



**CITY PLAN COMMISSION MEETING
1ST FLOOR CITY COUNCIL CHAMBERS
JUNE 2, 2016
1:30P.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 Madrid present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:

- Commissioner Desai
- Commissioner Brannon
- Commissioner Benitez
- Commissioner Perez
- Commissioner Madrid
- Commissioner Ardovino
- Commissioner Bustamante
- Commissioner Livingston

COMMISSIONERS ABSENT:

N/A

AGENDA

Commissioner Ardovino read the rules into the record. Kimberly Forsyth, Program Manager, read the revisions to the agenda into the record. She noted that there are several revised staff reports for this meeting.

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

AYES: Commissioner Desai, Brannon, Benitez, Perez, Madrid, Ardovino, Bustamante, and Livingston

NAYS: N/A

ABSTAIN: N/A

ABSENT: N/A

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 ON 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.

Major Combination:

- SUSU16-00025:** Simon Grant – All of Tract 17C4 Section 9, Block 81, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County Texas

Location: West of Dyer and South of Hondo Pass

Existing Zoning: C-3

Property Owner: Eisenberg Family Limited Partnership

Representative: Sitework Engineering

District: 2

Staff Contact: Alfredo Austin, (915) 212-1604, austinaj@elpasotexas.gov

Alfredo Austin, Planner, noted that the representative for this item was not present, therefore, it got moved to later in the meeting to allow the representative to be present.

Mr. Austin, gave a presentation and noted that the applicant is requesting an exception to waive improvements along Dyer Street and Maxwell Avenue. Primary access to the subdivision is proposed from Dyer Street and Maxwell Avenue. This development is being reviewed under the current subdivision ordinance. . Dyer is a TxDOT major arterial designated on the City's Bikeway plan. The applicant is dedicating an additional 5' of ROW along Dyer. Maxwell Avenue is a local street consisting of 5' of ROW. The applicant is dedicating and improving an additional foot of ROW in order to provide a 5' sidewalk along Maxwell. Staff recommends approval of the request to waive right-of-way improvements along Dyer Street and Maxwell Avenue and approval of Simon Grant subdivision on a major combination basis.

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

ACTION: Motion made by Commissioner Bustamante, seconded by Commissioner Benitez, and carried to **APPROVE SUSU16-00025.**

AYES: Commissioner Desai, Brannon, Benitez, Madrid, Ardovino, Bustamante, and Livingston

NAYS: Commissioner Perez

ABSTAIN: N/A

ABSENT: N/A

NOT PRESENT FOR THE VOTE: N/A

Motion passed. (7 to 1 vote)

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2. **SUSU16-00028:** Northgate McDonald's Subdivision - All of Tracts 8A, 8B-2 and 8C, Block 81, Township 2, Section 1, Texas Pacific Railroad Surveys, City of El Paso, El Paso County, Texas
- Location: West of Dyer and North of Diana
Existing Zoning: C-3
Property Owner: McDonald's Real Estate Company
Representative: Skyline Civil Group
District: 4
Staff Contact: Joaquin Rodriguez, (915) 212-1608,
rodriguezjx3@elpasotexas.gov

Joaquin Rodriguez, Planner, gave a presentation and noted that the applicant is proposing to subdivide approximately 3.6 acres in the City's Northeast for 2 commercial lots. Both lots will have access via Dyer Street. The applicant will be installing new sidewalk and parkway along the northern 75 feet of Lot one within 5 feet of newly dedicated right-of-way along Dyer. This application was reviewed under the current subdivision ordinance. Staff recommends approval of the exceptions and approval of Northgate McDonald's Subdivision on a major combination basis.

Stephen Morcum with Skyline Civil Group concurred with staff's comments.

ACTION: Motion made by Commissioner Bustamante, seconded by Commissioner Brannon, and unanimously carried to **APPROVE SUSU16-00028.**

Motion passed.

