



**CITY PLAN COMMISSION MEETING
1ST FLOOR CITY COUNCIL CHAMBERS
FEBRUARY 25, 2016
1:30P.M.**

MINUTES

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

The meeting was called to order at 1:34 p.m. Commissioner Madrid present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:

- Commissioner Desai
- Commissioner Brannon
- Commissioner Perez
- Commissioner Madrid
- Commissioner Landeros
- Commissioner Ardivino
- Commissioner Livingston

COMMISSIONERS ABSENT:

- Commissioner Bustamante

AGENDA

Commissioner Landeros read the rules into the record. Kimberly Forsyth, Program Manager for Planning & Inspections, read the revisions to the agenda into the record.

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

AYES: Commissioner Desai, Brannon, Perez, Madrid, Landeros, Ardivino, and Livingston

NAYS: N/A

ABSTAIN: N/A

ABSENT: Commissioner Bustamante

NOT PRESENT FOR THE VOTE: N/A

Motion passed.

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Carlos Gallinar, Deputy Director for Planning & Inspections, welcomed Margaret Livingston and Jayvant Desai as new members to the City Plan Commission.

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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 Brannon, seconded by Commissioner Ardovino, 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 {*}).

Motion passed.

Extension Request

- 1. **SUSU16-00003:** Peyton Estates Unit 4 – Being a portion of C.D. Stewart Survey No. 318, El Paso County, Texas
 - Location: South of Rojas and East of Nonap
 - Property Owner: State of Texas
 - Representative: Roe Engineering
 - District: ETJ
 - Application Type: Extension request to submit recording maps
 - Staff Contact: Armida Martinez, (915) 212-1605, martinezar@elpasotexas.gov

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III. REGULAR AGENDA - DISCUSSION AND ACTION:

PUBLIC HEARING Annexation:

- 2. Discussion and action on a development agreement for the property located East of John Hayes Street and South of Pebble Hills Blvd.
Staff Contact: Kimberly Forsyth, (915) 212-1563, forsythkl@elpasotexas.gov

Kimberly Forsyth, Program Manager for Planning & Inspections, gave a presentation and noted that this item relates to a Development Agreement. Development Agreements happen before annexation and they set out the terms by which the City and the property owner agree to annex a particular piece of property. Plan El Paso designates this area as remote, however, since it is adjacent to city limits and has been approved by the El Paso Water Utilities for water service, it is appropriate for annexation. She gave a background on this particular property and noted that City Council directed staff to proceed with the agreement. She read the proposed Ranchos Real Obligations. She mentioned the PID and TIRZ Projections for the next 15 years. Staff recommends approval of the development agreement.

John Birklebach 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 Livingston, and unanimously carried to **APPROVE A DEVELOPMENT AGREEMENT FOR THE PROPERTY LOCATED EAST OF JOHN HAYES STREET AND SOUTH OF PEBBLE HILLS BOULEVARD.**

Motion passed.
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PUBLIC HEARING Rezoning Application:

- 3. **PZRZ15-00037:** Portion of Tract 3, Block 6, Christy Tract, City of El Paso, El Paso County, Texas
 - Location: 8040 Valley View
 - Zoning: R-F (Ranch-Farm)
 - Request: From R-F (Ranch-Farm) to S-D (Special Development)
 - Existing Use: Vacant
 - Proposed Use: Apartments
 - Property Owner: Jose M. Uresti
 - Representative: Jose M. Uresti
 - District: 7
 - Staff Contact: Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov

POSTPONED FROM JANUARY 28, 2016

***ACTION:** Motion made by Commissioner Ardivino, seconded by Commissioner Brannon, and unanimously carried to **POSTPONE PZRZ15-00037 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MARCH 10, 2016.**

Motion passed.

Gilbert Melendez noted that he has taken time out from his work to attend these meetings to oppose the rezoning of this property and twice this item has been postponed.

