



**CITY PLAN COMMISSION MEETING
2ND FLOOR CITY COUNCIL CHAMBERS
FEBRUARY 23, 2010
1:30 P.M.**

A M E N D E D MINUTES

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

The meeting was called to order at 1:30 p.m. Commissioner Nance present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:

- Commissioner De La Cruz
- Commissioner Wright
- Commissioner Borden
- Commissioner Carreto
- Commissioner Nance
- Commissioner Vorba
- Commissioner Brandrup

COMMISSIONERS ABSENT:

- Commissioner Schauer
- Commissioner Landeros

AGENDA

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

AYES: Commissioner De La Cruz, Wright, Carreto, Borden, Vorba, Brandrup

ABSENT: Commissioner Landeros, 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.

There was no response.

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III. REGULAR AGENDA - DISCUSSION AND ACTION:

***ACTION:** Motion made by Commissioner Carreto, seconded by Commissioner Wright, and unanimously carried to **HEAR PZRZ11-00059 AND PZST11-00017 SIMULTANEOUSLY.**

Motion passed.

PUBLIC HEARING Rezoning Application:

1. **PZRZ11-00059:** A portion of Tract 3, Block 10, Boothville Subdivision, City of El Paso, El Paso County, Texas
Location: 8623 North Loop Drive
Zoning: R-F (Ranch and Farm)
Request: From R-F (Ranch and Farm) to C-2 (Commercial)
Existing Use: Vacant
Proposed Use: Ballroom
Property Owner: Aseo, Inc.
Representative: Jesus L. Jaime
District: 7
Staff Contact: Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

PUBLIC HEARING Special Permit Application:

2. **PZST11-00017:** A portion of Tract 3, Block 10, Boothville Subdivision, City of El Paso, El Paso County, Texas
Location: 8623 North Loop Drive
Zoning: R-F (Ranch and Farm)
Request: To allow for a ballroom (subject to C-2 zone approval)
Existing Use: Vacant
Proposed Use: Ballroom
Property Owner: Aseo, Inc.
Representative: Jesus L. Jaime
District: 7
Staff Contact: Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

Andrew Salloum, Planner, noted that staff is recommending denial of the rezoning from R-F (Ranch-Farm) to C-2 (Commercial) based on incompatibility with the comprehensive plan which calls for mixed use type development and residential. Staff is also recommending denial of the special permit and the detailed site development based on denial of the rezoning request.

Ray Mancera and Jesus Jaime representing the applicant noted that there is no Neighborhood Association in this area according to the City. Mr. Mancera spoke with the surrounding property owners and they are aware that the request is for a ballroom and they have no objection.

Mathew McElroy clarified that the issue in terms of compatibility with the mixed use is the C-2 with a special permit. The reason for denial is that staff feels it is incompatible with the comprehensive plan.

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

- Jesus Bartolomeo Ochoa suggested that we support hometown interest.

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Wright, and unanimously carried to **APPROVE PZRZ11-00059 WITH A C-2 REZONING.**

Motion passed.

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Carreto, and unanimously carried to **APPROVE PZST11-00017.**

Motion passed.

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PUBLIC HEARING Rezoning and Detailed Site Development Plan Review:

- 3. **PZRZ12-00002:** Tracts 7K, 7K1, 7L1, 7L1A, and 7L1B, Block 35, Ysleta Grant, City of El Paso, El Paso County, Texas
 - Location: Independence Drive and Elvin Way
 - Zoning: R-F (Ranch & Farm)
 - Request: From R-F (Ranch & Farm) to PR-1 (Planned Residential I) & Detailed Site Development Plan Review
 - Existing Use: Vacant
 - Proposed Uses: Apartments (Senior Housing)
 - Property Owner: City of El Paso
 - Representative: Conde, Inc.
 - District: 6
 - Staff Contact: Esther Guerrero, (915) 541-4720, guerreroex@elpasotexas.gov

Linda Castle, Senior Planner, presented for Esther Guerrero. She noted that staff received one letter of opposition. Staff is recommending approval of the rezoning to PR-1 (Planned Residential I) and the site development plan with the requirement that no trees be planted on the PSB easement.

