CITY PLAN COMMISSION BUSINESS MEETING
1ST FLOOR CITY COUNCIL CHAMBERS
FEBRUARY 19, 2015
1:00 P.M.

MINUTES

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

The meeting was called to order at 1:00 p.m. Commissioner Wright present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:
Commissioner Loweree
Commissioner Brannon
Commissioner Erickson
Commissioner Wright
Commissioner Amoriello
Commissioner Ardovino
Commissioner Madrid

COMMISSIONERS ABSENT:
Commissioner Grambling
Commissioner Landeros

AGENDA

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.

THERE WAS NO RESPONSE FROM THE PUBLIC.

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II. ANNUAL BUSINESS MEETING AGENDA - DISCUSSION AND ACTION:

1. CPC Business Items:
   a. Election of Officers (Chair, First Chair, Second Chair)

ACTION: Motion made by Commissioner Amoriello, seconded by Commissioner Erickson, and unanimously carried to **APPOINT COMMISSIONER WRIGHT AS CHAIR FOR THE CITY PLAN COMMISSION.**

Motion passed.

ACTION: Motion made by Commissioner Erickson, seconded by Commissioner Brannon, and unanimously carried to **APPOINT COMMISSIONER AMORIELLO AS 1ST CHAIR FOR THE CITY PLAN COMMISSION.**

Motion passed.

ACTION: Motion made by Commissioner Erickson, seconded by Commissioner Amoriello, and unanimously carried to **APPOINT COMMISSIONER ARDOVINO AS 2ND CHAIR FOR THE CITY PLAN COMMISSION.**

Motion passed.

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b. Changes to Bylaws

WITHOUT OBJECTION THE BYLAWS WERE APPROVED AS PRESENTED.

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2. Engineering and Construction Management Report
   a. Fred Lopez, (915) 212-1564, Deputy Director for Engineering, lopezar@elpasotexas.gov

Kevin Smith, Senior Planner with Engineering and Construction Department, gave an update on the 2012 Quality of Life Bond and the implementation that is currently undergoing. He noted that there is approximately $101.4M worth of projects going forward for the first three year roll out, from 2014 to 2016. After those three years, there's approximately $371.9M and a total program of $473.25M of projects over the full term of the bond. He gave an overview of completed projects. He also gave a project update by activity and answered questions from the commission.

NO ACTION WAS TAKEN.

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3. Museums and Cultural Affairs Department Report
   a. Patricia Dalbin, Public Art Program Manager, (915) 212-1776, dalbinnp@elpasotexas.gov

Patricia Dalbin, Public Art Program Manager, illustrated some projects and noted that they have completed 9 projects. She named some of the projects that are going to be initiated in 2015. She noted that they have taken them to the Public Arts Committee for their review and approval. This project was presented at the Museums and Cultural Affairs Advisory Board for their review and approval and on February 24, 2015, it will also be presented to city council for their review and approval. She went over some of the projects that are in progress and answered questions from the commission.

NO ACTION WAS TAKEN.

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4. Park Fees Special Fund Report, Parks and Recreation Department
   a. Tracy Novak, Asst. Director for Parks and Recreation Department, (915) 212-1708, novakta@elpasotexas.gov

Marci Tuck from the Parks and Recreation Department presented a six page report of financials on the parkland dedications fund from Fiscal Year 2014. The planning areas have grown in size throughout the fiscal year 2014 and they have a list in which they plan to use those accumulated funds in 2015. She also spoke about park acreage added to inventory through Parks Land

Dedication in FY 2014. They are anticipating an additional 12 more sites in 2015. She answered questions from the commission.

NO ACTION WAS TAKEN.

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5. Planning Division Sections
   a. Zoning Section, Alex Hoffman, Lead Planner, (915) 212-1566, hoffmanap@elpasotexas.gov

Alex Hoffman, Lead Planner, gave a presentation regarding the Infill Development in Title 20. He noted that the purpose of the Infill Development is to encourage redevelopment and infill development and encourage planning and design flexibility and innovations. When applications are considered for infill development, six factors are present for location criteria and at least two of these need to be met. In 2014, eighteen Special Permits for Infill Development were requested. Infill Developments provides more flexibility with setback standards and authorizes reductions up to 100% of the base zoning requirements. Mr. Hoffman answered questions from the commission.

NO ACTION WAS TAKEN.

