



**CITY PLAN COMMISSION MEETING  
2<sup>ND</sup> FLOOR CITY COUNCIL CHAMBERS  
FEBRUARY 9, 2012  
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 Nance
- Commissioner Carreto
- Commissioner Vorba

**COMMISSIONERS ABSENT:**

- Commissioner Borden
- Commissioner Brandrup
- Commissioner Landeros

**AGENDA**

Commissioner Carreto read the rules into the record. Philip Etiwe, Development Review Manager, noted that there were no revisions to the agenda.

**NO ACTION WAS TAKEN.**

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A plaque was presented to Brooks Vandivort, former member of the City Plan Commission and past Chair of the Commission for his service and dedication.

Mr. Brooks thanked the Commission and staff for their support.

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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.

**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. **SUSU11-00137;** Mission Ridge Unit Nine – 53.817 acres of land situated in Section 22, Block 79, Township 3, Texas and Pacific Railway Company Survey and consisting of those Tracts of land being a portion of that certain 106.099 acre tract of land called Tract 3, as recorded in General Land Office School File No. 154497 and as described in a deed to the State of Texas for the use and benefit of the permanent school fund of record in volume 2037, page 429 of the official public records of El Paso County, Texas, and being also a portion of that certain Tract of permanent school fund land as recorded in the General Land Office School File No. 145577, El Paso County, Texas
  - Location: North of Eastlake Boulevard and East of I-10
  - Property Owner: State of Texas GLO
  - Representative: CEA Group
  - District: ETJ
  - Staff Contact: Kevin Smith, (915)541-4903, [smithkw@elpasotexas.gov](mailto:smithkw@elpasotexas.gov)

Jorge Azcarate with CEA Group concurred with staff's comments and distributed an exhibit of the entire master plan that they are currently working on.

**ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **APPROVE SUSU11-00137 WITH GENERAL MODIFICATION 19.04.070.A.3 OF THE CITY CODE AND WITH THE CONDITION THAT LANDSCAPING BE REQUIRED ON THE DOUBLE FRONTAGE LOTS AND THAT THE CONDITION BE COORDINATED WITH THE EL PASO DEPARTMENT OF TRANSPORTATION.**

Motion passed.

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Major Final:

- 2. **SUSU11-00132:** Tierra Del Este Unit Sixty Nine – Being a portion of Sections 37 and 48, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas
  - Location: East of John Hayes Boulevard and South of Edgemere Boulevard
  - Property Owner: Ranchos Real XIV, LLC
  - Representative: Conde, Inc.
  - District: 5
  - Staff Contact: Justin Bass, (915) 541-4930, [bassjd@elpasotexas.gov](mailto:bassjd@elpasotexas.gov)

Conrad Conde with Conde, Inc., concurred with staff's comments.

**ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Carreto, and unanimously carried to **APPROVE SUSU11-00132 WITH THE CONDITION THAT TIERRA DEL ESTE UNIT FIFTY SEVEN AMENDING PLAT AND TIERRA DEL ESTE UNIT SIXTY SEVEN SHALL BE FILED PRIOR TO OR IN CONCURRENCE WITH TIERRA DEL ESTE UNIT SIXTY NINE AND THAT LANDSCAPING BE PROVIDED ALONG THE DOUBLE FRONTAGE LOTS AND THAT THIS CONDITION BE COORDINATED WITH THE EL PASO DEPARTMENT OF TRANSPORTATION.**

Motion passed.

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**PUBLIC HEARING Easement Vacation:**

- 3. **SUET12-00001:** Golden Springs Dr. Easement Vacation – Being a portion of Lot 16 & 17, Block 1, Shadow Mountain Heights “Replat A”, City of El Paso, El Paso County, Texas  
Location: East of Shadow Mountain Drive and South of Silver Springs Drive  
Property Owner: Stuart P. Shiloff & Nancy Shiloff  
Representative: Roe Engineering, L.C.  
District: 1  
Staff Contact: Justin Bass, (915) 541-4930, [bassjd@elpasotexas.gov](mailto:bassjd@elpasotexas.gov)

Bradley Roe with Roe Engineering 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 SUET12-00001.**

Motion passed.

