CITY PLAN COMMISSION MEETING
CITY COUNCIL CHAMBERS, 300 N. CAMPBELL
MAY 16, 2013
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 Nance present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:
Commissioner De La Cruz
Commissioner Wright
Commissioner Borden
Commissioner Brandrup
Commissioner Nance
Commissioner Amoriello
Commissioner Ardovino
Commissioner Schauer
Commissioner Reveles

AGENDA

Commissioner Borden read the rules into the record. David Coronado, City Development Program Manager, read the revisions to the agenda into the record.

***ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Amoriello, and unanimously carried to **APPROVE** the agenda as amended.

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

There were no items under the Consent Agenda.

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III. REGULAR AGENDA - DISCUSSION AND ACTION:

PUBLIC HEARING Rezoning Applications:

1.	**PZRZ13-00009:**	All of Lot 2 and a portion of Lots 1 and 3, University Center as filed in Volume 23, Page 35, El Paso County Deed Records, El Paso County, Texas
	Location:	North of the Don Haskin's Center, south of Kern Dr., west of Mesa St. and east of Sun Bowl Dr.
	Zoning:	C-3 (Commercial) and C-1 (Commercial)
	Request:	From C-3 (Commercial) and C-1 (Commercial) to SCZ (SmartCode Zone)
	Existing Use:	Surface Parking Lot and Mobile Office / Storage Units and Storage Yard related to construction operations.
	Proposed Use:	Infill Regional Center Development – Transit Oriented Development.
	Property Owner:	Board of Regents of the University of Texas System
	Representative:	TRE & Associates, LLC c/o Linda Troncoso
	District:	8
	Staff Contact:	Elizabeth Gibson, (915) 541-4730, **gibsonek@elpasotexas.gov**

Elizabeth Gibson, Lead Planner, noted that staff received one phone call for informational purposes only and did not received any letters or phone calls in favor or in opposition to this request.

Linda Troncoso with TRE & Associates 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 Ardovino, and unanimously carried to **APPROVE PZRZ13-00009.**

Motion passed.

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2.	**PZRZ12-00044:**	Parcel 1: Lots 1-2 and 4-5, Block 1, Del Mesa Additions, City of El Paso, El Paso County, Texas Parcel 2: A portion of Tract 4-C-1, Morehead Survey, City of El Paso, El Paso County, Texas Parcel 3: A portion of 4-C-1, Morehead Survey, City of El Paso, El Paso County, Texas Parcel 4: Lots 1-2, Block 1, V.A.L. Tract, City of El Paso, El Paso County, Texas
	Location:	Parcel 1: 5305 and 5331 Montana Avenue Parcel 2: 1015 Chelsea Street Parcel 3: 1012 Cardon Street Parcel 4: 1039 Chelsea Street
	Zoning:	Parcel 1: C-2 (Commercial) Parcel 2: C-2/sp (Commercial/special permit) Parcel 3: R-4/sp (Residential/special permit) Parcel 4: C-1/c/sp (Commercial/conditions/special permit)
	Request:	Parcel 1: C-2 (Commercial) to GMU (General Mixed Use) Parcel 2: C-2/sp (Commercial/special permit) to GMU (General Mixed Use)

	Parcel 3: R-4/sp (Residential/special permit) to GMU (General Mixed Use) Parcel 4: C-1/c/sp (Commercial/conditions/special permit) to GMU (General Mixed Use)
Existing Use:	Parcel 1: Restaurant Parcel 2: Animal Clinic Parcel 3: Single-family dwelling Parcel 4: Vacant
Proposed Use:	Wal-Mart Neighborhood Market
Property Owners:	Chicos Tacos, Inc., Mora Holdings, LLC, and Omega Paving Contractors, Inc.
Representative:	Dunaway Associates, L.P. c/o Chris Biggers
Rep District:	2
Staff Contact:	Alex Hoffman, (915) 541-4638, **hoffmanap@elpasotexas.gov**

1ST MOTION:
***ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Amoriello, and unanimously carried to **HEAR ITEMS 2 AND 7 TOGETHER.**

Motion passed.

Alex Hoffman, Lead Planner, noted that staff is recommending approval of the rezoning with conditions.

The Commission asked questions regarding traffic issues, elevations for the site, landscaping, and lighting and how it may affect the neighborhood.

RECESS:

ACTION: Motion made by Commissioner Nance, seconded by Commissioner De La Cruz, and unanimously carried to **RECESS THE CITY PLAN COMMISSION MEETING AT 3:00 P.M.**

Motion passed.

