



CITY PLAN COMMISSION HEARING MINUTES

January 27, 2005

MEMBERS PRESENT:

Miguel Teran
Roman Bustillos
Dick Vorba
John Neal
Gus Haddad
Ray Mancera
Ruben Ponce Jr.

OTHERS PRESENT:

Rudy Valdez, PRDD
George Sarmiento, PRDD
Fred Lopez, PRDD
Jorge Rousselin, PRDD
James Shelton, PRDD
Matt Watson, Assistant City Attorney
Sandra Hernandez, Recording Secretary

The City Plan Commission meeting was called to order by Gus Haddad at 1:40 p.m. Council Chambers, 2nd Floor. A quorum of its members was present and Dick Vorba made the introductory statements. Fred Lopez presented changes to the agenda. Motion made by Ray Mancera to accept changes to the agenda, seconded by John Neal and unanimously carried (6-0).

DISCUSSION AND ACTION:

1. CPC Bylaws.

SUMMARY: City Plan Commission Bylaws were discussed and approved. The following motions were made:

Page 4 Article IV – Quorum

A quorum of the Commission shall consist of five members and shall be required to convene, recess or adjourn any regular or special meeting. The minutes of the Commission shall reflect the names of the members and ex-officio members present at the meetings.

ACTION: Motion made by Ruben Ponce to approve, seconded by John Neal and unanimously carried (6-0).

Page 5 Article V – Voting – Item 3C

Once an application is on City Council Agenda, it may not be reconsidered unless so directed by City Council.

ACTION: Motion made by Ray Mancera to approve, seconded by John Neal and unanimously carried (6-0).

ACTION: Motion made by Ray Mancera to approve CPC Bylaws, subject to staff comments, seconded by John Neal and unanimously carried (6-0).

PUBLIC HEARING

Rezoning Applications:

2. **ZON04-00150:** A portion of Lot 1, Block 71, West Hills Unit 21
LOCATION: Resler Drive South of High Ridge Drive
REQUEST: From: C-1/sc (Commercial/special contract);
To: C-2/sc Commercial/special contract)
PROPOSED USE: Drive-in Restaurant
OWNER/APPLICANT: River Oaks Properties, Ltd. / Same
REPRESENTATIVE: SLI Engineering, Inc.
DISTRICT: # 1

RECOMMENDATION: DCC approval as presented and subject to staff comments.

SUMMARY: Fred Lopez, Planning Department, noted that the applicant is requesting to rezone property from C-1/sc (Commercial/special contract) to C-2/sc (Commercial/special contract) in order to permit a Sonic drive-in restaurant. The property is .524 acres in size and is currently vacant. The proposed site plan shows the 1,530 square feet drive-in restaurant to be located on the site. Access is proposed via Resler Drive with twenty-five parking spaces provided. The Planning Department has received no calls or letters in support or opposition to this request. The Development Coordinating Committee recommended approval of this request with the following condition:

- o *That a Detailed Site Development Plan be reviewed and approved pursuant to the El Paso Municipal Code prior to the issuance of any building permits, and that the detailed site development plan submitted with this rezoning application be accepted to meet this requirement.*

George Halloul, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Dick Vorba and unanimously carried (6-0).

3. **ZON04-00151:** A portion of Lot A, Blk 129, Eastwood Heights Unit K
LOCATION: 2655 Yarbrough
REQUEST: From: A-O (Apartment/Office); To: A-3 (Apartment)
PROPOSED USE: Apartments
OWNER/APPLICANT: Nonie R. Willis / Same
REPRESENTATIVE: Conde, Inc.
DISTRICT: # 5

RECOMMENDATION: DCC approval as presented and subject to staff comments.

SUMMARY: Jorge Rousselin, Planning Department, noted that the applicant is requesting to rezone property from A-O (Apartment/Office) to A-3 (Apartment) in order to permit expansion of an existing apartment complex. The property is 4.98 acres in size and is currently an apartment complex with 120 units. The proposed site plan shows an additional 24 units to be placed adjacent to the existing 120 units. A-3 (Apartment) zoning would allow 58 units/acre for a total of 288.84 units. The applicant is proposing a total of 144 units. Access is proposed via Saigon Avenue. The Planning Department has received one letter in opposition to this request and one phone call in opposition to this request.

Conrad Conde, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made by John Neal to approve limiting the number of units for the entire site (including existing units) to 144 total, subject to staff comments, seconded by Ray Mancera and unanimously carried (6-0).

