



**CITY PLAN COMMISSION MEETING
1ST FLOOR CITY COUNCIL CHAMBERS
JUNE 16, 2016
1:30P.M.**

MINUTES

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

The meeting was called to order at 1:32 p.m. Commissioner Madrid present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:

Commissioner Desai
Commissioner Brannon
Commissioner Benitez
Commissioner Madrid
Commissioner Perez
Commissioner Livingston

COMMISSIONERS ABSENT:

Commissioner Ardovino
Commissioner Bustamante

AGENDA

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

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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:

Major Combination:

1. **SUSU16-00022:** Amber Sky Estates – All of Tract 10C, Block 6, Ysleta Grant, City of El Paso, El Paso County, Texas
Location: North of North Loop and West of Zaragoza
Existing Zoning: S-D/c (Special Development/condition)
Property Owners: Oscar Chavira and Amber M. Chavira
Representative: CAD Consulting Co.
District: 7
Staff Contact: Vanessa Munoz, (915) 212-1644, munozvx@elpasotexas.gov

Vanessa Munoz, Planner, gave a presentation and noted that there is a revised staff report for this item. The applicant proposes to subdivide one lot which is approximately 1.87 acres in size. There is a zoning condition on the property that states that a detailed site development plan is required prior to the issuance of building permits. Primary access to the subdivision is proposed from North Loop Drive. This development was reviewed under the current subdivision code. Applicant requests an exception to waive improvements along North Loop, a TxDOT Right-of-Way. Staff recommends approval of the exception request and approval of Amber Sky Estates on a major combination basis.

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

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Livingston, and unanimously carried to **APPROVE SUSU16-00022.**

Motion passed.

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2. **SUSU16-00029:** Desert South Subdivision – Being 1.480 acres of land situated in the A.F. Miller Survey No. 210, El Paso County, Texas, being a portion of a 17.477 acre tract of land (called parcel 48) conveyed to the State of Texas by deed February 4, 1980 as recorded in Volume 1054, Page 363 of the official public records of real property of El Paso County (O.P.R.R.P.E.C.)
Location: North of Mesa and West of South Desert Blvd.
Existing Zoning: C-3 (Commercial)
Property Owner: South Desert Corner, LLC
Representative: Roe Engineering
District: 1
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 to subdivide 1.48 acres of land for one commercial lot. Primary access to the subdivision is proposed from Mesa Street and South Desert Boulevard. This development is being reviewed under the current subdivision ordinance. The applicant is requesting an exception to waive improvements along Mesa Street. Staff recommends approval of the waiver request and approval of Desert South Subdivision on a major combination basis.

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

ACTION: Motion made by Commissioner Livingston, seconded by Commissioner Desai, and unanimously carried to **APPROVE SUSU16-00029.**

Motion passed.

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PUBLIC HEARING Rezoning Application:

3. **PZRZ16-00013:** Lots 18 to 20, Block 6, Womble Addition, City of El Paso, El Paso County, Texas
Location: 6292 Trowbridge
Existing Zoning: R-5 (Residential)
Request: From R-5 (Residential) to S-D (Special Development District)
Existing Use: Medical Office
Proposed Use: Medical Office/Clinic
Property Owner: City of El Paso
Representative: Jose Carlos Villalva
District: 3
Staff Contact: Joaquin Rodriguez, (915) 212-1608,
rodriguezjx3@elpasotexas.gov

Carlos Gallinar, Deputy Director for Planning, noted that the applicant was running late and requested that this item be moved to the end of the agenda.

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Desai, and unanimously carried to **MOVE PZRZ16-00013 TO THE END OF THE AGENDA.**

Motion passed.

Joaquin Rodriguez, Planner, gave a presentation and noted that there is a revised staff report for this item. This is a city-owned property and is a city initiated request. The property owner is requesting rezoning from R-5 (Residential) to S-D (Special Development) to allow for a medical office/clinic. Since the subject property is less than 1 acre, City Council shall be asked to waive the 1 acre minimum for the S-D (Special Development) zoning district. Mr. Joaquin noted that he met with the President of the San Juan Neighborhood Improvement Association and they have no objection to the rezoning request. Staff received one phone call in support of this request from the President of the San Juan Neighborhood Improvement Association. Staff recommends approval of the rezoning request.

Jose Carlos Villalva with Economic Development, 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.

- Fred Borrego, President for San Juan Neighborhood Improvement Association, noted that they are not in opposition of the request as long as the 15 year lease is signed. Mr. Borrego asked if Pro Action or Immunize El Paso, or Hospitals of Providence would be signing the lease.

Mr. Villalva responded that the lease will be signed by Pro Action and it will be a 15 year lease with two five year options.

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Desai, and unanimously carried to **APPROVE PZRZ16-00013.**

Motion passed.

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PUBLIC HEARING Special Permit Application:

4. **PZST16-00009:** Portion of Lot 1, Block 67A, Chaparral Park Unit 22, City of El Paso, El Paso County, Texas
- Location: 1020 Belvidere Street
- Existing Zoning: C-1 (Commercial)
- Request: Special Permit to allow a Personal Wireless Service Facility (PWSF)
- Existing Use: Parking Lot
- Proposed Use: Ground-mounted PWSF
- Property Owners: Raimundo Portilla F. & Jose Manuel Portilla F.
- Representative: Kevin Provance, Black & Veatch Corp., Agent for Verizon Wireless
- District: 1
- Staff Contact: Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov

Jeff Howell, Senior Planner, gave a presentation and noted that the applicant is requesting a special permit to allow for the placement of a ground-mounted personal wireless service facility (PWSF) on the proposed site within a one-half mile radius of an existing PWSF site. The site plan shows a 100 square foot lease area for a 50-foot high structure with antennas and service equipment enclosure located at the corner of the property. The antennas and support structure will be camouflaged to resemble a light pole within an existing parking lot, while the equipment will be screened with a rockwall at the edge of the property. The proposed PWSF meets all setback and height requirements for location in a commercial district. The applicant opted to request a landscape buyout as permitted by the landscaping ordinance for PWSF facilities. Access to the property is proposed from Belvidere Street. Staff received one letter in opposition to the special permit request. Staff recommends approval of the special permit for a Personal Wireless Service Facility.

