



CITY PLAN COMMISSION HEARING MINUTES

February 12, 2004

MEMBERS PRESENT:

Gary Porras
Dick Vorba
John Neal
Alan Simpson
Elma Carreto
Ray Mancera

OTHERS PRESENT:

Rudy Valdez, PRDD
George Sarmiento, PRDD
Fred Lopez, PRDD
Kimberly Forsyth, PRDD
James Shelton, PRDD
Matt Watson, City Attorney's Office
Sandra Hernandez, Recording Secretary

The City Plan Commission meeting was called to order by Elma Carreto at 1:30 p.m. Council Chambers, 2nd Floor. A quorum of its members was present and Alan Simpson made the introductory statements. Fred Lopez presented changes to the agenda. Motion made by Gary Porras to accept changes to the agenda, seconded by Dick Vorba, and unanimously carried (4-0).

DISCUSSION AND ACTION:

SUBDIVISION MAP APPROVAL

Subdivision Application:

1. **SUB03-00033:** Chaparral Park Unit 42 – Final; Being a portion of H.G. Foster Survey No. 262, City of El Paso, El Paso County, Texas. (District 1)

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

SUMMARY: James Shelton, Planning Department, noted that the developer is proposing a residential development containing 13 single-family residential lots. Primary access to the subdivision will be from Ojo De Agua Drive to Via Descanso Drive. The developer will receive a credit of .065 acres for a previously dedicated park. The developer was granted a modification on December 4, 2003 on a preliminary basis to allow for a reduced 47-foot right of way. The City Plan Commission approved the modification under criteria #3 of the Subdivision Ordinance. The Engineering Department is requesting that the developer coordinate the subdivision improvements with Chaparral Unit 40 and the future Park Hills Unit 6. The Fire Department recommended that building construction within the area of a cul-de-sac exceeding the length of 1,000 feet shall be fire sprinklered.

Conrad Conde, Representative, agreed with staff recommendations. Mr. Conde requested that item #3, under Other Requirements and Comments, be deleted.

Mr. Shelton agreed to delete item #3.

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Dick Vorba, and unanimously carried (4-0).

2. **SUB03-00034:** Capistrano Parks #5 – Preliminary; Tract 7B, Block 35 Ysleta Grant, and Tract 2A, U.S. Parcel No. 10, City of El Paso, El Paso County, Texas. (District 6)

ACTION: Motion made by Gary Porras to postpone for two weeks (02/26/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

3. **SUB03-00038:** Louisiana Subdivision – Combination; Being all of Lot 25, Richard Lee Subdivision, City of El Paso, El Paso County, Texas. (District 6)

ACTION: Motion made by Gary Porras to postpone for four weeks (03/11/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

4. **SUB03-00043:** Diamond Pointe Patio Homes – Preliminary; Lot 36, Block 3, Shadow Mountain Heights, Replat "B", City of El Paso, County, Texas. (District 1)

ACTION: Motion made by Gary Porras to postpone for two weeks (02/26/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

5. **SUB04-00000:** Franklin Village – Preliminary; Being a portion of Tract 3J, Section 43, Block 80, Township 1, Texas and Pacific Railway Company Surveys. (District 4)

ACTION: Motion made by Gary Porras to postpone for two weeks (02/26/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

6. **SUB04-00002:** Talbot Place #2 – Combination; Being All of Tracts 4D, 4D3, 4D5, 4D5A, 4D5C, 4D5D, and 4D8, Nellie D. Mundy Survey No. 239, El Paso County, Texas. (West ETJ)

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

SUMMARY: James Shelton, Planning Department, noted that the request is for a preliminary plat. The developer is proposing a residential development containing 68 single-family residential lots. Primary access to the subdivision will be from Talbot Avenue. Since the subdivision is outside the existing city limits, no parkland dedication is required. PSB will be providing water and sanitary sewer service to this development. The County of El Paso has agreed to allow reduced lot sizes and a 52-foot right of way.

Enrique Escobar, Representative, agreed with staff recommendations.

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Gary Porras, and unanimously carried (4-0).

