



CITY PLAN COMMISSION HEARING MINUTES

March 24, 2005

MEMBERS PRESENT:

Miguel Teran
Gary Porras
Dick Vorba
John Neal
Gus Haddad
Ray Mancera
Ruben Ponce
Chad North

OTHERS PRESENT:

Rudy Valdez, PRDD
George Sarmiento, PRDD
Fred Lopez, PRDD
Jim Fisk, PRDD
James Shelton, PRDD
Christina Valles, PRDD
Matt Watson, Assistant City Attorney
Sandra Hernandez, Recording Secretary

The City Plan Commission meeting was called to order by Gus Haddad at 1:35 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 John Neal to accept changes to the agenda, seconded by Miguel Teran and unanimously carried (7-0).

DISCUSSION AND ACTION:

PUBLIC HEARING

Rezoning Applications:

- ZON05-00006:** Parcel 1: All of Tract 9B and a portion of Tracts 6 and 10A, Block 11, Upper Valley Surveys
Parcel 2: A portion of Tracts 9F and 10A, Block 11, Upper Valley Surveys
LOCATION: East of Upper Valley Road and North of Artcraft Road
REQUEST: Parcel 1 - From: R-F (Ranch and Farm); To: R-3 (Residential)
Parcel 2 - From: R-F (Ranch and Farm); To: R-2 (Residential)
PROPOSED USE: Single-family residential development
OWNER/APPLICANT: Mountain Vista Realty, Inc. / Same
REPRESENTATIVE: CSA Consulting Engineers
DISTRICT: # 1

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

SUMMARY: Fred Lopez, Planning Department, noted that the applicant is requesting a rezoning from R-F (Ranch and Farm) to R-3 (Residential) for Parcel 1 and from R-F (Ranch and Farm) to R-2 (Residential) in Parcel 2 in order to permit single-family residential development. Parcel 1 is 9.366 acres in size and parcel 2 is 16.23 acres in size. Both parcels are currently vacant. The proposed site plan shows a total of 79 lots (39 lots for Parcel 1 and 40 lots for Parcel 2). Access is proposed via Strahan Road. There are no zoning conditions currently imposed on this property. The Planning Department has received two letters in opposition to this request.

The Development Coordinating Committee recommended approval of this request with the following conditions:

- Parcel 1: from R-F (Ranch and Farm) to R-3 (Residential) with the condition *that the gross density shall not exceed 5.0 dwelling units to the acre.*
- Parcel 2: from R-F (Ranch and Farm) to R-2 (Residential) with the condition *that the gross density shall not exceed 2.5 dwelling units to the acre.*

The proposed site plan has a gross density of 4.17 dwelling units per acre for Parcel 1 and 2.46 dwelling units per acre for Parcel 2.

Commissioner John Neal asked Mr. Rick Conner, Engineering Department, if there are drainage problems in the area. Commissioner Neal was referring to a letter sent by Dr. Diane Doser, Professor of Geological Sciences at UTEP and by Dr. Mark Baker, President of Geomedia Research & Development.

Mr. Rick Conner, Engineering Department, responded that there are concerns.

Wayne Grinnell, Representative, agreed with staff recommendations. Mr. Grinnell noted that this is a request for rezoning and it is in conformance with the Plan for El Paso. It is in conformance with the negotiated agreement for the Northwest Upper Valley Plan Amendment of just over one year ago and it is also in compliance with the 2025 Projected General Land Use Map. Mr. Grinnell noted that the engineering during the subdivision phase of a land development process must conclusively show that the drainage works on the property, or you have to adjust that drainage design in such away that either the lots are larger, use community ponds, improve infiltration or something else to meet the engineering requirements of the property.

Mary Francis Keisling, President of Save the Valley, also referenced the letter from Dr. Doser and Dr. Baker. Ms. Keisling noted that they do have concerns and requested that this item be postponed in order to be able to address the issues with the developer.

Commissioner Gus Haddad asked if they have met with the applicant.

Ms. Keisling replied that they have spoken over the telephone.

Commissioner Haddad asked how long of a postponement she is requesting.

Ms. Keisling replied a two-week postponement.

Commissioner Haddad asked if the sewage, drainage and access issues would be answered at the subdivision level.

