



**CITY PLAN COMMISSION MEETING
2ND FLOOR CITY COUNCIL CHAMBERS
August 23, 2012
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 Nance
Commissioner Brandrup
Commissioner Amoriello
Commissioner Shauer

ABSENT:

Commissioner Borden

AGENDA

Commissioner Amoriello 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 Wright, and unanimously carried to **APPROVE** the agenda as amended.

AYES: Commissioner De La Cruz, Wright, Nance, Brandrup, Amoriello, and Schauer

ABSENT: Commissioner Borden

Motion passed.

.....

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.

.....

II. CONSENT AGENDA

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Wright, 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 {*}).

Extension Request to Submit Recording Maps:

1. **SUSU12-00081:** Enchanted Hills Unit Three - Being a portion of Tracts 8, 9C and 9A, Laura E. Mundy Survey No. 238, City of El Paso, El Paso County, Texas
Location: North of Transmountain and East of I-10
Property Owner: El Paso Transmountain, L.L.C.
Representative: Roe Engineering, L.C.
District: 1
Staff Contact: Raul Garcia, (915) 541-4935, garcia1@elpasotexas.gov

***ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Wright, and unanimously carried to **APPROVE SUSU12-00081**.

Motion passed.

III. REGULAR AGENDA - DISCUSSION AND ACTION:

PUBLIC HEARING Rezoning Applications:

2. **PZRZ11-00047:** Tract 17C63, Section 8, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas
Location: Bob Hope Drive at Saint Romeo Avenue
Zoning: R-3 (Residential)
Request: From R-3 (Residential) to C-3 (Commercial)
Existing Use: Vacant
Proposed Uses: Additional parking area for automotive sales facility
Property Owner: Elizabeth G. Flores
Representative: Rey Engineering, Inc.
District: 5
Staff Contact: Esther Guerrero, (915) 541-4720, guerreroex@elpasotexas.gov

Esther Guerrero, Planner, noted that the applicant was not present at the meeting.

1ST MOTION:

ACTION: Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **TABLE SUSU12-00081 TO THE END OF THE AGENDA TO ALLOW THE APPLICANT TO BE PRESENT**.

Motion passed.

2ND MOTION:

ACTION: Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **MOVE ITEM #2 TO BE HEARD AFTER ITEM #5**.

Motion passed.

Ms. Guerrero noted that staff's recommendation is to deny the rezoning, because of its incompatibility with the surrounding zoning and land uses. If approved, staff would recommend restricting access from Bob Hope Drive and include a 10' landscape buffer abutting any residential or apartment zoning district.

Enrique Rey from Rey Engineering concurred with staff's comments and had no objection to obstructing access from Bob Hope.

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

Mariano Carrillo spoke in opposition of this request and noted that he does not want his property to be landlocked.

3RD MOTION:

ACTION: Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and carried to **APPROVE SUSU12-00081 WITH NO ACCESS FROM BOB HOPE AND WITH THE RECOMMENDATION FOR A 10' LANDSCAPE BUFFER ABUTTING ANY RESIDENTIAL OR APARTMENT ZONING DISTRICT.**

AYES: Commissioner De La Cruz, Wright, Nance, Amoriello, and Schauer

NAYS: Commissioner Brandrup

ABSENT: Commissioner Borden

Motion passed.

.....

3.	PZRZ12-00022:	Lots 9-14, Block 25, Third Amended Map of Highland Park Addition, City of El Paso, El Paso County, Texas
	Location:	2413 Tremont Avenue
	Existing Zoning:	R-5 (Residential)
	Existing Use:	Vacant
	Request:	From R-5 (Residential) to S-D (Special Development)
	Proposed Use:	Apartment Complex
	Property Owner:	Hector F. Barraza
	Applicant:	Hector F. Barraza
	Representative:	Jorge Avila
	District:	2
	Staff Contact:	Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

Michael McElroy, Planner, noted that if this request is approved, the S-D zoning district requires a detailed site development plan for all uses other than single-family residential.

