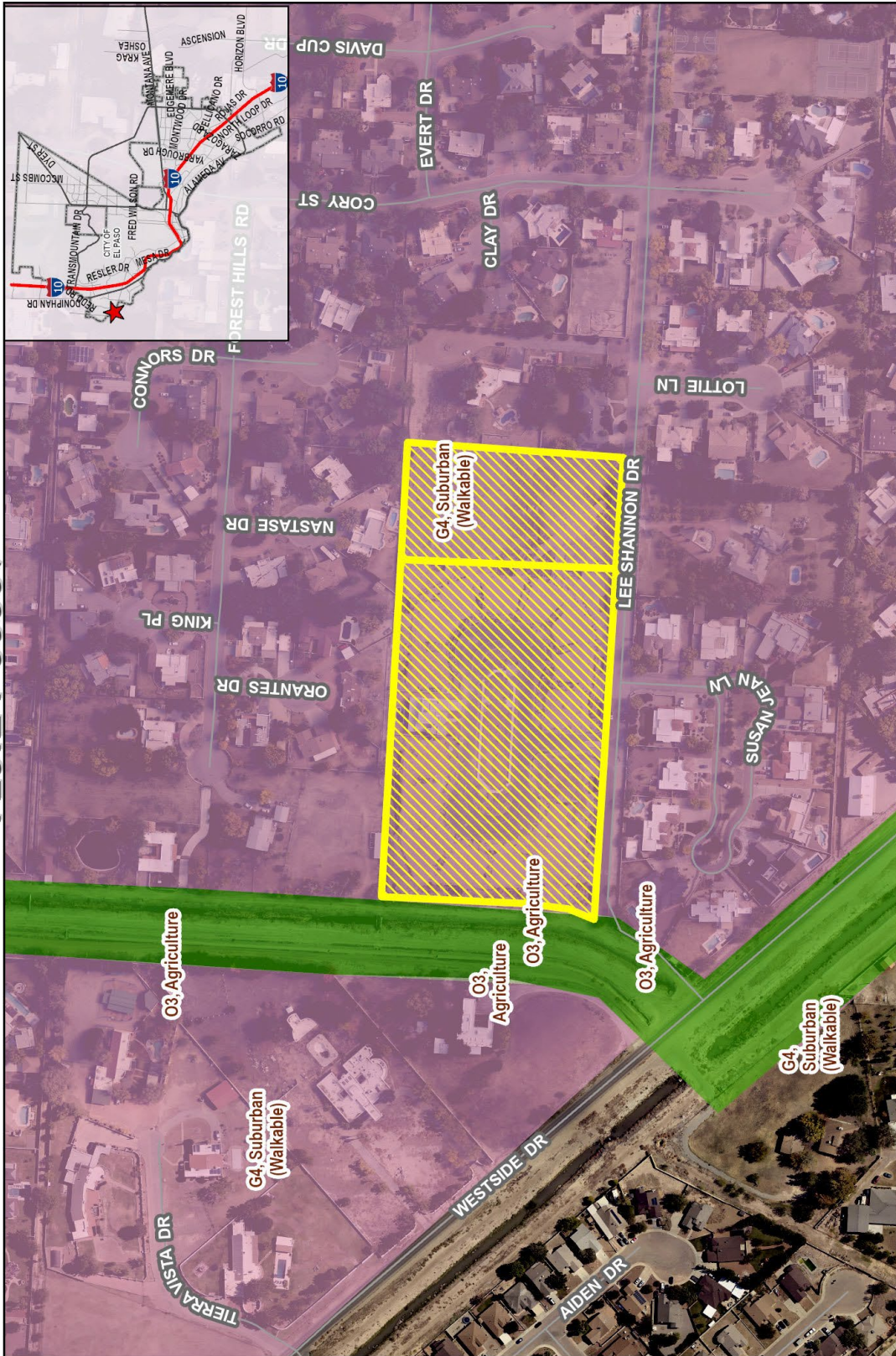
Subject Property



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ATTACHMENT 2

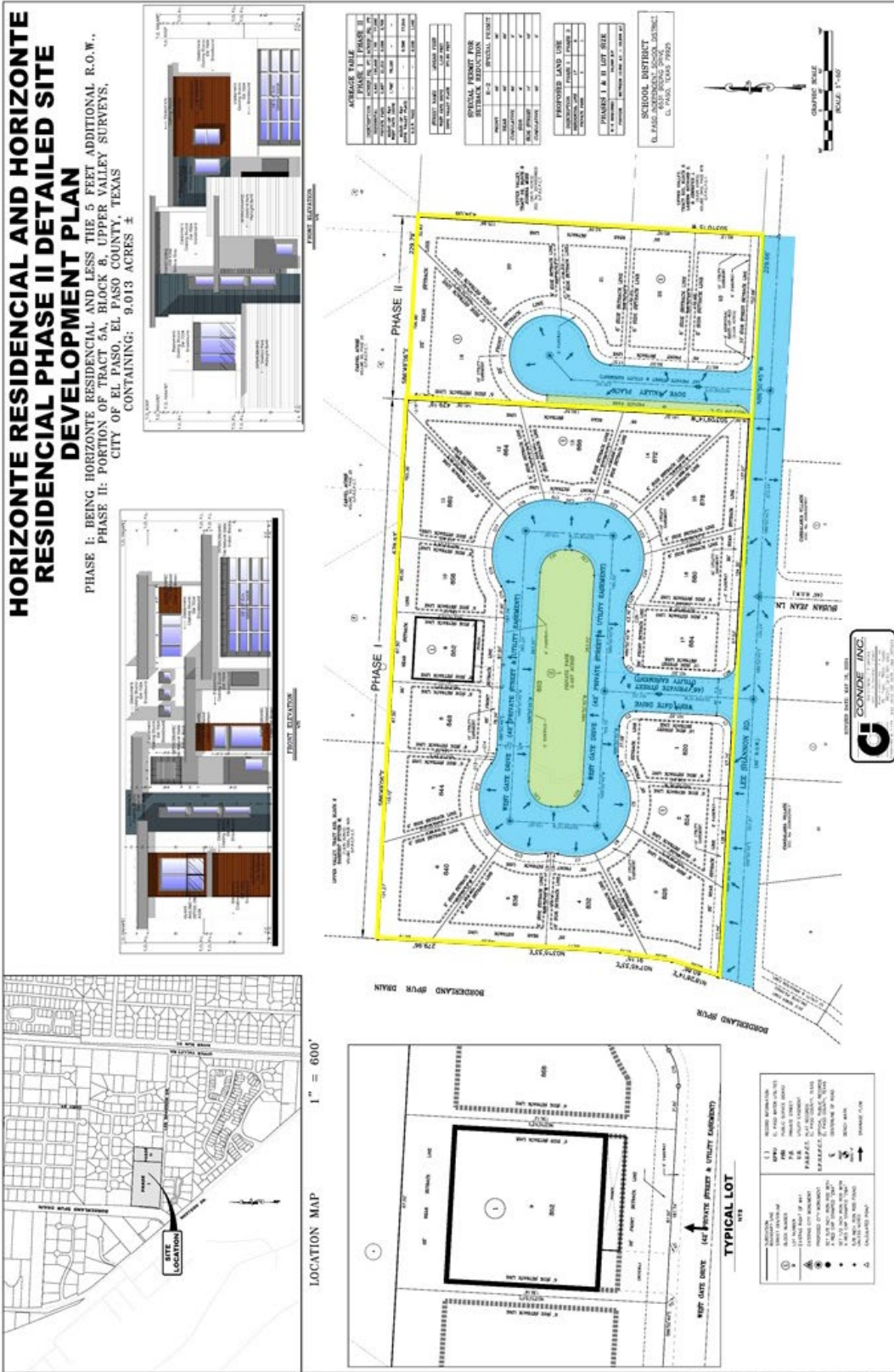
PZST24-00009

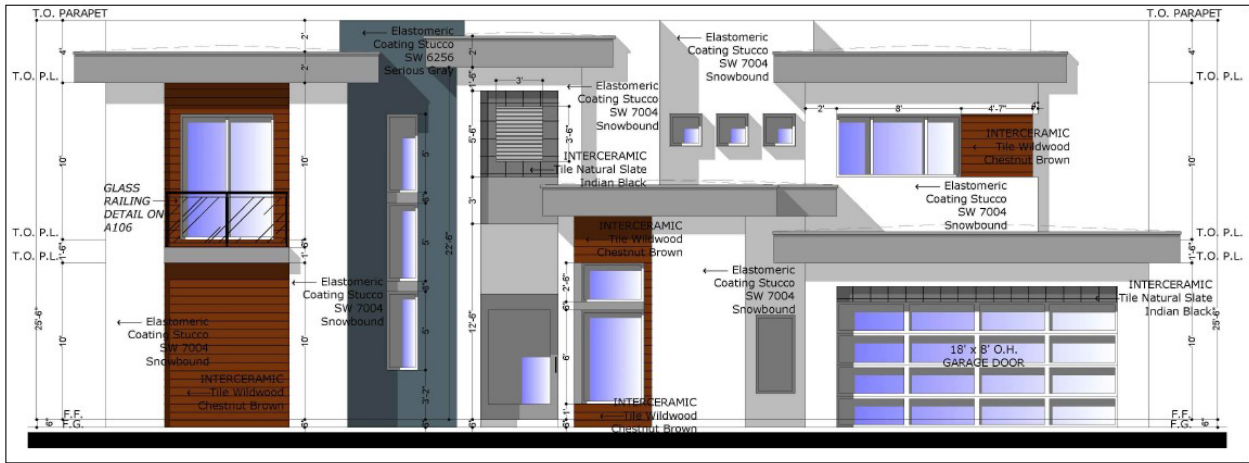


 Subject Property

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ATTACHMENT 3





FRONT ELEVATION

NTS



FRONT ELEVATION

NTS

Typical elevations for phases 1 and 2.

ATTACHMENT 4

Planning and Inspections Department - Planning Division

Staff recommends **Approval** of the special permit and detailed site development plan per Section 20.04.320 – Special Permit, and Section 20.04.150 – Detailed Site Development Plan.

In addition, the following comments are applicable:

1. Provide a note, stating that 50% of the lots need to remain open for ponding areas.
2. Update the legal description in the plan and any subsequent documents.
3. Provide a note showing internal sidewalk width.
4. Modify the zoning table to include the use and dimensional standards (depth, width, and area).
5. Phase 2 is marking a landscape easement as its own lot. Remove the lot number or change this to a linear park.

Planning and Inspections Department – Plan Review & Landscaping Division

No objections to the request.

Planning and Inspections Department – Land Development

Recommend approval. Provide a 5-foot sidewalk abutting the property line on Lee Shannon Rd.

Note: Sidewalk addressed at the subdivision phase.

Fire Department

Recommend approval. No adverse comments.

Police Department

No comments received.

Environment Services

No comments received.

Streets and Maintenance Department

Traffic & Transportation Engineering