RECONVENE:

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Ardovino, and unanimously carried to **RECONVENE THE CITY PLAN COMMISSION MEETING AT 3:15 P.M.**

Motion passed.

Tom Galbreath, Executive Vice-President for Dunaway Associates, representing Wal-Mart gave a power point presentation with changes made to their previous presentation. He answered questions from the Commission.

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

The following people spoke in favor to this request.
- Richard Dayoub from the Greater El Paso Chamber, and
- Cindy Ramos Davidson, CEO for the Hispanic Chamber of Commerce

The following people spoke in opposition to the request.
- David Ochoa
- Ceaser Cortez, Block Captain for the Neighborhood Watch
- Marta Cortez

- Nancy Ontiveros
- Tim Tolbert
- Rita Villanueva
- Ruben Flores works at Albertson's
- Stanley Santos, President for Food City Super Markets
- Angelica Talavera, Community Representative for Food City Super Markets, noted that the United Neighborhood Association, Austin Neighborhood Association, and the Radford Neighborhood Association are all in opposition to this request

RECESS: The Commission took a five (5) minute break.

The following people also spoke in opposition to this request.

- Jim Martinez
- Carlos Loweree, Vice President for Food City Super Markets
- Matthew Loweree, Budget Analyst for Food City
- Guadalupe Martinez
- Beatriz Baeza
- Martin Silva, Small Business Owner
- Edward Beck (submitted a petition with 340 signatures of property owners opposing this request)
- Oscar Gonzalez, owner of Jr. Produce
- Ruben Sandoval
- Walt Monair, and
- Carlos Loweree, III

The following people also spoke in favor of this request.

- Abel Rodriguez
- Federico De Alba, and
- Rischer Gilbert representing Chicos Tacos

Anthony Do from the Traffic Department noted that a TIA had been made as part of the rezoning application and noted that there are obvious site and zoning issues. He also noted that the TIA was done during peak hours in the morning and evening. The TIA showed concern with the driveway for vehicles turning left on Montana.

Tom Galbreath made his rebuttal.

ACTION: Motion made by Commissioner Borden, seconded by Commissioner Ardovino, and carried to **DENY PZRZ12-00044 AND PZCR13-00004.**

AYES: Commissioner De La Cruz, Borden, Brandrup, Armoriello, Ardovino, and Reveles
NAYS: Commissioner Wright, Nance, and Schauer

Motion passed to **DENY**. (6-3 vote)

ACTION: Motion made by Commissioner Nance, seconded by Commissioner Reveles, and unanimously carried **TO ALLOW COMMISSIONER NANCE TO SUBMIT A MINORITY REPORT.**

Motion passed.

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3. **PZRZ12-00036:** A 528.58 acre tract of land including Kennedy Brothers Memorial; Gall Subdivision; Tracts 16A, 16B, 16C, 16D, 20, 20A, 21A, 21A1, 21B1, 21C, 21C1, 21C1C1, 21C1D, 21C1C2,

