CITY PLAN COMMISSION MEETING
1ST FLOOR CITY COUNCIL CHAMBERS
JANUARY 7, 2016
1:30P.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 Loweree present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:
Commissioner Brannon
Commissioner Loweree
Commissioner Bustamante
Commissioner Ardovino
Commissioner Landeros

COMMISSIONERS ABSENT:
Commissioner Perez
Commissioner Madrid

AGENDA

Commissioner Bustamante read the rules into the record. Kimberly Forsyth, Program Manager, read the revisions to the agenda into the record. She noted that at the previous CPC meeting there was a special permit application presented for 216 Emma Way and that was postponed for three (3) weeks. It would have been on today's agenda but the applicant is making some additional changes to the application. This item will be on the January 28, 2016 CPC meeting.

Ms. Forsyth presented Raul Garcia who will be the Lead Planner for Subdivisions.

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

AYES: Commissioner Brannon, Loweree, Bustamante, Ardovino, and Landeros
NAYS: N/A
ABSTAIN: N/A
ABSENT: Commissioner Perez, and Madrid
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

***ACTION:** Motion made by Commissioner Landeros, seconded by Commissioner Bustamante, 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.	**SUSU15-00077:**	Valley Creek Unit 4 – A portion of Tract 1A1, Block 11, Upper Valley Surveys, City of El Paso, El Paso County, Texas
	Location:	North of Gomez Road and East of Upper Valley Road
	Property Owner:	Ham Management, LLC., The General Partner of Upper Valley Creek, L.P., Russell Hanson
	Representative:	Roe Engineering, L.C.
	District:	1
	Staff Contact:	Joaquin Rodriguez, (915) 212-1608, rodriguezjx3@elpasotexas.gov
2.	**SUSU15-00078:**	Valley Creek Unit 5 – All of Tract 10, Block 7, Upper Valley Surveys, City of El Paso, El Paso County, Texas
	Location:	North of Gomez Road and East of Westside Road
	Property Owner:	Ham Management, LLC., The General Partner of Upper Valley Creek, L.P., Russell Hanson
	Representative:	Roe Engineering, L.C.
	District:	1
	Staff Contact:	Joaquin Rodriguez, (915) 212-1608, rodriguezjx3@elpasotexas.gov

***ACTION:** Motion made by Commissioner Landeros, seconded by Commissioner Bustamante, and unanimously carried to **APPROVE SUSU15-00077 AND SUSU15-00078.**

Motion passed.

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III. REGULAR AGENDA - DISCUSSION AND ACTION:

Subdivision Applications:

SUBDIVISION MAP APPROVAL:

Major Preliminary (Reconsideration):

3.	**SUSU13-00108:**	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

***ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Ardovino, and unanimously carried to **PRESENT SUSU13-00108 AND SUSU14-00031 TOGETHER.**

Motion passed.

Major Final (Reconsideration):

4.	**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, Senior Planner, gave a presentation and noted that there is a revises staff report for this item. He noted that items SUSU13-00108 and SUSU14-00031 are reconsiderations for Sereno Valley Estates. The applicant seeks re-approval of the preliminary plat and final plat with the following waiver: To allow the installation of a 5' sidewalk in lieu of the required 10' bike/hike. Access to the subdivision is proposed from Westside Drive and Tyler Seth Avenue. The subdivision is vested under the former subdivision code. Staff recommends approval of the modifications and alternative park design and approval of the waiver of ROW dedication and improvements.

Joseph Nestor concurred with staff's comments.

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Bustamante, and unanimously carried to **APPROVE SUSU13-00108 AND SUSU14-00031 WITH ONE VOTE.**

Motion passed.

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PUBLIC HEARING Resubdivision Combination:

5.	**SUSU15-00062:**	Cielo Vista Replat A – All of Lots 5 and 6, Block 2, and Lots 5 through 10, Block 3, Cielo Vista Amended Plat, the 20 foot alley and a portion of the Avalon Street right-of-way, City of El Paso, El Paso County, Texas
	Location:	South of Montana and East of Airway
	Property Owner:	EP Simana, L.P.
	Representative:	SLI Engineering, Inc.
	District:	3
	Staff Contact:	Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov
	POSTPONED FROM DECEMBER 3 AND DECEMBER 17, 2015.	

***ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Ardovino, and unanimously carried to **POSTPONE SUSU15-00062 FOR 3 (THREE) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF JANUARY 28, 2016.**

Motion passed.