Extension request to complete subdivision improvements:

7. **SD99053:** JAM Land Unit One - Extension request to complete subdivision improvements. (District 5)

ACTION: Motion made by Gary Porras to postpone for two weeks (02/26/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

PUBLIC HEARING

Street Vacation:

8. **SV03004:** Street Vacation – Portion of Hawthorne Street, out of Alexander Addition, an unrecorded map in the City of El Paso. (District 1)

ACTION: Motion made by Gary Porras to postpone for two weeks (02/26/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

9. **SV04001:** Street Vacation – Portion of Westlake Court, Coronado Country Club Estates Unit 5. (District 1)

ACTION: Motion made by Gary Porras to postpone for two weeks (02/26/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

Detailed Site Development Plan Application:

10. **ZON003-00080:** Lot 36, Block 3, Shadow Mountain Heights, Replat "B"
LOCATION: North of Caprock Court and Indian Bluff Dr.
REQUEST: Zoning condition
ZONE: PR-2/sc (Planned Residential/special contract)
PROPOSED USE: Patio Homes and single-family residential
OWNER/APPLICANT: BAR Construction Inc. / same
REPRESENTATIVE: CEA Engineering Group
DISTRICT: # 1

ACTION: Motion made by Gary Porras to postpone for two weeks (02/26/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

11. **ZON03-00087:** Tract 1, Section 4, Block 79, Township 3, Texas and Pacific Railway Company Surveys
LOCATION: Zaragoza Road
REQUEST: Zoning condition
ZONE: C-3/sc (Commercial/ special contract)
PROPOSED USE: New residential subdivision
OWNER/APPLICANT: Laguna Meadows Inc. / Rachael Kangur
REPRESENTATIVE: Eddie Urquidi
DISTRICT: # 5

ACTION: Motion made by Gary Porras to postpone for two weeks (02/26/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

Special Permit Application:

12. **ZON03-00066:** Tract 7B, Block 35, Ysleta Grant, and Tract 2A, U.S. Parcel No. 10
REQUEST: reduced lot sizes and reduced rear yard setbacks
LOCATION: Between Loop 375 and Independence Drive
ZONE: A-2 (Apartment)
PROPOSED USE: planned residential development
OWNER/APPLICANT: Tropicana Homes, Inc. / Same
REPRESENTATIVE: CEA Engineering Group
DISTRICT: # 6

ACTION: Motion made by Gary Porras to postpone for two weeks (02/26/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

13. **ZON04-00001:** A portion of Tracts 2B, 1G, and 3A, Block 10, Upper Valley Surveys
REQUEST: planned residential development
LOCATION: West of Upper Valley Road and South of Borderland Road
ZONE: R-F (Ranch and Farm)
PROPOSED USE: single-family residential development
OWNER/APPLICANT: RPW Development, Ltd. / Same
REPRESENTATIVE: CEA Engineering Group
DISTRICT: # 1

ACTION: Motion made by Gary Porras to postpone for two weeks (02/26/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

14. **ZON04-00002:** Block 73, Lot 10 thru 13, Morningside Heights
REQUEST: Off-site parking on Parcel 1 to serve proposed restaurant on Parcel 2-
LOCATION: Truman @ Dyer St.
ZONE: Parcel 1: A-2 (Apartment); Parcel 2: C-4 (Commercial)
PROPOSED USE: Parcel 1: off-site parking for Parcel 2
Parcel 2: restaurant
OWNER/APPLICANT: Willie J. Hannah & Rojana Hannah / Same
REPRESENTATIVE: Cruz Garcia
DISTRICT: # 2

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

SUMMARY: Kimberly Forsyth, Planning Department, stated this is a request for a special permit to allow for off-site parking on parcel 1 which is the larger parcel to serve a proposed restaurant on parcel 2, which is at the corner of Truman and Dyer Street. Parcel 1 is currently vacant land and 12,000 square feet in size and Parcel 2 is currently a vacant building and is proposed for a conversion into a restaurant. The Planning Department has not received any calls or letters either in support or opposition to this request.

Cruz Garcia, 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 (5-0).

15. **ZON04-00004:** Parcel 1: Portion of Tract 3A, Nellie D. Mundy Survey No. 240;
Parcel 2: Tract 1-A-1, Nellie D. Mundy Survey No. 240
REQUEST: Off-site parking at the EPCC to serve a new proposed high school and stadium
LOCATION: 6675 South Desert Blvd.
ZONE: R-3 (Residential)
PROPOSED USE: Parcel 1: school
Parcel 2: off-site parking for school
OWNER/APPLICANT: Canutillo Independent School District / Same
REPRESENTATIVE: Dimensions Architecture Int'l
DISTRICT: # 1

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

SUMMARY: Kimberly Forsyth, Planning Department, noted that this is a request for off-site parking at the El Paso Community College campus to serve a proposed Canutillo High School. The new high school will also have a 7,500 seating stadium on the campus of the high school.