Special Permit Applications:

4. **ZON04-00119:** All of Tracts 5, 6 and 7, AYR Lawn Tract, Ysleta Grant
REQUEST: Parking Reduction
LOCATION: 8061 Alameda
ZONE: C-3 (Commercial), C-4 (Commercial)
PROPOSED USE: Medical Clinic
OWNER/APPLICANT: Daughters of Charity Community Service / San Vicente Centro Familiar De Salud
REPRESENTATIVE: Ed Soltero
DISTRICT: # 7

ACTION: Motion made by Ray Mancera to delete item; upon applicant's request, seconded by John Neal and unanimously carried (6-0).

Extension Request to Complete Subdivision Improvements:

5. **SD99067:** Pinnacle Subdivision – Extension request to complete subdivision improvements; Being a portion of H.G. Foster Survey No. 260 and 261, and a portion of Tract 1A-2 and Stanton Street A.F. Miller Survey No. 216, City of El Paso, El Paso County, Texas. (District 1)

ACTION: Motion made by Ray Mancera to postpone for two weeks (02/10/05); upon applicant's request, seconded by John Neal and unanimously carried (6-0).

Extension Request to Record Subdivision:

6. **SUB03-00006:** Resler Canyon Subdivision – Extension Request to Record Subdivision; All of Tract 16A1, all of Tract 15P2, all of Tract 15S1 and all of Tract 15V, A.F. MILLER SURVEY No. 213, within the City of El Paso, El Paso County, Texas. (District 8)

ACTION: Motion made by Ray Mancera to move item #6 to the front of the agenda, seconded by John Neal and unanimously carried (6-0).

RECOMMENDATION: DCC denial as presented and subject to staff comments.

SUMMARY: James Shelton, Planning Department, noted this is an extension request to submit the recording maps. The City Plan Commission approved the subdivision on August 5, 2004. There have been no previous extensions granted for the subdivision. The requirement to submit the recording map will expire on February 5, 2005. The applicant is requesting a six-month extension to submit the recording maps. The Development Coordinating Committee denied this six-month extension because DCC felt that the delay was not caused by a governmental agency. The reason the applicant is requesting the extension is because of pending litigation between the developer, the City of El Paso and the City Plan Commission and also that the developer would need additional time to complete the review and approval of processing the subdivision.

Robert Moreno, Representative, did not agree with staff recommendations. Mr. Moreno explained that 30 days would give them enough time to submit the recording maps. Mr. Moreno noted that this has been a fairly complex project and it has taken an extraordinary amount of time for them to get approvals from agencies.

Charlie Wakeem recommended that the City Plan Commission accept the DCC's recommendation to deny the extension.

ACTION: Motion made by Ray Mancera to adjourn into executive session at 2:10 p.m., seconded by Roman Bustillos and unanimously carried (6-0).

ACTION: Motion made by Ray Mancera to reconvene from executive session at 2:35 p.m., seconded by John Neal and unanimously carried (6-0).

ACTION: Motion made by Ray Mancera to deny, seconded by John Neal and carried (4-2). (Commissioners Miguel Teran and Roman Bustillos opposed the motion.)

Easement Vacation:

7. **EV05001:** Easement Vacation – Being all of Lot 1 and a Portion of Lot 2, Block 21, Dennis McCoy Subdivision. (District 3)

RECOMMENDATION: DCC approval as presented and subject to staff comments.

SUMMARY: James Shelton, Planning Department, noted that the applicant is requesting the vacation of the easement, which runs underneath a building located on subject lot. The Development Coordinating Committee recommends approval of the vacation request subject to the following requirements: As a consideration for the release of the City's interest in the public easement, the applicant will be required to pay a fee of \$25.00 to the City of El Paso prior to the item being heard by City Council. Upon submittal of the \$25.00 fee the item will next be scheduled for City Council action.

No opposition was presented.

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Dick Vorba and unanimously carried (6-0).

Street Vacation:

8. **SV04011:** Street Vacation – Rim Road (70' wide) between Oregon Street and El Paso Street, Alexander Addition. (District 1)

ACTION: Motion made by Ray Mancera to postpone for two weeks (02/10/05); upon applicant's request, seconded by John Neal and unanimously carried (6-0).

Street Dedication:

9. **DD04003:** Street Dedication – Request to dedicate a road off of Holmsley Trail. (District 7)

ACTION: Motion made by Ray Mancera to postpone for two weeks (02/10/05); upon applicant's request, seconded by John Neal and unanimously carried (6-0).

SUBDIVISION MAP APPROVAL

Subdivision Applications:

10. **SUB04-00078:** River Park West #4 – Final; Being All of Tract 11, Block 10, Upper Valley Surveys, El Paso County, City of El Paso, Texas. (District 1)

ACTION: Motion made by Ray Mancera to postpone for two weeks (02/10/05); upon applicant's request, seconded by John Neal and unanimously carried (6-0).

