



**CITY PLAN COMMISSION MEETING
10TH FLOOR LARGE CONFERENCE ROOM
JANUARY 26, 2010
1:30 P.M.**

MINUTES

The City Plan Commission met at the above place and date.

The meeting was called to order at 1:30 p.m. Commissioner Nance present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:

- Commissioner De La Cruz
- Commissioner Wright
- Commissioner Borden
- Commissioner Nance
- Commissioner Vorba
- Commissioner Brandrup
- Commissioner Landeros

COMMISSIONERS ABSENT:

- Commissioner Carreto

AGENDA

Commissioner Landeros read the rules into the record. Philip Etiwe, Development Review Manager, read the revisions to the agenda into the record.

***ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **APPROVE** the agenda as amended.

Motion passed.

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I. CALL TO THE PUBLIC – PUBLIC COMMENT

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

Raul Amaya with the Legal Women’s Voters and the Franklin Mountain Coalition spoke against any development on the slopes of the Franklin Mountains.

NO ACTION WAS TAKEN.

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II. CONSENT AGENDA

THERE WERE NO ITEMS ON THE CONSENT AGENDA.

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III. REGULAR AGENDA - DISCUSSION AND ACTION:

SUBDIVISION MAP APPROVAL:

Subdivision Applications:

Major Preliminary:

1. **SUSU11-00134:** Mesquite Trails Unit Eight - Being a portion of Section No. 16, Block 79, Township 3, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas
- Location: East of Joe Battle Boulevard and South of Vista Del Sol Drive
Property Owner: Americas Loop 375 Joint Venture
Representative: CEA Group
District: 6
Staff Contact: Kevin Smith, (915) 541-4903, smithkw@elpasotexas.gov

Jorge Azcarate with CEA Group concurred with staff's comments.

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Brandrup, and unanimously carried to **APPROVE SUSU11-00134 WITH GENERAL MODIFICATION 19.04.070.A.3 OF THE CITY CODE.**

Motion passed.

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***ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **HEAR SUSU11-00138, SUSU11-00139, SUSU11-00120, AND SUSU11-00121 SIMULTANEOUSLY.**

Motion passed.

2. **SUSU11-00138:** Desert Springs Unit Four – A portion of Nellie D. Mundy Survey No. 243, Parcel 2, City of El Paso, El Paso County Texas
- Location: East of I-10 and North of Transmountain Road
Property Owner: RPW Development, DVEP Land LLC
Representative: CEA Group
District: 1
Staff Contact: Justin Bass, (915) 541-4930, bassjd@elpasotexas.gov
3. **SUSU11-00139:** Desert Springs Unit Five – A portion of Nellie D. Mundy Survey No. 243 and No. 244, Parcel 2, City of El Paso, El Paso County Texas
- Location: East of I-10 and North of Transmountain Road
Property Owner: RPW Development, DVEP Land LLC
Representative: CEA Group
District: 1
Staff Contact: Justin Bass, (915) 541-4930, bassjd@elpasotexas.gov

Major Combination:

- 4. **SUSU11-00120:** Desert Springs Unit One – A portion of Tract 8, Laura E. Mundy Survey No. 238, all of Tracts 12 and 13 and a portion of Tracts 10A and 10 E, Nellie D. Mundy Survey No. 239, and a portion of Nellie D. Mundy Survey No. 244, City of El Paso, El Paso County Texas
 - Location: East of I-10 and North of Transmountain Road
 - Property Owner: RPW Development, DVEP Land LLC, EP Transmountain Residential LLC
 - Representative: CEA Group
 - District: 1
 - Staff Contact: Justin Bass, (915) 541-4930, bassjd@elpasotexas.gov

Justin Bass, Planner, noted that there is a revised staff report for item number four.

Gonzalo Cedillos with Stormwater noted that this project is vested and does not need to provide improvements.

Jorge Azcarate with CEA Group concurred with staff's comments and responded to questions from the Commission.

Commissioner Borden asked why they were complying with the new drainage design and not the old one.

Kareem Dallo, Engineering Division Manager, noted that they want to adopt a new code in this particular area because they want to have a complete drainage system. The whole development system has to be built as one unit and cannot separate the pond from the arroyo. He also noted that Unit Two was added to the approved land study where the rules for drainage had been changed.

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Vorba, and carried to **APPROVE SUSU11-00138 (DESERT SPRINGS UNIT FOUR) WITH GENERAL MODIFICATION 19.04.070.A.3 OF THE CITY CODE AND THAT DESERT SPRINGS UNIT FOUR MUST BE FILED CONCURRENTLY WITH DESERT SPRINGS UNIT ONE AND TWO, AND ENCHANTED HILLS UNIT ONE AND THREE AND THAT LANDSCAPING BE PROVIDED IN THE DOUBLE FRONTAGE LOTS,**

APPROVE SUSU11-00139 (DESERT SPRINGS UNIT FIVE) WITH GENERAL MODIFICATION 19.04.070.A.3 OF THE CITY CODE, AND THAT DESERT SPRINGS UNIT FOUR MUST BE FILED CONCURRENTLY WITH DESERT SPRINGS UNIT ONE, TWO, AND FOUR, AND ENCHANTED HILLS UNIT ONE AND THREE AND THAT LANDSCAPING BE PROVIDED IN THE DOUBLE FRONTAGE LOTS,

APPROVE SUSU11-00120 (DESERT SPRINGS UNIT ONE) WITH GENERAL MODIFICATION 19.04.070.A.3 OF THE CITY CODE AND THAT DESERT SPRINGS UNIT ONE MUST BE FILED CONCURRENTLY WITH DESERT SPRINGS UNIT TWO AND THAT LANDSCAPING BE PROVIDED IN THE DOUBLE FRONTAGE LOTS.

