CITY PLAN COMMISSION MEETING
CITY COUNCIL CHAMBERS, 1ST FLOOR
OCTOBER 31, 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 Loweree
Commissioner Wright
Commissioner Borden
Commissioner Amoriello
Commissioner Nance
Commissioner Schauer
Commissioner Madrid
Commissioner Ardovino

COMMISSIONERS ABSENT:
Commissioner Grambling

AGENDA

Commissioner Amoriello read the rules into the record. Philip Etiwe, Case Manager – Planning, read the revisions to the agenda into the record.

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

AYES: Commissioner Loweree, Wright, Borden, Amoriello, Nance, Schauer, Madrid, and Ardovino
ABSENT: Commissioner Grambling

Motion passed.

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Commissioner Nance introduced Mr. Charlie Madrid as a new commissioner.

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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.

There were no public comments.

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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. **PZRZ13-00027:** Lots 17-20, Block 2, Sahara Subdivision, City of El Paso, El Paso County, Texas

Location:	9951 Taj Mahal Street
Zoning:	C-1/sc Commercial
Request:	From C-1/sc (Commercial/special contract) to C-3/sc (Commercial/special contract)
Existing Use:	Vacant
Proposed Use:	Automobile Sales
Property Owner:	Juan Gandara
Representative:	Jose Uresti
District:	4
Staff Contact:	Andrew Salloum, (915)-541-4633, salloumam@elpasotexas.gov

***ACTION:** Motion made by Commissioner Wright, seconded by Commissioner Amoriello, and unanimously carried to **POSTPONE PZRZ13-00027 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF NOVEMBER 14, 2013.**

Motion passed.

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2. **PZRZ13-00023**: Parcel 1: Portion of Clara A. Mundy Survey 248, City of El Paso, El Paso County, Texas
Parcel 2: Clara A. Mundy Survey 248, City of El Paso, El Paso County, Texas
Parcel 3: Clara A. Mundy Survey 250, City of El Paso, El Paso County, Texas
Parcel 4: Laura E. Mundy Survey 232, City of El Paso, El Paso County, Texas
Parcel 5: Laura E. Mundy Survey 235, City of El Paso, El Paso County, Texas
Parcel 6: Tract 3, Nellie D. Mundy, Survey 245 Abstract 10038
Parcel 7: Portion of Tract 3, Nellie D. Mundy, Survey 245, Abstract 10038, City of El Paso, El Paso County, Texas
Parcel 8: Section 10, Block 82, Township 1, Texas and Pacific Survey, City of El Paso, El Paso County, Texas,
Parcel 9: Section 10, Block 82, Township 1, Texas and Pacific Survey, City of El Paso, El Paso County, Texas,
Parcel 10: Clara A. Mundy Survey 249, City of El Paso, El Paso County, Texas
Parcel 11: Clara A. Mundy Survey 249, City of El Paso, El Paso County, Texas
Parcel 12: Portion of Section 9, Block 82, Township 1, Texas and Pacific Survey, City of El Paso, El Paso County, Texas
Parcel 13: Section 5, Block 82,Township 1, Texas and Pacific Survey, City of El Paso, El Paso County, Texas

	Parcel 14: Section 5, Block 82, Township 1,Texas and Pacific Survey, City of El Paso, El Paso County, Texas
Location:	North of Transmountain Road and East of Desert Boulevard
Existing Zoning:	Parcel 1: M-1/sc (Manufacturing/special contract) Parcel 2: P-MD (Planned Mountain Development) Parcel 3-6: R-3 (Planned Residential) Parcel 7: R-5/sp (Residential/special permit) Parcel 8: R-3 (Residential) Parcel 9: R-5/sp (Residential/sp) Parcel 10: P-MD (Planned Mountain Development) Parcel 11-13: R-3 (Residential) Parcel 14: Planned Mountain Development
Existing Use:	Vacant
Request:	From M-1/sc (Manufacturing/special contract), P-MD (Planned Mountain Development), R-3 (Residential), and R-5/sp (Residential/special permit) To URD (Urban Reserve District)
Proposed Use:	To preserve and protect natural features of the mountain, hillside, arroyo, and desert flatland areas within the city. To promote conservation and restoration of these areas within and adjacent to urban and suburban development whether upon application of a private owner or for public land
Property Owner:	City of El Paso
Representative:	EPWU/PSB/City of El Paso
District:	1
Staff Contact:	Arturo Rubio, (915)-541-4633, **rubioax@elpasotexas.gov**

(POSTPONED FROM 10/17/2013 CPC MEETING)

***ACTION:** Motion made by Commissioner Wright, seconded by Commissioner Amoriello, and unanimously carried to **DELETE PZRZ13-00023**

Motion passed.