21C1B, 21C1B1, 21D, 21D1, 21E, 21E1, 21F, 21F1, 22A, 22B, 22B1, 22B1A, 23A, 23B, 23B1, 23C, 23D, 28A, 28A1, 28B, 28C, 28D, 30B, 30C, Block 8, Ysleta Grant; Tracts 13A, 13B, 13D, Block 35, Ysleta Grant; Tract 26, Block 36, Ysleta Grant; Tracts 2, 3A, 3C, 3D, 3E, 4A, 5, 6A, 6B, 7A, 7B, 8A, 8B, 8C, 8D, 8E, 8F, 8F1, 8G, 8H, 8J, 8K, 10, 11A, 11B, 11B1, 11C, 11D, 11E, 11E1, 11E2, 11E1A, 11E1B, 11F, 11G, 11J, 11K, 11L, 11M, 11N, 11P, 11R, 11S, 11T, 11U, 12, 12A, 13A, 13C, 13H, 14, 15, 16, 17, 17A, 18, 19, 19A, 20, 21A, 21B, 22B, 29A, 29B, 29B1, 29B1A, 29B1B, 29B1C, 29B1D, 29C, 30A, 30B, 30C, 32B, 32D, 33A, 33B, 34A, 34B, 35A, 35B, 37A, 38, 39A, 39B, 39C, 40, 41, 43, 44, 45, 46A, 46B, 46C, 46C1, Block 37, Ysleta Grant; Tracts 1, 2A, 2B1, 2B2, 2B3, 2B4, 2B5, 3A, 3B, 3C, 4A, 4C, 4C3, 4C4, 4C5, 4D, 4D1, 4D1A, 4D2, 4D2A, 4D3, 4D3A, 4D4, 4D4A, 4D5, 4D5A, 5, 18A, 18G, 18H, 19B, 19C, 19D, 19E, 19F19G, 19G1, 19G1B, 19H, 23A, 23B, 23B1, 23C, 23C1, 23D1, 24, Block 38, Ysleta Grant; Tracts 2, 3A, 3B, 3D, 4A, 4B, 4C, 4CA, 4C1B, 4D, 4D1, 4E, 4E1, 4F, 5C, 5C6, 6A, 6B, 6C1, 6C2, 7A, 8A, 9A, 9B, 10A, 10B, 10C, 10C1, 10C2, 10D, 10E, 10F, 10G, 10H, 11A, 11B, 12A, 12B, 12C, 13A, Block 39, Ysleta Grant; Tract 3C, 3C1, 5B, 5C4, 5C6, Block 40, Ysleta Grant; Tracts 1, 2A, 2B, 3A, 3B, 3B1, 3B2, 3B3, 4B, 4D, 5, 6A, 6B, 7A2, 7B, 7C, 7D1, 7D, 7D2, 8A, 8U, 8Z, 8Y, 8W, 8W1, 8X, 8X1, 8X2, 8X4, 8X6, 8X3, 8X4, 9A, 9B, 9B1, 9B1B, 9B2, 9B3, 8B, 8B1, 8C, 8E, 8F, 8G, 8H, 8I, 8J, 8P, 8Q, 8T, 10C, 10C1, 10D, 10E, 11A, 11B, 12A, 12B, 12C1A, 12C1B, 12C3, 13, 14, 15, 16, 17A, 17B, 22F, Block 42, Ysleta Grant; Tracts 1A, 1B, 1C, 1D, 1D1, 1D2, 1D2A, 1D2C, 1E, 2, 3, 4, 5A, 5B1, 6A, 6B, 6C, 6D1, 6F, 6H, 6K, 6K1, 6J, 6I, 6L, 7A, 7C, 8, 9, 10, 12, 14A, 15, Block 43, Ysleta Grant; Tracts 1A, 1B1, 1C, 1D, 2A, 2B, 3, 4, 5, 6, 6A, 6B, 6C, 7A, 7B, 11B, 12, 13B, 13C, 13D, 15, 16, 17, 18, 19A, 19B, 19B1, 19C, 20, Block 44, Ysleta Grant; Tracts 1, 2A, 2B, 3, 5, 6, 7, 9B, 9B1, 9B2, 9B3, 9C, 10A, 10B, 10D, 10C, 10E, 11, 12A, 12B, 12C, 13, 14A, 14B, 15A, 15B1, 15B3, 16B, 16D, 16E, 16F, 16G, 16J, 23A, 23B, 24, 25A, 25B, 26, 27A, 28, 30A, 31, 32, 33A, 33C, 33B, Block 45, Ysleta Grant; Tracts 1A, 2A, 2C, 3A, 3B, 3D, 3E, 3F, 3F1, 3F2, 3F3, 3J, 3G, 3H, 5, 5A, 6, 7, 8A, 9B, 9C, 10B, 10B1, 10C1, 10C1A, 10C1B, 10C, 10C2, 10C3, 10C3A, 10C4, 10C5, 10C6, 10C7, 10C8, 10C8A, 10C9, 10C10, 10C11, 10C11A, 10C12, 10C12A, 10C13, 10C14, 10C14A, 10D, 10D1, 10D3, 10E, 10J, 10I, 10F, 10F1, 10G, 10H, 10I1, 10L, 10L1, 11, 12A, 12A1, 12A1A, 12B, 12C, 12C1, 12C1A, 12C2, 12C4, 12C5, 12C6, 12C4A, 12D2, 12D4, 12E, 12E2, 12G1A, 12G2, 12F, 12H, 12H1, 12H4, 12H5, 12H6, 12J, 12K, 12L, 12L1, 12L2, 12N, 12O, 12P, 12Q, 12R, 12R1, 12R1A, 12R2, 12S, 12S1, 12T, 12U, 12U1, 12U2, 12V, 12V1, 13A, 13A1, 14A1, 14B, 15A, 15B, 15B1, 15C, 15D, 16, 17A, 17A1, 18A, 18B, 18B1, 18C, 19, 20, 21, 22, 23A, 23A1, 23B, 23B1, 24, 24A, 25, 26, 27A, 27A1, 27C, 27D, 27D1, 28A, 28B, 28C, 29, 30, Block 46, Ysleta Grant; Tracts 6E, 6F, 6F1A, 6F1B, 6F2, 6F3, 6F3A, 6F2A, 6F2B, 6F2B1, 6F2B2, 6F2C, 6F4, 6F4A, 6F4B, 6F4B1, 6F5, 6F5A, 7A1, 7A2, 7B, Block 47, Ysleta Grant; Tracts 1B, 2, 2A, 3A, 3B, 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4J, 4K, 5B, 7, 8, 9A, 11A, 12, 13A, 13B, 15, 18, 19A, 19A1, 19B, 19B1, 20, 21, 22, Block 48, Ysleta Grant; Tracts 10, 11, 12, 12A, 12A1, 12B, 12D, 13, Block 49, Ysleta Grant; Apodaca Subdivision; Lots 55 through 75, portion of Lot 1 and