No objections to the application.

Street Lights Department

Does not object to this request. Comments apply to public right-of-way subject to public street illumination.

For the development of the subject subdivision a complete set of plans shall be submitted to Street Lights Department for review showing the minimum requirements for street illumination proposals**. The submission shall contain but shall not necessarily be limited to plans indicating the location on the premises of all lighting fixtures, both proposed and existing on the site***. The description of all lighting fixtures, both proposed and existing. Photometric data. Plans shall show street illumination design and details. El Paso city code is applicable to this process, Street Design Manual (SDM)* and any other applicable standards or requirements of the city.

Street Lights Department requires that a project that involves a roadway is to be evaluated for lighting requirements based on the City of El Paso Street Design Manual (SDM) and the Design Standards for Construction (DSC) according to City of El Paso Codes (cited below). While developing a project or construction area the existing street illumination system shall be protected and preserved. Complete survey for street illumination system shall be shown on plans. Any change on existing street illumination systems shall be coordinated with Street Lights Department.

City of El Paso Codes to be followed:

*Title 19 - 19.16.010 - Streetlighting.

**18.18.190 – Submission contents.

*** 19.02.040 Criteria for approval.

Contract Management Section

1. Indicate that all construction in city ROW must be as per DSC and municipal code compliancy.
2. Indicate all required signalizations must be installed.
3. Indicate that asphalt must be the type required by DSC and must be in approved/compliant conditions before being accepted by the city.

Sun Metro

Sun Metro currently does not service the area and does not affect Sun Metro transit services and operations.

El Paso Water

Owners Dedication is to clarify whether Dove Valley Place will be a private street or public street right-of-way.

The proposed private street (Dove Valley Place) is to be dedicated as a full width Utility Easement to enable the construction, operation, maintenance, and repair of the water and sanitary sewer main extensions.

Water and sanitary sewer main extensions will be required along the private street and utility easement (Dove Valley Place) to provide service. All costs of the main extensions will be the responsibility of the owner. Water mains shall be extended creating a looped water system. The lots will be graded such that sanitary sewer service to each lot can be provided via a gravity system.

Water:

There is an existing 8-inch diameter water main along Lee Shannon Rd., located approximately 15-feet south of the north right-of-way line. This main is available for extension.

Previous water pressure from fire hydrant #6173, located on Lee Shannon Rd. approximately 150-feet west of Lottie Ln., has yielded a static pressure of 76 (psi), a residual pressure of 62 (psi), and a discharge of 1,061 (gpm).

Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main along Lee Shannon Rd., located approximately 23-feet south of the north right-of-way line. This main is available for extension.

