CITY PLAN COMMISSION MEETING
1ST FLOOR CITY COUNCIL CHAMBERS
SEPTEMBER 10, 2015
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 Loweree present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:
Commissioner Brannon
Commissioner Erickson
Commissioner Loweree
Commissioner Ardovino
Commissioner Madrid
Commissioner Landeros

COMMISSIONERS ABSENT:
Commissioner Grambling
Commissioner Bustamante

AGENDA

Commissioner Loweree read the rules into the record. Carlos Gallinar, Deputy Director for Planning & Inspections, read the revisions to the agenda into the record.

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

AYES: Commissioner Brannon, Erickson, Loweree, Ardovino, Madrid, and Landeros
NAYS: N/A
ABSTAIN: N/A
ABSENT: Commissioner Grambling, and Bustamante
NOT PRESENT FOR THE VOTE: N/A

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

THERE WERE NO ITEMS UNDER THE CONSENT AGENDA.

. . . . . .

III. REGULAR AGENDA - DISCUSSION AND ACTION:

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 Rezoning Applications:

1.	**PZRZ11-00055:**	Tracts 17A & 17B, Block 29, Ysleta Grant & Tracts A&B & a portion of Tracts C&D, Henderson Subdivision, City of El Paso, El Paso County, Texas
	Location:	8020 Alameda Avenue
	Zoning:	C-1 (Commercial)
	Request:	From C-1 (Commercial) to C-3 (Commercial)
	Existing Use:	Automobile sales / Retail / Single-family dwelling
	Proposed Use:	Automobile (sales, service, storage, and rental)
	Property Owner:	Finn's Real Estate Venture, LLC.
	Representative:	Casey Finn
	District:	7
	Staff Contact:	Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov
	POSTPONED FROM 08/27/15	

Andrew Salloum, Planner, gave a presentation and noted that there is a revised staff report for this item. The applicant submitted an application for rezoning from C-1 (Commercial) to C-3 (Commercial) to allow for automobile sales, storage, and repair. Automobile sale and storage uses are not permitted in the C-1 (Commercial) district. Staff received one letter and one phone call in opposition to the rezoning request. Staff also received two letters from Mission Valley Civic Association also in opposition. Staff recommends denial of rezoning the subject property from C-1 (Commercial) to C-3 (Commercial). The recommendation is based on incompatibility with the adjacent R-4 (Residential) properties to the south and west and the encroachment of the proposed zoning into an established residential area and Cadwallader Elementary School to the north of the subject property. There is current code enforcement action on this property, on a correction notice provided to the property owner.

Art Rubio, Lead Planner, noted that there was a license issued for car sales in error on a C-1 (Commercial) and that's why the applicant is able to conduct the business but the applicant still does not have the right zoning. The license was recently renewed but it has been in error for the past five years.

1ST MOTION:
ACTION: Motion made by Commissioner Landeros, seconded by Commissioner Brannon, and unanimously carried that the City Plan Commission **RETIRE INTO EXECUTIVE SESSION AT 1:40PM.**

Motion passed.

2ND MOTION:
ACTION: Motion made by Commissioner Landeros, seconded by Commissioner Ardovino, and unanimously carried that the City Plan Commission **RECONVENE THE MEETING AT 1:50 PM.**

Motion passed.

Sonya Cahalan, Building Inspector, introduced Cesar Ortiz, Inspector, so he could address the violations that were notified.

Mr. Ortiz addressed the various enforcement issues. He noted that during the inspection he told Mr. Finn that the property was zoned C-1 but that he needs a C-3 zone for the type of business that he is trying to conduct.

David Ellis noted that this application for zoning change has been on file since 2011 but he just got notice of this meeting on Friday, September 2, 2015. The violation report discussed at today's meeting was given to his client on September 1, 2015, therefore he has not had the opportunity to respond to any of these items.

Steve Finn, one of the owners of the property in question, noted that they would like to do more improvements and invest in the property.

Art Rubio, Lead Planner, noted that the reason this application has been pending for so long was at the request of the applicant because the application was originally incomplete.

Sonya Cahalan clarified that approximately a year ago she did a research of any past violations on the property. They have been complied with, however, regarding the surfacing issue, she noted that there were about sixty wrecked vehicles on unapproved surface and noted that this isn't the first time that this violation has been brought to light.

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

- Sylvia Carreon, president of the Mission Valley Association, noted that she received notice of this rezoning about a month ago and addressed a letter to this commission on July, 2015. She noted that her objection to this request is the movement of vehicles back and forth and her main concern is for the safety of children attending the school next to this property. She strongly requested the commission to deny the rezoning of this property.

Mr. Ellis presented his rebuttal.

ACTION: Motion made by Commissioner Landeros, seconded by Commissioner Brannon, and carried to **DENY PZRZ11-00055.**

AYES: Commissioner Brannon, Loweree, Ardovino, and Landeros
NAYS: Commissioner Erickson, and Madrid
ABSENT: Commissioner Grambling, and Bustamante
NOT PRESENT FOR THE VOTE: N/A

Motion passed. (4 to 2 vote to deny.)

The applicant was made aware that he can appeal the City Plan Commission's decision to City Council.

. . . . . .