Mr. Rudy Valdez, Planning Department, replied that they would be addressed at the subdivision level.

Commissioner Haddad asked Mr. Valdez to enlighten them about Strahan Road.

Mr. Valdez noted that Strahan Road is a 44-foot wide road and it has existed in the upper valley for many years. It is currently paved adjacent to the site. Mr. Valdez noted that Strahan Road is not built to city standards; it is built to county standards. At the time of subdivision plat, they will require improvements to Strahan Road.

Ms. Keisling read a list of questions that they would like for them to address.

- Is the Fire Department concerned with only access to Strahan Road?
- What is the traffic count for Strahan Road and Borderland Road?
- What is the projected traffic load after both subdivisions have been built?

- Which pumping station will serve the proposed subdivision? If it is the existing local station then can the existing station handle the additional input?
- What percent of the capacity is that station at?
- What is the maximum capacity of the station?

Ms. Keisling noted that they are concerned about water standing for over 72 hours. The city previously required 10,000 square foot lots in the upper valley study area, because of the clay and soil problems. Ms. Keisling would like to know when and why this was changed and who made the change.

Mr. Valdez replied that all the points that Ms. Keisling has expressed are subdivision issues and they will be addressed at the time the subdivision is reviewed.

Mr. John Karlsruher, Representative, replied that they have the answers to every question that has been raised and will respond at the appropriate time. Mr. Karlsruher noted that if the commission is still undecided as to whether they would like to proceed at this meeting, they will not oppose a postponement for two weeks but again these are subdivision issues, not zoning issues.

ACTION: Motion made by Gary Porras to postpone for two weeks (04/07/05), seconded by John Neal and unanimously carried (7-0).

2. **ZON05-00007:** A portion of Lot 4, Block 160, Vista Del Sol Unit 54
LOCATION: Pellicano Drive East of Common Drive
REQUEST: From: P-I (Planned Industrial); To: C-3 (Commercial)
PROPOSED USE: Automotive repair garage
OWNER/APPLICANT: Texas M, LLC / Same
REPRESENTATIVE: Luther Jones
DISTRICT: # 7

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 P-I (Planned Industrial) to C-3 (Commercial) in order to permit an automotive repair garage. Mr. Lopez noted that this rezoning request was before the City Plan Commission last year with a request to rezone property from P-I (Planned Industrial) to C-4 (Commercial); the Commission approved the request, however, City Council denied the request. The applicant is now requesting a C-3 (Commercial) zoning in order to permit a 4,500 square foot repair center with access off of Pellicano. The Planning Department has received no calls or letters in support or opposition to this request.

Luther Jones, Representative, agreed with staff recommendations.

Stuart Schwartz, representing Samuel's Jewelry Store, noted that his client is opposed to this request. Mr. Schwartz noted that the businesses in the area consist of a jewelry store, law office, and bakery store. Mr. Schwartz noted that the automotive shop is not compatible with the neighborhood. The automotive shop would depreciate and devalue the properties. Mr. Schwartz showed various pictures of Alpha Automotive located on Wedgewood with various cars parked all over the area. Mr. Schwartz noted that there are restrictive covenants that are in place, and those covenants require a 25-foot setback from the front of Pellicano and a 15-foot setback on each side. Mr. Al Melendez, owner of a law office in the area, also agreed with Mr. Schwartz.

Mr. Jones responded that the pictures Mr. Schwartz showed were of a commercial enterprise that operates with very clean and orderly standards. The applicant is more than willing to comply with all the restrictive covenants.

ACTION: Motion made by Gary Porras to approve, subject to staff comments, seconded by Miguel Teran and carried (5-1). (Commissioner John Neal opposed the motion and Commissioner Chad North left the room.)

3. **ZON05-00008:** Lots 17 - 20, Block 52, Bassett Addition
LOCATION: 2101 Texas Avenue
REQUEST: From: M-1 (Light-Manufacturing); To: A-3 (Apartment)
PROPOSED USE: Multi-Family Housing
OWNER/APPLICANT: John Bruker / John Bruker
REPRESENTATIVE: Wright & Dalbin Architects
DISTRICT: # 8

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

SUMMARY: Agenda items #3 and #6 were heard simultaneously. Christina Valles, Planning Department, noted that the applicant is requesting a rezoning from M-1 (Light-Manufacturing) to A-3 (Apartment) in order to permit multi-family housing. The property is .2755 acres in size and is currently commercial/residential. The proposed site plan shows two buildings to be remolded on the site. Access is proposed via the service alley with two parking spaces provided. There are no zoning conditions currently imposed on this property. The applicant is also requesting an 85% parking reduction. 13 parking spaces are required and two parking spaced are being provided. The Planning Department has received no calls or letters in support or opposition to this request.

