



**CITY PLAN COMMISSION MEETING
1ST FLOOR CITY COUNCIL CHAMBERS
APRIL 24, 2013
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 Wright present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:

Commissioner Loweree
Commissioner Brannon
Commissioner Grambling
Commissioner Erickson
Commissioner Wright
Commissioner Amoriello
Commissioner Ardovino

COMMISSIONERS ABSENT:

Commissioner Madrid

AGENDA

Commissioner Erickson read the rules into the record. David Coronado, City Development Program Manager, read the revisions to the agenda into the record.

***ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Erickson, and unanimously carried to **APPROVE** the agenda as amended.

AYES: Commissioner Loweree, Brannon, Grambling, Erickson, Wright, Amoriello, and Ardovino

ABSENT: Commissioner Madrid

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:

PUBLIC HEARING Rezoning Applications:

1. **PZRZ13-00037:** A portion of Lots 14-26, Block 4, Hughes Subdivision, City of El Paso, El Paso County, Texas
Location: 5713-5717 Welch Avenue
Zoning: R-5 (Residential)
Request: From R-5 (Residential) to S-D (Special Development)
Existing Use: Vacant
Proposed Use: Retail and Office
Property Owner: Jorge Valenzuela
Representative: Dorado Engineering
District: 3
Staff Contact: Andrew Salloum, (915) 212-1613,
salloumam@elpasotexas.gov

1ST MOTION:

***ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Erickson, and unanimously carried to **HEAR ITEMS 1 AND 8 TOGETHER.**

Motion passed.

Andrew Salloum, Planner, noted that there is a revised staff report for this item. Staff received one letter in support of this request.

The Planning Division is recommending approval of rezoning the subject property from R-5 (Residential) to S-D (Special Development). The recommendation is based on the compatibility with surrounding properties.

Alex Hoffman, Lead Planner, noted that by allowing the rezoning of this property it will allow for better usage of the land.

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

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

2ND MOTION:

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Erickson, and unanimously carried to **APPROVE PZRZ13-00037.**

Motion passed.

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2. **PZRZ13-00045:** Parcel 1: Lots 22 & 23, Block 127, Highland Park, City of El Paso, El Paso County, Texas
Parcel 2: Lots 24 & 25, Block 127, Highland Park, City of El Paso, El Paso County, Texas
Location: Parcel 1: 2814-2816 Mobile Avenue

Parcel 2: 2812 Mobile Avenue
 Zoning: R-5 (Residential)
 Request: R-5 (Residential) to C-2 (Commercial)
 Existing Use: Duplex and Single Family Home
 Proposed Use: Commercial / Retail
 Property Owner: Stanton 2800, LLC
 Representative: Bearing Development, LLC
 District: 2
 Staff Contact: Michael McElroy, (915) 212-1612,
mcelroyms@elpasotexas.gov

Michael McElroy, Planner, noted that there is a revised staff report for this item. Staff received one letter in opposition to this request.

The Planning Division recommends approval of rezoning the subject property from R-5 (Residential) to C-2 (Commercial). The rezoning brings the properties into conformance with their long-standing use, and provides for the development of the properties into true retail establishments.

Paul Gilcrease with Bearing Development concurred with staff's comments.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request. The following persons spoke in opposition to this request.

Patricia Osmond stated that some of Mr. McElroy's comments were incorrect. She expressed concern regarding increase in shootings in this area and noted that if the rezoning would be changed from residential to commercial it would impose a greater risk and danger for residents.

Alex Hoffman, Lead Planner, noted that part of what initiated this rezoning request was because of the parking. Parking that is part of the residentially zoned property can not be serving the commercial zone. If the rezoning request is granted, it will legalize the existing parking.

Carlos Gallinar, Deputy Director for Planning, clarified that the information provided by Mr. McElroy is correct and that the detailed site plan outlines the two subject properties that are in question.

Jesus Ramos also expressed concern about parking. He noted that by approving this request, it will cause a greater risk and danger to the residents because of people parking there illegally late at night.

