CITY PLAN COMMISSION MEETING
1ST FLOOR CITY COUNCIL CHAMBERS
MARCH 13, 2014
1:30 P.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 Wright present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:
Commissioner Loweree
Commissioner Brannon
Commissioner Wright
Commissioner Erickson
Commissioner Grambling

COMMISSIONERS ABSENT:
Commissioner Amoriello
Commissioner Ardovino
Commissioner Madrid

AGENDA

Commissioner Erickson read the rules into the record. David Coronado, City Development Program Manager, noted that there are no revisions to the agenda.

No action was taken.

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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:

PUBLIC HEARING Rezoning Applications:

1.	**PZRZ13-00044:**	Lots 4 thru 10, Block 114, Campbell Addition, City of El Paso, El Paso County, Texas
	Location:	501, 503, 505, 511, and 513 S. Campbell Street
	Zoning:	A-3 (Apartment)
	Request:	From A-3 (Apartment) to G-MU (General Mixed Use)
	Existing Use:	Multi-family dwellings (to be demolished)
	Proposed Use:	Commercial and Multi-family Mixed Use
	Property Owners:	Eduardo & Josephina Soto
	Representative:	Eugenio Mesta, EXIGO
	District:	8
	Staff Contact:	Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

Andrew Salloum, Planner, gave a presentation and noted that staff is recommending approval of rezoning the subject property and approval of the Master Zoning Plan. The recommendation is based on the compatibility with the surrounding land uses and in compliance with the Plan El Paso future land use designation.

Staff received two phone calls and one email in opposition to this rezoning request stating that the commercial use would affect the residential character of the neighborhood.

Staff is recommending approval of the rezoning request based on the compatibility with the surrounding land uses and in compliance with the Plan El Paso future land use designation.

Eugenio Mesta, architect representing the owners, concurred with staff's comments. He feels this will be an enhancement to the area.

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

Sam Borella expressed concerns about parking and the sale of alcohol.

Karla Nieman noted that the zoning code prohibits the sale of alcohol within 300 feet of a day care and school. There is a provision in the code that allows City Council to waive that provision if the applicant decides to sell alcohol or liquor at their establishment.

Carlos Gallinar, Deputy Director for City Development – Planning, noted that there was a parking study done that showed that there is adequate parking at a ratio of one parking space per unit. The applicant has asked staff to work with them and DOT to look at angle parking along Campbell.

ACTION: Motion made by Commissioner Loweree, seconded by Commissioner Erickson, and unanimously carried to **APPROVE PZRZ13-00044 AND APPROVE THE MASTER ZONING PLAN.**

Motion passed.

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2.	**PZRZ14-00002:**	Tracts 15, 15A, 15B and 16D, Block 52, Ysleta Grant, City of El Paso, El Paso County, Texas
	Location:	1139, 1149, & 1175 Southside Road
	Zoning:	R-F (Ranch-Farm)
	Request:	R-F (Ranch-Farm) to C-4 (Commercial)
	Existing Use:	Agriculture
	Proposed Use:	Warehousing / Veterinary Clinic / Church
	Property Owners:	Karina Ruiz Sanchez, Guadalupe Daniel Ruiz, & Daniel Ruiz
	Representative:	Roman Bustillos
	District:	6
	Staff Contact:	Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov

Michael McElroy, Planner, gave a presentation and stated that staff is recommending approval of the rezoning request based on the compatibility with both existing land use and future growth patterns.

Roman Bustillos with Brock & Bustillos, representing the Ruiz family, concurred with staff's comments.

Commissioner Wright 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 Loweree, and unanimously carried to **APPROVE PZRZ14-00002.**

Motion passed.