Jorge Avila, representing the applicant, noted that this area has been vacant for many years. He also stated that these will be very nice apartments with two and three bedrooms and the height of the apartments will be 35'.

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

- Robert Forbes spoke in opposition to this request and submitted a letter with signatures of property owners who are also against this request. He noted that this will depreciate the value of his property and expressed traffic concerns.
- **Gentleman did not state his name** noted that he has lived in this area for a long time and also expressed safety concerns.

- Howard Loya expressed concern about noise and safety concerns.

Lupe Cuellar, Assistant City Attorney, noted that the obstruction of the view is not within the purview of the Commission. The Commission has to consider the surrounding uses and compatibility.

ACTION: Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **APPROVE PZRZ12-00022 WITH A 35' HEIGHT RESTRICTION.**

Motion passed.

.....
PUBLIC HEARING Detailed Site Development Plan:

4. **PZDS12-00008:** Portion of Lot 7, Block 238, Vista Del Sol Unit 47, City of El Paso, El Paso County, Texas
 Location: 1709 Weston Brent Lane
 Zoning: C-1/sc (Commercial/special contract)
 Request: Detailed Site Plan Review per Ordinance No. 5922, dated February 10, 1977
 Existing Use: Administrative office
 Proposed Use: Administrative office
 Property Owner: Vista Hills Family Dental – Affluence Investments, LLC
 Representative: Guillermo Barajas
 District: 7
 Staff Contact: Michael McElroy, (915) 541-4238, mcelroyms@elpasotexas.gov

Guillermo Barrajas 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 Wright, seconded by Commissioner Amoriello, and unanimously carried to **APPROVE PZDS12-00008.**

Motion passed.

.....
PUBLIC HEARING Special Contract/Condition Release Application:

5. **PZCR12-00006:** Westerly 15' of Lot 9, all of Lots 10-12 and the Easterly 20' of Lot 13, Block 7, Golden Hill Addition, City of El Paso, El Paso County, Texas
 Location: 1515 Golden Hill Terrace
 Zoning: A-4/sc (Apartment/special contract)
 Request: Release of all conditions imposed by Ordinance No. 8786, dated September 23, 1986
 Existing Use: Vacant
 Proposed Use: Apartments
 Property Owner: Richard Sennessie – Lamina Investments, LLC
 Representative: Taffy Bagley, P.C.
 District: 8
 Staff Contact: Michael McElroy, (915) 541-4238, mcelroyms@elpasotexas.gov

Taffy Bagley 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.

Oscar Hernandez spoke in opposition to this request.

1ST MOTION:

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Schauer, and unanimously carried to **APPROVE PZCR12-00006**.

Motion passed.

2ND MOTION:

ACTION: Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **RE-OPEN ITEM #5 (PZCR12-00006)**.

Motion passed.

David Coronado, City Development Program Manager, noted that there is a conflict between Appendix A and Appendix B of Title 20, each one suggesting a different interpretation of whether a detailed site plan review is required or not. The conflict isn't with the condition release but rather the zoning district the property resides in.

3RD MOTION:

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Amoriello, and unanimously carried to **APPROVE PZCR12-00006 WITH THE REQUIREMENT OF A DETAILED SITE PLAN**.

Motion passed.

SUBDIVISION MAP APPROVAL:

Subdivision Applications:

PUBLIC HEARING Resubdivision Combination:

- 6. **SUSU12-00078:** Emerald Pass Unit One Replat "A"– Being a replat of Lots 1 through 6, Block 1, Emerald Pass Unit One, El Paso County, Texas
 - Location: East of Emerald Sands Drive and South of Eastlake Boulevard
 - Property Owner: RAKMR ,l Ltd.
 - Representative: CEA Group
 - District: ETJ
 - Staff Contact: Justin Bass, (915) 541-4930, bassjd@elpasotexas.gov

Jorge Azcarate with CEA Group noted that he complies with staff's comments but requested that the language be the same as approved in the previous plat, stating that coordination be done with DOT, County of El Paso, and Paseo Del Este.

