



**CITY PLAN COMMISSION MEETING
2ND FLOOR CITY COUNCIL CHAMBERS
APRIL 19, 2012
1:30 P.M.**

MINUTES

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

The meeting was called to order at 1:35 p.m. Commissioner Nance present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

- Commissioner Borden
- Commissioner Carreto
- Commissioner Schauer

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

AYES: Commissioner De La Cruz, Wright, Brandrup, Nance, Vorba, and Landeros

ABSENT: Commissioner Borden, Carreto, and Schauer

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

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Wright, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the **CONSENT AGENDA AND REGULAR AGENDA - DISCUSSION AND ACTION**, unless otherwise noted. (Items approved, postponed, or deleted pursuant to the **CONSENT AGENDA AND REGULAR AGENDA - DISCUSSION AND ACTION** vote will be shown with an asterisk [*]).

Extension Request To Complete Subdivision Improvements:

1. **SUSU12-00029:** Montecillo Unit Three – Being a portion of Tracts 1 and 19 (El Paso Electric Co. ROW), John Barker Survey No. 10, City of El Paso, El Paso County, Texas
- Location: South of Festival Drive and West of Mesa Street
Property Owner: EPT Mesa Development, LP
Representative: Conde, Inc.
District: 1
Staff Contact: Justin Bass, (915) 541-4930, bassjd@elpasotexas.gov

ACTION: Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **APPROVE SUSU12-00029**.

Motion passed.

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III. REGULAR AGENDA - DISCUSSION AND ACTION:

PUBLIC HEARING Rezoning Application:

2. **PZRZ12-00003:** Parcel 1: A portion of Lot 2, Mediterranean Place, City of El Paso, El Paso County, Texas
Parcel 2: All of Tract 1-C-14-A, Block 5, Ascarate Grant, City of El Paso, El Paso County, Texas
- Location: Parcel 1: 7642 Gateway East Boulevard
Parcel 2: 7636 Gateway East Boulevard
- Zoning: Parcel 1: C-3 (Commercial)
Parcel 2: C-1 (Commercial)
- Request: Parcel 1: From C-3 (Commercial) to C-4 (Commercial)
Parcel 2: From C-1 (Commercial) to C-4 (Commercial)
- Existing Use: Vacant
Proposed Use: Leather Product Manufacturing Facility
Property Owner: EP Summit Investments, L.P.
Applicant: EP Summit Investments, L.P.
Representative: Ray Mancera
District: 3
Staff Contact: Andrew Salloum, (915)-541-4633, salloumam@elpasotexas.gov

Andrew Salloum, Planner, gave a presentation and noted that staff recommends denial of rezoning to C-4 based on incompatibility to the surrounding apartment uses. The Planning Department instead recommends C-3 (Commercial) for C-1 (Commercial) zone property which is compatible with the existing C-3 zoned properties to the north and west.

Ray Mancera, representing EP Summit Investments, noted that he was surprised that staff is recommending denial of this request. He presented his reasons why he feels the Commission should approve a C-4 zone.

Mathew McElroy, Deputy Director for Planning, gave some reasons why staff is recommending denial of this request. He noted that there has been no transition in the area and this would be a piece of isolated C-4 zone. A C-4 zone is not appropriate near or abutting residential uses. Staff feels that a C-3 zone would be a more compatible use for this particular lot.

Lupe Cuellar, Assistant City Attorney, noted that the Commission could consider recommending a GMU zoning because a GMU has a lot more flexibility.

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

1ST MOTION:

ACTION: Motion made by Commissioner De La Cruz, to **APPROVE WITH A C-4 ZONE ON BOTH PARCELS 1 AND 2.**

Motion failed for lack of a second.

2ND MOTION:

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Brandrup, and unanimously carried to **DENY WITH THE RECOMMENDATION THAT THE APPLICANT RE-SUBMIT WITH THE SAME APPLICATION AS A GMU.**

Motion passed.

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ACTION: Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried **THAT ITEMS 6 AND 7 BE HEARD AFTER ITEM 3.**

Motion passed.

SUBDIVISION MAP APPROVAL:

Subdivision Applications:

Major Combination:

- 3. **SUSU12-00018:** Gary Lake Subdivision - Being all of Tracts 20E, 20E1 and 20E2 and 20E3, Block 2, Upper Valley Surveys, City of El Paso, El Paso County, Texas
 - Location: North of Gary Lane and West of Boy Scout
 - Property Owner: Albert A. and Cristina R. Lanza
 - Representative: CAD Consultants
 - District: 8
 - Staff Contact: Raul Garcia, (915) 541-4935, garciar1@elpasotexas.gov

Raul Garcia, Senior Planner, noted that staff recommends approval of the waiver of the sidewalk and a waiver of all additional improvements on Gary Lane with the exception of the dedication. The applicant has to dedicate 18' to go in line with abutting plats that have also dedicated 18' and to maintain a consistent ROW.

Carlos Jimenez with CAD Consulting concurred with staff's comments.