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3.	**PZRZ13-00028:**	Tract 1G1 and Tract 5A, J.M. Jett Survey No. 155, City of El Paso, El Paso County, Texas
	Location:	150 Sunset Road
	Existing Zoning:	M-1 (Manufacturing)
	Existing Use:	Nursery
	Request:	M-1 (Manufacturing) to G-MU (General Mixed Use)
	Proposed Use:	Mixed Use Development
	Property Owner:	Nicjak Investments, LLC
	Representative:	Danny Heredia
	District:	8
	Staff Contact:	Arturo Rubio, (915) 541-4633, rubioax@elpasotexas.gov

Art Rubio, Planner, noted that there is a revised staff report for this request. Staff received one phone call in opposition to this request.

George Halloul, representing the owner, 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 Amoriello, seconded by Commissioner Wright, and unanimously carried to **APPROVE PZRZ13-00028.**

Motion passed.

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4.	**PZRZ13-00029:**	A Portion of Lots 17, 18, and 19, Block 1, Valley View Heights, City of El Paso, El Paso County, Texas
	Location:	6400 Montana Avenue
	Existing Zoning:	R-4 (Residential)
	Existing Use:	Motel/Demolished
	Request:	R-4 (Residential) to C-4 (Commercial)
	Proposed Use:	Car Dealership
	Property Owner:	Poe Investments, Ltd.
	Representative:	SLI Engineering
	District:	3
	Staff Contact:	Arturo Rubio, (915) 541-4633, rubioax@elpasotexas.gov

Art Rubio, Planner, noted that there is a revised staff report for this request. Staff received one phone call from Ms. Francis Bernal, President of the Valley View Crest Hill Neighborhood Association, stating that the neighborhood is not in opposition to the rezoning request however, the association was concerned that the existing car dealership uses the residential streets for test drive and also introduce heavy truck traffic. She asked Mr. Rubio to advise the commission that she recommends approval of the rezoning request with a condition that no test drives or heavy trucks utilize any residential streets in the area.

George Halloul, with SLI Engineering, concurred with staff's comments but asked the commission not to place the condition requested by Ms. Francis.

Lauren Nieman, Assistant City Attorney, noted that the commission cannot place this type of condition on a public roadway.

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 PZRZ13-00029.**

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 Major Combination:

5.	**SUSU13-00041:**	Sun View Estates – All of Tracts 4H1D and 4H1E AF Miller Survey No. 225, City of El Paso, El Paso County, Texas
	Location:	South of Mesa and East of Mesa Hills
	Property Owner:	Osama F. Azzam
	Representative:	Rey Engineering, Inc.
	District:	8
	Staff Contact:	Raul Garcia, (915) 541-4935, garciar1@elpasotexas.gov

Raul Garcia, Planner, gave a brief presentation of the request.

Commissioner Nance noted that the commission has asked staff to come up with an amendment so that the applicant has the option of getting a waiver for the alley as well.

Kimberly Forsyth, Lead Planner, clarified that the waiver of improvements in the subdivision code applies equally to roadways and alleys. An applicant can request a waiver to alley improvements as well as roadways. Alley requirement are usually seen on a zoning case when it is imposed as a condition of rezoning on a piece of property.

Raul Garcia noted that the applicant was not present at the meeting.

1ST MOTION:
ACTION: Motion made by Commissioner Wright, seconded by Commissioner Ardovino, and unanimously carried to **POSTPONE SUSU13-00041 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF NOVEMBER 14, 2013.**

Motion passed.

2ND MOTION:
ACTION: Motion made by Commissioner Wright, seconded by Commissioner Amoriello, and unanimously carried to **RECONSIDER SUSU13-00041**

Motion passed.

Enrique Rey with Rey Engineering noted that Raul Garcia has notified him of the condition placed on this request and he does agree with the condition.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

3RD MOTION:
ACTION: Motion made by Commissioner Wright, seconded by Commissioner Amoriello, and unanimously carried to **APPROVE SUSU13-00041 WITH THE CONDTION OF A FIVE-FOOT SIDEWALK ALONG WITH THE THREE-FOOT PARKWAY WILL BE REQUIRED ON CONFETTI DRIVE.**

Motion passed.

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6.	**SUSU13-00088:**	Diana Riley Subdivision – Tract 4C, Section 11, Block 81, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas
	Location:	South of Hercules and East of Diana Drive
	Property Owner:	RNR Properties

Representative:	Calderon Engineering
District:	2
Staff Contact:	Alejandro Palma, (915) 541-4482, palmaaj@elpasotexas.gov

Alejandro Palma, Planner, noted that there is revised staff report for this request.

Victor Regino 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 Ardovino, and unanimously carried to **APPROVE SUSU13-00088.**

Motion passed.