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3.	**PZRZ14-00009:**	Westerly half of Block 31, Lots 17-20, and portion of lot 16, of Alexander Addition, an Addition to the City of El Paso, El Paso County, Texas
	Location:	401 & 405 E. River
	Zoning:	A-2 (Apartment)
	Request:	A-2 (Apartment) to GMU (General Mixed-Use)
	Existing Use:	Duplex & Single Family Home
	Proposed Use:	Apartments / Retail
	Property Owners:	Eduardo & Josephina Soto
	Representative:	Eugenio Mesta
	District:	8
	Staff Contact:	Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov

Michael McElroy, Planner, noted that there is a revised staff report for this request. Staff received one phone call, one letter, and a petition with twenty-three (23) signatures in opposition to this rezoning request.

He stated that staff is recommending approval of the rezoning request and acceptance of the Master Zoning Plan based on the compatibility with existing commercial and apartment zoning in the area and the Future Land Use Map.

Carlos Gallinar, Deputy Director for City Development – Planning, addressed some of the concerns expressed by the residents who signed the petition regarding several uses.

He noted that the following are permitted uses in the current zoning.

- Cell phone towers
- Transitional housing
- Day Care
- Community Facility
- Laundry or Laundromat
- Duplex
- Quadruplex, and
- ATM

Mr. Gallinar addressed each of uses individually.

- Cell phone towers is currently allowed in an A-2
- A Transitional Housing is permitted in an A-2 with a special permit
- A Day Care is also permitted with a special permit
- The Community Facility is permitted outright
- The Laundry or Laundromat is also permitted with a special permit
- A duplex and quadruplex is also permitted outright, and
- The ATM is permitted as an accessory use, which means it has to be part of a bank or apartment complex. It can not be it's own primary use.

He noted that applicant has to propose several uses in the Master Zoning Plan as part of the GMU.

- The cell towers and the transitional housing are not in the MZP
- The Day Care is not part of the permissible uses that he is asking for
- The Community Facility is not in the MZP
- The Laundry or Laundromat is part of the MZP but it is an accessory use to the apartment complex
- The duplex, the quadruplex, and the ATM are not included in the uses that the applicant is requesting. He noted that the applicant, with the exception of one use, is excluding many of those uses.

Eugenio Mesta with EXIGO Architects, representing the applicants, concurred with staff's comments. He feels this will be a great improvement to the neighborhood.

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

- Bates Gaddy noted that when they bought the property they were told that there was a special provision put on the retaining wall. He asked what would happen to those retaining portions of the wall and/or the entire wall if the applicant proposes a "0" lot line. Without those provisions it could hinder their property. He also expressed concern about parking.
- Martha Berry spoke in opposition to this request expressing concern about traffic and noted that parking is very limited. She noted that most of the people that signed the petition opposing this rezoning request are elderly and/or handicap and could not attend the meeting.
- Beatrice Lynch spoke in opposition to the rezoning of this request expressing concern about the increase in traffic and the close proximity of the schools.
- Rose De Leon also spoke in opposition to the rezoning of this request expressing concern about increased traffic.

Mr. Mesta addressed the concerns of those speaking against this request. He noted that the parking issue has already addressed and that they will not be making any changes to the retaining wall. He noted that each individual unit has two parking spaces except for one and the

retail is only 800 square feet. Dumpsters will be located in the alley. He stated that this will not be a detriment to the neighborhood but a plus.

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Erickson, and unanimously carried to **APPROVE PZRZ14-00009 AND APPROVE THE MASTER ZONING PLAN.**

Motion passed.

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PUBLIC HEARING Detailed Site Development Plan Application:

4.	**PZDS14-00003:**	A portion of Lot 3, Block 10, I-10 Industrial Park Replat "A", City of El Paso, El Paso County, Texas
	Location:	1140 Burgundy Drive
	Request:	Detailed Site Development Plan Review per Ordinance No. 5643 dated November 20, 1975
	Zoning:	C-4/sc (Commercial/special contract)
	Existing Use:	Vacant
	Proposed Use:	Office Warehouse
	Property Owner:	Ruben Cepeda Mendoza
	Representative:	Eric Perea, New Republic Architects
	District:	6
	Staff Contact:	Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

Andrew Salloum, Planner, gave a presentation and noted that staff is recommending approval of the detailed site development plan request as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan.

