CITY PLAN COMMISSION MEETING
1ST FLOOR CITY COUNCIL CHAMBERS
DECEMBER 17, 2015
1:30 P.M.

MINUTES

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

The meeting was called to order at 1:31 p.m. Commissioner Loweree present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:
Commissioner Brannon
Commissioner Perez
Commissioner Loweree
Commissioner Ardovino
Commissioner Bustamante
Commissioner Landeros
Commissioner Madrid

COMMISSIONERS ABSENT:
Commissioner Grambling

AGENDA

Commissioner Landeros read the rules into the record. Kimberly Forsyth, Program Manager, read the revisions to the agenda into the record.

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

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

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 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.

Major Combination:

1.	**SUSU15-00076:**	Claystone Court - All of Tracts 1N6 and 1N7, Block 10, Upper Valley Surveys, City of El Paso, El Paso County, Texas
	Location:	East of Westside Drive and North of Gomez Road
	Property Owner:	Keystone Residences LLC
	Representative:	Bashar Abugalyon
	District:	1
	Staff Contact:	Alfredo Austin, (915) 212-1604, austinaj@elpasotexas.gov

Alfredo Austin, Planner, gave a presentation and noted that the applicant proposes to subdivide approximately 4.12 acres of vacant land for 10 single family lots. Access to the subdivision is proposed from Westside Drive and Gomez Road. The plat was originally approved by CPC on July 17, 2014, however the plat was not recorded within 6 months and a new application submittal was required. This development is being reviewed under the former subdivision ordinance. Staff recommends approval of the exception requests and approval of Claystone Court Subdivision on a Major Combination basis.

Bashar Abugalyon concurred with staff's comments.

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Landeros, and unanimously carried to **APPROVE SUSU15-00076.**

Motion passed.

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PUBLIC HEARING Resubdivision Combination:

2.	**SUSU15-00062**:	Cielo Vista Replat A - All of Lots 5 and 6, Block 2, and Lots 5 through 10, Block 3, Cielo Vista Amended Plat, the 20 foot alley and a portion of the Avalon Street right-of-way, City of El Paso, El Paso County, Texas
	Location:	South of Montana and East of Airway

Property Owner:	EP Simana, L.P.
Representative:	SLI Engineering, Inc.
District:	3
Staff Contact:	Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov

POSTPONED FROM DECEMBER 3, 2015.

***ACTION:** Motion made by Commissioner Ardovino, seconded by Commissioner Brannon, and unanimously carried to **POSTPONE SUSU15-00062 FOR THREE (3) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF JANUARY 7, 2016.**

Motion passed.

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PUBLIC HEARING Street Dedication:

3. **SURW15-00014:** Diamondhead R.O.W. Dedication – A portion of Tract 1, Section 8, Block 79, Township 3, Texas & Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas

Location:	W of Zaragoza Road at Diamond Head Dr.
Property Owner:	El Paso Electric Company
Representative:	El Paso Electric Company
District:	6
Staff Contact:	Joaquin Rodriguez, (915) 212-1608, rodriguezjx3@elpasotexas.gov

Joaquin Rodriguez, Planner, gave a presentation and noted that the applicant is proposing to dedicate a .1005 acre parcel of land to serve as public right-of-way in the City's east side. The additional right-of-way will accommodate an existing sidewalk that has been constructed with the applicant's property. The applicant has requested an exception for this dedication to be approved by a separate metes and bounds dedication. Staff recommends approval of the exception request.

Robert Ramirez with the El Paso Electric Co., 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 Ardovino, seconded by Commissioner Bustamante, and unanimously carried to **APPROVE SURW15-00014.**

Motion passed.

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PUBLIC HEARING Rezoning Application:

4. **PZRZ15-00036:** A portion of Tract 8, Nellie D. Mundy Survey No. 239, City of El Paso, El Paso County, Texas

Location:	7051 South Desert Boulevard
Zoning:	R-F (Ranch and Farm)
Request:	From R-F (Ranch and Farm) to C-4 (Commercial)
Existing Use:	Vacant
Proposed Use:	Drive-in movie theatre and commercial development
Property Owner:	El Paso Outlet Center II Expansion, LLC
Representative:	Conde, Inc.
District:	1
Staff Contact:	Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

POSTPONED FROM DECEMBER 3, 2015.

***ACTION:** Motion made by Commissioner Ardovino, seconded by Commissioner Brannon, and unanimously carried to **DELETE PZRZ15-00036.**

Motion passed.