Kevin Provance, Black & Veatch Corp., Planning Manager, concurred with staff's comments and noted that the main purpose for this request is capacity.

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 Perez, and unanimously carried to **APPROVE PZST16-00009.**

Motion passed.

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Other Business:

5. Discussion and action on the City Plan Commission minutes for:
June 2, 2016

ACTION: Motion made by Commissioner Livingston, seconded by Commissioner Perez, and unanimously carried to **APPROVE THE MINUTES FOR THE JUNE 2, 2016, CITY PLAN COMMISSION MEETING.**

Motion passed.

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6. 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, garciar1@elpasotexas.gov
POSTPONED FROM JUNE 2, 2016

Raul Garcia, Lead Planner, gave a presentation and noted that this item had been postponed from the June 2, 2016, City Plan Commission meeting. This request came from the commission for staff to discuss the on-site posting related to rezoning cases.

Carlos Gallinar, Deputy Director for Planning & Inspections, gave a brief history about the signs. He noted that City Council had asked staff to look at all the provisions of the particular section of the code as it pertains to notifications. He outlined some of the major changes.

- Notify apartment dwellers when the apartment lies within the 300 feet buffer of the subject property,
- Send a letter to the apartment manager notifying him/her of any changes,
- Notify the apartment complex through a letter.

Prior to this code amendment, the actual sign had to be parallel to the street and was black and white.

City Council requested the following changes:

- That the sign be placed perpendicular to the street so that it is visible from both sides of the street,
- Make sure it's bilingual and specific to the case that's being heard, whether it's rezoning, a special permit, or a condition release,
- There has to be a phone number more specific to the staff person handling the case,
- Instead of it being black and white, that it be black letters with a light green background.

Staff feels there is no need to change the code.

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 **NOT TAKE ANY ACTION IN CHANGING TITLE 20 (ZONING) CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS) ARTICLE VII (PUBLIC HEARINGS) SECTION 20.04.520.2.D (NOTICE).**

Motion passed.

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7. Discussion and action on an ordinance amending Title 20 (Zoning), Chapter 20.02 (Definitions), Section 20.02.295 (Disabled Group Dwelling) and Section 20.02.426 (Group Residential Facility); and Chapter 20.10 (Supplemental Use Regulations), Section 20.10.175 (Disabled Group Dwelling), Section 20.10.265 (Group Residential Facilities), and Section 20.10.270 (Home Occupation Use) to clarify size and licensing requirements for these uses, the penalty is as provided for in Chapter 20.24 (Enforcement – Penalty) of the El Paso City Code.
Staff Contact: Raul Garcia, (915) 212-1643, garciar1@elpasotexas.gov

Raul Garcia, Lead Planner, gave a presentation and noted that staff is trying to align the occupancy limits with the state's requirements and to clear some confusions that exist. Under the Disabled Dwellings, staff is proposing to only look at the six disabled residents in order for them to qualify as a Disabled Group Dwelling. The Group Residential Facility will be used for seven (7) or more disabled residents. This change triggered other changes in other Sections of Title 20.

Karla Nieman, Assistant City Attorney, noted that currently as written, the definition is taken from State Code which allows for up to six (6) people who are disabled to live in the facility along with two supervisors. Because the state regulates the facilities, staff didn't think it was necessary to take the two supervisors into account for purposes of residency. Under the State Law, the two supervisors are required to be there. Staff was focusing on capturing a group of people that go beyond the definition of a "family". You can have up to five (5) people who are unrelated and disabled, live by right in a residential neighborhood and have the protection of a family.

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 **POSTPONE THIS ITEM TO ALLOW STAFF TO CHANGE THE LANGUAGE TO READ AS FOLLOWS: TO EXCLUDE THE TWO (2) SUPERVISORS FROM THE OCCUPANCY FOR PURPOSES OF CATEGORIZING THE DISABLED GROUP DWELLING.**

Motion passed.

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8. Discussion and action on the use of a portion of Riverside Park as a Brio station for the Alameda Rapid Transit System Project.
Staff Contact: Victoria Ruiz, (915) 212-1826, ruizvm@elpasotexas.gov

Victoria Ruiz with the Capital Improvement Department gave a summary of the project and noted that the Alameda BRIO corridor will run through districts 3, 4, 7, and 8. The approved budget is \$38,351,000.00 which is being funded by 2009 Co's and 2011 Transportation Co's. The design was completed in March of this year with the construction start date of late Summer 2016 and it will be open to the public in early winter of 2018. The Alameda BRIO Corridor is to improve existing local bus service in El Paso along the Alameda Avenue corridor by adding a new bus rapid transit (BRT) service route.

Kyle Ibarra, Program Manager for Sun Metro, noted that once the other corridors come into action service hours will be extended.

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 THE USE OF A PORTION OF RIVERSIDE PARK AS A BRIO STATION FOR THE ALAMEDA RAPID TRANSIT SYSTEM PROJECT.**

Motion passed.

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ADJOURNMENT:

Motion made by Commissioner Livingston, seconded by Commissioner Brannon, and unanimously carried to adjourn the meeting at 2:25 p.m.

Approved as to form:

Carlos Gallinar, Executive Secretary, City Plan Commission