There is an existing 8-inch diameter sanitary sewer main along Lee Shannon Rd., located approximately 24.5-feet south of the north right-of-way line. This main dead-ends approximately 300-feet west of Lottie Ln. This main is available for extension.

General:

Separate water and sanitary sewer services will be required for each lot (within the limits of each lot).

EPWater requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater - PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Stormwater:

EPWater-SW has no objections to their proposal.

EPWater-SW also provided comments to CPC under the subdivision name of Horizonte Residencial Phase I & II, and

provided the following comments:

- The proposed ponding areas shall have enough capacity to hold the developed runoff for a designated 100-yr. storm event.
- The elevation marker shall extend 12" above the finished grade.

Texas Department of Transportation

No comments received.

El Paso County Water Improvement District #1

No comments received.

El Paso County 911 District

The 911 District has no comments or concerns regarding this zoning.

Central Appraisal District

No comments received.

El Paso Electric

No comments received.

Texas Gas Service

PZST24-00009 - West Gate, Texas Gas Service has an existing 2" PE pipe inside Horizonte Subdivision and a 1" PE service line for 852 West Gate Dr

ATTACHMENT 6

From: [Kevin Dow](#)
To: [Pina, Saul J.](#)
Subject: Re: Case: PZST24-00009-West Gate
Date: Monday, February 17, 2025 5:44:06 PM
Attachments: [image001.png](#)

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Mr. Pina,

We are very concerned about the potential approval of the special permit for the two developments on the nine acres adjacent to our homes as noted in the email stream below.

As you know, there is at least one home that has been completed, and construction has resumed on the other three that are currently under various stages of completion. I do not understand how they can continue to move forward with construction without having the proper permits approved by the city. When the notice sign was originally erected notifying residents of the special permit, framing of the fourth house had not yet begun. Since that time, they have worked every day to erect the framing as quickly as possible.

Further, my family is quite concerned about this development contributing to the devaluation of our homes. In particular, it seems as though a few issues arise:

1. There is a strong negative impact of a reduction in the minimum lot size for the size of homes on our home value
2. The minimum setback requirements from the structure to the property line being reduced so much has a strong negative impact on our home value due to the unsightly nature of slum-look
3. the elevation of the homes do not match anything in the surrounding communities -- which contributes to the devaluation of our homes
4. The fact that these are all two-story homes that abut to our homes is unsightly and is clearly a contributing factor to the decrease in our home value

Taken together, these issues all raise serious concerns about how these issues contribute the decrease in desirability of our homes -- which means they are all now worth considerably less than before. I do hope that CAD takes this into consideration when assessing the taxable value of our homes this year, and all years in the future.

The developer should be required to adhere to the standard setback requirements without modification.

The variance to the setbacks request should therefore be denied.

All the best,

Kevin and Lilith Dow

From: [Kristi & Jake Provencio](#)
To: [Pina, Saul J.](#)
Subject: Case: PZST24-0009
Date: Wednesday, February 26, 2025 2:44:41 PM

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Dear Mr. Pina:

Myself and my husband are also very concerned about the special permit request and echo the points/concerns addressed in a letter emailed to you dated February 17, 2025 by our neighbors, Kevin and Lilith Dow.

Additionally, it appears there have been several "variances" allowed for this development already. I brought some of these to your attention in our phone conversation the day the Notice sign was posted. I have also had contact with a handful of other city inspectors/employees regarding these "variances" and our concerns. I am referring to the utility pole and fire hydrant that sit within the actual roadway. Apparently, there is no explanation for how that was approved. I would like to add that we also experienced damage to our property during the dirt work phase of the development. This was the result of extreme vibrations from the vibratory equipment that was allowed to be used.

Perhaps the reason for pointing these things out as it relates to the "special permit" is that this development has had extremely poor oversight by the City, as well as a lack of transparency. It is hard to comprehend how a request for a "special permit" is being made after building has already commenced and some homes have been completed, or are nearing completion. Who is watching the store?

Also of concern is the fact that the construction on the homes in Phase I was supposed to cease until the special permit is voted on and approved. Interestingly enough, there was an abundance of activity, specifically on the home that was in the slab phase when the "Notice" sign was posted. We can only speculate that the builder has been told that the special permit will be approved.

In our brief review of the Zoning packet for the case it is noted that the proposed zoning is compatible with surrounding residential housing types and that the development will integrate with the surrounding area while maintaining low-density residential housing in the form of single family-dwellings. The homes in the subdivision **are not** compatible with surrounding residential housing types. These are ultra modern, mostly two story, cookie cutter homes with backyards that have the same pool placement and shape. The homes in surrounding neighborhoods are mostly custom, to include the backyards.

