CITY PLAN COMMISSION MEETING
2ND FLOOR CITY COUNCIL CHAMBERS
NOVEMBER 3, 2011
1:30 P.M.

MINUTES

The City Plan Commission met at the above place and date.

The meeting was called to order at 1:32 p.m. Commissioner Vandivort present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:
Commissioner De La Cruz
Commissioner Nance
Commissioner Wright
Commissioner Borden
Commissioner Vandivort
Commissioner Vorba
Commissioner Brandrup
Commissioner Landeros

COMMISSIONERS ABSENT:
Commissioner Carreto

AGENDA

Commissioner Vorba read the rules into the record. Philip Etiwe, Development Review Manager, read the revisions to the agenda into the record.

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

AYES: Commissioner De La Cruz, Nance, Wright, Borden, Vorba, Brandrup, and Landeros
ABSENT: Commissioner Carreto

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 ON THE CONSENT AGENDA.

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III. REGULAR AGENDA - DISCUSSION AND ACTION:

SUBDIVISION MAP APPROVAL:

Subdivision Applications:

Major Combination:

1.	**SUSU11-00102;**	The Shops at Cimarron - Being a portion of Tract 1B1, Nellie D. Mundy Survey 242, and Tracts 61D and 62E, W. H. Glenn Survey 241, City of El Paso, El Paso County, Texas
	Location:	South of Northern Pass Drive and East of Resler Drive
	Property Owner:	Hunt Communities Holding, L.P.
	Representative:	CSA Design Group
	District:	1
	Staff Contact:	Frank Delgado, (915) 541-4238, delgadofx@elpasotexas.gov

Frank Delgado, Planner, noted a revision to the staff report and stated that DCC and staff are recommending approval of the request with the condition that Resler Drive Street Vacation be approved by City Council prior to recording of the plat.

Sal Alonso with CSA Design Group concurred with staff's comments.

Commissioner Wright asked Legal if this request meets the code, if the Commission has an option to reject or deny this request.

Lupe Cuellar, Assistant City Attorney, responded that if the request meets code, the Commission has to approve it or recommend to City Council that they amend the City Code to add different design guidelines or requirements so that they are no longer recommendations but mandatory requirements. She also noted that this would affect those developments that have not been vested.

She suggested that staff look at additional provisions and bring this information back to the Commission before presenting anything to Council.

Mathew McElroy, Deputy Director for Planning, noted that staff will coordinate with the Engineering Department and stormwater and bring that information back to the Commission.

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Vorba, and carried to **APPROVE SUSU11-00102 WITH GENERAL MODIFICATION 19.04.070.A.3 OF THE CITY CODE AND WITH THE CONDITION THAT RESLER DRIVE STREET VACATION BE APPROVED BY CITY COUNCIL PRIOR TO THE RECORDING OF THE PLAT.**

AYES: Commissioner De La Cruz, Nance, Wright, Borden, Vorba, and Landeros
NAYS: Commissioner Brandrup
ABSENT: Commissioner Carreto

Motion passed.

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PUBLIC HEARING Rezoning Applications:

2.	**PZRZ11-00031:**	Lots 15 and 16, Richard Lee Subdivision, City of El Paso, El Paso County, Texas
	Location:	South of Americas Avenue and East of Kathy Road
	Zoning:	R-F (Ranch and Farm)
	Request:	From R-F (Ranch and Farm) to R-MU (Residential Mixed Use)
	Existing Use:	Family Private Recreational Facility
	Proposed Use:	Family Private Recreational Facility
	Property Owners:	Mary Stillinger & Enriqueta Godinez
	Representative:	Conde, Inc.
	District:	6
	Staff Contact:	Arturo Rubio, (915) 541-4633, rubioax@elpasotexas.gov

Art Rubio, Senior Planner, noted that staff received a phone call and a letter with 13 signatures in opposition of this request. Staff also received another letter with 17 signatures in support of this request.

Mathew McElroy, Deputy Director for Planning, noted that the code violations are not out of character with the area. the rezoning is in character with the area and is in conformance with the comprehensive plan and will not have a detrimental effect on the surrounding properties.

Michelle Padilla with the Department of Transportation noted that the special privilege submitted for Ferrill Drive shows the widest encroachment to be 8 ½ feet and the streets are 60 feet wide.

Conrad Conde with Conde, Inc., concurred with staff's comments and was willing to entertain any questions after public comments.

Bill Stern, Chief for Code Enforcement Division, noted that his department has active criminal complaints filed on this property and is waiting for court dates for zoning, building, and building without permit violations.

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

The following persons spoke in opposition.

- Maria Guadalupe Dempsey stated that she wrote the letter of protest. She stated that she only obtained 20% of signatures from property owners because they were afraid of retaliation.
- William Dempsey
- Jose Lozano

The following persons spoke in support of this request.

- John Severns
- Dale Manning
- Alla Severns
- Diennise Hernandez
- Eric Stokes
- Nancy Stolz
- **(No name given** also spoke in favor)

Commissioner Vandivort thanked the public for their input and made them aware that they could see the backup for all items that are being presented to the City Plan Commission on the city's web page.

Kimberly Forsyth said that the uses proposed in the RMU are permitted uses in a ranch farm zone. She noted that the applicants will be required to obtain building permits if this request is approved under the new district regulations, and they will have to bring them up to the current building code. The setback issue would be cured by the rezoning.