AYES: Commissioner De La Cruz, Wright, Borden, Landeros, and Vorba

ABSTAIN: Commissioner Brandrup

ABSENT: Commissioner Carreto

Motion passed.

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5. **SUSU11-00121:** Desert Springs Unit Two – A portion of Tract 10A, Nellie D. Mundy Survey No. 239, and a portion of Tract 1B, Nellie D. Mundy Survey No. 243, City of El Paso, El Paso County, Texas
- Location: East of I-10 and North of Transmountain Road
- Property Owner: RPW Development, DVEP Land LLC
- Representative: CEA Group
- District: 1
- Staff Contact: Justin Bass, (915) 541-4930, bassjd@elpasotexas.gov

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Vorba, and carried to **APPROVE SUSU11-00121 (DESERT SPRINGS UNIT TWO) WITH THE CONDITION THAT DESERT SPRINGS UNIT TWO MUST BE FILED CONCURRENTLY WITH DESERT SPRINGS UNIT ONE.**

AYES: Commissioner De La Cruz, Wright, Borden, Landeros, and Vorba

NAYS: Commissioner Brandrup

ABSENT: Commissioner Carreto

Motion passed.

ACTION: Motion made by Commissioner Borden, seconded by Commissioner Wright, and unanimously carried **TO REQUEST A MINORITY REPORT FOR ITEMS SUSU11-00138, SUSU11-00139, SUSU11-00120 AND SUSU11-00121.**

Motion passed.

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PUBLIC HEARING Resubdivision Combination:

6. **SUSU12-00001:** El Retiro Subdivision Replat "A" – Being all of Lot 1, Block 2, El Retiro Subdivision, City of El Paso, El Paso County, Texas
- Location: West of Boy Scout Lane and North of Gary Lane
- Property Owner: Eugenio & Ana Mesta
- Representative: CAD Consulting Company
- District: 8
- Staff Contact: Justin Bass, (915) 541-4930, bassjd@elpasotexas.gov

Justin Bass, Planner, noted that there is a revised staff report for this item.

Eugenio Mesta, property owner, concurred with staff's comments.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Wright, and unanimously carried to **APPROVE SUSU12-00001 WITH GENERAL MODIFICATION 19.04.170.A.2 OF THE CITY CODE.**

Motion passed.

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PUBLIC HEARING Special Permit Application:

- 7. **PZST11-00016:** All of Lot 16, & the East ½ of Lot 15, Block 107, East El Paso Addition, City of El Paso, El Paso County, Texas
 - Location: 3329 Montana Avenue
 - Zoning: A-O (Apartment/Office)
 - Request: Parking Reduction
 - Existing Use: Medical Clinic
 - Proposed Use: Medical Clinic
 - Property Owner: Rafael Armendariz
 - Representative: Jose Uresti
 - District: 8
 - Staff Contact: Andrew Salloum, (915)-541-4633, salloumam@elpasotexas.gov

Andrew Salloum, Planner, made a floor amendment to the staff report noting that the building square footage should read **3,008 square feet**.

Jose Uresti, representing the owner, concurred with staff's comments.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Vorba, and unanimously carried to **APPROVE PZST11-00016**.

Motion passed.

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Lupe Cuellar, Assistant City Attorney, noted that the Minority Report will be part of the Annual Report that will go to City Council and also noted that the Minority Report has to be approved by the entire Commission.

Commissioner Nance requested that the By-Laws be placed on the next City Plan Commission agenda for review.

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Other Business:

- 8. Discussion and action on the City Plan Commission minutes for:
 - a. January 5, 2012
 - b. January 12, 2012

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Vorba, and unanimously carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR JANUARY 5, AND JANUARY 12, 2012**.

Motion passed.

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***ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **MOVE THE DISCUSSION AND ACTION ON THE PLAN EL PASO COMPREHENSIVE PLAN REVIEW TO THE FOREFRONT OF THE AGENDA**.

Motion passed.

9. Discussion and action on Plan El Paso: Comprehensive Plan Rewrite.
Staff Contact: Carlos Gallinar (915) 541-4662, gallinarcc@elpasotexas.gov

Mathew McElroy, Deputy Director for Planning, noted that city staff and Dover Kohl and Partners gave a presentation at the Greater Chamber of Commerce. The Chamber felt that they did not have adequate time to review the plan and requested a 30 day postponement. Staff agreed to the 30 day postponement to allow the Chamber the opportunity to work with city staff to approve the plan. There will be some work sessions so that the Chamber can appoint its own expert committee to provide a final round of recommendations or amendments. If any changes are incorporated, those changes will be made available during the process and will be provided to CPAC, City Plan Commission and to City Council.