With limited time to respond and a whole lot of additional concerns I will end with...we are in opposition to the "special permit".

Regards,
Kristi & Jake Provencio

From: [Greg McDonald](#)
To: [Pina, Saul J.](#)
Cc: [Rivera](#); [Jennifer Larsen](#); [Rick Larsen](#); [Laura McDonald](#); [Oliver Edwards](#); [Oliver and Sharon Edwards](#); [Shellie Payne](#); [Dan and Mary Hagan](#); marybaverhagan@gmail.com; [Jim and Celeste Herget](#)
Subject: Objection to Special Permit Request Case PZST24-00009-West Gate
Date: Wednesday, February 26, 2025 2:11:07 PM

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City Planning Commission
c/o Planning Division
P.O. Box 1890

El Paso, Texas 79950-1890

(via email to PinaSJ@elpasotexas.gov)

RE: Letter in Objection to Case **PZST24-00009-West Gate**

Dear Planning Commission Members:

I am writing on behalf of myself and my wife who are property owners within the 300 feet Notice Area of the Applicant's requested Special Permit.

We have owned this single story, single family residence for more than twenty years. We are OPPOSED to the granting of the Special Permit sought by the applicant. In the interest of time because the hearing is set for tomorrow, I will keep this e-mail brief, even though I am hesitant to do so but regrettably there has just been insufficient time to review the Special Permit request and formulate a detailed response.

I am also a member of the Tennis North Owners Association HOA and so my comments will largely mirror their objections since we have discussed the issue as much as we could in the time allowed. My points of objection are as follows:

<!--[if !supportLists]-->(1) <!--[endif]-->Timing, Notice, and Sufficient time to respond to the permit request:

The applicant filed a request for this Special Permit-	August 12, 2024
Pre-Application started that date and ended on	October 28, 2024
Application date then commenced on	October 29, 2024
Notice to the public wooden sign erected on the lot- approx.	January 30, 2025
Phone calls to City Office – never returned to my number, while others had sporadic success.	
Letter notice with CPC meeting dated	February 14, 2025

In person visit to City Hall # 3 by myself - after signing in and waiting 30 minutes, met with Aaron Andulz, Planner in an effort to review Special Permit

Application – minimal information available -

February 19, 2025

CPC Agenda posted – City Planning Zoning 13 page

Report and detailed document posted online

February 20, 2025

For the CPC or the City to expect the directly impacted neighbors to review and assess the proposed plan in less than seven (7) calendar days while the Applicant and all the city departments and other entities had months is on its face fundamentally unfair.

Attachment Four to the report lists the responses or absence of responses from no less than fifteen different departments and entities – collected over months while the public comment section has only one comment for the simple reasons because that neighbor responded on Monday February 17, 2025, three short days after the notice was mailed, and more importantly, BEFORE the City Planning commission's report was prepared.

How could my wife and I, nor any impacted neighbors reply when they were unaware of the specifics of the request? my own research efforts on line to locate the actual permit application yielded zero results.

The result is that the public comment period was woefully inadequate in relation to the scope and magnitude of the applicants request and is flawed. The process lacks transparency and limits the ability of impacted citizens like us to effectively respond.

<!--[if !supportLists]-->(2) <!--[endif]-->Compatibility with surrounding residential housing types:

a. <!--[endif]-->On page 3 of the Report the City staff opines that the proposed zoning variance is compatible with surrounding residential areas. We disagree.

<!--[if !supportLists]-->b. <!--[endif]-->Of the twenty-four (24) single family residential homes in our HOA, twelve are single story and twelve are two story. The Applicant is proposing to build exclusively two-story homes.

c. <!--[endif]-->All twenty-four homes in our HOA have at least 25-foot front setbacks, and multiple have circular or extended driveways to maximize off street backing. This includes our residence. None of the proposed homes nor the four already under construction by the Applicant have more than a single vehicle length straight driveway and no houses have side entrance garages.

<!--[if !supportLists]-->d. <!--[endif]-->Multiple homes in our HOA have three and four door garages. None of the Applicants do.

e. <!--[endif]-->Directly south from the Applicants property on the opposite side of Lee Shannon Drive is the Candelaria Village HOA on Susan Jean Street. This is a single, one-way street with twelve single family residences. Only three (3) of those homes are two story. All have extended driveways and existence off street parking as well as shared parking spaces around the median. Front and side yard setbacks are also consistent with our HOA. Their development was unopposed by ourselves nor our HOA because it is in fact compatible.