Eric Perea with New Republic Architects, concurred with staff's comments.

Commissioner Wright 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 Grambling, seconded by Commissioner Loweree, and unanimously carried to **APPROVE PZDS14-00003.**

Motion passed.

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PUBLIC HEARING Special Permit Application:

5.	**PZST14-00004:**	Parcel A: A portion of Tract 4A, Section 11, Block 81, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas Parcel B: A portion of Tract 1, Section 12, Block 81, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, and Parcel C: A portion of Tract 1, Section 12, Block 81, Township 1, Texas and Pacific Railway Company Surveys and Tract 4A, Section 11, Block 81, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas
	Location:	South of Stan Roberts Sr. Avenue and West of McCombs Street
	Zoning:	M-2/c (Manufacturing/conditions) and R-F (Ranch and Farm)
	Request:	Special Permit to allow for a Major Utility Facility
	Existing Use:	Vacant

Proposed Use:	Solar Major Utility Facility
Property Owner:	City of El Paso/EPWU/PSB
Representative:	Sarah Davis (juwi)
District:	4
Staff Contact:	Arturo Rubio, (915) 212-1613, rubioax@elpasotexas.gov

Art Rubio, Senior Planner, gave a presentation and noted that staff is recommending approval of the special permit and detailed site development plan review request, as it complies with the requirements of Section 20.04.320 special permit and 20.04.150 detailed site development plan.

Sarah Davis and Dan Foster on behalf of Newman Solar gave a background on their company juwi. Solar Inc., and answered questions from the commission.

Commissioner Wright 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 Erickson, seconded by Commissioner Loweree, and unanimously carried to **APPROVE PZST14-00004.**

Motion passed.

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PUBLIC HEARING Zoning Condition Release Applications:

6.	**PZCR13-00012:**	Lots 1 and 2, Block 1, Eastwood Heights Unit V, Replat "C", City of El Paso, El Paso County, Texas
	Location:	10400 Montwood Drive
	Zoning:	C-1/sc (Commercial/Special contract)
	Request:	Release of all conditions imposed by Ordinance No.3962, Ordinance No. 4976, and Ordinance No. 5237
	Existing Use:	Bank
	Proposed Use:	Bank
	Property Owner:	WestStar Bank
	Representative:	Conde, Inc.
	District:	7
	Staff Contact:	Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov

Michael McElroy, Planner, noted that there is a revised staff report for this item.

Staff is recommending approval of the special permit and detailed site development plan review request, as it complies with the requirements of Sections 20.04.320 special permits and 20.04.150 detailed site development plan.

Conrad Conde with Conde, Inc., concurred with staff's comments.

Commissioner Wright 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 Loweree, and unanimously carried to **APPROVE PZCR13-00012 WITH THE CONDITION THAT THE APPLICANT PROVIDE A 10' LANDSCAPE BUFFER ADJACENT TO ANY RESIDENTIAL, IN ADDITION TO LANDSCAPING AT THE INTERSECTION OF TWO MAJOR ARTERIALS, AND EXISTING AMONG SIMILAR NEIGHBORHOOD SERVING COMMERCIAL PROPERTIES.**

Motion passed.

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7.	**PZCR14-00001:**	A Portion of A.F. Miller Survey no. 214 N/K/A Tract 35, A.F. Miller Survey No. 214, City of El Paso, El Paso County, Texas
	Location:	111 Rio Flor
	Zoning:	C-OP/sc (Commercial-Office Park/special contract)
	Request:	Release of special contract imposed by Ordinance No.7544, dated July 20, 1982
	Existing Use:	Dance Studio
	Proposed Use:	Dance Studio
	Property Owner:	Maria Ovalle
	Representative:	Maria Ovalle
	District:	8
	Staff Contact:	Michael McElroy, (915) 212-1612, mcelrovms@elpasotexas.gov

Michael McElroy, Planner, gave a presentation and noted that staff is recommending releasing the condition limiting the use of the property solely to a dance studio as it is no longer necessary. Immediately located among multifamily, community serving commercial, and residential zoning districts, the subject property is appropriate for the full range of C-OP (Commercial Office Park) uses.