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Major Combination (Reconsideration):

3. **SUSU15-00061:** Gabriel's Center – A portion of Tracts 78, 79, 80A, 80B, 80C, 81A, 81B and 81C, S.A. and M.G.R.R. Co. Survey No.267, City of El Paso, El Paso County, Texas
- Location: East of Doniphan and North of Thorn
Existing Zoning: C-4
Property Owner: Rachel V. Gabriel
Representative: SLI Engineering
District: 1
Staff Contact: Alfredo Austin, (915) 212-1604, austinaj@elpasotexas.gov

Alfredo Austin, Planner, gave a presentation and noted that the applicant proposes to subdivide 2.8136 acres of land for one commercial lot. Primary access to the subdivision is proposed from Doniphan Drive. This development is being reviewed under current subdivision ordinance. The applicant is requesting an exception to waive right-of-way dedication and improvements along Doniphan Drive. Doniphan Drive is a TxDOT major arterial designated on the City's Bikeway

plan. The applicant is requesting that this application be reconsidered in order to remove a previously imposed condition of the additional 10 feet of ROW dedication. TxDOT has confirmed that the additional dedication is not required and have no opposition to the removal of the condition. Staff recommends approval of the request to waive improvements and dedication along Doniphan Drive and approval of Gabriel's Center Subdivision on a major combination basis.

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

ACTION: Motion made by Commissioner Livingston, seconded by Commissioner Bustamante, and carried to **APPROVE SUSU15-00061**.

AYES: Commissioner Desai, Brannon, Benitez, Madrid, Ardovino, Bustamante, and Livingston

NAYS: Commissioner Perez

ABSTAIN: N/A

ABSENT: N/A

NOT PRESENT FOR THE VOTE: N/A

Motion passed. (7 to 1 vote)

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Resubdivision Preliminary:

- 4. **SUSU16-00023:** Rocket Warehouse Park Unit 3 Replat A – A replat of a portion of Lot 2, Block 2, Rocket Warehouse Park Unit 3, City of El Paso, El Paso County, Texas
 - Location: West of Dyer and South of Sean Haggerty
 - Existing Zoning: C-4
 - Property Owner: Dyer Palms, LTD.
 - Representative: CEA Group
 - District: 4
 - Staff Contact: Armida Martinez, (915) 212-1605, martinezar@elpasotexas.gov

Armida Martinez, Planner, gave a presentation and noted that the applicant proposes to resubdivide 14.56 acres. The proposed development is for one multi-family lot. Access to the subdivision is from Dyer Street and Ameen Drive. This subdivision is being reviewed under the current subdivision code. The applicant has submitted an exception request to allow for a temporary dead-end street (Ameen Drive) to exceed the maximum allowed length of 300 feet for a cul-de-sac. The applicant proposes to construct a temporary turn-around at the end of Ameen Drive which is expected to extend into a future development. Staff recommends approval of the exception request and approval of Rocket Warehouse Park Unit 3 Replat A Subdivision on a resubdivision preliminary basis.

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

ACTION: Motion made by Commissioner Ardovino, seconded by Commissioner Bustamante, and unanimously carried to **APPROVE SUSU16-00023**.

Motion passed.
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Resubdivision Final:

- 5. **SUSU16-00024:** Tres Suenos Unit 12 - A Replat of a Portion of Rich Beem Boulevard and Jamie Nichole Street, Tres Suenos Unit 9 and a Portion of Sec 27, Block 79, Township 2, Texas & Pacific Railway Co. Surveys, City of El Paso, El Paso County, Texas
 - Location: North of Montana and East of Rich Beem
 - Existing Zoning: PR-1
 - Property Owner: Tropicana Development, Inc.
 - Representative: CEA Group, Inc.
 - District: 5
 - Staff Contact: Joaquin Rodriguez, (915) 212-1608, rodriguezjx3@elpasotexas.gov

Kimberly Forsyth, Program Manager for Planning & Inspections, noted that the title for this item should read: **PUBLIC HEARING Resubdivision Final.**

Joaquin Rodriguez, Planner, gave a presentation and noted that the applicant proposes to subdivide 17.10 acres of vacant land for 83 single family lots. Access to the subdivision is proposed from Rich Beem Boulevard and Drew Wiseman Street. This development is being reviewed under the former subdivision ordinance, and reviewed for its compliance with the Tres Suenos Land Study. This property is part of the Tres Suenos Land Study that was approved by the City Plan Commission on May 18, 2006. Staff recommends approval of all modification requests and approval of Tres Suenos Unit Twelve on a resubdivision final basis.