City staff agreed to meet with the Chambers on the following dates. March 6, 2012, was set for City Council adoption; March 1, 2012, LRC; and February 23, 2012, for City Plan Commission adoption. There will be an additional Comprehensive Plan Advisory Committee meeting on February 20, 2012.

Staff will also be setting up six work sessions so that the Chambers will have the opportunity to review every single chapter and make recommendations where they want items changed. Work Sessions One (1) will be on Wednesday, February 1st and Thursday, February 2nd, from 8:00am – 10:00am. Work Sessions Two (2) will be on Wednesday, February 8th and Thursday, February 9th, 8:00am – 10:00 am, and Work Sessions Three (3) will be on Wednesday, February 15th and Thursday, 16th. from 8:00am – 10:00am. Staff will notify the City Plan Commission if there are any modifications to the schedule. If there are any modifications to this schedule Staff will keep a running memo of the changes where there are disagreements and ultimately those decisions will be up to the City Plan Commission and City Council.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request.

Ray Aduato with the El Paso Association of Builders noted that he will visit the work sessions that will take place at the Greater Chamber of Commerce and come back at a later time with any concerns.

Jesus Bartolome Ochoa Jr., spoke in opposition to any development on natural resources below the Transmountain Road.

1ST MOTION:

ACTION: Motion made by Commissioner De La Cruz. seconded by Commissioner Wright, and unanimously carried to **POSTPONE THE COMPREHENSIVE PLAN REWRITE TO THE CITY PLAN COMMISSION MEETING OF FEBRUARY 23, 2012.**

Motion passed.

2ND MOTION:

ACTION: Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **RE-OPEN ITEM NINE (9).**

Motion passed.

This item was re-opened to allow the Commission the opportunity to provide staff with any type of recommendation they want staff to consider on the Comprehensive Plan.

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10. Discussion and action on an Ordinance amending Title 20 (Zoning), Appendix B (Table of Density and Dimensional Standards), Subpart C (Building Setbacks) in the A (Apartment) and C (Commercial) zoning districts, to amend the setback requirements. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
Staff Contact: Kimberly Forsyth, (915) 541-4668, forsythkl@elpasotexas.gov

Kimberly Forsyth, Lead Planner, gave a brief presentation and noted that this ordinance would amend the minimum front setbacks in "A" and "C" Zoning Districts. Staff has worked with numerous developers to try to convince them to build in a more smart growth mode but staff is encountering a lot of resistance.. Developers say that the current minimum front setback requirements make it very difficult for them to build pedestrian friendly developments with attractive streetscapes in traditional zoning districts. She noted that staff is deleting a landscape requirement that exists in the current zoning code that conflicts with the new adopted landscape code. She gave a brief summary of those changes.

Mathew McElroy, Deputy Director for Planning, noted that staff will summarize a variety of solutions for the handicap access issue and bring it to the City Plan Commission meeting at a later date.

Ms. Forsyth briefly went over the requirements for Title 18.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **APPROVE, BUT DELETE THE CUMULATIVE SETBACK.**

Motion passed.

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11. Discussion and action on the placement of items on the agenda.
Staff Contact: Philip Etiwe, (915) 541-4635, etiwepf@elpasotexas.gov

Commissioner Wright requested a report or a discussion as to what happened to the Dark Sky Ordinance which should be enforced prohibiting people from having lights shining in their neighbors eyes.

Staff will invite a city official to come and speak on these items.

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Wright, and carried to **PLACE THE ZONING ITEMS BEFORE THE SUBDIVISION ITEMS ON THE CITY PLAN COMMISSION AGENDA.**

AYES: Commissioner De La Cruz, Wright, Borden, Brandrup, and Vorba
NOT PRESENT FOR THE VOTE: Commissioner Landeros
ABSENT: Commissioner Carreto

Motion passed.

Lupe Cuellar made sure the Commission understood that if subdivision plats were going to be moved to the end of the agenda a quorum must be maintained or the subdivision plats will be automatically approved.

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12. Update on Park Facilities and Expenditures
Staff Contact: Nanette Smejkal, Director of Parks and Recreation, (915) 541-4283, smejkalnl@elpasotexas.gov

Richard Garcia with the Parks and Recreation Department gave a brief power point presentation of parkland acquired during the last fiscal year and parkland acquired from September to the present. He noted that Tom Lea Baseball Field is a joint use field with EPISD and the EPISD maintains it during the school year from September to the end of May. He gave a brief description of each of the different parks. Mr. Garcia will provide the Commission with a copy of the report presented at today's meeting.

Commissioner Brandrup requested a report on the Implementation Plan or Action Plan for the Preservation of Open Space. Mr. Garcia will ask the Open Space Coordinator to get this information for the Commission.

NO ACTION WAS TAKEN.

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13. Planning Report:
N/A

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14. Legal Report:
N/A

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ADJOURNMENT:

Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and carried to adjourn this meeting at 3:45 p.m.

Approved as to form:

Mathew McElroy, Executive Secretary, City Plan Commission