Conrad Conde with Conde, Inc., 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.

Gilberto Morales spoke against this request.

Lupe Cuellar, Assistant City Attorney, noted that any recommendation made by the Commission to City Council to approve will be subject to City Council approving the MTP Amendment.

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Vorba, and carried to **APPROVE PZRZ12-00002 SUBJECT TO THE APPROVAL OF THE ALTERATION OF THE TRANSIT PLAN IN THE MTP.**

AYES: Commissioner Wright, Carreto, Borden, Vorba, and Brandrup

NAYS: Commissioner De La Cruz

ABSENT: Commissioner Landeros, and Schauer

Motion passed.

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SUBDIVISION MAP APPROVAL:

Subdivision Applications:

Major Preliminary:

4. **SUSU11-00110:** West Texas Estates – Being a portion in the NW ¼ of Section 18 and a portion of Section 17, Block 79, Township 3, T&P Railroad Surveys, El Paso County, Texas
- Location: East of Aviation Way and South of Pellicano Drive
Property Owner: Akam Pellicano, LLC
Representative: Del Rio Engineering, Inc.
District: ETJ
Staff Contact: Justin Bass, (915) 541-4930, bassjd@elpasotexas.gov

Sal Masoud with Del Rio Engineering concurred with staff's comments except for the minor exception for the landscaping requirement in the frontage lots. The County has informed them that they will not maintain the landscaping on the frontage lots and so they would like to work that out with the City and the County.

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Carreto, and unanimously carried to **APPROVE SUSU11-00110 WITH THE REQUIREMENT FOR LANDSCAPING ON THE PARKWAY AREA ON AVIATION WAY AND PELLICANO DRIVE AND THAT THE CONDITION BE COORDINATED WITH THE EL PASO DEPARTMENT OF TRANSPORTATION.**

Motion passed.

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PUBLIC HEARING Resubdivision Combination:

5. **SUSU12-00010:** Cimarron Park Drive - Being a Portion of Lot 1, Block 1, Cimarron Unit One and Tracts 1 and 1B1, Nellie D. Mundy Survey 242, City of El Paso, El Paso County, Texas
- Location: East of Resler Drive and South of Northern Pass Drive
Property Owner: Cimarron Hunt Communities, LLC and the City of El Paso
Representative: Kimley-Horn and Associates, Inc.
District: 1
Staff Contact: Kevin Smith, (915) 541-4903, smithkw@elpasotexas.gov

Jose Lares with Hunt Communities 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 De La Cruz, seconded by Commissioner Carreto, and unanimously carried to **APPROVE SUSU12-00010 WITH THE ALTERNATIVE DESIGN FOR A PROPOSED 60-FOOT RIGHT-OF-WAY WHICH WILL INCLUDE 2 11-FOOT DRIVING LANES, 1 12-FOOT LANDSCAPED MEDIAN, 11-FOOT PARKWAY WITH 6-FOOT SIDEWALKS ON ONE SIDE, AND A 15-FOOT PARKWAY WITH A 10-FOOT HIKE/BIKE TRAIL. THE ALTERNATIVE DESIGN ALSO REQUESTS TO ALLOW FOR REDUCED SPACING FOR MEDIAN OPENINGS.**

Motion passed.

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RECESS:

ACTION: Motion made by Commissioner Borden, seconded by Commissioner Carreto, and unanimously carried to **RECESS THE CITY PLAN COMMISSION MEETING AT 2:35 P.M.**

Motion passed.

RECONVENE:

ACTION: Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **RECONVENE THE CITY PLAN COMMISSION MEETING AT 2:45 P.M.**

Motion passed.
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Other Business. Public Hearing:

6. Discussion and action on Plan El Paso: Comprehensive Plan Rewrite.
Staff Contact: Carlos Gallinar (915) 541-4662, gallinarcc@elpasotexas.gov

Carlos Gallinar, Comprehensive Plan Manager, introduced Dover Kohl and Jason King who gave a summary of the Plan El Paso and answered questions from the Commission. Mr. King noted that the Commission had before them the memorandum and the Comp Plan amendments to the January 2012 draft with strikethroughs. He also noted that very specific things are recommended in this draft. The change has a much softer language which was recommended by the Chamber of Commerce.