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   b. Subdivisions Section, Kimberly Forsyth, Lead Planner, (915) 212-1563, forsythkl@elpasotexas.gov

Kimberly Forsyth, Lead Planner, gave a presentation on subdivisions but focused mainly on annexations. She described the different types of subdivision applications that are processed within the subdivision section.

The following applications are handled administratively.

- Platting Determination Letter
- Address Assignment
- Vesting Request
- 5 day completeness review – prior to actual submittal
- Minor Plat (administrative process)

The following applications are presented to the City Plan Commission

- Land Study
- Preliminary Plat
- Final Plat
- Combination Plat (preliminary & final together)
- Development Plat
- Replat and Amending Plat

The following applications are presented to the City Plan Commission for recommendation but then go forward to City Council for approval.

- Dedications
- Vacations
- Street Name Change
- Annexations

Karla Nieman, Assistant City Attorney, noted that the state code requires that the municipality notify the Department of Justice when an annexation has been completed. The reason for the requirement that the municipality notify the DOJ arises out of the Voting Rights Act. Section 5 of the Voting Rights Act requires that certain states south of certain boundary lines comply with the

requirements of the Voting Rights Act. However, most recently, the Supreme Court now states that that section of the Voting Rights Act is no longer applicable to the states. There's some controversy as to whether or not the requirement in state law to notify the DOJ for annexations is going to remain on the books or not. However, the practice in the City Attorney's office, is to continue to notify the DOJ until the State Legislature says otherwise.

Mr. Hoffman noted that in December 2014, at the request of city council, Long Range and Subdivisions, completed an annexation study. He answered questions from the commission.

NO ACTION WAS TAKEN.

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c. Long Range Section, David A. Coronado, Program Manager, (915) 212-1568, coronadoda@elpasotexas.gov

David Coronado, Planning & Inspections Program Manager, gave a presentation and noted some of the basics in Title 21, Smart Code. He gave the comparison of Title 20 (Zoning) and Title 21 (SmartCode). He noted that Title 20 (Zoning) focuses on the uses such as residential, apartments, commercial, industrial. It doesn't focus so much on form of buildings. Title 21 does the complete opposite, it focuses on the form and not so much on the uses. SmartCode focuses on having the right context sensitive buildings for structures across transect zones. It also has standards that tell us how the transect zone effects the buildings, streets, and the landscape standards. SmartCode is a unified code that has some of the elements from Title 20 (Zoning), Title 18 (Building Code) and Title 19 (Subdivisions).

NO ACTION WAS TAKEN.

Carlos Gallinar announced that Alex Hoffman is now the Lead Planner for Long Range and Art Rubio has been promoted to Lead Planner for Zoning.

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Ardovino, and unanimously carried to **HEAR ITEM #9 AFTER ITEM II 5-C.**

Motion passed.

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d. Landscape Ordinance, David Kania, Landscape Plans Examiner, (915) 212-1599, kaniadj@elpasotexas.gov

Javier De La Cruz, Senior Plans Examiner, gave a presentation on the current landscape ordinance and any modifications that have been approved throughout the years since the 2007 adoption. There were a subsequent of modifications in 2011 and minor cleanups in 2013. The current Landscape Ordinance, Title 18, addresses any new commercial structures and residential subdivisions that have not been vested under the previous ordinance. The major changes that the commission is now dealing with are with new commercial building permits that came into effect in November 2007. They were directed to update aesthetic values for the City of El Paso to promote more friendly pedestrian walkability throughout the city by increasing shade in new development. This was previously under Chapter 20, (Zoning), but got shifted into Chapter 18, (Building & Construction) of the Municipal Code. The shift was due because the provisions within the irrigation and landscape are more closely related to the building and plumbing codes then it is to zoning requirements. He noted that the calculations have changed to meet updated national standards such as mixed use development and smart growth. The site designed has also changed to meet landscape requirements. He noted that the alternative method of compliance has also changed to reflect the following: (1) Landscape reduction for street oriented buildings up to 60%, (2) Infill reductions up to 30%, (3) 75% shrub coverage with a use of a smart irrigation controller to conserve water, (4) and a buyout option still exists for unmanned facilities, such as

cell towers. The ordinance written is not as the process described today at the meeting. He noted that staff is in the process of adopting the 2015 code, and in the process, staff is adopting the modifications to Title 18.

Commissioner Ardovino asked that when a building is being refurbished and no landscaping is required what can be done at the city level to start landscaping.