11. **SUB04-00092:** Tierra Del Este #36 – Preliminary; Being a Portion of Tract 1, Section 35, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas. (District 5)

RECOMMENDATION: DCC approval as presented and subject to staff comments.

SUMMARY: James Shelton, Planning Department, noted that the developer is proposing a single-family residential development containing 568 residential lots. The smallest size lot in the subdivision is 4663 square feet. Primary access to the subdivision will be from Tierra Dorado Drive via Edgemere Boulevard. The developer will be required to pay \$170,400 in park fees. The subdivision is in the 1940.409-acre parcel of property that was annexed by the City of El Paso on November 9, 1999. The developer is requesting a modification to allow for a change in the cross-section of the proposed divided residential street to allow for 5-foot sidewalks adjacent to the curb with a 3-foot landscape area, instead of the standard 4-foot sidewalk and 4-foot landscape area. The developer is also requesting a modification to allow for block lengths in excess of 1,500 feet. The Engineering Department recommended the developer coordinate any subdivision improvements in Tierra Del Este 31. The developer has requested a modification on the turning heels.

Commissioner John Neal asked what unusual or special current condition exists that requires the streets to be longer than 1500 feet.

Rudy Valdez, Planning Department, noted that with respect to the block furthest north, there is no way to extend the street in that direction because of the auto salvage yards being there.

Commissioner Gus Haddad asked where the nearest park is located.

Mr. Shelton replied that the nearest park is about a half mile east of the subject, the Eastside Regional Park and is about 90 acres in size.

Commissioner Haddad expressed his concerns of accepting the park fees instead of having a park.

Mr. Valdez explained that the developer expressed his intent of dedicating a park in the adjacent subdivision that would fulfill the requirements for both this subdivision and the next subdivision.

Commissioner Haddad asked why the Parks Department agreed to take the park fees instead of opting to take a park.

Richard Garcia, Parks and Recreation Department, noted that the logic there was that since the Eastside Regional Park, which is a 90-acre site, was a half a mile from this subdivision; they thought it would be best to take the funds to use for the development of that park.

Conrad Conde, Representative, agreed with staff recommendations.

Commissioner Ray Mancera asked Mr. Conde if he would be willing to combine the two small parks into one large park.

Mr. Conde replied that they would agree to combine both parks.

Commissioner Ray Mancera asked if staff felt uncomfortable having such a large or long street.

Mr. Valdez replied that it would be optimal if you could provide a street that would at some point in the future connect to the north, but the reality is that because of the auto salvage that currently exists to the north, it would almost be impossible to connect a street heading to Montana.

Mr. Conde explained their reason for having the long streets.

Margarita Molina, Engineering Department, noted that the long length of the street would create a safety issue because cars would be speeding through the streets.

The commission voiced their concerns over the streets exceeding 1500 lineal feet. Mr. Conde suggested that they could do a roundabout street for the northern street. Mr. Ted Marquez, Engineering Department, agreed to work with the applicant in developing the traffic circle concept. They feel that it is a going to be attractive for that location and it will slow down and break down that long stretch of street.

ACTION: Motion made by John Neal to approve, subject to staff comments, applicant agrees to dedicate park in the adjacent subdivision and park credits will be given at final for this subdivision, subject to coordination with Engineering to resolve the northern street intersection in a roundabout or some other kind of fashion that is acceptable to both traffic and the applicant, seconded by Dick Vorba and carried (5-1). (Commissioner Ray Mancera opposed the motion.)

12. **SUB05-00001:** Keystone Business Park Replat B – Resubdivision Combination; Being a Replat of Lots 16 through 25, and a Portion of Kappa Road, Keystone Business Park, City of El Paso, El Paso County, Texas. (District 1)

ACTION: Motion made by Ray Mancera to postpone for two weeks (02/10/05); upon applicant's request, seconded by John Neal and unanimously carried (6-0).

13. **SUB05-00002:** Haciendas San Miguel #1 – Preliminary; Being Tracts 18B, 18D, 18E, and 18F, Block 1, Upper Valley Surveys, City of El Paso, El Paso County, Texas. (District 1)

ACTION: Motion made by Ray Mancera to postpone for two weeks (02/10/05); upon applicant's request, seconded by John Neal and unanimously carried (6-0).

Other Business:

14. Approval of CPC Minutes: January 6, 2005

ACTION: Motion made by Ray Mancera to approve, seconded by John Neal and unanimously carried (6-0).

15. Planning Report.

16. Legal Report.

The City Plan Commission Hearing adjourned at 4:05 p.m.

Rudy Valdez, Executive Secretary

OFFICIAL MINUTES AND RECORD OF ACTION

TAKEN BY THE EL PASO CITY PLAN COMMISSION ON JANUARY 27, 2005

_____, CHAIR