Carlos Gallinar noted that the applicant has not had a chance to meet with the residents and he has hired Mr. Ray Mancera to represent him. Mr. Mancera just got on board this week and this is the reason for the postponement.

For the record, ten residents were present at the meeting to speak on this item.

PUBLIC HEARING Detailed Site Development Plan Applications:

- 4. **PZDS15-00020:** Portion of Lot 9, Block 1, Country Place Estates, City of El Paso, El Paso County, Texas
 - Location: North of Country Club Road and East of Hunters Glenn Lane
 - Zoning: S-D/spc (Special Development/special protective conditions)
 - Request: Detailed Site Development Plan Review
 - Existing Use: Vacant
 - Proposed Use: Dwelling, attached single-family (Townhomes)
 - Property Owner: Country Place Estate 9, LLC
 - Representative: Bashar Abugalyon
 - District: 1
 - Staff Contact: Ryan Kirby, (915) 212-1586, kirbyrl@elpasotexas.gov

***ACTION:** Motion made by Commissioner Ardivino, seconded by Commissioner Brannon, and unanimously carried to **HEAR PZDS15-00020 AND ITEM 14 TOGETHER BUT TO HEAR ITEM 14 BEFORE ITEM 4.**

Motion passed.

Ryan Kirby, Planner, gave a presentation and noted that this is a request for a detailed site plan review. The property is 3.73 acres and is currently vacant. It is zoned S-D/spc (Special Protective Conditions). Only the first amended condition applies to this property and this development is in compliance. Access to the subject property is proposed from Country Club

Road. Staff has received no adverse comments from other departments and recommends approval with conditions stated in the staff report.

Carlos Gallinar noted that this application does not require a TIA because it is not a rezoning case.

Bashar Abugalyon 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 Madrid, seconded by Commissioner Ardivino, and unanimously carried to **APPROVE PZDS15-00020 WITH THE CONDITION THAT THE APPLICANT WORK WITH THE CITY'S DEPARTMENT OF TRANSPORTATION ON MITIGATING TRAFFIC CONCERNS.**

Motion passed.

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- 5. **PZDS16-00002:** All of Lot 9, Block 4, Hueco View Acres, City of El Paso, El Paso County, Texas
 - Location: 3524 George Dieter
 - Zoning: C-3/c/sc (Commercial/condition/special contract)
 - Request: Detailed Site Development Plan Review
 - Existing Use: Vacant
 - Proposed Use: Car Wash
 - Property Owner: Dominguez Properties LTD
 - Representative: Tommy Razloznik
 - District: 5
 - Staff Contact: Joaquin Rodriguez, 915-212-1608, rodriguezix3@elpasotexas.gov

Joaquin Rodriguez, Planner, gave a presentation and noted that the property is 1.7 acres in size and is currently vacant. The future land use map for this area is designated as G-4 suburban walkable. The reason for this review is to satisfy condition six of Ordinance 9126 of this property from R-4 to C-1 that was approved by City Council in 1987. At the time of this request, the first five conditions have been met and this is the only remaining condition to be met. The proposed development is a car wash facility. Staff recommends approval of the detailed site development plan request.

Tommy Razloznik 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 Landeros, seconded by Commissioner Ardivino, and unanimously carried to **APPROVE PZDS16-00002.**

Motion passed.

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PUBLIC HEARING Special Permit Applications:

6. **PZST15-00034:** Tract 3B1, Block 42, Ysleta Grant, City of El Paso, El Paso County, Texas
Location: 216 Emma Way
Zoning: R-4 (Residential)
Request: Special Use Permit to allow for a Group Residential Facility in R-4 (Residential) zone district and Infill Development Special Permit to allow for a parking reduction
Existing Use: Single-family dwelling
Proposed Use: Group Residential Facility
Property Owner: Bertha Patricia Solis
Representative: Vanessa Magdaleno
District: 6
Staff Contact: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov
POSTPONED FROM DECEMBER 17, 2015, AND JANUARY 28, 2016

***ACTION:** Motion made by Commissioner Ardivino, seconded by Commissioner Brannon, and unanimously carried to **POSTPONE PZST15-00034 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MARCH 10, 2016.**

Motion passed.