Jorge Grajeda with CEA Group 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 Perez, and unanimously carried to **APPROVE SUSU16-00024.**

Motion passed.

PUBLIC HEARING Resubdivision Combination:

- 6. **SUSU16-00026:** CVS Montana Subdivision – A portion of Tract 4A now known as Tract 4-C-1, Morehead Block 1, City of El Paso, El Paso County, Texas, and Lots 1, 2, 4 and 5, Block 1, Del Mesa Addition, City of El Paso, El Paso County, Texas
 - Location: North of Montana and West of Chelsea
 - Existing Zoning: R-4/sp, C-2/sp, C-2
 - Property Owners: El Paso West Airport, Ltd. and William & Johanna Welsh
 - Representative: Linfield, Hunter & Junius, Inc.
 - District: 2
 - Staff Contact: Vanessa Munoz, (915) 212-1644, munozvx@elpasotexas.gov

***ACTION:** Motion made by Commissioner Ardivino, seconded by Commissioner Bustamante, and unanimously carried to **HEAR ITEMS (6) SUSU16-00026, AND (9) PZRZ16-00005 TOGETHER.**

Motion passed.

Vanessa Munoz, Planner, gave a presentation and noted that the applicant proposes to resubdivide 1.3585 acres for one commercial lot. Primary access to the subdivision is proposed from Montana Avenue and Chelsea Street. There is a special permit allowing a convalescent home. This home as well as a restaurant and animal clinic are expected to be removed. A rezoning application has been submitted for this property rezoning it to commercial. This development was reviewed under the current subdivision code. Staff recommends approval of all exceptions requested.

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Ardivino, and unanimously carried to **APPROVE SUSU16-00026 AND PZRZ16-00005.**

Motion passed.

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7. **SUSU16-00027:** Skarda Place – All of Lot 35, Block 2, Tennis West Estates and Tract 4B2, Block 8, Upper Valley Surveys, City of El Paso, El Paso County, Texas
- Location: North of Westside and West of Upper Valley
Existing Zoning: PR-1
Property Owners: Lamar & Connie Skarda
Representative: SLI Engineering
District: 1
Staff Contact: Armida Martinez, (915) 212-1605, martinezar@elpasotexas.gov

Armida Martinez, Planner, gave a presentation and noted that the applicant proposes to combine a portion of a platted lot and an unplatted tract of land into a residential lot. Access to the subdivision is from Westside Drive. This subdivision is being reviewed under the current subdivision code. The applicant is requesting to waive all of the required street improvements, because fifty per cent of the lots within a quarter mile of the proposed development have already been developed, and an exception request to allow a residential lot to access an arterial street due to the topography and physical condition of the property. Westside Drive currently consists of 50 feet of right-of-way, 28 feet of pavement and no sidewalks. Staff did not receive any communication in support or in opposition to this request. Staff recommends approval of the waiver and exception request and approval of Skarda Place on a resubdivision combination basis.

Georges Halloul with SLI 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. There was no response.

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Livingston, and unanimously carried to **APPROVE SUSU16-00027.**

Motion passed.

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PUBLIC HEARING Right-of-Way Vacation:

8. **SURW16-00003:** Resler and Paseo Del Norte Street Vacation – Portions of Paseo Del Norte Boulevard and Resler Drive Right of Way, City of El Paso, El Paso County, Texas
- Location: East of Northwestern & North Paseo Del Norte
Existing Zoning: C-4
Property Owner: Paseo Resler Development LLC
Representative: CSA Design Group, Inc.

District: 1
Staff Contact: Joaquin Rodriguez, (915) 212-1608,
rodriguezjx3@elpasotexas.gov

Joaquin Rodriguez, Planner, gave a presentation and noted that the applicant is requesting the vacation of four individual portions of Resler Drive and Paseo del Norte Boulevard right-of-ways. The portions of Paseo del Norte Boulevard right-of-way to be vacated were originally dedicated to the city in 2010, the portion of Resler Drive to be vacated was dedicated to the City in 2002, both by separate instrument. The ROW was originally intended to accommodate storm water infrastructure which is no longer needed. Staff did not receive any correspondence in support or opposition to this request. Staff recommends approval of the ROW vacation.

