



**CITY PLAN COMMISSION MEETING  
1<sup>ST</sup> FLOOR CITY COUNCIL CHAMBERS  
MARCH 24, 2016  
1:30P.M.**

**MINUTES**

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

The meeting was called to order at 1:34 p.m. Commissioner Madrid present and presiding and the following Commissioners answered roll call.

**COMMISSIONERS PRESENT:**

- Commissioner Desai
- Commissioner Brannon
- Commissioner Bustamante
- Commissioner Madrid
- Commissioner Landeros
- Commissioner Ardivino
- Commissioner Livingston

**COMMISSIONERS ABSENT:**

- Commissioner Perez

**AGENDA**

Commissioner Ardivino read the rules into the record. Kimberly Forsyth, Program Manager, noted that there were no changes to the agenda.

**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.**

**II. CONSENT AGENDA**

**THERE WERE NO ITEMS UNDER THE CONSENT AGENDA.**

**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.

**Major Preliminary:**

1. **SUSU16-00005:** Mesquite Hills Unit 8 - A portion of Tract 6C, Section 16 and portion of Tracts 1D and 1E, Section 17, Block 80, Township 1, Texas and Pacific Railroad Co. Surveys, City of El Paso, El Paso County, Texas  
Location: South of US Highway 54 and West of Dyer  
Existing Zoning: R-5 (Residential)  
Property Owner: Newman Ranch Partners, L.P.  
Representative: Conde, Inc.  
District: 4  
Staff Contact: Armida Martinez, (915) 212-1605, [martinezar@elpasotexas.gov](mailto:martinezar@elpasotexas.gov)

Armida Martinez, Planner, gave a presentation and noted that there is a revised staff report for this item. She made a floor amendment to remove the following waiver request: **To allow 7' of parkway instead of the required 5'** since the applicant is providing more than the minimum requirement. Access to the subdivision is from Mesquite Hills Drive. This subdivision is being reviewed under the current subdivision code. The applicant is requesting an exception to allow an 8' jogging path in lieu of the required 5' sidewalk and is requesting the following waivers to Mesquite Hills: To allow 21' of pavement (for travel lanes) instead of the required 22', and to allow 12' of raised turning median instead of the required 14'. Staff recommends approval of the exception requests and approval of Mesquite Hills Unit 8 on a Major Preliminary basis. Staff is recommending that the City Plan Commission require the applicant to landscape the parkway area on all double frontage lots.

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

**ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Bustamante, and unanimously carried to **APPROVE SUSU16-00005.**

Motion passed.

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Carlos Gallinar introduced Vanessa Muñoz who recently started working in the Planning & Inspections Department.

**Major Combination:**

- 2. **SUSU16-00007:** Franklin Hills Subdivision Unit 10 – A portion of H.G. Foster Survey 262, City of El Paso, El Paso County, Texas
  - Location: East of Franklin Hills and North of High Ridge
  - Existing Zoning: R-3A (Residential) and P-R1/c (Planned Residential/Condition)
  - Property Owner: Sun 262 Partners, LTD
  - Representative: Quantum Engineering Consultants, Inc.
  - District: 1
  - Staff Contact: Vanessa Munoz, (915) 212-1644, [munozvx@elpasotexas.gov](mailto:munozvx@elpasotexas.gov)

Vanessa Munoz, Planner, gave a presentation and noted that the applicant proposes to subdivide 29.539 acres of land in the city’s northwest hillside development area for 86 single-family lots. The subdivision lies within the Franklin Hills Land Study. Primary access to the subdivision is proposed from Franklin Dove Avenue and Franklin Bluff. This development was reviewed under the former subdivision code. There is a zoning condition on the property that states that a walking trail is required. The applicant is complying with the condition. Staff recommends approval of all modifications requested and approval of Franklin Hills Subdivision Unit 10 on a Major Combination basis. Staff also recommends that the City Plan Commission require the applicant to landscape the rear of all frontage lots.

Robert Gonzales with Quantum Engineering concurred with staff’s comments.

**ACTION:** Motion made by Commissioner Bustamante, seconded by Commissioner Livingston, and unanimously carried to **APPROVE SUSU16-00007.**

Motion passed.