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 Wright, seconded by Commissioner Schauer, and unanimously carried to **APPROVE SUSU12-00078 WITH THE CONDITION THAT THE PARKWAY BE LANDSCAPED**.

Motion passed.

.....
Commissioner Wright recused himself and left the meeting room.

PUBLIC HEARING Major Combination:

7. **SUSU12-00007:** Rio Valley Subdivision – A 60.606 acre subdivision located within Tract 5, Block 14, Upper Valley Surveys, City of El Paso, El Paso County, Texas
 Location: West of Westside Drive and North of Borderland Road
 Property Owner: Rio Valley, LLC
 Representative: Summit Engineering
 District: 1
 Staff Contact: Justin Bass, (915) 541-4930, bassid@elpasotexas.gov

Kimberly Forsyth, Lead Planner, noted that the applicant is requesting to amend the Development Agreement and Development Plan that were approved on May 6, 2008 and amended on March 10, 2009, in order to allow 228 residential lots, an increase of 40 lots. Staff received a letter of support which was e-mailed to the Commissioners for their information.

Belinda Luna representing Haciendas Del Rio noted that they have agreed to dedicate right-of-way and improve the portion of Strahan Road that is abutting the subdivision, but they have not discussed the opposite side of the road with the County. This is the second time that they have amended the development agreement. They agreed to put up sidewalks throughout the entire development in the previous agreement.

Kimberly Forsyth noted that they are improving the road to the standards of the collector arterial which will accommodate traffic that will be generated by this development. Per the development agreement, they are upgrading the road to a higher standard.

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

Chris Goodwin read a letter into the record from Mary Frances Keisling, President of Save the Valley Neighborhood/Civic Association Board in support of this request.

Greg Byers with Summit Engineering noted that they are asking to reduce the construction from full width to just their portion of their share which is half of the roadway.

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

Dr. Damon Murphy, Superintendent for Canutillo Independent School District, expressed concerns about the roadways and wanted to make sure that peak traffic times are taken care of and that their school buses have all their ability to make turns in this area.

Kimberly Forsyth, Lead Planner, noted that they coordinated with the Department of Transportation and they had no objection.

Lupe Cuellar, Assistant City Attorney, noted that this subdivision complies with the Subdivision Code and they are meeting the requirements to the development agreement.

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Amoriello, and unanimously carried to **APPROVE SUSU12-00007 WITH THE ALTERNATIVE SUBDIVISION DESIGNS AND THE CONDITION REQUIRING LANDSCAPING IN THE PARKWAY.**

Motion passed.

Commissioner Wright returned to the meeting room after discussion on item #7.

.....
PUBLIC HEARING Drainage R.O.W. Vacation:

8. **SURW12-00016:** Loma Verde Drainage R.O.W. Vacation – Being a 15' Drainage R.O.W between lots 6 and 7, Block 7, Ranchos Del Sol Unit Two, City of El Paso, El Paso County, Texas
 Location: East of Loma Verde and North of Rancho Grande
 Property Owner: City of El Paso
 Representative: Arturo De Avila
 District: 6
 Staff Contact: Nelson Ortiz, (915) 541-4931, ortiznx@elpasotexas.gov

Nelson Ortiz, Planner, noted that there is a minor revision on the staff report under the Planning Division recommendations.

Kimberly Forsyth, Lead Planner, noted that the abutting property owner has signed a waiver and is not interested in participating.

Ryan Stubbs with the EPWU noted that the drainage is obsolete and they have no objection to this request.

Arturo De Avila noted that he has maintained and kept the property clean. He wants to purchase the property and place his mobile home there.

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

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Brandrup, and unanimously carried to **APPROVE SURW12-00016.**

Motion passed.