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**Other Business:**

- 4. Discussion and action on the City Plan Commission minutes for: January 26, 2012

**ACTION:** Motion made by Commissioner Vorba, seconded by Commissioner De La Cruz, and carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR JANUARY 26, 2012.**

**AYES:** Commissioner De La Cruz, Wright, and Vorba  
**ABSTAIN:** Commissioner Carreto  
**ABSENT:** Commissioner Borden, Brandrup, and Landeros

Motion passed.

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- 5. Discussion and action on an Ordinance amending Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations) Section 20.120.680 (Temporary Uses) of the El Paso City Code in its entirety to amend the application process and standards for temporary uses. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.  
Staff Contact: Arturo Rubio, (915) 541-4668, [rubioax@elpasotexas.gov](mailto:rubioax@elpasotexas.gov)

Art Rubio, Senior Planner, gave a brief presentation and noted that the amendments are highlighted and underlined.

Currently the code incorporates a minimal application process within different categories of temporary uses. This amendment was requested by the Engineering and Construction Management to clarify application requirements, fees assessed, better categorize and define temporary uses and add additional temporary uses.

He noted that there are nine steps to the application process and the requirements of the application. He gave a brief summary of the categorized uses.

It was requested that the word **Building** be removed under Item B.1.A.

Mike Neleigh with Engineering and Construction Management noted that he had no objection to the word **Building** being removed.

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 AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS) SECTION 20.120.680 (TEMPORARY USES) OF THE EL PASO CITY CODE IN ITS ENTIRETY TO AMEND THE APPLICATION PROCESS AND STANDARDS FOR TEMPORARY USES.**

Motion passed.

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- 6. Update on the Dark Sky Ordinance.  
Staff Contact: Alan Shubert, (915) 541-4428, [shubertar@elpasotexas.gov](mailto:shubertar@elpasotexas.gov)

Philip Etiwe, Development Review Manager, noted that Commissioner Wright requested that this item be placed on the agenda for an update and an overview of enforcement.

Raul Serna with Engineering and Construction – Plan Review Department gave a quick update on this item. He noted that this ordinance was enacted in 2005 to regulate how much light pollution was being thrown up to the skies and to allow more visibility of the stars within the city limits and to lessen the energy usage being wasted. Any light fixtures that were overly bright needed to be fully shielded. There is a stipulation that by May of 2015 all existing lights had to be brought up to code.

**No action was taken.**

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- 7. Discussion on a request by the CPC to provide information on infill policy for the City of El Paso, and a comparison to other cities.  
Staff Contact: Arturo Rubio, (915) 541-4668, [rubioax@elpasotexas.gov](mailto:rubioax@elpasotexas.gov)

Art Rubio, Senior Planner, briefly summarized the City of El Paso Infill Development Policy, Infill Supplemental Use Regulations and background, Infill Development Standards and Requirements. He spoke briefly about the Infill Special Permits approved for 2011 and made a basic comparison from El Paso to other cities such as Austin, San Antonio, Albuquerque, Tucson, and Phoenix. He noted that of all these cities, Albuquerque was the only city that did not have an Infill Development Policy.

**NO ACTION WAS TAKEN.**

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8. Discussion and action on an Ordinance amending the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of The Plan for El Paso and its related documents as originally approved by El Paso City Council in 1999, and as subsequently amended, to delete a portion of Independence Drive from Delfina Drive to Elvin Way.  
Staff Contact: Melissa Granado, (915) 541-4730, [granadom@elpasotexas.gov](mailto:granadom@elpasotexas.gov)

Melissa Granado, Senior Planner, gave a brief presentation and noted that the TIA study demonstrates that the network that currently exists functions at an acceptable level of service for this area. She noted that the neighborhoods had not been notified regarding the MTP amendment but will be notified regarding the zoning change that will be presented to the Commission at a later date.