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**PUBLIC HEARING Resubdivision Combination:**

Public comment for items 3 and 4 was taken together.

- 3. **SUSU15-00080:** Sierra Del Puerte Unit Three – A Replat of a portion of Edgar Park Drive, within Mountain Hills Estates Unit 5, Replat A, and a portion of Section 7, Township 2, Block 81, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas
    - Location: South of Hondo Pass and West of Dyer
    - Existing Zoning: PMD/R-2 (Planned Mountain Development/Residential)
    - Property Owner: GCGOHL, LLC.
    - Representative: Roe Engineering
    - District: 4
    - Staff Contact: Alfredo Austin, (915) 212-1604, [austinaj@elpasotexas.gov](mailto:austinaj@elpasotexas.gov)
- POSTPONED FROM MARCH 10, 2016**

Alfredo Austin, Planner, gave a presentation and noted that there is a revised staff report for this item. The applicant proposes to subdivide 19.814 acres of vacant land for 37 single family lots. Primary access to the subdivision is proposed from Edgar Park Avenue, a previously dedicated, unimproved right-of-way. The proposed subdivision lies within the mountain development area. The proposed density and open space meets or exceeds the minimum requirements for mountain development. The applicant has provided all required soils, grading drainage and erosion, and vegetation preservation and protection reports in accordance with Section 19.24.040. This

development was reviewed under current subdivision code. Applicant requests exceptions due to topographical conditions and existing development. The City Plan Commission may approve such an exception in accordance with Section 19.15.050, provided the subdivision is approved by at least three fourths of all members of the City Plan Commission.

4. **SUSU15-00081:** Sierra Del Puerte Unit Four – A Replat of a portion of Edgar Park Drive, within Mountain Hills Estates Unit 5, Replat A, and a portion of Section 7, Township 2, Block 81, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas
- Location: South of Hondo Pass and West of Dyer  
Existing Zoning: PMD (Planned Mountain Development)  
Property Owner: GCGOHL, LLC.  
Representative: Roe Engineering  
District: 4  
Staff Contact: Joaquin Rodriguez, (915) 212-1608,  
[rodriguezjx3@elpasotexas.gov](mailto:rodriguezjx3@elpasotexas.gov)

**POSTPONED FROM MARCH 10, 2016**

Joaquin Rodriguez, Planner, made a floor amendment to his revised staff report. There was a condition added that the applicant reduce the right-of-way of Sotol Court to 23 feet. He received revisions from the applicant that satisfied that condition and therefore he requested that the condition be removed. The applicant is proposing to subdivide 16.182 acres in the City's northeast mountain development area for 24 single family homes. The subdivision will have a single point of access to the south by Edgar Park Road. Edgar Park Road will be improved as part of Sierra Del Puerte Unit 3. A portion of Edgar Park Road right-of-way will be vacated as part of this plat to reduce the overall right-of-way width of Edgar Park Road from 64' existing to 31' proposed. The proposed density and open space meets or exceeds the minimum requirements for mountain development. The applicant has provided all required soils, grading drainage and erosion, and vegetation preservation and protection reports. Applicant requests exceptions due to topographical conditions and existing development. Staff recommends approval on a resubdivision combination basis subject to the following condition: The recording of the Sierra del Puerte Unit 4 will be subject to prior recording of Sierra del Puerte Unit 2 to provide vehicular access; and Sierra del Puerte Unit 3 to provide vehicular access and water and sanitary sewer service. The City Plan Commission may approve such an exception provided the subdivision is approved by at least three fourths of all members of the City Plan Commission.

Isaac Rodriguez with Roe Engineering concurred with staff's comments.

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

The following persons are in opposition to this request but did not speak, instead they donated their two minutes to Mr. Cochran.

- Melissa Kirkham
- Melina Palios
- John Fredericks
- Fred Camarillo
- Mary Gourdoux

The following people spoke in opposition to these requests.

- Christi DeBates, President of the Park North Neighborhood Association, spoke in opposition to further development along the open spaces along the Franklin Mountains. She submitted two stacks of petitions with signatures of El Paso residents and visitors to El Paso opposing this development. The first stack contained 6,642 signatures. This petition called for the preservation of undeveloped city owned land surrounding the Franklin Mountains. The second stack contained approximately 2,000 signatures of

people concerned about the privately owned land surrounding the Franklin Mountains. She requested the commission not to allow any waivers in place.