	Lots 2 through 25, Lots 49, through 54, Alexander Addition to Ysleta; Lone Star Subdivision; Estrada Replat A; Lots 1 through 11, 13 through 33, 34 through 42, Block 1, Lots 12 through 21, Block 2, Valumbrosa; Valumbrosa Replat; Home Improvement Unit 1; Home Improvement No. 2; Indian Town Subdivision; Frymuth Subdivision; J.R. Lopez Subdivision; Lots 1 through 16, 17 through 32, 33 through 49, North Valumbrosa; Lots 101 through 110, North Valumbrosa No. 2; a Portion of Tract 1 and Tracts 2 through 10, Franklin Place; a Portion of Tract 11 and Tracts 12 through 22, Franklin Place Replat; Tracts 25 through 31 and Tracts 16 through 24, Sunland Gardens; Tracts 3 through 17 and Tracts 18 through 33, Block B, Spohr Addition; Tract 12 and a portion of Tract 13, Spohr Addition; Arizona Subdivision; Lydia Dixon; Lydia Dixon No. 2; Gemotes; Shanks Carpenter; Shanks Carpenter Replat A; Yoshida Subdivision; Lots 1 through 5, Block 1, and a portion of Lot 25, Block 1, Lots 4, 5 and 6, Block 2, Frutas Place; Pullman Subdivision; Harris Subdivision; Carpenter & Ammons; Trice; Phelps; Phelps Replat of Lot A; Valle Hermosa; and a Portion of Block 24, Capistrano Park Unit Four as described in Volume 1279, Page 1443, and Volume 2379, Page 2053, Real Property Records of El Paso County, Texas.
Location:	The area of the Mission Valley with the southernmost boundary of Roseway Drive, the northernmost boundary of the Montoya Lateral at the intersection with Mecca Drive and Padilla Drive, the easternmost boundary being on the Franklin Canal adjacent to Santa Rosalia Court and the westernmost boundary on the Franklin Canal east of the intersection of Pendale Road and Harding Way.
Zoning:	A-O (Apartment/Office), A-O/C (Apartment-Office/Conditions), A-O/H (Apartment-Office/Historic), A-2 (Apartment), A-2/C (Apartment/Conditions), A-2/H (Apartment/Historic), A-2/SC (Apartment/Special Contract), A-2/SP (Apartment/Special Permit), A-M/SC (Apartment-Mobile Home/Special Contract), C-1 (Commercial), C-1/C (Commercial/Conditions), C-1/C/H (Commercial/Conditions/Historic), C-1/H (Commercial/Historic), C-1/H/SP (Commercial/Historic/Special Permit), C-1/SC (Commercial/Special Contract), C-1/SC/H (Commercial/Special Contract/Historic), C-2/SC (Commercial/Special Contract), C-3 (Commercial), C-3/H (Commercial/Historic), C-3/SC/H (Commercial/Special Contract/Historic), C-3/SP/H (Commercial/Special Permit/Historic), C-4 (Commercial), C-4/C (Commercial/Conditions), C-4/H (Commercial/Historic), C-4/SC (Commercial/Special Contract), C-4/SC/H (Commercial/Special Contract/Historic), M-1 (Light Manufacturing), R-3/SC (Residential/Special Contract), R-4 (Residential), R-4/H (Residential/Historic), R-5 (Residential), R-5/SC/H (Residential/Special Contract/Historic), R-F (Ranch and Farm), SD (Special District), SD/C (Special District/Conditions), SD/C/H (Special District/Conditions/Historic), SD/H (Special District/Historic)
Request:	From current zoning districts to SCZ (SmartCode Zone)
Existing Use:	Apartment/Office, Apartment, Commercial, Residential, Light Manufacturing
Proposed Use:	Infill Community Traditional Neighborhood Development – Transit Oriented Development