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6.	**SUSU15-00072:**	Copia Pond – All of Lots 6-11, 15-24, a portion of Lots 3-5, Block 7 and a portion of Alley, Block 7, Altura Park Addition and a portion of Lots 10-14, Block 8, Altura Park Addition and a portion of Lot 2, Block 1, Southwestern Children's Home Estates, and a portion of Memorial Park and a portion of Aurora Street, Stevens Street and Lebanon Street, City of El Paso, El Paso County, Texas
	Location:	East of Copia and South of Altura
	Property Owner:	City of El Paso / El Paso Water Utilities
	Representative:	Dorado Engineering
	District:	2
	Staff Contact:	Nelson Ortiz, (915) 212-1606, ortiznx@elpasotexas.gov

Nelson Ortiz, Senior Planner, gave a presentation and noted that the applicant proposes to re-subdivide existing portions of recorded lots and unimproved rights-of-way for a stormwater pond. Unimproved portions of Aurora St., Stevens St., Lebanon St. and alleys will be vacated by this replat. The applicant has submitted an exception request to allow the abutting dead-end alleys to remain due to topographic conditions. Additionally, the applicant is dedicating a 10' utility easement to relocate existing lines and facilities. Access to the subdivision is proposed from Stevens Street and Aurora Street. The subdivision is being reviewed under the current subdivision code. Staff recommends approval of the exception request and approval of Copia on a resubdivision combination basis.

Fermin Dorado Sr., concurred with staff comments.

Commissioner Loweree 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 Brannon, and unanimously carried to **APPROVE SUSU15-00072.**

Motion passed.

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7.	**SUSU15-00079:**	Sunrise Acres No.1 Replat G – A replat of a portion of Tract 85, map of Sunrise Acres, City of El Paso, El Paso County, Texas
	Location:	North of Hercules and West of US54
	Property Owner:	MDA Investments
	Representative:	Rey Engineering
	District:	2
	Staff Contact:	Armida Martinez, martinezar@elpasotexas.gov

Armida Martinez, Planner, gave a presentation and noted that there is a revised staff report for this item and made a floor amendment to the report. The amount on the park fees required should be changed from $5,480.00 to $4,110.00. The reason for this change is due to the applicant providing restrictive covenance and restricting the development to three dwelling units. The applicant proposes to resubdivide .332 acres for two residential lots. Access to the subdivision is from Leo Street. The applicant has submitted an exception request to allow the proposed panhandle lot due to its unique parcel configuration. The subdivision was reviewed under the current subdivision code. Staff recommends approval of the exception request and approval of Sunrise Acres No. 1 Replat G on a Resubdivision Combination Basis.

Dan Alderete concurred with staff's comments.

Commissioner Loweree 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 Bustamante, and unanimously carried to **APPROVE SUSU15-00079.**

Motion passed.

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PUBLIC HEARING Rezoning Applications:

8.	**PZRZ15-00030:**	West 89.8 ft. of Lot 44, Cinecue Park, City of El Paso, El Paso County, Texas
	Location:	8125 Starr Ave
	Zoning:	R-F (Ranch-Farm District)
	Request:	From R-F (Ranch- Farm District) to R-3 (Residential)
	Existing Use:	Residential
	Property Owner:	Michelle Gicelda Zumudio Martinez
	Representative:	Luis J. Lopez
	District:	7
	Staff Contact:	Adriana Martinez, (915) 212-1611, MartinezAD@elpasotexas.gov

Adriana Martinez, Planner, gave a presentation and noted that there is second revised staff report for this item. The property owner is requesting to rezone the subject property from R-F (Ranch/Farm) to R-3 (Residential). The request is being made to accommodate the required set-backs. Primary access to the subject property is proposed from Staff Avenue. Staff received one phone call and 1 email with a petition with 44 signatures in opposition to the rezoning request. While on site, Ms. Martinez was approached by three neighbors also in opposition to the rezoning request. Staff recommends approval of the rezoning request.

Javier Lopez concurred with staff's comments.

Commissioner Loweree 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 rezoning request.

- Ricardo Vazquez
- Mary Lucero
- Albino Lucero
- George Rodriguez Sr.

Luis Lopez presented his rebuttal and responded to all public comments.

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Bustamante, and unanimously carried to **APPROVE PZRZ15-00030.**

Motion passed.

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9.	**PZRZ15-00033:**	Lots 8 to 11, Block 23, Sunset Heights, City of El Paso, El Paso County, Texas
	Location:	519 Los Angeles
	Zoning:	R-4/H (Residential/Historic), A-2/H (Apartment/Historic)
	Request:	From R-4/H (Residential/Historic), A-2/H (Apartment/Historic) To S-D/H (Special Development/Historic)
	Existing Use:	Apartments
	Proposed Use:	Apartments
	Property Owner:	Setmax, LLC

Representative:	Cedans Architect
District:	8
Staff Contact:	Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov

1ST MOTION:
***ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Ardovino, and unanimously carried to **PRESENT PZRZ15-00033 AND PZST15-00043 TOGETHER.**

Motion passed.

Jeff Howell, Planner, gave a presentation and noted that there is a revised staff report for items PZRZ15-00033 and PZST15-00043. The applicant is requesting to rezone the subject property from R-4/H (residential/Historic) and A-2/H (Apartment/Historic) to S-D/H (Special Development/Historic). Staff received 1 letter in opposition to the rezoning request. Staff recommends approval of the rezoning and special permit for infill development and acceptance of the detailed site development plan.

Danny Mendoza concurred with staff's comments.

