



**CITY PLAN COMMISSION MEETING
2ND FLOOR, MAIN CONFERENCE ROOM
FEBRUARY 11, 2016
1:30P.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 Landeros present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:

Commissioner Brannon
Commissioner Perez
Commissioner Bustamante
Commissioner Ardovino
Commissioner Landeros

COMMISSIONERS ABSENT:

Commissioner Madrid

AGENDA

Commissioner Brannon read the rules into the record. Kimberly Forsyth, Program Manager, read the revisions to the agenda into the record.

***ACTION:** Without objection, changes to the agenda were unanimously approved as presented.

AYES: Commissioner Brannon, Perez, Bustamante, Ardovino, and Landeros

NAYS: N/A

ABSTAIN: N/A

ABSENT: Commissioner Madrid

NOT PRESENT FOR THE VOTE: N/A

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.

NO ACTION WAS TAKEN.
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II. CONSENT AGENDA

THERE WERE NO ITEMS UNDER THE CONSENT AGENDA.

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III. REGULAR AGENDA - DISCUSSION AND ACTION:

Subdivision Applications:

SUBDIVISION MAP APPROVAL:

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. If the Commission does not wish to approve an exception or modification, or require a condition, then the Commission's motion will state which have not been approved, otherwise, the staff report, with all modifications, exceptions and conditions, is approved and the applicant shall comply with all provisions of the staff report.

Land Study:

1. **SULD15-00001:** Gateway Estates Land Study – Gateway Estates Lots 6, 7, 9, 11-13, 24 -29, and a Portion of Lot 4 East, Lot 8 West and Lot 10 North of Gateway Estates, and a Replat of Chittenden Street, Fairglade Street, Chesterton Street, Saltzgeber Street, Thrailkill Street, Tuscaranas Street, Addison Street, Blanker Street, Chilcote Street, Fahlander Street, Vendome Street, Zimpfer Street, Trabue Street, Asbury Street, Scioto Avenue, Brevoort Street, and a Portion of Brandywine Road, Amesbury Avenue and Serran Avenue, of Gateway Estates, El Paso County, Texas
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|------------------|--|
| Location: | East of Joe Battle and North of Vista Del Sol |
| Existing Zoning: | ETJ |
| Property Owner: | GFA, LLC |
| Representative: | CEA Group |
| District: | ETJ |
| Staff Contact: | Alfredo Austin, (915) 212-1604, austinaj@elpasotexas.gov |

Alfredo Austin, Planner, gave a presentation and noted that there is a revised staff report for this item. The applicant proposes a land study for 275.80 acres of land located in the Eastside ETJ. The major thoroughfare plan designates a residential collector and a minor arterial running north and south through the property. Access is proposed from Vista Del Sol Drive, Windermere Drive and Cherrington Street. The land study does provide a phasing plan and is slated for completion in 2023. A traffic impact study was provided as part of the land study. The property owner is coordinating with the County to contribute their proportionate share of improvements to the road project or equivalent improvements. This land study is being reviewed under the current subdivision code. Staff recommends approval of Gateway Estates Land Study.

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

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Perez, and unanimously carried to **APPROVE SULD15-00001.**

Motion passed.

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Major Combination - Reconsideration:

2. **SUSU15-00030:** Desert Pass Unit 3 – A portion of Tract 3A, A. F. Miller Survey No. 210, City of El Paso, El Paso County, Texas
- Location: North of I-10 and West of Resler
Existing Zoning: C-3/sc (Commercial/special contract)
Property Owner: Camino Real Investments I LTD
Representative: Conde, Inc.
District: 8
Staff Contact: Joaquin Rodriguez, (915) 212-1608, rodriguezjx3@elpasotexas.gov

Joaquin Rodriguez, Planner, gave a presentation and noted that there is a revised staff report for this item. This is a reconsideration of a subdivision that was previously approved by the City Plan Commission on May 21, 2015. The reconsideration is because the applicant has decided to construct the entire length of Gem Street as opposed to just the length abutting the park. This subdivision was reviewed under current code. The applicant is requesting an exception to allow for a temporary dead end to exceed 300 feet. Staff recommends approval of Desert Pass Unit 3 on a Major Combination basis.