The administrative and the school buildings have adequate parking, however the stadium requires 1875 parking spaces. The El Paso Community College has agreed to provide parking for the stadium. The Planning Department has received no calls or letters in opposition or support of the request.

Sergio Martinez, Representative, agreed with staff recommendations.

ACTION: Motion made by Gary Porras to approve, subject to staff comments, seconded by Ray Mancera, and unanimously carried (5-0).

16. **ZON04-00006:** Being a portion of Pridham Survey No. 274
REQUEST: Philanthropic institution
LOCATION: 3700 Altura
ZONE: R-4 (Residential)
PROPOSED USE: YWCA Transitional Living Center
OWNER/APPLICANT: El Paso Center for Children / YWCA
REPRESENTATIVE: Conde, Inc.
DISTRICT: # 2

ACTION: Motion made by Gary Porras to postpone for two weeks (02/26/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

17. **ZON04-00007:** Being a portion of Pridham Survey No. 274
REQUEST: Off-site parking on Parcel 2 to serve Parcel 1
LOCATION: 3700 Altura
ZONE: R-4 (Residential)
PROPOSED USE: Parcel 1: YWCA Transitional Living Center
Parcel 2: off-site parking
OWNER/APPLICANT: El Paso Center for Children / YWCA
REPRESENTATIVE: Conde, Inc.
DISTRICT: # 2

ACTION: Motion made by Gary Porras to postpone for two weeks (02/26/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

18. **ZON04-00008:** Lots 1 and 2, Block 31, Franklin Heights
REQUEST: parking reduction
LOCATION: 1300 Texas Avenue
ZONE: C-4 (Commercial)
PROPOSED USE: office, commercial kitchen, and storage
OWNER/APPLICANT: Michael Myers and Carl Myers / Ardovino's Pizza
REPRESENTATIVE: C. F. Associates Inc.
DISTRICT: # 8

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

SUMMARY: Fred Lopez, Planning Department, noted the applicant is requesting a special permit to allow for a parking reduction for a proposed remodeling of an office, commercial kitchen and storage area. The request is for a parking reduction of 100% for the site. Access is provided via Texas Street with delivery of vehicular access on Brown Street. A traffic impact study was conducted on December 22, 2003, and it showed 80 parking spaces available within the area of a 300-foot radius of the site. Based on the traffic study at the peak hour of 10:00 a.m. there were 59 spaces available in the area. The Planning Department has received no calls or letters in opposition or support to this request.

The representative was not present.

No opposition was presented.

Commissioner Alan Simpson noted that it states in the packet that the property owner or applicant needs to be present.

ACTION: Motion made by Gary Porras to approve, subject to staff comments, seconded by Dick Vorba, and unanimously carried (4-1).

ACTION: Motion made by Ray Mancera to reconsider, seconded by John Neal and unanimously carried (5-0).

ACTION: Motion made by Ray Mancera to postpone until the end of the agenda, seconded by John Neal and unanimously carried (5-0).

ACTION: Motion made by Alan Simpson to postpone for two weeks (02/26/04); seconded by John Neal and unanimously carried (5-0).

19. **ZON04-00015:** Being a portion of Tract 3J, Section 43, Block 80, Township 1
REQUEST: Variable lot sizes and reduced front & rear yard setbacks
LOCATION: Cross Street and Railroad Drive
ZONE: C-4 (Commercial)
PROPOSED USE: Single family residential
OWNER/APPLICANT: Frank Arroyos, Carefree Land / Same
REPRESENTATIVE: same
DISTRICT: # 4

ACTION: Motion made by Gary Porras to postpone for two weeks (02/26/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

Rezoning Application:

20. **ZON03-00082:** A portion of Tract 2D, Block 9, Ysleta Grant
LOCATION: Pendale Road North of Roseway Drive
REQUEST: From: R-F (Ranch and Farm); To: R-3 (Residential)
PROPOSED USE: single-family residential development
OWNER/APPLICANT: Javier Quevedo / Same
REPRESENTATIVE: Carlos Jimenez
DISTRICT: # 7

ACTION: Motion made by Gary Porras to postpone for two weeks (02/26/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

21. **ZON03-00089:** A portion of Tracts 2B, 1G, and 3A, Block 10, Upper Valley Surveys
LOCATION: West of Upper Valley Road and South of Borderland Road
REQUEST: From: R-F (Ranch and Farm); To: R-3A (Residential)
PROPOSED USE: single-family residential development
OWNER/APPLICANT: RPW Development, Ltd. / Same
REPRESENTATIVE: CEA Engineering Group
DISTRICT: # 1