Mathew McElroy, Deputy Director for Planning, noted that staff has made very good progress with the Chamber of Commerce and the PBS and feels staff can go to City Council recommending approval from both groups. He feels the document is ready to be presented to City Council subject to staff's review of the final document.

Commissioner Wright noted that he was really impressed with the quality of work and commended Dover Kohl & Partners for an excellent job. He asked how this document would be made available to the public once it is adopted.

Mr. McElroy responded that there is a company called Blurb.com, that noted that once the document is downloaded to them they will print it out, either on hard copy or soft bond, with the highest print quality. All Commissioners, City Council, and all stakeholders who participated in the process will get a final copy of the plan and a set will be kept for city records.

Commissioner Nance commended staff and Dover Kohl for an excellent job and noted that he did not see anything in the memorandum addressing the changes to the land use map. Mr. Kohl responded that they should come back at the next meeting with a plat of the map.

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

The following persons spoke regarding the Comp Plan.

- Chris Goodwin representing Save the Valley Neighborhood Civic Association spoke in favor of the Plan.
- Jesus Marmolejo Ochoa spoke regarding the Alligator Plaza and reminded the Commission that City Council voted 7-1 to bring the old alligator pond back.
- Chuck Harre Chairman of the Board for the Greater Chamber of Commerce spoke in favor of the Comp Plan with review of revisions. He read a letter into the record from the Greater El Paso Chamber of Commerce.
- Yolanda Giner noted that she had met with Mr. McElroy and noted that they have a good consensus on most of the items. She was unable to go thru the 160 some pages and would like to reserve her comments until she looks at the language. She feels confident that she can get through it and work with staff.

- Pat Aduato from the El Paso Water Utilities Public Service Board gave staff their support of the Comprehensive Plan as submitted subject to the approval of the edits shown on the February 21, 2012 memo. She thanked staff and the consultants for meeting with PSB for many long hours to get to where we are today.
- Charlie Wakeem who serves on the CPAC and representing the Open Space Advisory Board commended staff and Dover Kohl for an excellent job on the Comp Plan. He noted that he does not feel comfortable with the language **consider preservation of major arroyos and farmland** on the first page of the memorandum and any last minute changes. He recommended that the implementation of the process include continuing to keep CPAC for at least six months after the plan is adopted.
- Judy Ackerman spoke in support of the Comp Plan and recommended staff to conserve the natural open space development.
- Richard Teschner spoke in support of the Comp Plan and recommended staff to preserve and protect the environment, especially the mountains.
- Peter Svarzbein spoke in support of the Comp Plan and recommended that staff expedite the street car network.
- Ruben Vogt, Public Policy Director, for Judge Veronica Escobar, noted that Judge Escobar could not attend the meeting but is in support of the Comp Plan and thanked staff and Dover Kohl & Partners for their excellent work.

Carlos Gallinar, Comprehensive Plan Manager, noted that at least 80% of the changes mentioned in the memo that was read during the meeting from the Chamber of Commerce are already included in the February 21, 2012 memo. The other 20% are the changes that Mathew McElroy and Yolanda Giner are talking about and will be vetted out. If staff and Ms. Giner do not come into a consensus within the next week Ms. Giner has the purview to take it to City Council. He noted that staff will address the arroyo issue and that the language has been brushed out with the PSB, the environmental advocates, and with the Chamber.

1ST MOTION:

ACTION: Motion made by Commissioner Carreto, seconded by Commissioner Wright, and unanimously carried to **KEEP LANGUAGE IN POLICY 2.1.13 AS IS REFERENCING POLICY 1.5.2.**

Motion passed.

2ND MOTION:

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Borden, and unanimously carried to **DELETE THE SENTENCE: THIS DRAMATIC FAILURE DURING A PERIOD OF CRITICAL NEED FOR POWER HAS INCREASED PUBLIC SCRUTINY OF EL PASO ELECTRIC AND COULD RESULT IN REEXAMINATION OF THE COMPANY'S RATES AND PROFITABILITY, ON PAGE 5.19 OF THE MEMO.**

Motion passed.