Property Owners:	Various
Representative:	The City of El Paso/City Development Department
District:	6
Staff Contact:	Harrison Plourde, (915) 541-4114, **plourdeht@elpasotexas.gov**

***ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Amoriello, and unanimously carried to **HEAR ITEMS 3 AND 4 TOGETHER BUT THAT ITEM 4 BE CONSIDERED FIRST AND THAT SEPARATE VOTES BE TAKEN FOR EACH ITEM.**

Harrison Plourde, Planner, noted that staff received a petition with signatures from by 79 property owners who oppose the rezoning of this request. These petition represents about 6% of those property owners that were notified. Staff also received 38 informational phone calls but none in favor or against.

Rudy Valdez with the EPWU noted that they have the same comment for this item as in item #4.

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

Marcela Garlet spoke in favor of the request and requested more information.

ACTION: Motion made by Commissioner Amoriello, seconded by Commissioner Reveles, and carried to **APPROVE PZRZ12-00036.**

AYES: Commissioner Nance, Borden, Brandrup, Amoriello, Ardovino, and Reveles
NOT PRESENT FOR THE VOTE: Commissioner De La Cruz, Schauer, and Wright

Motion passed to approve. (6-3 vote)

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4.	**PZRZ13-00004:**	A 586.04 acre tract of land including all of the Alamo Heights Subdivision; a portion of blocks 70 and 71, and closed street between blocks 73 through 101 of the Bassett Addition; all of Memorial Park; all of the Castle Heights Subdivision; blocks 5, 7, 8, 16, 17, 19 and 20 of the Cotton Addition; all of the Supplemental Map of the Cotton Place Addition Replat 2, except blocks 22, 23 and 31 through 35; blocks 33 through 35, 45 through 48, 60 through 69, 76 through 85, 92 through 107, 120 through 123, 132 through 134, and 141 through 144 of Supplemental Map No. 1 of East El Paso; blocks 21½ through 26, 35 through 40, 50 through 55, and 64 through 66 of the Highland Park Addition; blocks 25 through 39 of the Manhattan Heights Addition; and all streets, alleys, highway and railroad rights of way located within these limits, all being located within the corporate limits of the City of El Paso, El Paso County, Texas.
	Location:	Generally described as the area located within a one-half mile radius surrounding the Five Points Transfer Station.
	Zoning:	A-2 (Apartment), A-2/SC (Apartment/Special Contract), A-2/SP (Apartment/Special Permit), A-3/C (Apartment/Conditions), A-O (Apartment-Office), A-O/C (Apartment-Office/Conditions), A-O/SC (Apartment-Office/Special Contract), A-O/SP(Apartment-Office/Special Permit), A-O/SC/SP (Apartment-Office/Special Contract/Special Permit), C-1 (Commercial), C-1/SC (Commercial/Special Contract), C-3/C (Commercial/Conditions),

	C-3/SC (Commercial/Special Contract), C-4 (Commercial), C-4/C (Commercial/Conditions), C-4/SC (Commercial/Special Contract), C-4/SP (Commercial/Special Permit), R-4/H (Residential/Historic), R-5 (Residential), R-5/H (Residential/Historic), R-5/SC (Residential/Special Contract), R-5/SP (Residential/Special Permit), S-D (Special District), S-D/C (Special District/Conditions), S-D/SC (Special District/Special Contract), S-D/SP (Special District/Special Permit)
Request:	From current zoning districts to SCZ (SmartCode Zone)
Existing Use:	Residential, Commercial, Apartments, Railroad
Proposed Use:	Infill Community Traditional Neighborhood Development – Transit Oriented Development
Property Owners:	Various
Representative:	The City of El Paso/City Development Department
Districts:	2 & 8
Staff Contact:	Harrison Plourde, (915) 541-4114, **plourdeht@elpasotexas.gov**

*Items 3 and 4 were heard together but separate votes were taken for each item.

Commissioner Wright left the meeting at 5:30pm, before discussion on items 3 and 4.

Nate Baker, Planner, noted that staff has held several meetings with residents, business owners, neighborhood associations, and business associations including presentations, questions and answers sessions. He noted that staff received two (2) letters in favor of the rezoning, 34 informational phone calls and no calls in opposition.

The Commission asked why the City is recommending approval of this request if it cannot supply utilities?