ACTION: Motion made by Gary Porras to postpone for two weeks (02/26/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

22. **ZON04-00005:** Tract 4 and Tract 5A, Block 9, Upper Valley Surveys
LOCATION: Westside Drive North of Gomez Road
REQUEST: From: R-F (Ranch and Farm); To: R-3 (Residential)
PROPOSED USE: single-family residential development
OWNER/APPLICANT: Sam Phillips, Sal Masoud, Jose Hernandez, Ynez Hernandez, and Miguel Hernandez, Jr.
REPRESENTATIVE: Del Rio 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 R-F (Ranch and Farm) to R-3 (Residential) in order to permit single-family residential development. The R-3 residential zoning district allows a minimum lot size of 6,000 square feet in size. The developer is proposing 90 single-family lots. Access is via Westside Drive. There are no zoning conditions currently imposed on this property. The Planning Department has received 38 letters and a petition with 11 signatures in opposition to this request. The Development Coordinating Committee recommends denial of the request to rezone to R-3 (Residential) and instead recommends R-2 (Residential). This recommendation is based on the Comprehensive Plan and the 2025 Projected General Land Use Map.

Rudy Valdez, Planning Department, noted that this application was submitted prior to the adoption of the change to the Comprehensive Plan; however, staff still felt that R-2 zoning was more appropriate for this property.

Sal Masoud, Representative, gave a brief presentation on why the developer would like an R-3 zoning. Mr. Masoud pointed out that a lot of these homes would be in the price range of \$100,000 to \$140,000. Mr. Masoud also noted that the next zoning request is from Mr. Enrique Escobar, his property is located adjacent to theirs, and they are working together to have a compatible design.

Enrique Escobar gave a brief presentation on why he felt that R-3 zoning would be necessary their developments.

Mary Francis Keesley, representative of Save the Valley, stated that they are opposed to this request. Ms. Keesley read a letter stating their reasons for opposition. Ms. Keesley noted that existing landowners and the public in general have stiffly opposed high density, residential zoning in the upper valley. Ms. Keesley noted that they are not totally anti-development. They understand that development can and will occur; however they feel that it needs to be done in a reasonable manner and in keeping with the surrounding areas. Ms. Keesley also noted that a FEMA flood plain study has not been done in many years and there is one elementary school, and no police or fire stations within this area.

Maria Andrea Hernandez, adjoining landowner, noted that she is opposed to this request. Commissioner Ray Mancera asked Ms. Hernandez if she plans to subdivide her land.

Ms. Hernandez replied that she is not selling her land.

Laurie Sorrels, resident of the area, stated that she is opposed to this request due to the overcrowding of the schools.

ACTION: Motion made by Alan Simpson to move item #22 and #24 to front of the agenda, seconded by Dick Vorba and unanimously carried (5-0).

ACTION: Motion made by Dick Vorba to approve R-2 zoning, subject to staff comments, seconded by John Neal, and unanimously carried (5-0).

23. **ZON04-00009:** A portion of Lot 36, Block 1, Parkland East Unit 2
LOCATION: 6240 Quail Avenue
REQUEST: From: C-1 (Commercial); To: R-3A (Residential)
PROPOSED USE: single-family residential development
OWNER/APPLICANT: Karma JKS Properties, Inc.
REPRESENTATIVE: Karma JKS Properties, Inc.
DISTRICT: # 4

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

SUMMARY: Fred Lopez, Planning Department, noted that the applicant is requesting a rezoning from C-1 (Commercial) to R-3A (Residential) in order to permit a single-family residential home. The Planning Department has received no calls or letters in support or opposition to this application. No access shall be permitted on Quail Avenue.

Rudy Valdez, Planning Department, noted that comment on Quail Avenue be stricken. Mr. Valdez stated that they don't have a problem with access being on Quail Avenue.

Jim Smith, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made by Gary Porras to approve with the removal of the access requirement, subject to staff comments, seconded by Dick Vorba, and unanimously carried (5-0).