Fred Dalbin, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made by Gary Porras to hear items #3 and #6 together, seconded by John Neal and unanimously carried (7-0).

ACTION: Motion made by Ray Mancera to approve, subject to staff comments, seconded by John Neal and unanimously carried (7-0).

4. **ZON05-00013:** A portion of Lot 1, Block 160, Vista Del Sol Unit 54
LOCATION: Southwest corner of Lionel Drive and Bessemer Drive
REQUEST: From: P-I (Planned Industrial); To: C-4 (Commercial)
PROPOSED USE: Office Warehouse
OWNER/APPLICANT: Jose R. and Kathryn Cordero / Same
REPRESENTATIVE: Eckhard K. Fenning
DISTRICT: # 7

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

SUMMARY: Mark Weber, Planning Department, noted that the applicant is requesting a rezoning from P-I (Planned Industrial) to C-4 (Commercial) in order to permit office warehouse and retail commercial. The property is 2.438 acres in size and is currently vacant. The proposed site plan shows a 24,000 square foot structure to be located on the site. Access is proposed via 4 points of access on Lionel Drive and one point of access on Bessemer Drive with 156 parking spaces available. There are no zoning conditions currently improved on this property. The Planning Department has received no calls or letters in support or opposition to this request.

Eckhard K. Fenning, 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 (7-0).

Special Permit Applications:

5. **ZON05-00009:** The southerly 61.10 feet of Lot 16 and the easterly ½ of Lot 15, Block 13, Cotton Addition
REQUEST: 64% Parking reduction
LOCATION: 1921 E. Yandell Drive
ZONE: C-4 (Commercial)
PROPOSED USE: Office
OWNER/APPLICANT: Patricia B. Park and Richard L. Park / Same
REPRESENTATIVE: Agostino Pellati, Jr.
DISTRICT: # 8

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

SUMMARY: Christina Valles, Planning Department, noted that the applicant is requesting a special permit to allow for reduction of parking which will serve an existing professional office. The property is currently zoned C-4 (Commercial). The proposed site plan shows an office building to be remolded on the site. Access is proposed via Eucalyptus Street; four parking spaces are provided. There are no zoning conditions currently imposed on this property. The Planning Department received one letter of support from the Five Points Neighborhood Association.

Gus Pellati, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Miguel Teran and unanimously carried (7-0).

6. **ZON05-00010:** Lots 17-20, Block 52, Bassett Addition
REQUEST: 85% Parking Reduction
LOCATION: 2101 Texas Avenue
ZONE: M-1 (Light Manufacturing)
PROPOSED USE: Multi-Family Housing
OWNER/APPLICANT: John R. Bruker / John R. Bruker
REPRESENTATIVE: Wright & Dalbin Architects
DISTRICT: # 8

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

SUMMARY: Agenda items #3 and #6 were heard simultaneously. Christina Valles, Planning Department, noted that the applicant is requesting a rezoning from M-1 (Light-Manufacturing) to A-3 (Apartment) in order to permit multi-family housing. The property is .2755 acres in size and is currently commercial/residential. The proposed site plan shows two buildings to be remolded on the site. Access is proposed via the service alley with two parking spaces provided. There are no zoning conditions currently imposed on this property. The applicant is also requesting an 85% parking reduction. 13 parking spaces are required and two parking spaced are being provided. The Planning Department has received no calls or letters in support or opposition to this request.

Fred Dalbin, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made by Gary Porras to hear items #3 and #6 together, seconded by John Neal and unanimously carried (7-0).

ACTION: Motion made by Ray Mancera to approve, subject to staff comments, seconded by John Neal and unanimously carried (7-0).