Rudy Valdez with EPWU noted that because most of the development already exists, PSB does not anticipate much change of new development or any type of high density development. If there is a redevelopment of any kind that has a higher density then what exists already, then the PSB will probably not be able to service that development without some new infrastructure going in.

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

The following persons spoke in favor of this request.

- John Nelson, and
- Craig Peters

The following persons spoke against this request.

- Larry Romero, President for Five Points Neighborhood Association,
- Jim Erickson, asked for a postponement, and
- Fred Evans

The following persons requested additional information.

- Manny Barrios
- Paul Powers asked for a postponement

Commissioner De La Cruz left the meeting during discussion on this item.

Carlos Gallinar, Deputy Director for City Development, noted that he has offered to meet with the residents to discuss their concerns but they have not taken him up on his offer.

ACTION: Motion made by Commissioner Ardovino **TO POSTPONE FOR TWO (2) WEEKS, TO ALLOW RESIDENTS TO VET THEIR CONCERNS.**

Staff felt that two weeks or even a month is not enough time. Staff would need to meet with the residents and both parties would need to agree on all the issues that were brought up at this meeting, then the SmartCode would have to be amended before this case can be heard by the Commission, either to be approved or denied.

Commissioner Ardovino withdrew his motion.

ACTION: Motion made by Commissioner Ardovino, seconded by Commissioner Reveles, and carried to **APPROVE PZRZ13-00004.**

AYES: Commissioner Borden, Brandrup, Amoriello, Ardovino, Schauer, and Reveles
NAYES: Commissioner Nance
NOT PRESENT FOR THE VOTE: Commissioner De La Cruz, and Wright

Motion passed.

ACTION: Motion made by Commissioner Nance, seconded by Commissioner Reveles, and carried **TO ALLOW COMMISSIONER NANCE TO SUBMIT A MINORITY REPORT.**

AYES: Commissioner Nance, Borden, Brandrup, Amoriello, Ardovino, Schauer, and Reveles
NOT PRESENT FOR THE VOTE: Commissioner De La Cruz, and Wright

Motion passed.

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5.	**PZRZ13-00010:**	Lot 3 and the East half of Lot 2, Block 59, East El Paso Addition, City of El Paso, El Paso County, Texas
	Location:	3405 Gateway West Boulevard
	Zoning:	R-5 (Residential)
	Request:	From R-5 (Residential) to A-O (Apartment/Office)
	Existing Use:	Single-family dwelling
	Proposed Use:	Office, business
	Property Owner:	Richard Brent Aziz
	Representative:	Jesus L. Jaime
	District:	2
	Staff Contact:	Andrew Salloum, (915) 541-4633, **salloumam@elpasotexas.gov**

The applicant for items 5 and 6 requested that these two items be postponed for two (2) weeks, to the City Plan Commission meeting of May 30, 2013.

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Reveles, and unanimously carried to **POSTPONE PZRZ13-00010 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MAY 30, 2013.**

Motion passed.

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PUBLIC HEARING Special Permit Application:

6.	**PZST13-00008:**	Tract 4-C, Section 11, Block 81, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas
	Location:	5000 Riley
	Zoning:	C-1 (Commercial)
	Request:	Infill Development / 50% parking reduction
	Existing Use:	Vacant
	Proposed Use:	Apartments
	Property Owner:	RNR Properties
	Representative:	Angel Ramos
	District:	2
	Staff Contact:	Michael McElroy, (915) 541-4238, **mcelroyms@elpasotexas.gov**

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Reveles, and unanimously carried to **POSTPONE PZST13-00008 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MAY 30, 2013.**

Motion passed.

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PUBLIC HEARING Zoning Condition Release Applications:

7.	**PZCR13-00004:**	Lots 1 and 2, Block 1, V.A.L. Tract, City of El Paso, El Paso County, Texas
	Location:	1039 Chelsea Street
	Zoning:	C-1/c/sp (Commercial/condition/special permit)
	Request:	Release condition No. 1 in Zoning Condition Ordinance No. 016788, dated December 11, 2007
	Existing Use:	Vacant
	Proposed Use:	Wal-Mart Neighborhood Market
	Property Owner:	Omega Paving Contractors, Inc.
	Representative:	Dunaway Associates, L.P.
	District:	2
	Staff Planner:	Alex Hoffman, (915) 541-4638, **hoffmanap@elpasotexas.gov**

*Items 2 and 7 were heard together.