Paul Gilcrease clarified that if the rezoning is approved the residential uses will cease to exist and the will become light retail uses.

ACTION: Motion made by Commissioner Grambling, seconded by Commissioner Ardovino, and unanimously carried to **APPROVE PZRZ13-00045.**

Motion passed.

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- 3. **PZRZ13-00047:** Tract 23-A-3, AF Miller Survey No. 214, City of El Paso, El Paso County, Texas
 - Location: 2 De Leon Drive
 - Zoning: R-5/c/sp (Residential/Condition/Special permit)
 - Request: R-5/c/sp (Residential/Condition/Special permit) to RMU/c/sp (Residential Mixed-Use/Condition/Special permit)
 - Existing Use: Vacant

Proposed Use: Retail & Apartments
 Property Owner: Westmount Assets, Inc.
 Representative: Jesus Jaime
 District: 8
 Staff Contact: Michael McElroy, (915) 212-1612,
mcelroyms@elpasotexas.gov

Michael McElroy, Planner, gave a presentation and noted that the Planning Division recommends approval of rezoning the subject property from R-5/c/sp (Residential/Condition/Special permit) to RMU/c/sp (Residential Mixed-Use/Condition/Special permit) and acceptance of the Master Zoning Plan. Since the property is smaller than the one acre minimum for the RMU, City Council will be requested to make an exception to the minimum district area. Planning received one letter from the Coronado Neighborhood Association in support of this request. The approval recommendation is based on the compatibility with existing commercial and apartment zoning in the area and the Future Land Use Map.

Jesus Jaime concurred with staff's comments.

Commissioner Wright 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 Erickson, and unanimously carried to **APPROVE PZRZ13-00047.**

Motion passed.

4. **PZRZ14-00008:** Parcel 1: Lots 17, 18, and 19, Rangers Rest Subdivision, City of El Paso, El Paso County, Texas
 Parcel 2: Portion of Tract 3A, Block 55, Ysleta Grant Surveys, City of El Paso, El Paso County, Texas
 Location: 1061 & 1053 Ranger Street
 Zoning: Parcel 1: R-4/sp (Residential/Special permit)
 Parcel 2: R-F (Ranch-Farm)
 Request: Parcel 1: R-4/sp (Residential/Special permit) to R-MU (Residential Mixed-Use/Special permit)
 Parcel 2: R-F (Ranch-Farm) to R-MU (Residential Mixed-Use)
 Existing Use: Parcel 1: Vacant
 Parcel 2: Agricultural
 Proposed Use: Apartments
 Property Owner: JJ Scott Investments, LLC
 Representative: Roe Engineering
 District: 7
 Staff Contact: Michael McElroy, (915) 212-1612,
mcelroyms@elpasotexas.gov

Michael McElroy, Planner, gave a presentation and noted that the Planning Division recommends approval of the rezoning from R-F and R-4/sp to RMU with the special permit and acceptance of the Master Zoning Plan. Since the property is smaller than the one acre minimum for the RMU, City Council will be requested to make an exception to the minimum district area.

Isaac Rodriguez and Steve Morgan with Roe Engineering concurred with staff's comments.

Commissioner Wright 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 Amoriello, seconded by Commissioner Loweree, and unanimously carried to **APPROVE PZRZ14-00008.**

Motion passed.

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5. **PZRZ14-00010:** Tract 9A, Block 5, Upper Valley Surveys, City of El Paso, El Paso County, Texas
Location: 261 Lindbergh Avenue
Zoning: R-1 (Residential)
Request: From R-1 (Residential) to R-2 (Residential)
Existing Use: Single-family dwelling
Proposed Use: Single-family dwelling
Property Owners: Lawrence L. and Patricia S. Bylicki
Representative: Conde, Inc.
District: 1
Staff Contact: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

Andrew Salloum, Planner, noted that there is a revised staff report for this request. The Planning Division recommends approval of the rezoning of the subject property from R-1 (Residential) to R-2 (Residential). The recommendation is based on compatibility with surrounding land uses and the existing R-2 (Residential) zoned properties. Staff received one **call** of inquiry from the public.