Adrian Ontiveros with CSA Design Group 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 Livingston, seconded by Commissioner Bustamante, and unanimously carried to **APPROVE SURW16-00003.**

Motion passed.

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PUBLIC HEARING Rezoning Application:

9. **PZRZ16-00005:** A portion of Tract 4A, now known as 4-C-1, Morehead Block, and Lots 1, 2, 4, and 5, Block 1, Del Mesa Addition, City of El Paso, El Paso County, Texas
- Location: Montana Ave. & Chelsea St.
- Existing Zoning: Parcel 1: C-2 (Commercial)
Parcel 2 & 3: C-2/sp & R 4/sp (Commercial/Special Permit) & (Residential/Special Permit)
- Request: Parcel 1: C-2 (Commercial) to C-1 (Commercial)
Parcel 2 & 3: C-2/sp & R-4/sp (Commercial/Special Permit) & (Residential/Special Permit) to C-1 (Commercial)
- Existing Use: Parcel 1: Restaurant & Parking Lot
Parcel 2 & 3: Residential / Vacant
- Proposed Use: Commercial Retail Pharmacy (with Drive-Thru)
- Property Owner: Parcel 1: El Paso West Airport LTD
Parcel 2 & 3: William Welsh (Executor of the Estate)
- Representatives: James K. Farrelly; Linfield & Hunter & Junius, Inc.
- District: 2
- Staff Contact: Adriana Martinez, (915) 212-1611, martinezad@elpasotexas.gov
- POSTPONED FROM MAY 19, 2016**

***ACTION:** Motion made by Commissioner Ardivino, seconded by Commissioner Bustamante, and unanimously carried to **HEAR ITEMS (6) SUSU16-00026, AND (9) PZRZ16-00005 TOGETHER.**

Motion passed.

Adriana Martinez, Planner, gave a presentation and noted that the applicant is requesting to rezone the subject property to C-1 (Commercial) to allow the construction of a commercial retail pharmacy with a drive thru. Additionally, the applicant is proposing for a 5 foot landscaping buffer along Cardon Street to protect the privacy of nearby residents. The property has 3 different access points, Cardon Street, Montana Avenue and Chelsea Street. Staff received one phone

call and one email in opposition to the proposed development. Staff recommends approval of the rezoning request with the following condition: That a detailed site development plan be reviewed and approved per the El Paso City Code prior to building permits being issued.

Mason Matthews with Linfield, Hunter & Junius, 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 Ardivino, and unanimously carried to **APPROVE SUSU16-00026 AND PZRZ15-00005 WITH THE CONDITION STATED IN THE STAFF REPORT FOR THE REZONING REQUEST.**

Motion passed.

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PUBLIC HEARING Detailed Site Development Plan Application:

- 10. **PZDS16-00013:** A portion of Lot 1, Block 54, East Glen Unit #4, City of El Paso, El Paso County, Texas
- Location: 2810 George Dieter Drive
- Existing Zoning: C-1/sc (Commercial/special contract)
- Existing Use: Vacant
- Request: Detailed Site Development Plan Review per Ordinance No. 6344
- Proposed Use: Self-storage facility
- Property Owner: Dick Aber
- Representative: Pablo Aguirre Jr.
- District: 3
- Staff Contact: Andrew Salloum, (915) 212-1643, salloumam@elpasotexas.gov

Andrew Salloum, gave a presentation and noted that the request is for a detailed site development plan review as required by Ordinance No. 6344 dated October 24, 1978. The proposed self-storage facility is a permitted use in a C-1 zoning district. The detailed site development plan shows 371 units of self-storage and office development. The development complies with the minimum landscape area requirements. Access to the subject property is proposed from George Dieter Drive and Long John Drive. Staff did not receive any adverse comments from any of the reviewing departments. Staff recommends approval of the detailed site development plan.