ACTION: Motion made by Commissioner Borden, seconded by Commissioner Ardovino, and carried to **DENY PZRZ12-00044 AND PZCR13-00004.**

AYES: Commissioner De La Cruz, Borden, Brandrup, Armoriello, Ardovino, and Reveles
NAYS: Commissioner Wright, Nance, and Schauer

Motion passed to **DENY**. (6-3 vote)

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PUBLIC HEARING Rezoning Application RECONSIDERATION:

8.	**PZST12-00015:**	Lots 9 through 14, Block 25, Third Amended Map of Highland Park Addition, City of El Paso, El Paso County, Texas
	Location:	2413 Tremont
	Zoning:	R-5 (Residential)

Request:	Infill development / Reduction in front, rear and side setback / 50% parking reduction / 50% density bonus (Related to PZRZ12-00022)
Existing Use:	Vacant
Proposed Use:	Apartments
Property Owner:	Hector Barraza
Representative:	Jorge Avila
District:	2
Staff Contact:	Michael McElroy, (915) 541-4238, **mcelroyms@elpasotexas.gov**

Michael McElroy, Planner, noted that staff received five letters in opposition to this request.

Carlos Gallinar, Deputy Director for Planning, noted that the issues raised at the previous CPC meeting have been addressed. The applicant has expanded the right of way to 20 feet as requested by the Fire Department. The drainage issue has also been addressed by Mr. Kareem Dallo, Engineering Division Manager.

Manny Calderon with Calderon Engineering answered questions from the Commission. He noted that they are going to do the grading and drainage plan so that all the storm water will go up the driveway on to Tremont Street and down to Dakota Street.

Jorge Avila concurred with staff's comments.

Armando Avila noted that they met with the Fire Department and addressed the two main concerns addressed at the previous meeting

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

- Ed Hamlyn spoke against this request.

ACTION: Motion made by Commissioner Ardovino, seconded by Commissioner Reveles, and carried to **APPROVE PZST12-00015.**

AYES: Commissioner Nance, Amoriello, Ardovino, and Reveles
NAYS: Commissioner Borden, and Brandrup
NOT PRESENT FOR THE VOTE: Commissioner De La Cruz, Schauer, and Wright

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.

PUBLIC HEARING Resubdivision Combination:

9.	**SUSU12-00019:**	Cimarron Unit 1 Replat A – A replat of Lot 25, Block 1, Cimarron Unit One, City of El Paso, El Paso County, Texas
	Location:	East of Resler and South of Northern Pass
	Property Owners:	Ernesto A. Ochoa and Lluvia Torres
	Representative:	CAD Consulting Company
	District:	1
	Staff Contact:	Nelson Ortiz, (915) 541-4931, **ortiznx@elpasotexas.gov**

Jose Lares with CAD Consulting 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 Reveles, seconded by Commissioner Brandrup, and carried to **APPROVE SUSU12-00019.**

AYES: Commissioner Borden, Brandrup, Nance, Amoriello, Ardovino, and Reveles
NOT PRESENT FOR THE VOTE: Commissioner De La Cruz, Schauer, and Wright

Motion passed.

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10.	**SUSU13-00002:**	Glenwood Circle Place –A replat of all of San Angelino Estates, City of El Paso, El Paso County, Texas
	Location:	North of Border Highway and East of Glenwood
	Property Owner:	Mario Ornelas
	Representative:	Dorado Engineering, Inc.
	District:	8
	Staff Contact:	Nelson Ortiz, (915) 541-4931, **ortiznx@elpasotexas.gov**

***ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Amoriello, and unanimously carried to **POSTPONE SUSU13-00002 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MAY 30, 2013.**

Motion passed.

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11.	**SUSU13-00023:**	La Mision Replat A – A replat of Lot 2, Block 1, La Mision Subdivision, City of El Paso, El Paso County, Texas
	Location:	North of North Loop and East of Pendale
	Property Owners:	Mike and Ana Maria Kohan
	Representative:	Rey Engineering
	District:	7
	Staff Contact:	Nelson Ortiz, (915) 541-4931, **ortiznx@elpasotexas.gov**

ACTION: Motion made by Commissioner Amoriello, seconded by Commissioner Schauer, and unanimously carried to **POSTPONE SUSU13-00023.**

Motion passed.