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

Commissioner Wright 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 Amoriello, seconded by Commissioner Grambling, and unanimously carried to **APPROVE PZRZ14-00010.**

Motion passed.

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6. **PZRZ14-00011:** A portion of Lot 1, Pendale Industrial Unit A Replat, City of El Paso, El Paso County, Texas
Location: 8600 Gateway East Boulevard
Zoning: P-I (Planned Industrial)
Request: From P-I (Planned Industrial) to C-4 (Commercial)
Existing Use: Warehouse
Proposed Use: Indoor Go-Cart Track
Property Owners: Calvin K. Kessler and Geraldine Kessler
Representative: Brock & Bustillos
District: 7
Staff Contact: Arturo Rubio, (915)-212-1613, rubioax@elpasotexas.gov

Art Rubio, Senior Planner, noted that there was a revised staff report for this request to include the following condition. *That prior to the issuance of any building permits or certificates of occupancy, a detailed site development plan be submitted and reviewed as per City Code.*

Roman Bustillos with Brock & Bustillos concurred with staff's comments.

Commissioner Wright 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 Loweree, seconded by Commissioner Brannon, and unanimously carried to **APPROVE PZRZ14-00011 WITH THE CONDITION THAT PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY, A DETAILED SITE DEVELOPMENT PLAN BE SUBMITTED AND REVIEWED AS PER CITY CODE.**

Motion passed.

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PUBLIC HEARING Detailed Site Development Plan Application:

7. **PZDS14-00010:** A portion of Lot 1, Block 3, Tierra Commercial Unit 3, City of El Paso, El Paso County, Texas
Location: South of Zaragoza Street and West of Edgmere Boulevard
Zoning: C-4/c (Commercial/conditions)
Request: Detailed Site Development Plan per Ordinance No. 016386 dated June 27, 2006
Existing Use: Vacant
Proposed Use: Shopping Center
Property Owner: River Oaks Properties, LTD
Representative: SLI Engineering/Georges Halloul
District: 5
Staff Contact: Arturo Rubio, (915) 212-1613, rubioax@elpasotexas.gov

Art Rubio, Senior Planner, gave a presentation and noted that the Planning Division recommends approval of the detailed site development plan request as it meets all the requirements of Section 20.04.150.

Georges Halloul with SLI Engineering concurred with staff's comments.

Commissioner Wright 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 Amoriello, and unanimously carried to **APPROVE PZDS14-00010.**

Motion passed.

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PUBLIC HEARING Special Permit Applications:

8. **PZST13-00027:** A portion of Lots 14 - 26, Block 4, Hughes Subdivision, City of El Paso, El Paso County, Texas
Location: 5713 - 5717 Welch Avenue
Zoning: R-5 (Residential)
Request: Infill Development
Existing Use: Vacant
Proposed Use: Retail and Office
Property Owner: Jorge Valenzuela
Representative: Dorado Engineering
District: 3
Staff Contact: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

1ST MOTION:

***ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Erickson, and unanimously carried to **HEAR ITEMS 1 AND 8 TOGETHER.**

Motion passed.

2ND MOTION:

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Erickson, and unanimously carried to **APPROVE PZST13-00027.**

Motion passed.

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- 9. **PZST14-00009:** A portion of Lot 1, Block 1, Las Flores Subdivision Unit 4, City of El Paso, El Paso County, Texas
 - Location: 8825 North Loop
 - Zoning: C-2/c/sc (Commercial/conditions/special contract)
 - Request: Special Permit to allow for a Ball Room/Banquet Hall in C-2/c/sc Zone District
 - Existing Use: Shopping Center
 - Proposed Use: Ball Room/Banquet Hall
 - Property Owner: Verde Paso Partners, LP
 - Representative: Mimco/Charlie Gomez
 - District: 7
 - Staff Contact: Arturo Rubio, (915) 212-1613, rubioax@elpasotexas.gov

Arturo Rubio, Senior Planner, gave a presentation and noted that the Planning Division recommends approval of the special permit and detailed site development plan review request, as it complies with the requirements of Section 20.04.320 special permit and 20.04.150 detailed site development plan.