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7.	**SUSU13-00091:**	Mission Ridge Unit 5 – A portion of C.D. Stewart, Survey No. 319, El Paso County, Texas
	Location:	East of Peyton and Eastlake
	Property Owner:	Hunt Mission Ridge, LLC
	Representative:	TRE & Associates, LLC
	District:	ETJ
	Staff Contact:	Alfredo Austin, (915) 541-4192, austinaj@elpasotexas.gov

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

Maria Moreno with TRE Associates concurred with staff's comments but requested that comment #2 from the Parks and Recreation Department be omitted. She coordinated with Kimberly Forsyth, Lead Planner and Kareem Dallo, Engineering Division Manager, and they are in agreement.

Kimberly Forsyth noted that this is not in the path of annexation parkland is not required in this area. After discussion with Land Development and the Parks Department, they have concurred that they cannot be required to submit improvement plans on a park that they are not required to provide.

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 Ardovino, and unanimously carried to **APPROVE SUSU13-00091 WITH THE CONDITION THAT THE PARKWAY AT THE REAR OF THE DOUBLE FRONTAGE LOTS BE LANDSCAPED.**

Motion passed.

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8.	**SUSU13-00092:**	Paseo Del Este Unit 4 – A portion of Section 21, Block 79,Township 3, Texas and Pacific Railway Company, El Paso County, Texas
	Location:	North of Eastlake and East of Darrington
	Property Owner:	Hunt Paseo Del Este, LLC
	Representative:	TRE & Associates, LLC
	District:	ETJ
	Staff Contact:	Alfredo Austin, (915) 541-4192, austinaj@elpasotexas.gov

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

Sergio Delgado with TRE Associates concurred with staff' 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 Borden, and unanimously carried to **APPROVE SUSU13-00092 WITH THE CONDITION THAT THE PARKWAY AT THE REAR OF THE DOUBLE FRONTAGE LOTS BE LANDSCAPED.**

Motion passed.

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9.	**SUSU13-00094:**	The View at Mission Ridge – A portion of W.J. Rand Survey No. 315 ½, C.D. Stewart, Survey No. 317 & C.D. Stewart, Survey No. 319, El Paso County, Texas
	Location:	South of Eastlake and East of Covington Ridge Way
	Property Owner:	Hunt Mission Ridge, LLC
	Representative:	TRE & Associates, LLC
	District:	ETJ
	Staff Contact:	Nelson Ortiz, (915) 541-4931, ortiznx@elpasotexas.gov

Erica Diaz with TRE Associates concurred with staff's comments but requested that comment #2 under the Parks & Recreation Department be omitted.

Kimberly Forsyth noted that staff is in agreement with omitting comments #2 from the Parks and Recreation Department.

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 Borden, and unanimously carried to **APPROVE SUSU13-00094 WITH THE CONDITION THAT THE PARKWAY AT THE REAR OF THE DOUBLE FRONTAGE LOTS BE LANDSCAPED.**

Motion passed.

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PUBLIC HEARING Major Preliminary

10.	**SUSU13-00095:**	Tierra Del Este Unit 78 – A portion of Section 2, Block 79, Township 3, Texas and Pacific Railway Co. Surveys, El Paso County, Texas
	Location:	South of Montwood and West of Tim Foster
	Property Owner:	Ranchos Real XV, LLC
	Representative:	Conde, Inc.
	District:	ETJ
	Staff Contact:	Alfredo Austin, (915) 541-4192, austinaj@elpasotexas.gov

***ACTION:** Motion made by Commissioner Wright, seconded by Commissioner Amoriello, and unanimously carried to **POSTPONE SUSU13-00095 FOR FIVE (5) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF DECEMBER 5, 2013.**

Motion passed.

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PUBLIC HEARING Resubdivision Combination:

11.	**SUSU13-00089:**	Sahara Subdivision Replat "A" – All of Lots 1, 2, 25, 26, 30, 31, 32 and 33 and a portion of a vacated 20' Alley between Lot 1 and Lots 31 through 33, Block 11, and a portion of a proposed vacation of a 20' Alley between Lots 1, 2, 3, 24, 25, 26 and 30, Block 11, Sahara Subdivision, City of El Paso, El Paso County, Texas
	Location:	West of McCombs and South of Transmountain
	Property Owner:	North Union Congregation
	Representative:	CAD Consultants
	District:	4
	Staff Contact:	Nelson Ortiz, (915) 541-4931, ortiznx@elpasotexas.gov

(TO BE POSTPONED FOR TWO WEEKS)

***ACTION:** Motion made by Commissioner Wright, seconded by Commissioner Amoriello, and unanimously carried to **POSTPONE SUSU13-00089 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF NOVEMBER 5, 2013.**

Motion passed.