3RD MOTION:

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Borden, and unanimously carried to **APPROVE THE ORIGINAL PLAN WITH THE MEMORANDUM DATED FEBRUARY 21, 2012, THAT WAS PROVIDED BY DOVER KOHL & PARTNERS.**

Motion passed.

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Other Business

7. Discussion and action on the City Plan Commission minutes of:
February 9, 2012

ACTION: Motion made by Commissioner Vorba, seconded by Commissioner Brandrup, and carried to **APPROVE THE CITY PLAN COMMISSION MINUTES OF FEBRUARY 9, 2012.**

AYES: Commissioner De La Cruz, Wright, Borden, and Vorba

ABSTAIN: Commissioner Carreto, and Brandrup

ABSENT: Commissioner Landeros, and Schauer

Motion passed.

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8. Discussion and action on an Ordinance amending Title 19 (Subdivisions), Chapter 19.18 (Traffic Impact Analysis), of the El Paso City Code to amend the Traffic Impact Analysis standards and requirements. The penalty is as provided in Chapter 19.42 of the City of El Paso City Code.

Staff Contact: Kimberly L. Forsyth, (915) 541-4668, forsythkl@elpasotexas.gov

Kimberly Forsyth, Lead Planner, gave a brief presentation and noted that the City Manager has directed staff to implement application processing changes and code amendments. These changes are scheduled to go before City Council on March 6, 2012.

The City Manager requested that the Department of Transportation staff develop an alternative method of calculating traffic impact for development that meet certain criteria. She noted some of the factors to consider in determining whether or not to accept an alternative method of calculating the traffic impact. She noted that Tables 19.18.1 and 19.18.2 were modified to remove "full build out year" from the heading of the first two tables. Table 19.18.3 combined residential and non-residential peak hour trips into one category.

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 Vorba, and unanimously carried to **APPROVE AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), CHAPTER 19.18 (TRAFFIC IMPACT ANALYSIS), OF THE EL PASO CITY CODE TO AMEND THE TRAFFIC IMPACT ANALYSIS STANDARDS AND REQUIREMENTS.**

Motion passed.

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***ACTION:** Motion made by Commissioner Carreto, seconded by Commissioner Wright, and unanimously carried to **HEAR ITEMS NINE AND TEN SIMULTANEOUSLY.**

Motion passed.

9. Discussion and action on an Ordinance amending Title 19 (Subdivisions), Chapter 19.10 (Dedication, Construction Requirements and City Participation), and Chapter 19.15 (Roadways) of the El Paso City Code to remove references to the Development Coordinating Committee. The Penalty is as provided in Chapter 19.42 of the City of El Paso City Code.

Staff Contact: Kimberly L. Forsyth, (915) 541-4668, forsythkl@elpasotexas.gov

Kimberly Forsyth, Lead Planner, gave a brief presentation and noted that these relate to changes to Title 19 and Title 20 to delete reference to the Development Coordinating Committee. Currently under Title 19, all applications come to the City Plan Commission and most of them also go to the Development Coordinating Committee. We are removing the language in the code that requires dedication or vacation of public row and/or easements to go to the Development Coordinating Committee. They will be distributed by Planning staff to the affected departments and those departments shall provide written comments. The process for the Planning Commission is still the same. Simple subdivision applications where there is no opposition from any department will no longer go to the Development Coordinating Committee but will still come before the Planning Commission with written comments from all departments. Only those applications where there are contentious issues or recommendations for denial will go to the Development Coordinating committee meeting to be resolved prior to coming to the City Plan Commission.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against items 9 and 10. There was no response.

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Borden, and unanimously carried to **APPROVE AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), CHAPTER 19.10 (DEDICATION, CONSTRUCTION REQUIREMENTS AND CITY PARTICIPATION), AND CHAPTER 19.15 (ROADWAYS) OF THE EL PASO CITY CODE TO REMOVE REFERENCES TO THE DEVELOPMENT COORDINATING COMMITTEE.**

Motion passed.