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Wright, and carried to **APPROVE PZRZ11-00031.**

AYES: Commissioner De La Cruz, Wright, Borden, Brandrup, Vorba, and Landeros
ABSTAIN: Commissioner Nance
ABSENT: Commissioner Carreto

Motion passed.

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RECESS:

ACTION: Motion made by Commissioner Landeros, seconded by Commissioner Nance, and unanimously carried to **RECESS THE CITY PLAN COMMISSION MEETING AT 3:07 P.M., FOR 5 MINUTES.**

Motion passed.

RECONVENE:

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Nance, and unanimously carried to **RECONVENE THE CITY PLAN COMMISSION MEETING AT 3:13 P.M.**

Motion passed.

Commissioner Borden left the meeting after the break.

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3.	**PZRZ11-00039:**	Lots 80 and 81, Sunrise Acres No. 2, City of El Paso, El Paso County, Texas
	Location:	East of Mount Latona Drive and South of Titanic Drive
	Zoning:	R-4 (Residential)
	Request:	From R-4 (Residential) to R-MU (Residential Mixed Use)
	Existing Use:	Existing structures to be demolished
	Proposed Use:	Single-family, Two-family, Triplex and Commercial
	Property Owner:	Adobe Haciendas, Inc.
	Representative:	Conde, Inc.
	District:	2
	Staff Contact:	Arturo Rubio, (915) 541-4633, rubioax@elpasotexas.gov

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

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

The following persons spoke in opposition.

- Rosaleigh Mendoza spoke in opposition to this request and noted that the surrounding property owners were not notified of this hearing.
- Refugio Hernandez requested assistance in translating from Spanish to English. He also spoke in opposition to this request.

ACTION: Motion made by Commissioner Landeros, seconded by Commissioner Wright, and unanimously carried to **APPROVE PZRZ11-00039 WITH AN R-MU ZONE WITH A DENSITY CAP OF 14 UNITS PER ACRE AND RESTRICTING COMMERCIAL USES TO NO MORE THAN 35% OF THE SITE AREA.**

Motion passed.

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4.	**PZRZ11-00040:**	Tracts 154 and 155, Sunrise Acres No.2, City of El Paso, El Paso County, Texas
	Location:	East of Mount Latona Drive and North of Vulcan Drive
	Zoning:	R-4 (Residential)
	Request:	From R-4 (Residential) to R-MU (Residential Mixed Use)
	Existing Use:	Single-Family dwelling
	Proposed Use:	Single-family, Two-family, Triplex, Quadruplex, and Commercial
	Property Owner:	Adobe Haciendas, Inc.
	Representative:	Conde, Inc.
	District:	2
	Staff Contact:	Geena Maskey, (915) 541-4192, maskeyga@elpasotexas.gov

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

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

The following persons spoke in opposition to this request.

- Rosaleigh Mendoza
- Refugio Hernandez

ACTION: Motion made by Commissioner Brandrup, seconded by Commissioner Landeros, and unanimously carried to **APPROVE PZRZ11-00040 WITH AN R-MU ZONE WITH A DENSITY CAP OF 14 UNITS PER ACRE AND RESTRICTING COMMERCIAL USES TO NO MORE THAN 35% OF THE SITE AREA.**

Motion passed.

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5.	**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 Use:	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, gave a brief presentation and noted that staff and DCC are recommending denial of this request because it is not compatible with the surrounding residential uses and zoning districts.

Enrique Rey with Rey Engineering noted that he conducted a survey of the surrounding property owners and no one was against the rezoning of this property.

Lupe Cuellar, Assistant City Attorney, expressed concern that if at a later date the property owner decides to sell the lot, the lot will be land locked and she feels it will create a legal issue.

Michelle Padilla noted that the Department of Transportation's concern with this rezoning is that they have already had to make improvements to the neighborhood through the Neighborhood Traffic Management Program to reduce speeding in the area. There are two ways into this neighborhood and at one of the main access points the department installed two traffic circles and some curb extensions. If access cannot be restricted, the department has concerns with increasing the commercial traffic through the neighborhood and creating an issue on these residential streets.

Lupe Cuellar recommended that this item be postponed to allow staff to look at drainage, access points, restrictions on a C-3 zone, and different issues that arose during the meeting.

ACTION: Motion made by Commissioner Nance, seconded by Commissioner De La Cruz, and unanimously carried to **POSTPONE PZRZ11-00047 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF NOVEMBER 17, 2011.**

Motion passed.

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Other Business:

6. Discussion and action on the City Plan Commission minutes of:
October 20, 2011

ACTION: Motion made by Commissioner Vorba, seconded by Commissioner Nance, and carried to **APPROVE THE CITY PLAN COMMISSION MINUTES OF OCTOBER 20, 2011.**

AYES: Commissioner De La Cruz, Nance, Borden, Brandrup, and Vorba
ABSTAIN: Commissioner Wright, and Landeros
ABSENT: Commissioner Carreto

Motion passed.

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7. Discussion and action on the 2012 Schedule for City Plan Commission meetings.

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Vorba, and unanimously carried to **APPROVE THE 2012 SCHEDULE FOR CITY PLAN COMMISSION MEETINGS.**

Motion passed.

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Commissioner Nance asked staff to look into the issue of parking for Commissioners.

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8. Planning Report:
N/A

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9. Legal Report:
N/A

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ADJOURNMENT:

Motion made by Commissioner Nance, seconded by Commissioner Landeros, and unanimously carried to adjourn this meeting at 4:30 p.m.

Approved as to form:

Mathew McElroy, Executive Secretary, City Plan Commission