7. **ZON05-00011:** The East 15½ feet of Lot 20 and the West 19 feet of Lot 21, Block 32, Franklin Heights Addition
REQUEST: 70% Parking Reduction
LOCATION: 1305 Magoffin Avenue
ZONE: A-3/H (Apartment/Historic)
PROPOSED USE: Multi-family residential development
OWNER/APPLICANT: Elizabeth Valenzuela / Same
REPRESENTATIVE: Wright & Dalbin Architects
DISTRICT: # 8

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

SUMMARY: Christina Valles, Planning Department, noted that the applicant is requesting a special permit to allow for a parking reduction, which will serve a proposed multi-family housing. The property is currently multi-family housing. The proposed site plan shows two buildings to be remolded on the site. Access is proposed via the service alley; three parking spaces are provided. There are no zoning conditions currently imposed on this property. The Planning Department has received no calls or letters in support or opposition to this request.

Fred Dalbin, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made by Gary Porras to approve, subject to staff comments, seconded by Ray Mancera and unanimously carried (7-0).

8. **ZON05-00012:** A portion of Tract 5D, Section 21, Block 80, Township 1, Texas and Pacific Railway Company Surveys and a portion of Tract 1, Section 28, Block 80, Township 1, Texas and Pacific Railway Company Surveys
REQUEST: The manufacture, compounding, processing, packaging or treatment of products not specifically mentioned as permitted in Section 20.46.040.
LOCATION: Railroad Drive South of Dyer Street
ZONE: M-1/c (Light Manufacturing/conditions)
PROPOSED USE: Gasoline, diesel, and jet fuel storage facility (nine-tank) and transfer station
OWNER/APPLICANT: City of El Paso – Public Service Board / SFPP, L.P.
REPRESENTATIVE: CH2M Hill
DISTRICT: # 4

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

SUMMARY: Fred Lopez, Planning Department, noted that the applicant is requesting a special permit for the manufacture, compounding, processing, packaging or treatment of products not specifically mentioned as permitted in Section 20.46.040 of the El Paso Municipal Code in order to allow for a proposed gasoline, diesel, and jet fuel storage facility (nine-tank) and transfer station. The property is 35.003 acres in size and is currently zoned M-1/c (Light Manufacturing/conditions). The proposed site plan shows nine storage tanks, a 2,175 sq. ft. maintenance building, a 2,150 sq. ft. control building, a 690 sq. ft. electrical building, thermal oxidizer, vapor bladder tank, manifold pit, shipping pumps, and other uses to be located on the site. Access is proposed via Railroad Drive and Dyer Street. There are no zoning conditions currently imposed on this property. The Planning Department has received one letter in opposition to this request. In case of doubt, the City Council or City Plan Commission may require an engineering report describing the process or use and the probable impact thereof at the property lines (see Section 20.46.040.F of the El Paso Municipal Code).

Commissioner John Neal noted that the El Paso Times reported that the federal agency has assembled a task force to examine how the Houston based pipeline company, Kinder Morgan, inspects the lines and decides whether they need repairs or replacements. Commissioner Neal also noted that the article refers to incidents involving Kinder Morgan to include a November 2004 rupture and explosion in

Walnut Creek, California that killed five construction workers and a 2003 rupture in Tucson, Arizona. With respect to Tucson, Arizona, the gasoline pipeline ruptured into a neighborhood north of Grant Road just east Silverbell Road. Gasoline from the rupture sprayed on five unfinished new homes, and flooded portions of some streets and the Silvercroft wash. The article also pointed out that gasoline from the spill contaminated the soil in the immediate area and has reached the water table immediately below the spill site. In the case of Chandler, Arizona, they are in the process of trying to negotiate with Kinder Morgan to remove a line that they view as hazardous to the schools and the residents and Kinder Morgan's response is that they will do so at the city's expenses, which was estimated at one million dollars a mile.

Alan Shubert, Building Permits and Inspections Department, noted that at the Development Coordinating Committee they review the request to see if it meets the Zoning Code and the Building Code. Mr. Shubert noted that he had heard of the events but did not know that Kinder Morgan was involved in those incidents.

Commissioner Neal asked the Fire Department if they took these incidents into consideration at the Development Coordinating Committee.

Chief Marvin Cazzell, Fire Department, replied that he was aware of the incidents but did not know that it was from Kinder Morgan.