Javier Soto, representing the owner, concurred with staff's comments.

Commissioner Wright 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 Loweree, seconded by Commissioner Erickson, and unanimously carried to **APPROVE PZCR14-00001.**

Motion passed.

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Subdivision Applications:

SUBDIVISION MAP APPROVAL:

NOTICE TO THE PUBLIC AND APPLICANTS:
The staff report for an agenda item may include conditions, exceptions, or modifications. The Commission's motion to approve an item in accordance with the staff report or with all staff comments means that any modifications, waivers, exceptions requested by the applicant and recommended for approval by staff and any staff recommended conditions, have been approved, without necessitating that the Commission restate the modifications, exceptions, waivers, or conditions as part of the motion to approve and that any findings required to be made by the Commission, have been made. If the Commission does not wish to approve an exception or modification, or require a condition, then the Commission's motion will state which have not been approved, otherwise, the staff report, with all modifications, exceptions and conditions, is approved and the applicant shall comply with all provisions of the staff report.

Major Preliminary:

8.	**SUSU14-00010:**	Ventanas Subdivision Unit Seven – A portion of Tract 1 and all of Tract 1F, Section 46, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas
	Location:	East of Tierra Este and North of Cozy Cove
	Property Owner:	GFA, LLC
	Representative:	CEA Group

District:	5
Staff Contact:	Nelson Ortiz, (915) 212-1606, ortiznx@elpasotexas.gov

Nelson Ortiz, Planner, gave a presentation and noted that staff is recommending approval of the modifications and approval of Ventanas Subdivision Unit Seven.

Jorge Ascarate with CEA Group concurred with staff's comments.

Commissioner Wright 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 Loweree, and unanimously carried to **APPROVE SUSU14-00010.**

Motion passed.

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9.	**SUSU14-00013:**	Haciendas Del Rio 1,2,3 –Tracts 3B, 3C, 3D1 & A 30 Foot County ROW, Block 16, and Tracts 1B and 1D, Block 13 of Upper Valley Surveys, El Paso County, Texas
	Location:	North of Borderland and West of Doniphan
	Property Owners:	County of El Paso; Haciendas Del Rio Partners L.P.
	Representative:	CAD Consulting
	District:	ETJ
	Staff Contact:	Alejandro Palma, (915) 212-1607, palmaaj@elpasotexas.gov

Alejandro Palma, Planner, noted that there is a revised staff report for this request and noted that staff is recommending approval of the modifications and approval of Haciendas Del Rio Units 1, 2 & 3 on a Major Preliminary basis, subject to the following requirement: **That the City Plan Commission require the applicant to landscape the parkway at the rear of all double frontage lots along Shrahan Road.**

Enrigue Ayala with CAD Consulting concurred with staff's comments.

Commissioner Wright 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 Loweree, seconded by Commissioner Erickson, and unanimously carried to **APPROVE SUSU14-00013 WITH THE CONDITION THAT THE APPLICANT LANDSCAPE THE PARKWAY AT THE REAR OF ALL DOUBLE FRONTAGE LOTS ALONG STRAHAN ROAD.**

Motion passed.

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Major Final:

10.	**SUSU14-00011:**	The Paseos at Mission Ridge 3 – A portion of Section No. 22, Block 79, Township 3, Texas and Pacific Railway Company Surveys, El Paso County, Texas
	Location:	West of Darrington and South of Paseo Del Este
	Property Owners:	State of Texas G.L.O.
	Representative:	CEA Group
	District:	ETJ
	Staff Contact:	Nelson Ortiz, (915) 212-1606, ortiznx@elpasotexas.gov

Nelson Ortiz, Planner, noted that there is a revised staff report for this item. Staff is recommending approval of the modifications and approval of The Paseos at Mission Ridge 3 with the following comment: **That the City Plan Commission require the applicant to landscape the parkway at the rear of all double frontage lots along Paseo Del Este Blvd, and Darrington Road.**

Jorge Azcarate with CEA Group concurred with staff's comments.