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

ACTION: Motion made by Commissioner Bustamante, seconded by Commissioner Perez, and unanimously carried to **APPROVE SUSU15-00030.**

Motion passed.

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PUBLIC HEARING Resubdivision Combination:

3. **SUSU15-00083:** Diamantina Subdivision – A portion of Tracts 357 and 358, Sunrise Acres No. 1, City of El Paso, El Paso County, Texas
- Location: West of Dyer and South of Hondo Pass
Existing Zoning: R-4 (Residential)
Property Owner: Casas Diamantina LLC
Representative: Dorado Engineering, Inc.
District: 2
Staff Contact: Alfredo Austin, (915) 212-1604, austinaj@elpasotexas.gov

1ST MOTION:

***ACTION:** Without objection, items 3 and 8 were heard together. Item 8 was heard first.

Mr. Fermin Dorado Sr. requested that item **SUSU15-00083** be postponed for four (4) weeks.

2ND MOTION:

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Bustamante, and unanimously carried to **POSTPONE SUSU15-00083 FOR FOUR (4) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MARCH 10, 2016.**

Motion passed.

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4. **SUSU15-00084:** Charter School Solutions Subdivision – A portion of Lot 2, Block 4, Le Barron Park Subdivision, City of El Paso, El Paso County, Texas
- Location: North of Betel and West of Americas
 Existing Zoning: A-2 (Apartments)
 Property Owner: Charter School Solutions
 Representative: Etzold & Co.
 District: 6
 Staff Contact: Armida Martinez, (915) 212-1605, martinezar@elpasotexas.gov

Armida Martinez, Planner, gave a presentation and noted that there is a revised staff report for this item. The applicant proposes to resubdivide 10.667 acres into two lots. Lot one will remain vacant and a new charter school is proposed on lot two. Access to the subdivision is proposed from Betel Drive and Bordeaux Drive. The subdivision was reviewed under the current subdivision code. Staff recommends approval of Charter School Solutions Subdivision on a Resubdivision Combination basis.

David Etzold, representing Charter Schools Solutions, concurred with staff's comments. He requested a gross density waiver from staff.

Commissioner Landeros 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 Brannon, seconded by Commissioner Bustamante, and unanimously carried to **APPROVE SUSU15-00084.**

Motion passed.

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PUBLIC HEARING Detailed Site Development Plan Application:

5. **PZDS15-00025:** Portion of Lot 1, Block 2, Mesa Hills West, City of El Paso, El Paso County, Texas
- Location: 310 Mesa Hills Drive
 Zoning: C-1/sc (Commercial/special contract)
 Request: Detailed Site Development Plan Review
 Existing Use: Vacant
 Proposed Use: Medical Office
 Property Owner: AHTX 1, LLC
 Representative: SMS Architects
 District: 8
 Staff Contact: Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov

1ST MOTION:

***ACTION:** Without objection, items 5 and 10 were heard together.

Jeff Howell, Senior Planner, gave a presentation and noted that these items are a request for a detailed site development plan and a condition release. The property is 2.110 acres in size and is currently vacant. The proposed use is a medical office. Access to the subject property is proposed from Mesa Hills Drive and Suncrest Drive. The applicant is requesting a release to all conditions as those conditions are no longer applicable to this particular property or have already been satisfied. Staff has not received any communication in support or opposition of the condition release request. Staff recommends approval of the detailed site development plan request as well as the condition release.

Jim Suerken with SMS Architects, representing the applicant, concurred with staff's comments.

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

Jacqueline Guevara spoke in favor of this request.

2ND MOTION:

ACTION: Motion made by Commissioner Bustamante, seconded by Commissioner Perez, and unanimously carried to **APPROVE PZDS15-00025 AND PZCR15-00006.**

Motion passed.

PUBLIC HEARING Special Permit Applications:

6. **PZST15-00034:** Tract 3B1, Block 42, Ysleta Grant, City of El Paso, El Paso County, Texas
 Location: 216 Emma Way
 Zoning: R-4 (Residential)
 Request: Special Use Permit to allow for a Group Residential Facility in R-4 (Residential) zone district and Infill Development Special Permit to allow for a parking reduction
 Existing Use: Single-family dwelling
 Proposed Use: Group Residential Facility
 Property Owner: Bertha Patricia Solis
 Representative: Vanessa Magdaleno
 District: 6
 Staff Contact: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov
POSTPONED FROM DECEMBER 17, 2015, AND JANUARY 28, 2016.