David Cornman, Representative, agreed with staff recommendations. Mr. Cornman noted that Kinder Morgan purchased these pipelines in 1998 from Santa Pacific Pipelines. Mr. Cornman gave a brief presentation of the pipelines, noting that the purpose for the project is to expand the capacity.

Commissioner John Neal asked Mr. Cornman to address the incidents involving Kinder Morgan.

Mr. Cornman replied that unfortunately they have had some incidents, and that at least half of those incidents were caused by third party hits. The Department of Transportation lists data on pipelines and it shows that 70% to 80% of pipeline incidents result in third party hits. Mr. Cornman noted that they have internal inspections that can detect metal loss, dents and scrapes. They have planes that fly over the pipelines every two weeks, looking for people digging with unauthorized equipment.

Commissioner Miguel Teran asked that in a worse case scenario are they prepared or is the city prepared sufficiently to handle any conditions.

Mr. Cornman replied that fire protection is critical at a tank farm, as well as safety and security. This facility will be set up as required in the conditions and approval for the sale agreement.

Chief Cazzell, Fire Department, noted that the closest fire station is located at Sean Haggerty and McCombs. There are plans to build a fire station at Angora and Dyer Street. Chief Cazzell noted that they have had meetings with Kinder Morgan about the fire protection for the facility.

Pat Rocha, General Manager of the Best Foods Corporation, a plant adjacent to the area, expressed his concerns about the facility.

Commissioner John Neal noted that this is a dangerous facility that should be built far away from urban areas particularly commercial and residential. This company in particular has a very questionable record as it relates to safety and for that reason he is opposed to the request. Commissioner Neal noted that if the Commission votes to approve this request that they should take the responsibility to require an engineering report to determine the impact on adjacent areas.

The Commission voted to approve without the engineering report.

ACTION: Motion made by Gary Porras to approve, subject to staff comments, seconded by Dick Vorba and carried (5-2). (Commissioners John Neal and Chad North opposed the motion.)

Detailed Site Development Plan Application:

9. **ZON04-00152:** A portion of Tract 3, Picnic Grove Subdivision
LOCATION: 9725 Alameda Avenue
REQUEST: Zoning Condition Requirement
ZONE: C-4/sc (Commercial/special contract)
PROPOSED USE: Dance Hall
OWNER/APPLICANT: Arturo Martinez / same
REPRESENTATIVE: Same
DISTRICT: # 6

ACTION: Motion made by John Neal to postpone for two weeks (04/07/05); upon applicant's request, seconded by Miguel Teran and unanimously carried (7-0).

10. **ZON05-00015:** A portion of Tracts 10A and 10J, A. F. Miller Survey No. 211
LOCATION: Mesa Street West of Resler Drive
REQUEST: Special contract condition requirement
ZONE: C-1/sc (Commercial/special contract)
PROPOSED USE: Restaurant
OWNER/APPLICANT: Wechter Family L.P. / Randal Wechter
REPRESENTATIVE: Wright & Dalbin Architects
DISTRICT: # 1

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

SUMMARY: Christina Valles, Planning Department, noted that the applicant submitted the site plan in order to permit a restaurant and ice-cream shop. Site plan review is required because a special contract exists on the subject property. The proposed site plan shows a freestanding building and parking to be located on the site. Access is proposed via Mesa Street. There are no zoning conditions currently imposed on this property. The Planning Department has received no calls or letters in support or opposition to this request.

ACTION: Motion made by Gary Porras to approve, subject to staff comments, seconded by Miguel Teran and unanimously carried (7-0).

ACTION: Motion made by Gary Porras to reconsider, seconded by Dick Vorba and unanimously carried (7-0).

Fred Dalbin, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made by Gary Porras to approve, subject to staff comments, seconded by John Neal and unanimously carried (7-0).

11. **ZON05-00016:** A portion of Lot 1, Block 1, Mesa Hills West
LOCATION: Mesa Hills Drive West of Mesa Street
REQUEST: Special contract condition requirement
ZONE: C-1/sc (Commercial/special contract)
PROPOSED USE: Retail commercial development
OWNER/APPLICANT: K. Trinity Investments, LLC /Same
REPRESENTATIVE: Conde, Inc.
DISTRICT: # 8

ACTION: Motion made by John Neal to postpone for two weeks (04/07/05); upon applicant's request, seconded by Miguel Teran and unanimously carried (7-0).