Conrad Conde on behalf of Charlie Gomez with Mimco concurred with staff's comments.

Commissioner Wright 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 Erickson, seconded by Commissioner Amoriello, and unanimously carried to **APPROVE PZST14-00009.**

Motion passed.

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- 10. **PZST14-00011:** Lot 78, Block 33, Tierra Del Este #26, City of El Paso, El Paso County, Texas
 - Location: 3070 Joe Battle Boulevard
 - Zoning: C-4/c (Commercial/condition)
 - Request: Special Permit to allow a Personal Wireless Service Facility (PWSF)
 - Existing Use: Self-Storage Facility
 - Proposed Use: Ground-mounted PWSF
 - Property Owners: CRBD Joe Battle LTD & Camino Vista Properties LP
 - Representative: Ben Feldman
 - District: 5
 - Staff Contact: Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov

Michael McElroy, Planner, gave a presentation and noted that the Planning Division recommends approval of the special permit for a Personal Wireless Service Facility (PWSF), as it meets all the requirements of 20.04.320, Special Permit and 20.10.455 PWSF.

Ben Feldman concurred with staff's comments.

Commissioner Wright 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 Amoriello, seconded by Commissioner Erickson, and carried to **APPROVE PZST14-00011**.

AYES: Commissioner Loweree, Brannon, Grambling, Erickson, Wright, and Amoriello

NAYS: Commissioner Ardovino

ABSENT: Commissioner Madrid

Motion passed. (6-1 vote).

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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 Final:

11. **SUSU14-00031:** Sereno Valley Estates – Tracts 1L1 & 1L2, Block 10, Upper Valley Surveys, City of El Paso, El Paso County, Texas
Location: North of Gomez Road and East of Westside Road
Property Owner: C & R Properties and Rio Aqua Dulce
Representative: Sitework Engineering
District: 1
Staff Contact: Nelson Ortiz, (915) 212-1606, ortiznx@elpasotexas.gov

Nelson Ortiz, Planner, gave a presentation and noted that there are two revised staff reports for this item. The Planning Division recommends approval of the modification and approval of Sereno Valley Estates on a Major Final basis.

Jorge Garcia with Sitework Engineering concurred with staff's comments.

Scott Winton, Developer, noted that they are going to put linear trails and landscape both sides.

Commissioner Wright 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 Amoriello, and unanimously carried to **APPROVE SUSU14-00031 WITH APPROVAL OF MODIFICATIONS, ALTERNATE PARK DESIGN AND CONDITION FOR A TURNAROUND.**

Motion passed.

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Major Combination:

- 12. **SUSU14-00027:** McCombs East – A portion of Section 30, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas
 - Location: South of U.S. Highway 54 and East of McCombs Street
 - Property Owner: EP Plaza Partners, LP
 - Representative: Conde, Inc.
 - District: 4
 - Staff Contact: Alejandro Palma, (915) 212-1607, palmaaj@elpasotexas.gov

Alejandro Palma, Planner, gave a presentation and noted that the Planning Division recommends approval of the request.

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

Commissioner Wright 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 Erickson, and unanimously carried to **APPROVE SUSU14-00027.**

Motion passed.

- 13. **SUSU14-00028:** Tierra Del Este Pebble Hills Pond– A Replat of a portion of Lot 3, Block 391, portion of Pebble Hills Boulevard, Tierra Del Este Unit Sixty Nine, and a portion of Sections 37 and 48, Block 79, Township 2, Texas an Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas
 - Location: North of Pebble Hills and East of John Hayes
 - Property Owner: Ranchos Real XVI, LLC.
 - Representative: Conde, Inc.
 - District: 5
 - Staff Contact: Alejandro Palma, (915) 212-1607, palmaaj@elpasotexas.gov

Alejandro Palma, Planner, gave a presentation and noted that the Planning Division recommends approval of Tierra Del Este Pebble Hills Pond on a Major Combination basis.