- Marilyn Guida with Save Our Sierra's Group noted that the Open Space Advisory Board was not given the opportunity to give any comments on this issue and has not had a chance to review these two subdivision replats. She requested a continuance.

Karla Nieman, Assistant City Attorney, clarified that the purview of the City Plan Commission encompasses the review of the Open Space through the subdivision ordinance. Currently, because of the State Law requirement subdivisions must be approved within a 30 day deadline. What was recommended and approved by city council, was allowing OSAB to review subdivisions every quarter. These two subdivisions will be reviewed by OSAB at the next quarterly briefing that they receive on subdivisions. Because of state law requirements, it is impossible to get OSAB to see these on a monthly basis because we would miss the 30 day state requirement.

- Joe Molinar, President for Castner Heights Neighborhood Association, noted that there is no storm water drainage plan and expressed his concern about water accumulation and quantified cost for this impact.

Raul Garcia, Lead Planner, noted that a storm water plan was submitted with the subdivision as part of the improvement plans which also include any lots that will be fire sprinkled. Those plans are being reviewed and will be approved and most likely constructed prior to recording of the plat.

- Judy Ackerman expressed her opposition to any and all development on the mountains.
- Richard Teschner strongly urged the City Plan Commission not to accept or approve any exceptions and not to consider the development of any other lands that are located within this particular area.
- Michael Cochran noted that parking on the street was not one of the exceptions in the land study. OSAB should have been given these plats to review. They do not have the storm water information. He suggested that the City Plan Commission delay, disapprove, or deny the waivers.
- Sylvia Richards, Vice-President for the North Park Neighborhood Association, addressed the environmental impact these developments would have on animal and wildlife.
- Steve (last name inaudible) noted that the city should come up with a solution where the developer will be compensated and the mountain can be preserved.
- Marilyn Guida asked about the width of Edgar Park.

Isaac Rodriguez presented his rebuttal and addressed some of the concerns presented by the residents.

**ACTION:** Motion made by Commissioner Bustamante, seconded by Commissioner Ardivino, and unanimously carried to **APPROVE SUSU15-00080 AND SUSU15-00081.**

Motion passed.

**RECESS:**

The City Plan Commission took a five minute recess at 3:03pm. The meeting reconvened at 3:10pm.

**PUBLIC HEARING Detailed Site Development Plan Applications:**

5. **PZDS16-00004:** Lot 1, Block 367, Vista Del Sol #80, City of El Paso, El Paso County, Texas  
Location: 11409 Cedar Oak Drive  
Zoning: C-4/c (Commercial/conditions)  
Request: Detailed Site Development Plan Review per Ordinance No. 14649  
Existing Use: Vacant  
Proposed Use: Contractor's yard  
Property Owner: AMPTX Properties, LLC  
Representative: GA Architecture, Inc.  
District: 7  
Staff Contact: Andrew Salloum, (915) 212-1613, [salloumam@elpasotexas.gov](mailto:salloumam@elpasotexas.gov)

Andrew Salloum, Planner, gave a presentation and noted that there is a revised staff report for this item. The property is currently zoned C-4 with a condition and is currently vacant. The proposed is a contractor's yard which is a permitted use in a C-4 zoning district. The development complies with the minimum landscape area requirements. Access to the subject property is proposed from Cedar Oak Drive and Bessemer Drive. Staff did not receive any adverse comments from any of the reviewing departments. Staff is recommending approval of the detailed site development plan request.

Cruz Monroy with GA Architecture concurred with staff's comments.