<!--[if !supportLists]-->f. <!--[endif]-->For the City to argue that 100 % of the homes build to the literal edge of property line, and all two stories high is somehow compatible with the existing 'low-density' housing is factually inaccurate.

<!--[if supportLists]-->(3) <!--[endif]-->There do exist numerous potential adverse effects.

a. The Applicant's proposed plan for Phase 2 does not address the issue of water runoff. With the paving over of the street and the lack of access to the ponding area in Phase 1, there is insufficient undeveloped land to allow for onsite ponding or water drainage. The lack of surface area to capture runoff will result in the adverse effect of flooding on neighboring properties with each and every inclement weather event.

b. The higher density of residences with reduced setbacks will result in more vehicle traffic utilizing Lee Shannon Drive in addition to more street parking because the driveways will have reduced capacity. More lots equate to more homes, meaning more daily traffic from residents and more visits from vendors, delivery vehicles etc. Increasing the density has a disparate impact on the overall volume of traffic throughout the day on Lee Shannon Drive that can be ameliorated easily by reducing the number of lots

c. Higher density neighborhoods have more traffic, less open green space, more noise and reduced property values. My wife and I firmly believe this proposed change will multiply adverse effects.

(4) The Applicant has not offered any sound rationale for WHY the requested Special Permit should be granted. Other than the obvious motivation to increase return on profit shouldn't there be some discussion of why this applicant should be able to deviate from the zoning ordinances, rules, and permit requirements that all the rest of their surrounding property owners had to comply with. What makes them special?

(5) The Applicant appears to be asking for after the fact adjustments for its ongoing efforts in Phase 1 of the project. If that is the case, rewarding an Applicant who sheepishly steps forward after building four homes and then seeks a Special Permit to back date their malfeasance seems to reward bad behavior and sets a dangerous precedent.

Our family, as homeowners, and really every citizen of the city of El Paso should be able to invest their money into real property and thereafter rely on the City of El Paso and its departments to enforce the existing city ordinances. This residence represents one of the largest investments we have, and we have invested even more resources over the years to maintain and upgrade the property. We did so believing that our City would support us. The homeowners relied upon the existing zoning laws and to change them now, without their consent is unfair.

Time is of the essence, and I want to get this objection letter filed with sufficient time for the CPC members to review it prior to the meeting tomorrow so I will end my comments here. Of course, I am sure that if myself and our HOA members were afforded more time to study the newly received report and other data we could address more issues.

In conclusion please note our OPPOSITION to the CPC granting the Applicant's Special Permit Request. I will be present to speak to the CPC in person at the meeting during the public comment section and will sign up in accordance with the CPC rules.

Sincerely,

Greg and Laura McDonald

Property Owners
5308 Lottie Lane
El Paso, Texas 79932

Tennis North Owners Association

780 Lee Shannon
El Paso, Texas 79932

February 26, 2025

City Planning Commission
c/o Planning Division
P.O. Box 1890
El Paso, Texas 79950-1890
(via email to PinaSJ@elpasotexas.gov)

RE: Letter in Objection to Case **PZST24-00009-West Gate**

Dear Planning Commission Members:

This letter is being written on behalf of the twenty-four (24) single family residences owners that make up the Tennis North Owners Association (HOA), platted with the City of El Paso in 1992 as Tennis North Estates Units One and Two. This letter is a compilation of discussions with residence owners, research conducted by HOA residents, and limited information furnished by the City. Our HOA covers an area bordered on the north by Lee Shannon and has three residences on Upper Valley Road, and seven residences on Criswell, Cory and Lottie Lane respectively. The HOA was created by deed covenants in 1992 to protect the value of the area. Residences on Lottie Lane are within 300 feet of the proposed special permit; however, the entire HOA will be impacted in multiples ways if this Special Permit request is granted for the reasons set forth. In the interest of time because the hearing is set for tomorrow, this letter will be brief, regrettably there has been insufficient time to review the Special Permit request and formulate a detailed response.

(1) Timing, Notice, and Sufficient time to respond to the permit request:

The applicant filed a request for this Special Permit-	August 12, 2024
Pre-Application started that date and ended on	October 28, 2024
Application date then commenced on	October 29, 2024
Notice to the public wooden sign erected on the lot- approx.	January 30, 2025
Phone calls to City Office – limited information	
Letter notice with CPC meeting date	February 14, 2025
In person visit to City Hall # 3 by HOA member – met with Aaron Andulz, Planner to review Special Permit	
Application – minimal information available -	February 19, 2025
CPC Agenda posted – City Planning Zoning 13 page	
Report and detailed document posted online	February 20, 2025

For the CPC or the City to expect the directly impacted neighbors to review and assess the proposed plan in less than seven (7) calendar days while the Applicant and all the city departments and other entities had months is fundamentally unfair.