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PUBLIC HEARING Detailed Site Development Plan Application:

5.	**PZDS15-00020:**	Portion of Lot 9, Block 1, Country Place Estates, City of El Paso, El Paso County, Texas
	Location:	North of Country Club Road and East of Hunters Glenn Lane
	Zoning:	S-D/spc (Special Development/special protective conditions)
	Request:	Detailed Site Development Plan Review
	Existing Use:	Vacant
	Proposed Use:	Dwelling, attached single-family (Townhomes)
	Property Owner:	Country Place Estate 9, LLC
	Representative:	Bashar Abugalyon
	District:	1
	Staff Contact:	Ryan Kirby (915) 212-1586, kirbyrl@elpasotexas.gov
	POSTPONED FROM DECEMBER 3, 2015.	

***ACTION:** Motion made by Commissioner Ardovino, seconded by Commissioner Brannon, and unanimously carried to **DELETE PZDS15-00020.**

Motion passed.

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PUBLIC HEARING Special Permit Applications:

6.	**PZST15-00032:**	Lot 1, Block 1, Poe Subdivision, City of El Paso, El Paso County, Texas
	Location:	6330 Montana Avenue
	Zoning:	M-1 (Light Manufacturing) & C-4 (Commercial)
	Request:	Energy conversion system / Wind-driven generators
	Existing Use:	Car dealership
	Proposed Use:	Car dealership / Energy conversion system / Wind-driven generators
	Property Owner:	Poe Investments, LTD
	Representative:	Larry Perea
	District:	3
	Staff Contact:	Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov

Jeff Howell, Senior Planner, gave a presentation and noted that the request is for a special permit and detailed site plan approval to allow for two 73' energy conversion systems with wind-driven generators on an existing automobile dealership lot. Access to the subject property is from Montana. Staff has not received any communication in support or opposition to this permit request. Staff recommends approval of the request and acceptance of the detailed site development plan.

Kimberly Forsyth, Program Manager, noted that the purpose for these generators to be placed at this location is because this dealership would like to use these as recharging stations for automobiles, not just for automobiles they sell, but for the general public as well. They want them to be visible to promote the new technology for the electrical cars.

Javier Perea with Solar Smart Living 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 Bustamante, and unanimously carried to **APPROVE PZST15-00032.**

Motion passed.

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7.	**PZST15-00034:**	Tract 3B1, Block 42, Ysleta Grant, City of El Paso, El Paso County, Texas
	Location:	216 Emma Way
	Zoning:	R-4 (Residential)
	Request:	Special Use Permit to allow for a Group Residential Facility in R-4 (Residential) zone district and Infill Development Special Permit to allow for a parking reduction
	Existing Use:	Single-family dwelling
	Proposed Use:	Group Residential Facility
	Property Owner:	Bertha Patricia Solis
	Representative:	Vanessa Magdaleno
	District:	6
	Staff Contact:	Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

Michael McElroy, Senior Planner, gave a presentation and noted that the applicant is requesting a special permit and detailed site development plan approval to allow for an existing single-family dwelling to be converted to a group residential facility in an R-4 (Residential) district. Staff has not received any communication in support or in opposition to either of these requests. Staff recommends approval of the Special Permit and the Detailed Site Development Plan.

Mr. McElroy responded to questions from the commission.

Vanessa Magdaleno, representing Alberto Solis, 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 Ardovino, seconded by Commissioner Bustamante, and unanimously carried to **POSTPONE PZST15-00034 FOR THREE WEEKS, TO THE CITY PLAN COMMISSION MEETING OF JANUARY 7, 2016.**

Motion passed.

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8.	**PZST15-00038:**	Lot 14, Block 389, Tierra Del Este #69, City of El Paso, El Paso County, Texas
	Location:	14504 Long Shadow Avenue
	Zoning:	R-5 (Residential)
	Request:	Infill development - to allow for side street yard setback reduction
	Existing Use:	Single-family dwelling
	Proposed Use:	Addition to the existing single-family dwelling
	Property Owners:	Juan & Raquel Garcia
	Representatives:	Juan & Raquel Garcia
	District:	5
	Staff Contact:	Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

POSTPONED FROM DECEMBER 3, 2015.

***ACTION:** Motion made by Commissioner Ardovino, seconded by Commissioner Brannon, and unanimously carried to **DELETE PZST15-00038.**

Motion passed.