7. **PZST15-00041:** East ½ of Lot 11, all of Lots 12 and 13, Block 292, Pierce Finley Addition, City of El Paso, El Paso County, Texas
Location: 1024 E. River Avenue
Zoning: R-5 (Residential)
Request: Infill Development - to allow for cumulative front and rear yard setbacks reduction and a parking reduction
Existing Use: Single-family dwelling
Proposed Use: Duplex
Property Owner: Elguea Properties
Representative: Chris Elguea
District: 8
Staff Contact: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov
POSTPONED FROM JANUARY 28, 2016 AND FEBRUARY 11, 2016

Andrew Salloum, Planner, gave a presentation and noted that there are two revised staff reports for this item. The applicant is requesting a special permit for infill development and detailed site development plan review to reduce the cumulative front and rear yard setbacks for a duplex unit. A duplex is a permitted use in an R-5 zone district, however, the cumulative front and rear yard setbacks do not meet the setback requirements. The applicant is also requesting a 50% parking reduction as permitted by infill development. Staff did not receive any communication in support or opposition for the special permit request. Staff also did not receive any adverse comments from the reviewing departments. Staff recommends approval of the special permit request and acceptance of the detailed site development plan.

Chris Elguea 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 PZST15-00041**.

Motion passed.

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8. **PZST15-00044:** Portion of Tract 3, Block 6, Christy Tract, City of El Paso, El Paso County, Texas
Location: 8040 Valley View
Zoning: R-F (Ranch-Farm)
Request: Special Permit for Infill Development
Existing Use: Vacant
Proposed Use: Apartments
Property Owner: Jose M. Uresti
Representative: Jose M. Uresti
District: 7
Staff Contact: Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov
POSTPONED FROM JANUARY 28, 2016

***ACTION:** Motion made by Commissioner Ardivino, seconded by Commissioner Brannon, and unanimously carried to **POSTPONE PZST15-00044 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MARCH 10, 2016**.

Motion passed.

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9. **PZST16-00001:** Lot 169, Singh Addition Unit Three, City of El Paso, El Paso County, Texas
Location: 9339 Carranza Drive
Zoning: R-4 (Residential)
Existing Use: Vacant
Request: Infill Development - to allow for lot area, lot width, side yard setback, and parking reductions
Proposed Use: Duplex
Property Owner: Chris Alderete
Representative: Juan Alderete
District: 6
Staff Contact: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

Andrew Salloum, Planner, gave a presentation and noted that there is a revised staff report for this item. The applicant is requesting a special permit for infill development and detailed site development plan review to reduce the lot area, lot width, and side yard setback for a duplex unit. A duplex is a permitted use in an R-4 zone district, however, the lot area, side width, and side setbacks do not meet the requirements. Infill development permits an automatic 50 percent parking reduction. The detailed site development plan complies with all other density and dimensional standards. Access to the subject property is proposed off of Carranza Drive. Staff received one letter in opposition to the special permit request stating that they do not want the duplex in their well established neighborhood and are concerned with the increase in traffic, crime, and safety. Staff did not receive any adverse comments from the reviewing departments. Staff recommends approval of the special permit request and acceptance of the detailed site development plan.

Juan Alderete 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.

1ST MOTION:

ACTION: Motion made by Commissioner Perez, seconded by Commissioner Livingston, and carried to **APPROVE PZST16-00001.**

AYES: Commissioner Desai, Brannon, Perez, Madrid, and Livingston

NAYS: Commissioner Landeros, and Ardivino

ABSTAIN: N/A

ABSENT: Commissioner Bustamante

NOT PRESENT FOR THE VOTE: N/A

Motion passed. (5 -2 vote)

2ND MOTION:

ACTION: Motion made by Commissioner Landeros, seconded by Commissioner Brannon, and unanimously carried to **RECONSIDER ITEM #9.**

Motion passed.