Mr. Kania and Mr. De La Cruz answered questions from the commission.

Carlos Gallinar noted that he will look into Title 18 and Title 20 and bring it to the City Plan Commission and then present it to City Council for recommendation. He asked for 30 days to bring this item back to the CPC.

No action was taken.

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6. 2015 Activity Report, Planning Division
   a. David Coronado, Program Manager, (915) 212-1568, coronadoda@elpasotexas.gov

David Coronado gave the presentation and noted that this is the standard report that staff gives the commissioners on the activities done with the different sections of Planning which include Long Range, Zoning, and Subdivisions. He noted that Districts 1 and 8 are the biggest players for rezoning and subdivisions as well as District 5. Long Range specializes in special projects along with the Neighborhood Conservancy Overlay, rezoning for SmartCode, and building scale plans. Mr. Coronado answered questions from the commission.

NO ACTION WAS TAKEN.

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7. Annual Report by City Plan Commissioners to City Council

Carlos Gallinar noted that the last Subsection of Section 2.08 of the Municipal Code requires that the City Plan Commission submit a formal yearly report to City Council on or before August 15. In the past, staff has provided a copy of the report that was presented at this meeting to the commission plus staff also provides highlights on some aspects of the job or the key things that the commission requested from staff. Mr. Gallinar will draft the memo and have the commission take a look at it and either add, delete, or make any necessary changes before presenting it to city council.

NO ACTION WAS TAKEN.

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8. City Attorney's Office – Presentation on the City's Ethics Ordinance and the Texas Statute on Conflicts of Interest
   a. Karla Nieman, Assistant City Attorney, (915) 212-1115

Karla Nieman, Assistant City Attorney, presented an ethics presentation to the commission that covers the City's Ethics Ordinance as well as the State Code on Conflicts of Interest on boards and commissions. Ms. Nieman noted that the commissioners will not have to watch this presentation for another three years.

NO ACTION WAS TAKEN.

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9. Update on Capital Improvement Projects for Downtown
   a. Bryan Crowe, General Manager, Destination El Paso, (915) 534-0667, bcrowe@destinationelpaso.com

Bryan Crowe, City Manager's Office – Managing Director for Quality of Life, gave an update on the report that was presented to City Council related to Urban Planning & Master Planning for the Multipurpose Cultural & Performing Arts Facility, Hispanic Cultural Center, and Children's Museum. He noted that this presentation was presented to council on January 6 and 7, 2014, and there has been a subsequent action or two from council.

Carlos Gallinar noted that Section 2.08 of the Local Government Code requires that Capital Improvement Projects be presented to the City Plan Commission for consultation purposes. There is no action taken by the City Plan Commission that requires it to go back to city council. Staff and the City Plan Commission did agree that if there is any comments or formal feedback that this body wants to get to city council that it would be done through our staff to city council.

Mr. Crowe presented the highlights of this study and pertinent issues. He noted that planning kick off events were held in early 2014 with four outreach workshops and some additional community project briefings were added. The original project timeline was set to deliver the final report in June or July of 2014. The Project timeline was extended to include new city administration in the city manager's office. This additional project time also allowed them for additional community outreach meetings. The scope of work included to identify site options for Multipurpose Cultural and Performing Arts Center, Hispanic Cultural Center, and Children's Museum in downtown El Paso, perform market analysis, lead a transparent public process with community and stakeholder engagement, leverage city investment to spur private investment and economic growth. He went over the financial operations, financial projections, and the economic impacts.

The commission asked Mr. Crowe if he could come back in three weeks to present the remaining projects.

Commissioner Ardovino left the meeting after presentation on item 9.

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10. Public Comment

THERE WERE NO PUBLIC COMMENTS.

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11. Adjournment of the Annual City Plan Commission Business Meeting

ACTION: Motion made by Commissioner Amoriello, seconded by Commissioner Erickson, and carried to **ADJOURN THE CITY PLAN COMMISSION BUSINESS MEETING AT 4:20 P.M.**

AYES: Commissioner Loweree, Brannon, Erickson, Wright, Ardovino, and Madrid
ABSENT: Commissioner Grambling, and Landeros
NOT PRESENT FOR THE VOTE: Commissioner Amoriello

Motion passed.

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Approved as to form:

Carlos Gallinar, Executive Secretary, City Plan Commission