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Other Business:

9. Discussion and action on the City Plan Commission minutes for:
December 3, 2015

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Ardovino, and unanimously carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR DECEMBER 3, 2015.**

Motion passed.

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10. Planning Report:
Discussion and action on the Annual CPC Business meeting agenda.

Kimberly Forsyth, Program Manager, noted that a draft agenda was distributed to the commission for their review. She gave the commissioners an opportunity to place other items on the agenda.

Commissioner Landeros requested that an item be placed on the agenda summarizing the authorities that the City Plan Commission has under the ordinance and also State Law.

No necessary action was required on this item.

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Discussion and Action:

11. Discussion and action on an Ordinance amending Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.060 (Alcohol Beverages), Subsection B. (Restrictions), to revise the alcohol sales prohibition within 300 feet of a church, school, commercial day care or public hospital.
Staff Contact: Arturo Rubio, (915) 212-1613, rubioax@elpasotexas.gov
POSTPONED FROM DECEMBER 3, 2015.

Art Rubio, Lead Planner, gave a presentation and noted that this item was presented at the previous City Plan Commission meeting. This item is being revisited at the CPC's request to determine if there are other options to avoid removing public hearing process. He noted that staff has received 8 (eight) Alcohol Sales Exceptions but out of those eight, only 1 (one) has been denied.

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

Ray Mancera spoke in favor of the amendment to Title 20.

ACTION: Motion made by Commissioner Landeros, seconded by Commissioner Madrid, and carried to **DENY AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.060 (ALCOHOL BEVERAGES), SUBSECTION B. (RESTRICTIONS), TO REVISE THE ALCOHOL SALES PROHIBITION**

WITHIN 300 FEET OF A CHURCH, SCHOOL, COMMERCIAL DAY CARE OR PUBLIC HOSPITAL.

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

Motion passed to deny. (6 -1 vote)

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12. Discussion and action on an Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), Chapter 20.16 (Screening and Fencing), Section 20.16.020 (Mandatory Walls) Subsections A, B and H to amend the screening and fencing requirements.
Staff Contact: Arturo Rubio, (915) 212-1613, rubioax@elpasotexas.gov
POSTPONED FROM DECEMBER 3, 2015.

Art Rubio, Lead Planner, gave a presentation and noted that this is also a Title 20, Zoning Code Amendment. Staff is proposing to include a definition for "masonry wall" which currently does not exist in the code. An additional proposal is to remove the sections that require a rock wall within the mixed use districts, and finally to reformat the text on the types of waivers permitted.

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 Bustamante, and unanimously carried to **APPROVE AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.02 (GENERAL PROVISIONS AND DEFINITIIONS), CHAPTER 20.16 (SCREENING AND FENCING), SECTION 20.16.020 (MANDATORY WALLS) SUBSECTIONS A, B AND H TO AMEND THE SCREENING AND FENCING REQUIREMENTS.**

Motion passed.

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13. Discussion and action on an Ordinance amending Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations) Section 20.10.200 (Energy Conversion Systems) Subsection B. (Wind-Driven Generators Or Wind-Driven Pumps) to revise and add location and height requirements.
Staff Contacts: Arturo Rubio, (915) 212-1613, rubioax@elpasotexas.gov
Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov

1ST MOTION:
***ACTION:** Motion made by Commissioner Ardovino, seconded by Commissioner Brannon, and unanimously carried to **HEAR ITEM 13 PRIOR TO ITEM 6.**

Motion passed.

Art Rubio, Lead Planner, gave a presentation and noted this item is a Title 20 Zoning Code Amendment for Energy Conversion Systems specifically for wind-powered generators and wind-powered pumps. Revisions include location and height requirements. Staff is proposing these changes for more flexibility.

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

2ND MOTION:
ACTION: Motion made by Commissioner Ardovino, seconded by Commissioner Bustamante, and unanimously carried to **APPROVE AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS) SECTION 20.10.200 (ENERGY CONVERSION SYSTEMS) SUBSECTION B. (WIND-DRIVEN GENERATORS OR WIND-DRIVEN PUMPS) TO REVISE AND ADD LOCATION AND HEIGHT REQUIREMENTS.**

Motion passed.

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ADJOURNMENT:

Motion made by Commissioner Perez, seconded by Commissioner Ardovino, and unanimously carried to adjourn this meeting at 2:58 p.m.

Approved as to form:

Carlos Gallinar, Executive Secretary, City Plan Commission