Tony Bustillos from the Department of Transportation noted that the department approved the deletion of the portion of Independence Drive from Delfina Drive to Elvin Way. The TIA does not show that it would cause an issue in the future.

Conrad Conde with Conde, Inc., concurred with staff's comments and noted that the TIA that they performed is no different whether it is private or public and noted that standards of the code have to be met either way.

Art Gloria representing Community Development spoke in favor of this request and noted that there has not been any community meetings with the neighbors because they have not been required as of yet. He also noted that Representative Holguin is also in favor of this request.

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 Vorba, seconded by Commissioner Wright, and carried to **APPROVE AN ORDINANCE AMENDING THE 2025 PROPOSED THOROUGHFARE SYSTEM AS DETAILED IN THE MAP ATLAS OF THE PLAN FOR EL PASO AND ITS RELATED DOCUMENTS AS ORIGINALLY APPROVED BY EL PASO CITY COUNCIL IN 1999, AND AS SUBSEQUENTLY AMENDED, TO DELETE A PORTION OF INDEPENDENCE DRIVE FROM DELFINA DRIVE TO ELVIN WAY.**

**AYES:** Commissioner Wright, Vorba, and Nance

**NAYS:** Commissioner De La Cruz, and Carreto

**ABSENT:** Commissioner Borden, Brandrup, and Landeros

Commissioner Nance broke the tie by voting in favor of this request.

Motion passed.

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9. Planning Report:  
City Plan Commission revisions to the Annual Report

Philip Etiwe, Development Review Manager, noted that approximately four (4) weeks ago the Commission received a copy of the Annual Report for their review. Staff is ready to proceed to City Council unless the Commission has any revisions or additions to the report.

**ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Vorba, and unanimously carried to **APPROVE THE ANNUAL REPORT AS PRESENTED.**

Motion passed.

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10. Legal Report:  
Review the By-Laws

Philip Etiwe, Development Review Manager, noted that at the last City Plan Commission meeting it was agreed that the Commissioner requesting the Minority Report should draft his/her own report and present it to City Council.

Lupe Cuellar, Assistant City Attorney, noted that her recommendation would be not to allow the Commission to draft his/her own Minority Report but have staff listen to the discussion and hear what the Commissioner is trying to say. The report does not have to be verbatim nor elaborate. After a short discussion it was concluded that staff would write the Minority Report.

**NO ACTION WAS TAKEN.**

Ms. Cuellar noted that she was away from the office and does not have anything for the Commission at this meeting regarding the By-laws but would make sure that they get posted on the next City Plan Commission agenda and will then make a presentation.

The Commission requested that Legal look into the fact that the Chair can only vote to break a tie or make a tie and bring that information back at the next City Plan Commission meeting. It was also requested that the words **any citizen of the City of El Paso** be deleted on number five (5) under ARTICLE XII – Participation by Employee and Public.

Legal will revise the by-laws and bring them back to the Commission for their review.

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Commissioner Nance requested that item number eight (8) be re-opened.

**1<sup>ST</sup> MOTION:**

**ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **RE-OPEN ITEM NUMBER 8.**

Commissioner Nance asked if the City owns the property, can the City lessen the right-of-way classification and still build a park there for the community.

Commissioner Nance suggested for staff to make sure that the council chambers is available on the date that the Comprehensive Plan is presented to the Commission. If the council chambers is not available on that date then he suggested that the item be postponed until such date that the chambers is available.

**MOTION:**

**ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **CLOSE ITEM 8 AND THAT THE VOTE REMAIN THE SAME.**

**ADJOURNMENT:**

Motion made by Commissioner De La Cruz, seconded by Commissioner Wright, and unanimously carried to adjourn this meeting at 3:30 p.m.

Approved as to form:

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Mathew McElroy, Executive Secretary, City Plan Commission