Attachment Four to the report lists the responses or absence of responses from no

less than fifteen different departments and entities – collected over months while the public comment section has only one comment because that neighbor responded on Monday February 17, 2025, three days after the notice was mailed, and more importantly, before the City Planning commission’s report was prepared.

How could impacted neighbors reply when they were unaware of the specifics of the request? Research efforts to obtain the actual permit application were not successful.

The result is that the public comment period was inadequate in relation to the scope and magnitude of the applicant’s request. The process lacks transparency and limits the ability of citizens to effectively respond.

- (2) Compatibility with surrounding residential housing types:
 - a. On page 3 of the Report the City staff opines that the proposed zoning variance is compatible with surrounding residential areas. We beg to differ.
 - b. Of the twenty-four (24) single family residential homes in our HOA, twelve are single story and twelve are two story. The Applicant is proposing to build exclusively two-story homes.
 - c. All twenty-four homes have at least 25-foot front setbacks, and multiple have circular or extended driveways to maximize off street backing. None of the proposed nor the four already under construction by the Applicant have more than a single vehicle length straight driveway and no houses have side entrance garages.
 - d. Multiple homes in our HOA have three and four door garages. None of the Applicants do.
 - e. Directly south from the Applicants property on the opposite side of Lee Shannon Drive is the Candelaria Village HOA on Susan Jean Street. This is a single, one-way street with twelve single family residences. Only three (3) of those homes are two story. All have extended driveways and existence off street parking as well as shared parking spaces around the median. Front and side yard setbacks are also consistent with our HOA. Their development was unopposed by our HOA because it is in fact compatible.
 - f. For the City to argue that 100 % of the homes build to the literal edge of property line, and all two stories high is somehow compatible with the existing ‘low-density’ housing is factually inaccurate.
- (3) There does exist numerous potential adverse effects.
 - a. The Applicant’s proposed plan for Phase 2 does not appear to address the issue of water runoff. With the paving over of the street and the lack of access to the ponding area in Phase 1, there is insufficient undeveloped land to allow for onsite ponding or water drainage. The lack of surface area to capture run-off could result in the adverse effect of flooding on neighboring properties with each inclement weather event.
 - b. The higher density of residences with reduced setbacks will result in more vehicle

traffic utilizing Lee Shannon Drive in addition to more street parking because the driveways will have reduced capacity. Higher density neighborhoods have more traffic, less open green space, more noise and reduced property values. Our HOA members believe this proposed change will have multiple adverse effects.

- (4) We have not been provided with any rationale for WHY the requested Special Permit should be granted. The apparent motivation is to increase housing square footage. Further the Applicant appears to be asking for after the fact adjustments for its ongoing efforts in Phase 1 of the project. There should be some discussion of why this applicant should be able to deviate from the zoning ordinances, rules, and permit requirements that all the rest of their surrounding property owners had to comply with.

Our HOA members, and really every citizen of the city of El Paso, should be able to invest their money into real property and thereafter rely on the City of El Paso and it's departments to enforce the existing city ordinances. Our HOA members invested in their homes counting on the city to support them. The homeowners relied upon the existing zoning laws and to change them now, without their consent is unfair.

Time is of the essence, and we want to get this objection letter filed with sufficient time for the CPC members to review it prior to the meeting tomorrow. If our HOA members were afforded more time to study the newly received report and other data, we could address more issues.

In conclusion, please note that the Tennis North Owners Association is OPPOSED to the CPC granting the Applicant's Special Permit Request. Some members will be present to speak to the CPC in person at the meeting during the public comment section.

Sincerely,

Robert Rivera

President
Tennis North Owners Association

City Planning Commission
c/o Planning Division
P.O. Box 1890
El Paso, Texas 79950-1890
(via email to PinaSI@elpasotexas.gov)

RE: Letter in Objection to Case **PZST24-00009-West Gate**

Dear Planning Commission Members:

I am writing on behalf of myself and my wife who are property owners within the 300 feet Notice Area of the Applicant's requested Special Permit.

We have owned our single story, single family residence for over 7 years since moving back to El Paso. We are in STRONG OPPOSITION to the Applicant's request for the Special Permit and CPC's recommended APPROVAL.

Zoning laws are in place to maintain consistency and preserve the character of neighborhoods. They exist to avoid for (1) unpredictable changes in the community's appearance and character, and for (2) disrupting established norms and expectations of residents.

Our area shares similar characteristics: density, building height and setback requirements. This development will considerably differ from the neighboring properties.