10. Discussion and action on an Ordinance amending Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Article III (Detailed Site Development Plan Approval Process), Section 20.04.150 (Procedure) of the El Paso City Code to amend the administrative approval process for detailed site development plans. The penalty is as provided in Chapter 20.24 of the City of El Paso City Code.
Staff Contact: Arturo Rubio, (915) 541-4633, rubioax@elpasotexas.gov

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Borden, and unanimously carried to **APPROVE AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS), ARTICLE III (DETAILED SITE DEVELOPMENT PLAN APPROVAL PROCESS), SECTION 20.04.150 (PROCEDURE) OF THE EL PASO CITY CODE TO AMEND THE ADMINISTRATIVE APPROVAL PROCESS FOR DETAILED SITE DEVELOPMENT PLANS.**

Motion passed.

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***ACTION:** Motion made by Commissioner Carreto, seconded by Commissioner Wright, and unanimously carried to **HEAR ITEMS ELEVEN AND TWELVE SIMULTANEOUSLY.**

Motion passed.

11. Discussion and action on an Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions) and Chapter 20.10 (Supplemental Use Regulations) of the El Paso City Code, to add a definition for adaptive reuse and to establish standards for an Adaptive Reuse Overlay. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
Staff Contact: Kimberly L. Forsyth, (915) 541-4668, forsythkl@elpasotexas.gov

Kimberly Forsyth, Lead Planner, gave a brief presentation and noted that items 11 and 12 relate to changes to Titles 19 and 20 that will allow adaptive Reuse Standards to be used in the area

that is currently designated in the Downtown 2015 Plan. She noted that Adaptive Reuse is defined as the conversion of all or any part of any existing building to a residential use, a mixed-use or any use allowed in the underlying district, or any construction to expand or modify an existing building located in an area designated with an Adaptive Reuse Overlay that meets the guidelines adopted in the City's Comprehensive Plan for the area. The purpose of an Adaptive Reuse Overlay is to revitalize neighborhoods and increase new housing opportunities within the El Paso Downtown 2015 Plan area by allowing more flexible development standards for certain residential and/or mixed uses within the area. The overlay will allow additional standards to be applied to these properties and can only be used for the conversion of all or any portion of an existing building.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against items 11 and 12. There was no response.

ACTION: Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **APPROVE AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.02 (GENERAL PROVISIONS AND DEFINITIONS) AND CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS) OF THE EL PASO CITY CODE, TO ADD A DEFINITION FOR ADAPTIVE REUSE AND TO ESTABLISH STANDARDS FOR AN ADAPTIVE REUSE OVERLAY.**

Motion passed.

- 12. Discussion and action on an Ordinance amending Title 19 (Subdivisions), Chapter 19.20 (Parks and Open Space), Section 19.20.060 (Exclusions from Dedication Requirement), of the El Paso City Code to add an exclusion for properties covered under an Adaptive Reuse Overlay. The penalty is as provided in Chapter 19.42 of the El Paso City Code.
Staff Contact: Kimberly L. Forsyth, (915) 541-4668, forsythkl@elpasotexas.gov

ACTION: Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **APPROVE AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), CHAPTER 19.20 (PARKS AND OPEN SPACE), SECTION 19.20.060 (EXCLUSIONS FROM DEDICATION REQUIREMENT), OF THE EL PASO CITY CODE TO ADD AN EXCLUSION FOR PROPERTIES COVERED UNDER AN ADAPTIVE REUSE OVERLAY.**

Motion passed.

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- 13. Planning Report:
N/A

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- 14. Legal Report: Discussion on City Plan Commission authority.

***ACTION:** Motion made by Commissioner Carreto, seconded by Commissioner Wright, and unanimously carried to **POSTPONE THE DISCUSSION ON CITY PLAN COMMISSION AUTHORITY FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MARCH 8, 2012.**

Motion passed.

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Once again Commissioner Nance asked staff to look into getting a parking space for the Commissioners. Staff will look into it.

ADJOURNMENT:

Motion made by Commissioner Wright, seconded by Commissioner Borden, and unanimously carried to adjourn this meeting at 5:30 p.m.

Approved as to form:



Mathew McElroy, Executive Secretary, City Plan Commission