SUBDIVISION MAP APPROVAL

Subdivision Applications:

12. **SUB04-00051:** Vista Del Sol Unit 119 Replat "A" – Revised Combination; Being a replat of Lot 1, Block 512, Vista Del Sol Unit One Hundred Nineteen, City of El Paso, El Paso County, Texas. (District 6)

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

SUMMARY: James Shelton, Planning Department, noted that the applicant is proposing eleven duplex residential lots. The developer will pay \$6,600 in park fees. The City Plan Commission approved the subdivision on August 19, 2004 on a resubdivision combination basis. The applicant has made a minor change to the subdivision that will add a 15-foot drainage easement running between Lots 13 and 14.

Conrad Conde, Representative, agreed with staff recommendations.

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Miguel Teran and unanimously carried (7-0).

13. **SUB04-00053:** River Park West Unit 5 – Final; Being a portion of Tract 2B, Block 10, Upper Valley Surveys, 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 applicant is proposing a development containing 61 single-family residential lots. Primary access to the subdivision will be from Upper Valley Road through River Park West Unit 3 Subdivision. The smallest size lot is 8,855 square feet. The developer will be receiving .305 acres in park credits on a 3.318-acre park located in River Park West Unit 3. The developer is requesting a modification to allow for a change in the cross-section of the proposed residential street (ROW) from 52 feet to 49 feet right of way to allow for a five foot sidewalks with an 18 inch header curb which eliminates 1 ½ feet of ROW on each side of the street, instead of having a standard four foot sidewalk and four foot landscape area. The Planning Department recommends that the City Plan Commission find that the modification meets criteria #3 of the Subdivision Ordinance. The Engineering Department recommended approval of this request subject to the developer coordinating the subdivision with the adjacent subdivision. Mr. Shelton requested that under Engineering Comments, item #7 should read: "sidewalks shall be required within the subdivision". A six-foot rock wall will be constructed along the Borderland Spur Drain.

Commissioner Gus Haddad asked how long is Joe Velarde Avenue.

Mr. Shelton replied 2,655 feet.

The Commissioners discussed the length of the street and noted their concerns that there were no stops signs or traffic calming devices. Mr. Rudy Valdez noted that in this instance the block length is measured from street to street and not from one point of the end of the street to the other point of the end of the street, it is measured at every interval of intersection. Mr. Mancera discussed the option of perhaps denying the request for the modification to allow for 49 feet instead of 52 feet. Mr. Shelton noted that they made a mistake and the request is for 47 feet. The commission convened into executive session to discuss the modification request. Commissioner Mancera made an amendment to the motion to not allow the reduction from 52 feet to 47 feet; the commissioners voted against the motion and the motion failed.

Jorge Azcarate, Representative, agreed with staff recommendations. Mr. Azcarate noted that guardrails will not be provided at the end of the hammerheads, however they are going to provide rockwalls through the entire hammerhead. In reference to traffic calming devices, the traffic department still needs to review this.

Laurie Sorrels, resident of the area, voiced her concerns of the overcrowding of homes and not having enough schools.

ACTION: Motion made by John Neal to convene into executive session at 4:20 p.m., seconded by Miguel Teran and unanimously carried (7-0).

ACTION: Motion made by John Neal to reconvene from executive session at 4:40 p.m., seconded by Dick Vorba and unanimously carried (7-0).

ACTION: Motion made by Ray Mancera to not allow the reduction from 52 feet to 47 feet; there was no second; motion failed.

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Gary Porras and unanimously carried (7-0).

14. **SUB04-00079:** Summerlin – Final; Being a Replat of a Portion of WFF Industries Park Unit One Replat A & B and a Portion of WFF Industries Park Unit 2, City of El Paso, El Paso County, Texas. (District 4)

ACTION: Motion made by John Neal to postpone for two weeks (04/07/05); upon applicant's request, seconded by Miguel Teran and unanimously carried (7-0).