Approval of the Special Permit will have a negative impact on our property values due to: overcrowding, inconsistency and undesirable aesthetics of the proposed Residential Development.

1. Of the total homes represented in the Notice Area, less than 50% are two-story homes; The Applicant is proposing to build two-story homes, exclusively, yielding significantly more visual skyline noise. This is a direct disagreement with the proposed zoning variance being compatible with the surrounding residential areas.
2. If approved, we will see a significant change in the character of this area. The homes within the Notice Area have abided by the City's outlined setbacks and have ample room for ponding, parking and structures. Our area is currently viewed as an area with nice homes on spacious lots (with privacy) which will be changed if the Special Permit is approved. It will then appear as though it is overcrowded with undesirable consistency in property appearance.
3. Allowing reduced setbacks allows for higher density of residences leading to more vehicle traffic utilizing our one way in, Lee Shannon Drive. Additionally, due to the lack of available visitor parking (overflow spaces and unaccommodating driveways), we will see an increase in street parking resulting in additional safety hazards and decreased visual appearance.

What is the justification for the City to grant the Special Permit? What is the justification provided by the Applicant to earn a Special permit other than taking the approach of, "asking for forgiveness is better than asking for permission"? How has this phase 1 continued despite frequent code enforcement visits without a Special Permit?

Unfortunately, it appears as if CPC and/or the City operated with gross negligence or intentional omission to benefit the Applicant's request of a Special Permit, after construction had begun. The lack of the City's oversight and insufficient time to review this request has truly undermined my confidence in the City's zoning regulations and planning processes. If approved, it can be assumed that homeowners may no longer trust that our zoning laws set forth will be enforced and thus may potentially lead to destabilization of our property value. Granting this Special Permit will now set a precedent in our zoning area. Future developments will no longer be held to the standard of the EXISTING residences ultimately eroding the integrity and contradicting the long-term vision of our area. As taxpayers, citizens expect the City to enforce the existing ordinances.

Since the proposed residential development does NOT align with our community, but instead compromises neighborhood character, it is with great concern that we request this Special Permit application be DENIED. We hope the City will support and protect residents' interests in this decision.

In conclusion please note our Opposition to the CPC granting the Applicant's Special Permit Request.

Respectfully submitted,
Drs. John and Martha Day
Property Owners
5309 Susan Jean Lane
El Paso, Texas 79932

From: [Jennifer Larsen](#)
To: [Pina, Saul J.](#)
Subject: Objection to Special Permit Request Case PZST24-00009-West Gate
Date: Thursday, February 27, 2025 10:49:31 AM

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Subject: Objection to Case PZST24-00009 – West Gate

City Planning Commission
c/o Planning Division
P.O. Box 1890
El Paso, Texas 79950-1890

(via email to PinaSJ@elpasotexas.gov)

Dear Planning Commission Members,

We, Jennifer Larsen and Richard Larsen PA-C, are writing as homeowners at 815 Lee Shannon Road to formally express our opposition to the Special Permit request Case PZST24-00009 – West Gate. Our property is directly adjacent to the Applicant's requested Special Permit, making us one of the most impacted residents.

One of our primary concerns is the effect this development will have on our solar energy production. We have solar panels installed on the west side of our house, where they receive the strongest and most consistent direct sunlight, generating the majority of our home's energy. A two-story home with reduced setbacks in such close proximity will significantly obstruct sunlight to our panels, decreasing their efficiency and undermining our investment in renewable energy. Given the City's efforts to promote sustainability and green energy, allowing a development that directly reduces solar efficiency contradicts these initiatives.

We also share the concerns raised by the Tennis North Owners Association HOA, including

- Insufficient notice and time for public review: The timeline for public input was unreasonably short, preventing proper evaluation of the permit request.
- Incompatibility with surrounding residential housing: The proposed two-story homes with reduced setbacks are inconsistent with the existing neighborhood, where many homes have larger setbacks and driveways.
- Adverse effects: Increased housing density will lead to water runoff issues, more street parking congestion, additional vehicle traffic, and decreased property values.
- Lack of justification for the variance: The applicant has not provided a compelling reason why they should be granted a deviation from zoning ordinances that other homeowners have had to follow.
- Setting a precedent for after-the-fact approvals: The applicant appears to be requesting approval for adjustments that should have been considered before construction, rather

than after the fact.

This proposal threatens to negatively impact our property and our neighborhood. We respectfully request that the Commission deny this Special Permit.

Sincerely,
Jennifer Larsen & Richard Larsen, PA-C
815 Lee Shannon Road
El Paso, TX 79932