Commissioner Loweree 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 Landeros, seconded by Commissioner Bustamente, and unanimously carried to **APPROVE PZRZ15-00033 AND PZST15-00043 WITH ONE MOTION.**

Motion passed.

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10.	**PZRZ15-00038:**	Lot 13 and part of Lot 14, Sunrise Acres No. 3, City of El Paso, El Paso County, Texas
	Location:	4040 Hercules
	Zoning:	A-2/sc (Apartments/special contract)
	Request:	From A-2/sc (Apartments/special contract) To S-D/sc (Special Development/special contract)
	Existing Use:	Vacant
	Proposed Use:	Commercial retail/low volume
	Property Owner:	International Cutting Services, LTD
	Representative:	Jason Horowitz
	District:	2
	Staff Contact:	Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov

1ST MOTION:
***ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Ardovino, and unanimously carried to **PRESENT PZRZ15-00038 AND PZCR15-00005 TOGETHER.**

Motion passed.

Jeff Howell, Senior Planner, gave a presentation and noted item PZRZ15-00038 is a request for rezoning from A-2/sc (Apartments/special contract) to S-D/sc (Special Development/special contract) as well as for condition release to release all conditions imposed by a special contract. Staff has not received any communications in support or opposition to the rezoning and condition release requests. Staff recommends approval of the rezoning request as well as a release of the conditions to release all conditions imposed by the special contract and acceptance of the detailed site development plan.

Bob Gage with GBT Realty from Nashville Tennessee concurred with staff's comments.

Commissioner Loweree 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 Bustamante, and unanimously carried to **APPROVE PZRZ15-00038 AND PZCR15-00005 WITH ONE MOTION.**

Motion passed.

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PUBLIC HEARING Special Permit Applications:

11.	**PZST15-00043:**	Lots 8 to 11, Block 23, Sunset Heights, City of El Paso, El Paso County, Texas
	Location:	519 Los Angeles
	Zoning:	R-4/H (Residential/Historic), A-2/H (Apartment/Historic)
	Request:	Infill Development / Parking Reduction, Front Setback and Building Separation Reduction
	Existing Use:	Apartments
	Proposed Use:	Apartments
	Property Owner:	Setmax, LLC
	Representative:	Cedans Architect
	District:	8
	Staff Contact:	Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov

1ST MOTION:
***ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Ardovino, and unanimously carried to **PRESENT PZRZ15-00033 AND PZST15-00043 TOGETHER.**

Motion passed.

2ND MOTION:
ACTION: Motion made by Commissioner Landeros, seconded by Commissioner Bustamente, and unanimously carried to **APPROVE PZRZ15-00033 AND PZST15-00043 WITH ONE MOTION.**

Motion passed.

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PUBLIC HEARING Zoning Condition Release Applications:

12.	**PZCR15-00005:**	Lot 13 and part of Lot 14, Sunrise Acres No. 3, City of El Paso, El Paso County, Texas
	Location:	4040 Hercules
	Zoning:	A-2/sc (Apartments/special contract)
	Request:	Release of all conditions imposed by special contract dated June 23, 1969
	Existing Use:	Vacant
	Proposed Use:	Commercial retail
	Property Owner:	International Cutting Services, LTD
	Representative:	Jason Horowitz
	District:	2
	Staff Contact:	Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov

1ST MOTION.
***ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Ardovino, and unanimously carried to **PRESENT PZRZ15-00038 AND PZCR15-00005 TOGETHER.**

Motion passed.

2ND MOTION:
ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Bustamante, and unanimously carried to **APPROVE PZRZ15-00038 AND PZCR15-00005 WITH ONE MOTION.**

Motion passed.

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Other Business:

13. Planning Report:
Discussion and Action on CPC annual business meeting.

Kimberly Forsyth, Program Manager for Planning & Inspections, reminded the commission about the CPC annual meeting scheduled for January 14, 2016, and noted that the meeting will start at 1:00pm.

Brie Franco, Assistant City Attorney, mentioned that there's a City Ethics Ordinance Review item on the agenda and encouraged the commission to email her in case they have any questions.

Ms. Forsyth noted that an item concerning the CPC Bb-Laws will also be on the agenda. The By-laws were amended a year ago, so at this time no changes are being proposed, however, she encouraged the commission to review them and if they have any recommendations for changes they can make those recommendations at the annual meeting. The by-laws also address sub-committees of the City Plan Commission and if any of the commissioners are interested in being in any of the sub-committees that can also be addressed at the annual meeting.

Mr. Gallinar noted that Commissioner Holt Grambling had submitted his resignation from the City Plan Commission. There are now two vacancies. Staff will follow up with each representative and see if they can appoint someone to fill those vacancies.

NO ACTION WAS TAKEN.

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Commissioner Landeros requested that an item be placed on the CPC Annual meeting to discuss the duties and responsibilities of the City Plan Commission.

Staff agreed to do so.

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ADJOURNMENT:

Motion made by Commissioner Ardovino, seconded by Commissioner Brannon, and unanimously carried to adjourn this meeting at 2:37 p.m.

Approved as to form:

Carlos Gallinar, Executive Secretary, City Plan Commission