2.	**PZRZ15-00023:**	Portion of Lot 1, Block 341, Vista Del Sol Unit Sixty Nine, City of El Paso, El Paso County, Texas
	Location:	West of Zaragoza Road and North of Rojas Drive
	Zoning:	C-1 (Commercial)
	Request:	From C-1 (Commercial) to C-3 (Commercial)
	Existing Use:	Vacant
	Proposed Use:	Car Dealership
	Property Owners:	George R. Gonzalez and Textape, Inc.
	Representative:	Georges Halloul
	District:	7
	Staff Contact:	Alfredo Austin, (915) 212-1604, austinaj@elpasotexas.gov

Alfredo Austin, Planner, gave a presentation and noted that there is a revised staff report for this item. The property owner is requesting a rezoning from C-1 (Commercial) to C-3 (Commercial) to permit the construction of an automobile dealership. Access to the subject property if proposed from Zaragoza Road. Staff has not received any communications is support or opposition to the rezoning request. Staff recommends approval of rezoning the subject property from C-1 (Commercial) to C-3 (Commercial).

Armando Estrada from SLI Engineering concurred with staff's comments.

Commissioner Loweree 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 Erickson, and unanimously carried to **APPROVE PZRZ15-00023.**

Motion passed.

. . . . . .

3.	**PZRZ15-00026:**	Portion of Tract14B and all of Tract 15B, Block 45, Ysleta Grant, City of El Paso, El Paso County, Texas
	Location:	174 N. Zaragoza
	Zoning:	R-4/H (Residential/Historic)
	Request:	From R-4/H (Residential/Historic) to S-D/H (Special District/Historic)
	Existing Use:	Single-Family Home
	Proposed Use:	Retail and Single-Family Home
	Property Owners:	Gerardo and Consuelo Chacon
	Representative:	Ray Mancera
	District:	6
	Staff Contact:	Anne Antonini, (915) 212-1814, antoniniam@elpasotexas.gov

***ACTION:** Motion made by Commissioner Brannon, seconded by Commissioner Ardovino, and unanimously carried to **POSTPONE PZRZ15-00026 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF SEPTEMBER 24, 2015.**

Motion passed.

. . . . . .

PUBLIC HEARING Special Permit Applications:

4.	**PZST15-00029:**	Portion of Lot 2, Block 27, West Hills Unit Thirteen, City of El Paso, El Paso County, Texas
	Location:	410 Thorn Street
	Zoning:	C-1/sc (Commercial/special contract)
	Request:	Infill Development / Rear Setback Reduction
	Existing Use:	Vacant
	Proposed Use:	Apartments / Office
	Property Owner:	MS Property, LLC
	Representative:	Mustafa Ali
	District:	1
	Staff Contact:	Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov

Adriana Martinez, Planner, gave a presentation and noted that this request is for a special permit and detailed site plan approval to allow for infill development to permit a reduction in rear setbacksfrom 25' to 24'. Staff received one phone call in opposition and one phone call in support of the special permit request. Staff recommends approval of the request and acceptance of the detailed site development plan.

Mustafa Ali concurred with staff's comments.

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

- Monica Martinez, co-owner of the Mirador Apartments, expressed her concern about the water flow.

Ana Castillo, Civil Engineer Associate, noted that Land Development will look into the drainage issue at the time the applicant comes in to apply for a grading permit and if there are any problems then the applicant will have to comply.

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Erickson, and unanimously carried to **APPROVE PZST15-00029.**

Motion passed.

. . . . . .

5.	**PZST15-00030:**	A portion of Lot 1, Block 12, Unit Three Eastside Industrial District, City of El Paso, El Paso County, Texas
	Location:	1040 Hawkins Boulevard
	Zoning:	M-1/sc (Light Manufacturing/special contract)
	Request:	Special Permit to allow for a Personal Wireless Service Facility (PWSF)
	Existing Use:	Automobile part storage
	Proposed Use:	Ground-mounted PWSF
	Property Owner:	Ruben Nares, Jr.
	Representative:	Les Gutierrez, Tectonic Engineering
	District:	3
	Staff Contact:	Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

Andrew Salloum, Planner, noted that the applicant is requesting a special permit to allow for the placement of a ground-mounted personal wireless service facility (PWSF) on the proposed site within a one-half mile radius of an existing PWSF site as required by El Paso City Code Section 20.10.455G. The proposed PWSF meets all setback and height requirements for location in a manufacturing district. A maintenance access easement within an existing driveway is proposed

from Hawkins Boulevard. Staff did not receive any communication in support or opposition to the special permit request. Staff has not receive any adverse comments from any of the reviewing departments. Staff recommends approval of the special permit for a Personal Wireless Service Facility (PWSF).

Les Gutierrez concurred with staff's comments.

Commissioner Loweree 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 Brannon, and unanimously carried to **APPROVE PZST15-00030.**

Motion passed.

. . . . . .

Other Business:

6. Discussion and action on the City Plan Commission minutes for:
August 27, 2015.

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Ardovino, and unanimously carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR AUGUST 27, 2015.**

Motion passed.

. . . . . .

7. Planning Report:
2016 CPC Meeting Schedule

ACTION: Motion made by Commissioner Landeros, seconded by Commissioner Madrid, and unanimously carried to **APPROVE THE 2016 CITY PLAN COMMISSION MEETING SCHEDULE.**

Motion passed.

. . . . . .

ADJOURNMENT:

Motion made by Commissioner Brannon, seconded by Commissioner Ardovino, and unanimously carried to adjourn this meeting at 2:50 p.m.

Approved as to form:

Carlos Gallinar, Executive Secretary, City Plan Commission