MOTION: Motion made by Commissioner Wright, seconded by Commissioner Landeros, and unanimously carried to **APPROVE SUSU12-00018 WITH THE EXCEPTION OF THE DEDICATION.**

Motion passed.

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Major Preliminary:

4. **SUSU12-00025:** Tres Sueños Unit Nine – A 12.75 Acre Tract out of a 31.49 Acre Tract recorded in document number 20080085098, Real Property Records of El Paso County Texas and being a portion of Section 27, Block 79, Township 2, T&P R.R. Company Surveys, and a replat of a portion of Rich Beem Boulevard, Tres Suenos Unit Four Amending Plat, City of El Paso, El Paso County, Texas
- Location: East of Rich Beem Boulevard and North of Montana
Property Owner: Tropicana Development
Representative: CEA Group
District: 5
Staff Contact: Nathaniel Baker, (915) 541-4192, bakernt@elpasotexas.gov

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

MOTION: Motion made by Commissioner Wright, seconded by Commissioner Vorba, and unanimously carried to **APPROVE SUSU12-00025.**

Motion passed.

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Major Final:

5. **SUSU12-00026:** Tres Sueños Unit Eight – A portion of Section 27, Block 79, Township 2, Texas and Pacific Railways Surveys, City of El Paso, El Paso County, Texas
- Location: East of Rich Beem Boulevard and North of Montana Avenue
Property Owner: Tropicana Development
Representative: CEA Group
District: 5
Staff Contact: Nathaniel Baker, (915) 541-4192, bakernt@elpasotexas.gov

Richard Garcia with Parks and Recreation noted that they have three parks in the Tres Sueños Unit Study. There is a park in Tres Sueños Unit One, Tres Sueños Unit Four, and one in Tres Sueños Unit Five. The park in Tres Sueños Unit Five is under construction. All three parks total about 11.13 acres.

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

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Vorba, and unanimously carried to **APPROVE SUSU12-00026 WITH GENERAL MODIFICATION 19.04.070.A.3 OF THE CITY CODE**

Motion passed.

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PUBLIC HEARING Resubdivision Combination:

6. **SUSU12-00002:** Homestead Meadows South Unit Two Replat "D" – Being all of Lot 5, Block 6, Homestead Meadows South Unit 2 Replat A, El Paso County, Texas
- Location: East of Krag Street and North of Connolly Drive
Property Owner: Rodolfo Perez Jr.
Representative: CAD Consulting Company
District: ETJ
Staff Contact: Nathaniel Baker, (915) 541-4192, bakernt@elpasotexas.gov

Nate Baker noted that there is a revised staff report for this request. He noted that staff recommends approval of granting the exception for roadway improvements to Krag and Connolly, but does not recommend granting the exception to the requirement for sidewalks.

Staff recommends approval of Homestead Meadows South Unit Two Replat "D" on a Resubdivision Combination basis only if the applicant provides sidewalks.

Carlos Jimenez with CAD Consulting noted that they do not have a problem providing sidewalks but that the problem lies between the state and the county and asked who would be responsible for maintaining the sidewalks.

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 SUSU12-00002 WITH THE EXCEPTION TO THE REQUIREMENT FOR SIDEWALKS.**

Motion passed.

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7. **SUSU12-00016:** Festiva Hills Addition Replat "A" – Being all of Lots 2, 3 and 4, Block 1, Festiva Hills Addition, City of El Paso, El Paso County, Texas
- Location: West of Mesa Street and North of Festival Drive
Property Owner: Edwards Homes Inc. & Ronald and Sunshine Salas
Representative: CAD Consulting Company
District: 1
Staff Contact: Justin Bass, (915) 541-4930, bassjd@elpasotexas.gov

Carlos Jimenez with CAD Consulting 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 SUSU12-00016 WITH THE REQUIREMENT THAT THE APPLICANT LANDSCAPE THE DOUBLE FRONTAGE LOTS AND THAT THIS REQUIREMENT BE COORDINATED WITH THE EL PASO DEPARTMENT OF TRANSPORTATION.**

Motion passed.

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8. **SUSU12-00028:** Rafael Martinez - Being a portion of Lot 14, Arcadia Subdivision, City of El Paso, El Paso County, Texas
 Location: South of Carolina and West of North Loop
 Property Owner: Rafael Martinez
 Representative: Jose Uresti
 District: 7
 Staff Contact: Raul Garcia, (915) 541-4935, garciar1@elpasotexas.gov

Jose Uresti 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.

Yolanda Gutierrez spoke in opposition to this request but after explanation from staff she noted that she misunderstood the request and has no objection.

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Wright, and unanimously carried to **APPROVE SUSU12-00028 WITH A WAIVER OF SIDEWALKS AND STREET IMPROVEMENTS.**

Motion passed.

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 Note: Motion made by Commissioner De La Cruz, seconded by Commissioner Wright, and unanimously carried to **HEAR SURW12-00002, SURW12-00003, SURW12-00004, SURW12-00005, SURW12-00006, SURW12-00007, AND SURW12-00008 TOGETHER.**

Motion passed.