Dick Aber 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 Perez, and unanimously carried to **APPROVE PZDS16-00013.**

Motion passed.
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PUBLIC HEARING Special Permit Application:

11. **PZST16-00010:** A Portion of Lot 1, Block 1, Radco Industrial Park, an Addition to the City of El Paso, El Paso County, Texas
- Location: 11400 Wilkinson Drive
Existing Zoning: C-4 (Commercial)
Request: Special Permit to allow a Personal Wireless Service Facility (PWSF) with modified separation between PWSF antenna support structures
- Existing Use: Contractor yard
Proposed Use: Ground-mounted PWSF
Property Owner: Noe S Castillo
Representative: Keith Fisher
District: 7
Staff Contact: Alfredo Austin, (915) 212-1604, austinaj@elpasotexas.gov

Alfredo Austin, Planner, gave a presentation and noted that the applicant is requesting a special permit to allow a Personal Wireless Service Facility (PWSF) with modified separation between PWSF antenna support structures as required by El Paso City Code Section 20.10.455F. The antenna and support structures will be camouflaged as a palm tree. The proposed PWSF meets all setback and height requirements for a location in a commercial district. An access easement is proposed from Pendale Road. Staff did not receive any communication in support or opposition to the proposed special permit. Staff recommends approval of the special permit for a Personal Wireless Service Facility (PWSF) with modified separation between PWSF antenna support structure.

Keith Fisher 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 carried to **APPROVE PZST16-00010.**

AYES: Commissioner Desai, Benitez, Madrid, Perez, Bustamante, and Livingston

NAYS: Commissioner Brannon, and Ardovino

ABSTAIN: N/A

ABSENT: N/A

NOT PRESENT FOR THE VOTE: N/A

Motion passed. (6 to 2 vote)

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Other Business:

12. Discussion and action on the City Plan Commission minutes for:
May 19, 2016

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Bustamante, and unanimously carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR MAY 19, 2016.**

Motion passed.

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13. Discussion and action on the nomination of 2nd vice-chair to fill a vacant position.

ACTION: Motion made by Commissioner Livingston, seconded by Commissioner Bustamante, and unanimously carried to **APPOINT COMMISSIONER BRANNON AS 2ND VICE-CHAIR FOR THE CITY PLAN COMMISSION TO FILL A VACANT POSITION.**

Motion passed.

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14. Discussion and action to submit to the Mayor and Council a formal request, asking for Planning staff to work with the City Plan Commission's Long Range Planning Subcommittee on Plan El Paso implementation items. Items will be identified prior to submitting request to the City Council for review

Staff Contact: Carlos Gallinar, (915) 212-1559, gallinarrc@elpasotexas.gov

POSTPONED FROM MAY 19, 2016

Carlos Gallinar, Deputy Director for Planning & Inspections, gave a presentation and noted that he has provided the commission a draft memo with some of the items that the commission wanted to look at in terms of effectuating some of the changes in Plan El Paso. He noted that staff is ready to take direction from the commission.

ACTION: Motion made by Commissioner Ardivino seconded by Commissioner Bustamante, and unanimously carried to **APPROVE A FORMAL REQUEST, ASKING FOR PLANNING STAFF TO WORK WITH THE CITY PLAN COMMISSION'S LONG RANGE PLANNING SUBCOMMITTEE ON PLAN EL PASO IMPLEMENTATION ITEMS WITH MODIFIED LANGUAGE ON BOTH.**

Motion passed.

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15. Discussion and action on Title 20 (Zoning) Chapter 20.04 (Administrative Provisions) Article VII (Public Hearings) Section 20.04.520.2.d (Notice).

Staff Contact: Raul Garcia, (915) 212-1643, garcia1@elpasotexas.gov

***ACTION:** Motion made by Commissioner Ardivino, seconded by Commissioner Bustamante, and unanimously carried to **POSTPONE TITLE 20 (ZONING) CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS) ARTICLE VII (PUBLIC HEARINGS) SECTION 20.04520.2.D (NOTICE) FOR TWO (2) TWO WEEKS, TO THE CITY PLAN COMMISSION MEETING OF JUNE 16, 2016.**

Motion passed.

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ADJOURNMENT:

Motion made by Commissioner Ardivino, seconded by Commissioner Brannon, and unanimously carried to adjourn this meeting at 2:43 p.m.

Approved as to form:

Carlos Gallinar, Executive Secretary, City Plan Commission