***ACTION:** Without objection **PZST15-00034 WAS POSTPONED FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF FEBRUARY 25, 2016.**

Motion passed.

7. **PZST15-00041:** East ½ of Lot 11, all of Lots 12 and 13, Block 292, Pierce Finley Addition, City of El Paso, El Paso County, Texas
 Location: 1024 E. River Avenue
 Zoning: R-5 (Residential)
 Request: Infill Development - to allow for cumulative front and rear yard setbacks reduction
 Existing Use: Single-family dwelling
 Proposed Use: Duplex
 Property Owner: Elguea Properties
 Representative: Chris Elguea
 District: 8
 Staff Contact: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov
POSTPONED FROM JANUARY 28, 2016.

***ACTION:** Without objection **PZST15-00041 WAS POSTPONED FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF FEBRUARY 25, 2016.**

Motion passed.

8. **PZST15-00042:** A portion of Tracts 357 and 358, Sunrise Acres No. 1, City of El Paso, El Paso County, Texas
Location: 3805, 3809, and 3813 Moonlight Drive
Existing Zoning: R-4 (Residential)
Property Owner: Casas Diamantina LLC
Representative: Dorado Engineering, Inc.
District: 2
Staff Contact: Adriana Martinez, (915) 212-1611, martinezad@elpasotexas.gov

1ST MOTION:

***ACTION:** Without objection, items 3 and 8 were heard together. Item 8 was heard first.

Adriana Martinez, Planner, gave a presentation and noted that there is a revised staff report for this item. The request is for a special permit and detailed site plan approval to allow for infill development to permit a reduction in lot width, lot area and setbacks. Access to the property is proposed from Moonlight Drive. Staff received one call in support to this special permit request. Staff recommends approval of the request and acceptance of the detailed site development plan.

Fermin Dorado, Sr., from Dorado Engineering, concurred with staff's comments.

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

The following persons spoke concerning this request.

- Karen Katusic spoke in opposition to the construction of the duplex dwellings and expressed her concern regarding the increase of traffic, crime, parking, and the depreciation of her property value. She submitted a petition with signatures of 100 surrounding neighbors also in opposition.
- Donnie Smith Malpass expressed her concern about safety and loud music.
- Nicolas Otis expressed his concern about the water run-off, the potential of flooding and the repercussion of the neighboring properties. He noted that several neighbors had called and sent emails to the city expressing their opposition and yet staff is saying that they only received one phone call in support. He feels the neighbors are receiving misinformation from the developer.

Mr. Dorado presented his rebuttal and responded to questions from the commission.

Ms. Forsyth noted that the subdivision is required to comply with the lot sizes for the zoning district and this subdivision currently does not comply without the special permit. If the special permit were to be denied by City Council, staff cannot record the subdivision.

2ND MOTION:

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Perez, and unanimously carried to **APPROVE PZST15-00042.**

3RD MOTION:

ACTION: Motion made by Commissioner Brannon, and seconded by Commissioner Perez, to withdraw their motion.

4TH MOTION:

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Bustamante, and carried to **DENY PZST15-00042.**

AYES: Commissioner Brannon, Bustamante, Ardivino, and Perez

NAYS: Commissioner Landeros

ABSTAIN: N/A

ABSENT: Commissioner Madrid

NOT PRESENT FOR THE VOTE: N/A

Motion passed to deny. (4-1 vote)

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- 9. **PZST15-00045:** Lot 1, Block 1, North Loop Apartments, City of El Paso, El Paso County, Texas
 - Location: 9522 North Loop Drive
 - Zoning: S-D (Special Development)
 - Request: Special Permit for Infill Development
 - Existing Use: Vacant
 - Proposed Use: Apartments
 - Property Owner: North Loop Apartments, LLC
 - Representative: Exigo Architects – Jesus Ortega
 - District: 7
 - Staff Contact: Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov

Michael McElroy, Senior Planner, noted that there is a revised staff report for this item. The request is for a special permit and detailed site plan approval for infill development to allow the construction of a 216 unit apartment complex to include a clubhouse facility. All ADA and bicycle parking requirements are being met. Access to the property is proposed from North Loop Drive. Staff did not receive any communication in support or opposition to the special permit request. Staff recommends approval of the request and acceptance of the detailed site development plan.