Commissioner Madrid 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 Livingston, and unanimously carried to **APPROVE PZDS16-00004.**

Motion passed.  
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6. **PZDS16-00007:** Lots 18 and 19, Block 3, Sahara Subdivision, City of El Paso, El Paso County, Texas  
Location: 9893 & 9897 Taj Mahal Avenue  
Zoning: A-O/sc (Apartment-Office/special contract)  
Request: Detailed Site Development Plan Review  
Existing Use: Vacant  
Proposed Use: Duplexes  
Property Owner: RD & J Investments, LLC  
Representative: Jesus E. Dominguez  
District: 4  
Staff Contact: Jeff Howell, (915) 212-1607, [howelljb@elpasotexas.gov](mailto:howelljb@elpasotexas.gov)

Jeff Howell, Senior Planner, gave a presentation and noted that the detailed site development plan shows two proposed duplex buildings totaling 5,500 square feet on a currently vacant 0.274 acre parcel, which has been subdivided into two lots. The future land use map for the planning area designates the property as G-3 post war. Access to the subject property is proposed from Taj Mahal Avenue and Souda Avenue via a 20' alley. Staff did not receive any adverse comments from any of the reviewing departments. Staff recommends approval of the detailed site development plan request.

Jesus Dominguez with RD & J Investments concurred with staff's comments.

Commissioner Madrid 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 Bustamante, seconded by Commissioner Livingston, and unanimously carried to **APPROVE PZDS16-00007.**

Motion passed.  
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**Other Business:**

- 7. Discussion and action on the City Plan Commission minutes for:  
March 10, 2016

**ACTION:** Motion made by Commissioner Landeros, seconded by Commissioner Ardivino, and unanimously carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR MARCH 10, 2016.**

Motion passed.  
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- 8. Discussion and action on “An ordinance amending Title 21 (SmartCode), Chapter 21.50 (Building Scale Plans), to amend Section 21.50.120 (Signage Standards) in its entirety to create new sign standards; and Chapter 21.80 (Tables), to add Table 2 SmartCode Signage Module, in Section 21.80.020. The Penalty is as provided for in Chapter 21.60 of the El Paso City Code.”

Staff Contact: Harrison Plourde, (915) 212-1584, [plourdeht@elpasotexas.gov](mailto:plourdeht@elpasotexas.gov)

Harrison Plourde, Planner, gave a presentation and noted that this is an amendment to Title 21 (SmartCode) zoning regulations. Staff proposes to delete the signage standards as they exist today and replace them with the signage module, which are new sign regulations that are written specifically with the purpose of the SmartCode. Current standards are very difficult to implement both for staff and the applicants. The code is being changed to create standards that are more consistent and more comprehensive. The change would include administrative code language that does not exist today, describing the legal justification and purposes of sign standards, an implementation section that would include the definitions and permitting process, and the user guide which is the visual portion. Staff engaged with property owners in SmartCode areas, particularly the developed ones, and incorporated their comments and concerns into the final draft. It has received the necessary legal review. If the City Plan Commission approves it then staff will take it to City Council for their final approval in May 2016.

Commissioner Madrid 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 Ardivino, seconded by Commissioner Livingston, and unanimously carried to **APPROVE AN ORDINANCE AMENDING TITLE 21 (SMARTCODE), CHAPTER 21.50 (BUILDING SCALE PLANS), TO AMEND SECTION 21.50.120 (SIGNAGE STANDARDS) IN ITS ENTIRETY TO CREATE NEW SIGN STANDARDS; AND CHAPTER 21.80 (TABLES), TO ADD TABLE 2 SMARTCODE SIGNAGE MODULE, IN SECTION 21.80.020 WITH RECOMMENDATIONS WITH LIGHTING CONTROLS.**

Motion passed.  
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9. Planning Report:  
CPC By-Laws  
**POSTPONED FROM MARCH 10, 2016**

Kimberly Forsyth, Program Manager for Planning & Inspections, noted that staff incorporated changes that were requested by the commission. She read all the changes into the record.

**ACTION:** Motion made by Commissioner Ardivino, seconded by Commissioner Landeros, and unanimously carried to **APPROVE THE CPC BY LAWS AS PRESENTED.**

Motion passed.

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Carlos Gallinar noted that Representative Robinson will be appointing Tony Benitez to the City Plan Commission on Tuesday, April 5, 2016.

He will have an update concerning parking at the next meeting. City Council passed an ordinance that would allow any member of a commission or board to be able to park for free on the northern part of Mills Avenue on the days of the meetings.

**ADJOURNMENT:**

Motion made by Commissioner Ardivino, seconded by Commissioner Landeros, and unanimously carried to adjourn this meeting at 3:45 p.m.

Approved as to form:

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Carlos Gallinar, Executive Secretary, City Plan Commission