PUBLIC HEARING Alley Vacations:

9. **SURW12-00002:** Tobin Alley Vacation
 Location: 218 Hardesty
 Property Owner: Eva R. Valles
 Representative: Eva R. Valles
 District: 8
 Staff Contact: Raul Garcia, (915) 541-4935, garciar1@elpasotexas.gov
10. **SURW12-00003:** Tobin Alley Vacation
 Location: 214 Hardesty
 Property Owner: Maria Teresa Siegemund
 Representative: Maria Teresa Siegemund
 District: 8
 Staff Contact: Raul Garcia, (915) 541-4935, garciar1@elpasotexas.gov
11. **SURW12-00004:** Tobin Alley Vacation
 Location: 220 Hardesty
 Property Owner: Noe Roberto Carreon
 Representative: Noe Roberto Carreon
 District: 8
 Staff Contact: Raul Garcia, (915) 541-4935, garciar1@elpasotexas.gov

12. **SURW12-00005:** Tobin Alley Vacation
Location: 224 Hardesty
Property Owner: Esteban Alva
Representative: Esteban Alva
District: 8
Staff Contact: Raul Garcia, (915) 541-4935, garciar1@elpasotexas.gov

13. **SURW12-00006:** Tobin Alley Vacation
Location: 407 Tobin
Property Owner: Daniel Lujan
Representative: Daniel Lujan
District: 8
Staff Contact: Raul Garcia, (915) 541-4935, garciar1@elpasotexas.gov

14. **SURW12-00007:** Tobin Alley Vacation
Location: 212 Hardesty
Property Owner: Raul Dozal
Representative: Raul Dozal
District: 8
Staff Contact: Raul Garcia, (915) 541-4935, garciar1@elpasotexas.gov

15. **SURW12-00008:** Tobin Alley Vacation
Location: 222 Hardesty
Property Owner: Celia and Federico Romero
Representative: Celia and Federico Romero
District: 8
Staff Contact: Raul Garcia, (915) 541-4935, garciar1@elpasotexas.gov

Raul Garcia, Senior Planner, noted that this is a city initiated vacation application to vacate a 4.5' wide portion of an unimproved alley abutting and running parallel to Tobin Place. All properties abutting the unimproved alley have improvements that encroach into the alley. City Council directed staff to look into this situation and provide some kind of resolution for the residents. Staff held three public meetings with the residents and worked closely with the Legal Department for the resolution that was first adopted by City Council on February , 2011, and amended on February 2012. Mr. Garcia noted that only seven property owners have come forward and staff is willing to work with the remaining property owners.

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

Edna Valles asked what plans the City had for this land. She noted that the majority of residents in this area are elderly people and most of them do not understand English and are low income and asked if the percentage could be lowered.

Brea Elizante spoke on behalf of her mother and asked why her mom was being charged more than the other property owners.

Raul Garcia noted that the amount charged to Ms. Elizante was the original amount prior to City Council's resolution to charge 10 percent of the fair market value.

ACTION: Motion made by Commissioner Brandrup, seconded by Commissioner Wright, and unanimously carried to **APPROVE SURW12-00002, SURW12-00003, SURW12-00004, SURW12-00005, SURW12-00006, SURW12-00007, AND SURW12-00008.**

Motion passed.

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PUBLIC HEARING Street Vacations:

16. **SUB10-00164:** East San Antonio Street Vacation - A 0.068 acres (2,987 square feet) of land out of East San Antonio Street, Campbell's Addition to the City of El Paso, El Paso County, Texas
- Location: North of East San Antonio Street @ Campbell
- Property Owner: City of El Paso
- Representative: City of El Paso
- District: 8
- Staff Contact: Raul Garcia, (915) 541-4935, garciar1@elpasotexas.gov

MOTION:

***ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Wright, and unanimously carried to **POSTPONE SUB10-00164 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MAY 3, 2012.**

Motion passed.

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17. **SUB10-00165:** Magoffin Ave. Street Vacation - A 0.166 acres (7,233 square feet) of land out of Magoffin Avenue, Campbell's addition to the City of El Paso, El Paso County, Texas
- Location: East of Campbell @ Magoffin
- Property Owner: City of El Paso
- Representative: City of El Paso
- District: 8
- Staff Contact: Raul Garcia, (915) 541-4935, garciar1@elpasotexas.gov

MOTION:

***ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Wright, and unanimously carried to **POSTPONE SUB10-00165 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MAY 3, 2012.**

Motion passed.

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Other Business:

18. Discussion and action on the City Plan minutes for:
 April 5, 2012

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

Motion passed.

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19. Planning Report:
 N/A
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20. Legal Report:
 N/A

Commissioner Nance noted that the Commission will be receiving quarterly trainings from Lupe Cuellar, Assistant City Attorney.

ADJOURNMENT:

Motion made by Commissioner Wright, seconded by Commissioner Landeros, and unanimously carried to adjourn the meeting at 3:00 p.m.

Approved as to form:

Mathew McElroy, Executive Secretary, City Plan Commission