.....
PUBLIC HEARING Alley Vacation:

9. **SURW12-00015:** Tobin Alley Vacation – Being a portion of a 9.50 foot alley adjacent to Lots 23 & 24, Block 1, Map of Orchard Addition, City of El Paso, El Paso County, Texas
 Location: 204 Hardesty
 Property Owner: City of El Paso
 Representative: City of El Paso
 District: 8
 Staff Contact: Raul Garcia, (915) 541-4935, garcia1@elpasotexas.gov

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 Brandrup, seconded by Commissioner Wright, and unanimously carried to **APPROVE SURW12-00015.**

Motion passed.

.....

Other Business:

10. Ethics Training for Boards and Commissions.
Staff Contact: David Coronado, (915) 541-4632, coronadoda@elpasotexas.gov

David Coronado, City Development Program Manager, noted that in June of 2011, City Council adopted an ordinance that required all officers, committee and commission members to complete a mandatory training of the El Paso City Ethics Code by the end of the year 2012. He noted that the link was posted on the web where commissioners can view the video. He requested that once the commissioners complete the training, they can let staff know and we will submit this information to the City Clerk's office.

No action was taken.

.....

11. Discussion and action on a second amendment to the May 6, 2008, Development Agreement by and between the City of El Paso, the El Paso Water Utilities-Public Service Board and Haciendas Del Rio Partners, LP and Dos Arbolitos Investment, LLC to amend Exhibit B, Development Plan, to increase the number of residential lots from 188 to 228 and to increase the size of the park. The density will not exceed 2.5 dwelling units per acre as required by the development agreement.
Staff Contact: Kimberly Forsyth, (915) 541-4668, forsythkl@elpasotexas.gov

Kimberly Forsyth, Lead Planner, noted that the applicant is requesting to amend the Development Agreement and Development Plan that were approved on May 6, 2008 and amended on March 10, 2009, in order to allow 228 residential lots, an increase of 40 lots. Staff received a letter of support which was e-mailed to the Commissioners for their information.

Belinda Luna representing Haciendas Del Rio noted that they have agreed to improve half the portion of the road that is abutting the subdivision but they have not discussed the other portion of the road with the County. This is the second time that they have opened up the development agreement. They agreed to put up sidewalks throughout the entire development on the first first development.

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

Chris Goodwin read a letter into the record from Mary Frances Keisling, President of Save the Valley Neighborhood/Civic Association Board in support of this request.

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Schauer, and unanimously carried to **APPROVE A SECOND AMENDMENT TO THE MAY 6, 2008, DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF EL PASO, THE EL PASO WATER UTILITIES-PUBLIC SERVICE BOARD AND HACIENDAS DEL RIO PARTNERS, LP AND DOS ARBOLITOS INVESTMENT, LLC TO AMEND EXHIBIT B, DEVELOPMENT PLAN, TO INCREASE THE NUMBER OF RESIDENTIAL LOTS FROM 188 TO 228 AND TO INCREASE THE SIZE OF THE PARK. THE DENSITY WILL NOT EXCEED 2.5 DWELLING UNITS PER ACRE AS REQUIRED BY THE DEVELOPMENT AGREEMENT.**

Motion passed.

.....

12. Planning Report:
Update Report on the Implementation Plan for Open Space Preservation
Staff Contact: Marcia Tuck, (915) 541-4020, tuckmj@elpasotexas.gov

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Wright, and unanimously carried to **TABLE THE UPDATE REPORT ON THE IMPLEMENTATION PLAN FOR OPEN SPACE PRESERVATION FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF SEPTEMBER 6, 2012.**

Motion passed.

.....

13. Legal Report:
N/A
-

ADJOURNMENT:

Motion made by Commissioner Amoriello, seconded by Commissioner Schauer, and unanimously carried to adjourn this meeting at 3:45 p.m.

Approved as to form:



Carlos Gallinar, Executive Secretary, City Plan Commission