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12.	**SUSU13-00093:**	Cedar Grove Park Unit Five Replat "A" – A replat of a portion of Lot 2, Block 40, Cedar Grove Park Unit Five, and all of Tracts 10B and 10C, Block 26, Ysleta Grant, City of El Paso, El Paso County, Texas
	Location:	North of Carolina and West of Alameda
	Property Owner:	City of El Paso
	Representative:	Conde, Inc.
	District:	3
	Staff Contact:	Nelson Ortiz, (915) 541-4931, ortiznx@elpasotexas.gov

Nelson Ortiz, Planner, made a floor amendment to his staff report noting that the nearest school should read **Tejas School of Choice Special Campus**.

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

Commissioner Nance asked if there was anyone in the public who wished so 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 SUSU13-00093.**

Motion passed.

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Commissioner Nance noted that all of our elected representatives are delegations are supporting Proposition 6. This Proposition has to do with Water Conservation as well as water harvesting, and park ponds

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Other Business:

13. Discussion and action on the Drainage Design Manual as per Chairman Larry Nance.
Staff Contact: Carlos Gallinar, (915) 541-4556, gallinarrc@elpasotexas.gov

Kareem Dallo, Engineering Division Manager, gave a brief power point presentation and updated the commission with what is being done regarding Green Infrastructure. He named those who are in the subdivision committee and gave the dates in which the committee has met. He noted that December 4, 2013, is an approximate when the plates will be vetted with the public. He also noted that no further studies are needed.

Commissioner Nance requested that Mr. Dallo come back at the next meeting and update the commission. This item will be kept on the agenda until the commission tells staff otherwise.

Jackie Butler, Director of Policy and Programs for the Greater El Paso Chamber of Commerce, noted that they appreciate the strategy of incorporating a vetting process with some of the local drainage design engineers who are experts in the field. She reiterated that they believe that the Drainage Design Manual must undergo a thorough and inclusive vetting process and that includes city departments, the EPWU, and the private sector in general. They hope there will be ample time to vet this issue. The Chamber is supportive of this process currently underway but hopes that proper time is given for adequate vetting with all the stakeholders. She noted that the Chamber is being represented in the vetting process and have not been excluded.

No action was taken.

Commissioner Borden left the meeting at this time.

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ADDITION TO THE AGENDA

1. Discussion and Action on an Ordinance amending Title 20 (Zoning) of the El Paso City Code, by amending Chapter 20.02 General Provisions and Definitions to delete the definition of School and add Elementary and Secondary Schools, Chapter 20.08 (Appendix A), Table of Permissible Uses, by designating that a Detailed Site Plan shall be required for Community Recreational Facility, Library, Museum, and School-Elementary; amending Chapter 20.10, Supplemental Use Regulations, by adding a new Section 20.10.145, Civic Buildings, Public Spaces, and Educational Facilities; and providing for a penalty as provided in Chapter 20.24 of the Code.
Staff Contact: Carlos Gallinar, (915) 541-4556, gallinarrc@elpasotexas.gov

Carlos Gallinar, noted that at the last City Plan Commission meeting, staff made a presentation on the public use facilities ordinance, an ordinance that looks at quantifying and codifying standards for schools and other public facilities. There was one clarification that staff needed to bring forth to the commission. As part of the due diligence and the stakeholders participation, one of the things that the school districts and city staff has asked is that if we are going to require a detailed site plan that we try and expedite it as quickly as possible. The way the ordinance was drafted, staff would look at it through a special permit but a special permit cannot be done administratively. He went through the ordinance and read the changes being required. He noted that the design guidelines are staying the same. The change for the detailed site plan was not vetted with stakeholders and the reason being is that the understanding with stakeholders is that it would be done administratively through city staff, as per the code, and the only way to do that is through the detailed site plan and not the special permit.

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Ardovino, and unanimously carried to **APPROVE AN ORDINANCE AMENDING TITLE 20 (ZONING) OF THE EL PASO CITY CODE, BY AMENDING CHAPTER 20.02 GENERAL PROVISIONS AND DEFINITIONS TO DELETE THE DEFINITION OF SCHOOL AND ADD ELEMENTARY AND SECONDARY SCHOOLS, CHAPTER 20.08 (APPENDIX A), TABLE OF PERMISSIBLE USES, BY DESIGNATING THAT A DETAILED SITE PLAN SHALL BE REQUIRED FOR COMMUNITY RECREATIONAL FACILITY, LIBRARY, MUSEUM, AND SCHOOL-ELEMENTARY; AMENDING CHAPTER 20.10, SUPPLEMENTAL USE REGULATIONS, BY ADDING A NEW SECTION 20.10.145, CIVIC BUILDINGS, PUBLIC SPACES, AND EDUCATIONAL FACILITIES; AND PROVIDING FOR A PENALTY AS PROVIDED IN CHAPTER 20.24 OF THE CODE**
ADJOURNMENT:

Motion passed

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ADJOURNMENT:

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Ardovino, and unanimously carried to adjourn this meeting at 2:46 p.m.

Approved as to form:

Carlos Gallinar, Executive Secretary, City Plan Commission