Commissioner Landeros noted that he asked for the reconsideration on this item because there was a misunderstanding on his part concerning the lot size. He wants to show his support for the special permit.

3RD MOTION:

ACTION: Motion made by Commissioner Landeros, seconded by Commissioner Brannon, and carried to **APPROVE PZST16-00001 ULTIMATELY ALLOWING COMMISSIONER LANDEROS TO CHANGE HIS VOTE.**

AYES: Commissioner Desai, Brannon, Perez, Madrid, Landeros, and Livingston

NAYS: Commissioner Ardivino

ABSTAIN: N/A

ABSENT: Commissioner Bustamante

NOT PRESENT FOR THE VOTE: N/A

Motion passed. (6 – 1 vote)

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PUBLIC HEARING Zoning Condition Release Application:

- 10. **PZCR15-00008:** A portion of Lots 93 through 96, Block 7, Eastside Industrial District Unit Two, an addition to the City of El Paso, El Paso County, Texas
 - Location: 1031 Hawkins Blvd.
 - Zoning: M-1/sc (Manufacturing/special contract)
 - Request: Release of all conditions imposed by special contract dated October 23, 1956
 - Existing Use: Manufacturing
 - Proposed Use: Manufacturing
 - Property Owner: MAST Partners LP
 - Representative: Charlie Gomez
 - District: 3
 - Staff Contact: Alfredo Austin, (915) 212-1604, austinaj@elpasotexas.gov
- POSTPONED FROM FEBRUARY 11, 2016**

Alfredo Austin, Planner, gave a presentation and noted that there is a revised staff report for this item. The applicant is requesting to release all conditions imposed on the property by special contract. The conditions imposed by the rezoning special contract are either current code requirements, are no longer applicable, or have been satisfied. The proposed use shall comply with all El Paso City Code requirements prior to the issuance of a certificate of occupancy. Staff has not received any communications in support or opposition to this request. Staff recommends approval of the condition release request as the conditions are either current code requirements, are no longer necessary or have been satisfied.

Georges Halloul 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.

MOTION: Motion made by Commissioner Livingston, seconded by Commissioner Ardivino, and unanimously carried to **APPROVE PZCR15-00008.**

Motion passed.

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Other Business:

- 11. Museums and Cultural Affairs Department, Public Arts Plan
 - a. Patricia Dalbin, Public Art Program Manager, (915) 212-1776, dalbinp@elpasotexas.gov

Carlos Gallinar, Deputy Director for Planning & Inspections, noted that this is part of the Section 2.08 of the Municipal Code that states that the City Plan Commission has purview over Public Arts.

Patricia Dalbin, Public Arts Manager, gave a presentation on the Public Arts Annual Plan and noted some of the projects that are in progress. She answered questions from the commission.

NO ACTION WAS TAKEN ON THIS ITEM.

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- 12. Discussion and action on an ordinance amending Title 20 (Zoning), Chapter 20.14 (Off-Street Parking, Loading, and Storage Standards), Article I. Vehicular Parking; Section 20.14.050 (Parking Requirements and Standards), Appendix C (Table of Parking Requirements and Standards) to reduce the minimal parking requirements for vehicular parking
Staff Contact: Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov

Michael McElroy, Planner, gave a presentation and noted that the amendment proposes to reduce the required amount of off-street parking for all uses, except residential, by 20 percent. By doing so, the City can provide more flexibility in site design and a more cost-effective approach to development and redevelopment. Such a reduction is not expected to negatively impact the adequate provision of parking for such uses or the public in general. Plan El Paso's Goal 4.10 requires the strategic management of off-street parking to help achieve desirable transportation and regional land use patterns. The proposed amendment assists businesses by avoiding a complicated and costly administrative or public process to achieve a moderate reduction in parking which is frequently required for development and which is routinely approved.