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PUBLIC HEARING Easement Vacation:

12.	**SUET13-00002:**	Loop 375 Easement Vacation - Portions of two easements generally located on the access road of Loop 375 S (Joe Battle Boulevard) from Rojas Drive going North 1,950 feet; and the access road of Loop 375 N (Americas Avenue) to a point going 1,000 feet from A&M Circle, City of El Paso , El Paso County, Texas
	Location:	Loop 375 at I10
	Property Owner:	TXDOT
	Representative:	PSB/EPWU
	District:	6
	Staff Contact:	Raul Garcia, (915)541-4935, **garciar1@elpasotexas.gov**

Rudy Valdez with EPWU noted that this is a clean-up of some existing easements with the TxDOT right-of-way. He noted that they have no objections to 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 Amoriello, seconded by Commissioner Brandrup, and carried to **APPROVE SUET13-00002.**

AYES: Commissioner Borden, Brandrup, Nance, Amoriello, Ardovino, and Reveles
NOT PRESENT FOR THE VOTE: Commissioner De La Cruz, Schauer, and Wright

Motion passed.

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PUBLIC HEARING Street Vacation:

13.	**SURW13-00012:**	Edgar Road Street Vacation – A portion of Edgar Road out of S.A. & M.G. Railway Company Survey No. 266, City of El Paso, El Paso County, Texas
	Location:	East of IH-10 and South of Montoya Lane
	Property Owner:	Prime Desert Properties, LLC
	Representative:	Quantum Engineering Consultants, Inc.
	District:	1
	Staff Contact:	Mirian Spencer, (915) 541-4482, **spencermd2@elpasotexas.gov**

***ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Amoriello, and unanimously carried to **POSTPONE SURW13-00012 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MAY 30, 2013.**

Motion passed.

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Other Business:

14. Discussion and action on the City Plan Commission minutes for:
    a. April 18, 2013
    b. May 2, 2013

ACTION: Motion made by Commissioner Reveles, seconded by Commissioner Nance, and carried to **APPROVE THE CITY PLAN COMMISSION MINUTES OF APRIL 18, 2013, AND MAY 2, 2013.**

AYES: Commissioner Borden, Brandrup, Nance, Amoriello, Ardovino, and Reveles
NOT PRESENT FOR THE VOTE: Commissioner De La Cruz, Schauer, and Wright

Motion passed.

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15. Discussion and action of an ordinance amending the definition of Transitional Housing and to allow for the expiration of special permits for Transitional Homes.
Staff Contact: Karla Nieman, (915) 541-4550, **niemankm@elpasotexas.gov**

***ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Amoriello, and unanimously carried to **POSTPONE THE DISCUSSION AND ACTION OF AN ORDINANCE AMENDING THE DEFINITION OF TRANSITIONAL HOUSING AND TO ALLOW FOR THE EXPIRATION OF SPECIAL PERMITS FOR TRANSITIONAL HOMES FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MAY 30, 2013.**

Motion passed.

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16. Discussion and action on an ordinance annexing the following real property described as a portion of Section 48, Block 79, & portion of Sections 18 & 19, Block 78, Township 2, Texas and Pacific Railway Co. Surveys, El Paso County, Texas.
Property Owner: Ranchos Real Land Holdings, LLC / County of El Paso. SUAX12-00002.
Staff Contact: Nelson Ortiz, (915) 541-4931, **ortiznx@elpasotexas.gov**

***ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Amoriello, and unanimously carried to **DELETE THE DISCUSSION AND ACTION ON AN ORDINANCE ANNEXING THE FOLLOWING REAL PROPERTY DESCRIBED AS A PORTION OF SECTION 48, BLOCK 79, & PORTION OF SECTIONS 18 & 19, BLOCK 78, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY CO. SURVEYS, EL PASO COUNTY, TEXAS.**

Motion passed.

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17. Planning Report:
N/A

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18. Legal Report:
a. Authority and Duties of the City Plan Commission

Karla Nieman, Assistant City Attorney, went over the Zoning Regulations in general and noted that pursuant to State Law and the City's Municipal Code, the City Plan Commission can impose conditions on Special Permits when related to architecture, site plan, landscape planting and screening as required to protect the public welfare and to conserve and protect property and property values in the immediate vicinity of the special permit. However, the City Plan Commission cannot condition a permit on subdivision Development Requirements which are considered at the Development phase of a project through Building Permits and Inspections. She answered questions from the Commission.

***ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Amoriello, and unanimously carried to **MOVE THE LEGAL REPORT TO THE FOREFRONT OF THE AGENDA.**

Motion passed.

No action was taken on this item.

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ADJOURNMENT:

Motion made by Commissioner Reveles, seconded by Commissioner Ardovino, and unanimously carried to adjourn this meeting at 7:45 p.m.

Approved as to form:

Carlos Gallinar, Executive Secretary, City Plan Commission