Commissioner Wright 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 Loweree, seconded by Commissioner Grambling, and unanimously carried to **APPROVE SUSU14-00011 WITH THE CONDITION THAT THE APPLICANT LANDSCAPE THE PARKWAY AT THE REAR OF ALL DOUBLE FRONTAGE LOTS ALONG PASEO DEL ESTE BLVD, AND DARRINGTON ROAD.**

Motion passed.

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11.	**SUSU14-00014:**	Haciendas Del Rio Unit One – Tracts 3B, 3C, 3D1 & A 30 Foot County ROW, Block 16, and Tracts 1B and 1D, Block 13 of Upper Valley Surveys, El Paso County, Texas
	Location:	North of Borderland and West of Doniphan
	Property Owners:	County of El Paso; Haciendas Del Rio Partners L.P.
	Representative:	CAD Consulting
	District:	ETJ
	Staff Contact:	Alejandro Palma, (915) 212-1607, palmaal@elpasotexas.gov

ACTION: Motion made by Commissioner Brannon, seconded by Commission Loweree, and unanimously carried to **HEAR ITEM #11 AFTER ITEM #9.**

Motion passed.

Alejandro Palma, Planner, gave a presentation and noted that there is a revised staff report for this request.

Staff is recommending approval of the modifications and approval of Haciendas Del Rio Unit One on a Major Final basis, subject to the following requirement: **That the City Plan Commission require the applicant to landscape the parkway at the rear of all double frontage lots along Strahan Road.**

Enrique Ayala with CAD Consulting concurred with staff's comments.

Commissioner Wright 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 Loweree, seconded by Commissioner Brannon, and unanimously carried to **APPROVE SUSU14-00014 WITH THE CONDITION THAT THE APPLICANT LANDSCAPE THE PARKWAY AT THE REAR OF ALL DOUBLE FRONTAGE LOTS ALONG STRAHAN ROAD.**

Motion passed.

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PUBLIC HEARING Resubdivision Combination:

12.	**SUSU14-00009:**	Country Club Place Southside Replat A – A portion of Tract "C", the Country Club Place Southside, City of El Paso, El Paso County, Texas
	Location:	West of Riverbend and South of Sunset
	Property Owner:	L W Sunset Properties, LLC
	Representative:	Roe Engineering
	District:	8
	Staff Contact:	Alfredo Austin, (915) 212-1604, austinaj@elpasotexas.gov

Alfredo Austin, Planner, noted that there is a revised staff report for this item.

Staff is recommending approval of the exception requests to allow a panhandle lot and to allow a panhandle lot exceeding 100%.

Bradley Roe with Roe Engineering concurred with staff's comments.

Commissioner Wright 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 Loweree, and unanimously carried to **APPROVE SUSU14-00009.**

Motion passed.

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Other Business:

13. Discussion and action on the City Plan Commission minutes for:
February 27, 2014

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Erickson, and unanimously carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR FEBRUARY 27, 2014.**

Motion passed.

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14. **Discussion:** Items for future agendas.

No action was taken on this item.

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15. Legal Report:
Open Government Training

Karla Nieman, Assistant City Attorney, noted that the City Attorney's Office will be presenting the videos provided by the Texas Attorney General to provide Open Meetings Act and the Public Information Act Training. The Open Meetings Act video will be shown on Wednesday, April 2, 2014, from 10:00am to 12 noon. The Public Information Act video will be shown on Thursday, April 3, 2014, from 2:0pm to 4:30 pm. She encouraged the commission to watch the videos and submit proof to the City Plan Commission secretary. Under the ordinance, each member is required to take these trainings every three years.

No action was taken on this item.

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ADJOURNMENT:

Motion made by Commissioner Brannon, seconded by Commissioner Grambling, and unanimously carried to adjourn this meeting at 3:31 p.m.

Approved as to form:

Carlos Gallinar, Executive Secretary, City Plan Commission