Eugenio Mesta concurred with staff's comments.

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

Commissioner Landeros noted that the correct district should be **District 6.**

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Brannon, and unanimously carried to **APPROVE PZST15-00045.**

Motion passed.

PUBLIC HEARING Zoning Condition Release Applications:

- 10. **PZCR15-00006:** Portion of Lot 1, Block 2, Mesa Hills West, City of El Paso, El Paso County, Texas
 - Location: 310 Mesa Hills Drive
 - Zoning: C-1/sc (Commercial/special contract)
 - Request: Release of all conditions imposed by Special Contract 82825, corrected in Special Contract 33164 dated September 25, 1985
 - Existing Use: Vacant
 - Proposed Use: Medical Office

Property Owner: AHTX 1, LLC
Representative: SMS Architects
District: 8
Staff Contact: Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov

1ST MOTION:

***ACTION:** Without objection, items 5 and 10 were heard together.

This item was presented simultaneously with item 5.

2ND MOTION:

ACTION: Motion made by Commissioner Bustamante, seconded by Commissioner Perez, and unanimously carried to **APPROVE PZDS15-00025 AND PZCR15-00006.**

Motion passed.

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11. **PZCR15-00008:** A portion of Lots 93 through 96, Block 7, Eastside Industrial District Unit Two, an addition to the City of El Paso, El Paso County, Texas
Location: 1031 Hawkins Blvd.
Zoning: M-1/sc (Manufacturing/special contract)
Request: Release of all conditions imposed by special contract dated October 23, 1956
Existing Use: Manufacturing
Proposed Use: Manufacturing
Property Owner: MAST Partners LPS
Representative: Charlie Gomez
District: 3
Staff Contact: Alfredo Austin, (915) 212-1604, austinaj@elpasotexas.gov

Ms. Forsyth noted that the applicant for this case was not present at the meeting.

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Bustamante, and unanimously carried to **POSTPONE PZCR15-00008 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF FEBRUARY 25, 2016.**

Motion passed.

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Other Business:

12. Discussion and action on the City Plan Commission minutes for:
- a. January 14, 2016 (CPC Annual Meeting)
 - b. January 28, 2016

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Ardivino, and unanimously carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR JANUARY 14, 2016, AND JANUARY 28, 2016.**

Motion passed.

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13. Discussion and action on Personal Wireless Service Facility (PWSF) regulations
Staff Contact: Art Rubio, (915) 212-1613, rubioax@elpasotexas.gov
POSTPONED FROM JANUARY 28, 2016.

Art Rubio, Lead Planner, gave a presentation and went over the regulations pertaining to Personal Wireless Service Facilities, Title 20 Chapter 20.10, Section 20.10.455. He went over the definition of PWSF and the different types of PWSF's regulated by the City, waivers, and exceptions for certain PWSFs for certain situations as far as setbacks, height, and location. He discussed the location criteria within the RF, SRR, PR-1, PR-2, and PMD as far as special permit requirements. He also went over the PWSF located in Commercial, Manufacturing, Industrial and Quarry Districts. He noted that Council can waive any of the requirements if the Council findings are met, except camouflaging. He went over the Residential PWSF Exception Findings and the PWSF Separation Distance to other PWSF Exception Findings.

Staff is recommending several changes to the regulations. Once the research is finalized, staff will bring it back to the commission. Staff will also do some research on small cell sites.

NO ACTION WAS TAKEN ON THIS ITEM.

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14. Planning Report:
a. CPC By-Laws

***ACTION:** Without objection **THE CPC BY-LAWS WERE POSTPONED FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF FEBRUARY 25, 2016.**

Motion passed.

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ADJOURNMENT:

Motion made by Commissioner Brannon, seconded by Commissioner Ardovino, and unanimously carried to adjourn this meeting at 3:19 p.m.

Approved as to form:

Carlos Gallinar, Executive Secretary, City Plan Commission