24. **ZON04-00012:** Tracts 6E, 6F and 6G, Block 9, Upper Valley Surveys
LOCATION: Ada Lane East of Westside Drive
REQUEST: From: R-F (Ranch and Farm); To: R-3 (Residential)
PROPOSED USE: single-family residential development
OWNER/APPLICANT: TF Trust and Enrique Escobar
REPRESENTATIVE: Miguel Morales
DISTRICT: # 1

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

SUMMARY: Fred Lopez, Planning Department, stated the applicant is requesting to rezone property from R-F (Ranch and Farm) to R-3 (Residential) in order to permit a single-family residential development. The developer is proposing 66 single-family residential lots. Access is proposed via Ada Lane. The Planning Department has received 36 letter and two petitions with four signatures in opposition to this application. The Development Coordinating Committee recommends denial of the request to rezone to R-3 and instead recommends approval of rezoning to R-2.

Enrique Escobar, Representative, gave a brief presentation on why the developer would like an R-3 zoning.

Mary Keesley, Laurie Sorells and Larry Nance spoke in opposition to this request.

ACTION: Motion made by Alan Simpson to move item #22 and #24 to front of the agenda, seconded by Dick Vorba and unanimously carried (5-0).

ACTION: Motion made by Dick Vorba to approve R-2 zoning, subject to staff comments, seconded by John Neal, and unanimously carried (5-0).

25. **ZON04-00013:** A portion of Lot 4, Block 160, Vista Del Sol Unit 54
LOCATION: Pellicano Drive east of Lee Trevino
REQUEST: From: P-I (Planned Industrial); To: C-4 (Commercial)
PROPOSED USE: Automotive repair
OWNER/APPLICANT: Texas M LLC / Same
REPRESENTATIVE: Margaret Portillo
DISTRICT: # 7

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

SUMMARY: Kimberly Forsyth, Planning Department, noted that this is a request to rezone property from P-I (Planned Industrial) to C-4 (Commercial) in order to permit an automotive repair shop. Access is proposed via driveway from Pellicano. This area is designated in the long-term plan as commercial and industrial. The Development Coordinating Committee recommended approval of the rezoning to C-3, which would permit the automotive repair shop. The request did not actually need a C-4.

Margaret Portillo, Representative, agreed with staff recommendations.

ACTION: Motion made by Ray Mancera to approve C-3, subject to staff comments, seconded by Dick Vorba, and unanimously carried (5-0).

26. **ZON04-00014:** Being a portion of Tract 3J, Section 43, Block 80, Township 1, Texas and Pacific Railway Company Surveys
LOCATION: Cross Street and Railroad Drive
REQUEST: From: C-4 (Commercial); To: R-3A/sp (Residential/ special permit)
PROPOSED USE: Residential
OWNER/APPLICANT: Frank Arroyos, Carefree Land / Same
REPRESENTATIVE: Same
DISTRICT: # 4

ACTION: Motion made by Gary Porras to postpone for two weeks (02/26/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (4-0).

Ordinance Amendments:

27. An Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by amending Section 20.04.520 (Administrative Provision; Notice-Method) to change the notice requirements for a zoning change on one acre or more of land. The penalty being as provided in Chapter 20.68 of the City of El Paso Municipal Code.

Fred Lopez, Planning Department, gave a brief presentation of the Ordinance amending Title 20.

City Plan Commissioners suggested several changes to the Ordinance. Those changes would be incorporated into the Ordinance.

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Dick Vorba, and unanimously carried (5-0).

28. An Ordinance approving the Chihuahueta Neighborhood Plan as a specific study area plan to be incorporated into the City's comprehensive plan, the Plan for El Paso, and which Neighborhood Plan shall amend the Year 2025 General Land Use map incorporated therein as to the Chihuahueta Neighborhood Plan.

Carol Sherman, Planning Department, gave a brief presentation on the Chihuahueta Neighborhood Plan.

Fred Morales stated that he has been involved with Chihuahuita since 1975 and gave a brief historical overview.

ACTION: Motion made by Ray Mancera to approve, seconded by John Neal, and unanimously carried (5-0).

ACTION: Motion made by Gary Porras to move item #28 before item #27, seconded by Dick Voba and unanimously carried (5-0).

Other Business:

29. Discussion and action on proposed amendments to the City Plan Commission by-laws.

ACTION: Motion made by John Neal to postpone for two weeks (02/26/04); seconded by Gary Porras and unanimously carried (5-0).

30. Planning Report.

31. Legal Report.

Executive Session was not needed.

The City Plan Commission Hearing adjourned at 4:30 p.m.

Rudy Valdez, Executive Secretary

OFFICIAL MINUTES AND RECORD OF ACTION

TAKEN BY THE EL PASO CITY PLAN COMMISSION ON FEBRUARY 12, 2004

_____, **CHAIR**

_____, **DATE**