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

Commissioner Wright 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 Erickson, and unanimously carried to **APPROVE SUSU14-00028.**

Motion passed.

PUBLIC HEARING Resubdivision Preliminary:

14. **SUSC14-00003:** Montecillo Unit Three Replat C – A replat of portion of Lots 3 and 6, Block 2, Montecillo Unit Three Replat “B”, City of El Paso, El Paso County, Texas
- Location: West of Mesa and South of Castellano
Property Owner: EPT the Venue at Montecillo Apartments, LLC
Representative: Conde, Inc.
District: 1
Staff Contact: Nelson Ortiz, (915) 212-1606, ortiznx@elpasotexas.gov

Nelson Ortiz, Planner, gave a presentation and noted that this property lies within the Montecillo development and therefore is being reviewed under Title 21 Smart Code and the previously approved Montecillo Regulating Plan. The Planning Division recommends approval of the Montecillo Unit Three Replat C on a Resubdivision Preliminary basis.

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

1ST MOTION:

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Grambling, and unanimously carried to **APPROVE SUSC14-00003.**

Motion passed.

Without objection, this request was reconsidered to allow for public comment.

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

2ND MOTION:

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Grambling, and unanimously carried to **APPROVE SUSC14-00003.**

Motion passed.

PUBLIC HEARING Resubdivision Combination:

15. **SUSU14-00029:** Boulder Canyon Replat A – A replat of Boulder Canyon Subdivision, an addition to the City of El Paso, El Paso County, Texas
- Location: North of Belvidere and West of Westwind
Property Owner: DVEP Land LLC
Representative: CEA Group
District: 1
Staff Contact: Alfredo Austin, (915) 212-1604, austinaj@elpasotexas.gov

Alfredo Austin, Planner, gave a presentation and noted that staff recommends approval of the alternative subdivision design and approval of Boulder Canyon Replat A on Resubdivision Combination basis.

Jorge Grajeda with CEA Group concurred with staff’s comments.

Commissioner Wright 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 Erickson, and unanimously carried to **APPROVE SUSU14-00029.**

Motion passed.

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Other Business:

16. Discussion and action on the City Plan Commission minutes for:
April 10, 2014

ACTION: Motion made by Commissioner Amoriello, seconded by Commissioner Erickson, and unanimously carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR APRIL 10, 2014.**

Motion passed.

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17. Discussion and action on:
Zoning Code vs. Building Code Re: Apartment Uses

***ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Erickson, and unanimously carried to **POSTPONE THIS ITEM FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MAY 8, 2014.**

Motion passed.

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18. Planning Report:
a. City Development – Planning Division Metrics Report
b. Annual Report to City Council

David Coronado, City Development Program Manager, noted that the commission will be getting this report every month.

There was discussion on bringing back the code language as it currently exists. The language is under Title 18 which falls under the Construction Building Standards and the City Plan Commission does not have purview over it.

Karla Nieman, Assistant City Attorney, noted that since this item was not posted on the agenda and in order that the Open Meetings Act not be violated, discussion on this item must cease. This item can be posted on a future agenda, if the commission desires to have this discussion.

No action was taken.

Regarding the Annual Report to City Council, David Coronado, noted that this report has to be submitted to City Council every year during the month of August. Title 2.08.150 outlines the requirements of that report. It states that the commission has to report past actions and any major matters of interest from the commission for the past twelve months. The commission can also report any future projects or issues that you would like to address. Staff does not have anything drafted and would need for the commission to tell us what they want on the report beyond the numbers.

Commissioner Wright requested that this item regarding the Annual Report be included in the next CPC agenda for discussion.

No action was taken.

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ADJOURNMENT:

Motion made by Commissioner Ardivino, seconded by Commissioner Amoriello, and unanimously carried to adjourn this meeting at 3:05 p.m.

Approved as to form:

Carlos Gallinar, Executive Secretary, City Plan Commission

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