He answered questions from the commission.

ACTION: Motion made by Commission Brannon, seconded by Commissioner Livingston, and unanimously carried to **APPROVE THE PROPOSED ORDINANCE.**

Motion passed.

- 13. Discussion and action on an Ordinance repealing an Ordinance granting the vacation of a portion of Mills Avenue, Anson Mills Map, City of El Paso, El Paso County, Texas
Staff Contact: Nelson Ortiz, (915) 212-1606, ortiznx@elpasotexas.gov

Nelson Ortiz, Senior Planner, gave a case history on this ordinance. This is a city initiated effort to repeal Ordinance # 016895 which granted the vacation of a public vehicular use over a portion of Mills Avenue. If repealed, the subject area will reopen to vehicular traffic. On July 28, 2015, the City Council directed staff to repeal the ordinance that is being discussed today. He noted that staff had a meeting with various members of the public. Internal and external entities were invited and no adverse comments were received. Most of the comments received were in favor of the repeal of this ordinance.

Kimberly Forsyth, Program Manager for Planning & Inspections, noted that back in 2008, the reason for the ordinance that vacated the vehicular entrance was the intent that the entire right-of-way be used as a pedestrian mall with fountains, benches, and landscaping, however, the abutting property owner, when they submitted their application to vacate, had reduced the scope of their development and their improvements to only being the sidewalk areas. It was no longer necessary for the pavement area to be vacated to vehicular interest. Repealing it would open up to another vehicular connection.

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 Landeros, and carried to **APPROVE THE REPEAL OF AN ORDINANCE GRANTING THE VACATION OF A PORTION OF MILLS AVENUE.**

AYES: Commissioner Desai, Brannon, Madrid, Landeros, and Livingston

NAYS: Commissioner Perez, and Ardovino

ABSTAIN: N/A

ABSENT: Commissioner Bustamante

NOT PRESENT FOR THE VOTE: N/A

Motion passed. (5 – 2 vote)

- 14. Discussion and action of an ordinance amending the Future Land Use Map contained in "Plan El Paso" for the Northwest Upper Valley Plan to modify the land use designation from very low density residential to mixed use for the property legally described as a Portion of Lot 9, Block 1, Country Place Estates, North of Country Club Road and East of Hunters Glenn Lane, City of El Paso, El Paso County, Texas.
Staff Contact: Ryan Kirby, (915)-212-1586, kirbyrl@elpasotexas.gov

***ACTION:** Motion made by Commissioner Ardovino, seconded by Commissioner Brannon, and unanimously carried to **HEAR PZDS15-00020 AND ITEM 14 TOGETHER BUT TO HEAR ITEM 14 BEFORE ITEM 4.**

Motion passed.

Carlos Gallinar introduced Bryan Kirby, Planner, to the commission as a new staff member to the Planning Department under the Long Range Section.

Ryan Kirby, Planner, gave a presentation and noted that there is a revised staff report for this item. He noted that this is an ordinance amending the Northwest Upper Valley Plan within Plan El Paso changing the designation within the plan for the subject property from "very low density residential" to "mixed use". Staff has not received any correspondence in support or objection to the amendment. Staff recommends approval as the amendment will help further the goals of Plan El Paso, the City's Comprehensive Plan.

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 Perez, and unanimously carried to **APPROVE THE FUTURE LAND USE MAP.**

Motion passed.

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- 15. Planning Report:
 - a. CPC By-Laws

***ACTION:** Motion made by Commissioner Ardivino, seconded by Commissioner Brannon, and unanimously carried to **POSTPONE THE CPC BY-LAWS FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MARCH 10, 2016.**

Motion passed.

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ADJOURNMENT:

Motion made by Commissioner Brannon, seconded by Commissioner Ardivino, and unanimously carried to adjourn this meeting at 3:18 p.m.

Approved as to form:



Carlos Gallinar, Executive Secretary, City Plan Commission