15. **SUB04-00082:** Tierra Del Este Unit 35 – Combination; Being a portion of Tract 1B, Section 39, Block 79, Township 2, Texas and Pacific Railway Company Surveys. (District 5)

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

SUMMARY: Agenda Items #15 through #20 were heard simultaneously. James Shelton, Planning Department, noted that the applicant is proposing a development containing 60 single-family residential lots. The developer will be receiving .3 acres in park credits. The developer is requesting a modification for reduced radii of the turning heels. The developer is increasing the size of the pond from 1.5 acres to 1.7 acres.

Conrad Conde, Representative, agreed with staff recommendations.

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

16. **SUB04-00084:** Tierra Del Este Unit 34 – Combination; Being a portion of Tract 1B, Section 39, Block 79, Township 2, Texas and Pacific Railroad Company Surveys. (District 5)

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

SUMMARY: Agenda Items #15 through #20 were heard simultaneously. James Shelton, Planning Department, noted that the applicant is proposing a development containing a school site and 210 single-family dwelling lots. The developer will be receiving 1.065 acres in park credits.

Conrad Conde, Representative, agreed with staff recommendations.

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

17. **SUB05-00005:** Tierra Del Este Unit 37 – Final; Being Portion of Tract 1B, Section 39, 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: Agenda Items #15 through #20 were heard simultaneously. James Shelton, Planning Department, noted that the applicant is proposing a development containing 62 single-family dwelling lots. The developer will be receiving .215 acres in park credits. The developer will also need to pay \$9,900 in park fees for the remaining 33 lots that they are not receiving credits.

Conrad Conde, Representative, agreed with staff recommendations.

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

18. **SUB05-00013:** Tierra Del Este Unit 38 – Preliminary; Being Portion of Tract 1B, Section 39, 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: Agenda Items #15 through #20 were heard simultaneously. James Shelton, Planning Department, noted the applicant is proposing a development containing 118 single-family dwelling lots. The developer will be paying \$35,400 in park fees. The developer is requesting modifications on the turning heels and sidewalk modification for five-foot sidewalk and a three-foot landscaped area.

Conrad Conde, Representative, agreed with staff recommendations.

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

19. **SUB05-00014:** Tierra Del Este Unit 39 – Preliminary; Being a Portion of Tract 1B, Section 39, 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: Agenda Items #15 through #20 were heard simultaneously. James Shelton, Planning Department, noted that the applicant is proposing a development containing 137 single-family residential lots. The developer will be paying \$41,100 to satisfy the parkland requirements. The developer is requesting a modification for five-foot sidewalks and a three-foot landscaped parkway.

Conrad Conde, Representative, agreed with staff recommendations.

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

20. **SUB05-00015:** Tierra Del Este Unit 40 – Preliminary; Being a Portion of Tract 1B, Section 39, 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: Agenda Items #15 through #20 were heard simultaneously. James Shelton, Planning Department, noted that the applicant is proposing a development containing 97 single-family residential lots. The developer will be required to pay \$29,100 in park fees. The developer is requesting a modification to allow for a five-foot sidewalk and a three-foot landscaped parkway.

Conrad Conde, Representative, agreed with staff recommendations.

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

PUBLIC HEARING

Extension Request to Complete Subdivision Improvements:

21. **SD00084:** Montoya Gardens – Extension Request to complete subdivision improvements; Being all of Tracts 12A, 12A1, 13A, 13B, 13C, 14B, 14C1B, 14C3, 14C4, 14D, 14F, 14G, 15H, 15J2, 15M1, Block 6, Upper Valley Surveys. (District 1)

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

SUMMARY: James Shelton, Planning Department, noted that the applicant is requesting a two-year extension to complete subdivision improvements. The subdivision was recorded on January 7, 2002 and the time to complete the required improvements expired on January 7, 2004. The developer submitted a letter requesting the extension on February 9, 2005; the developer is requesting the two-year extension from the date of expiration. The reason for the delay is that the approved grading plans showed on-site ponding. The developer has been informed that several houses in the subdivision have not completed the two-year extension, but has agreed to a sixty-day extension so that some minor punch-list requirements can be completed and the streets and other subdivision improvements can be accepted for maintenance. The Development Coordinating Committee recommended approval of a sixty-day extension that would expire on May 16, 2005.

Bradley Roe, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made by John Neal to approve extension 60 days from today, subject to staff comments, seconded by Dick Vorba and unanimously carried (5-0). (Commissioners Gary Porras and Ray Mancera left.)

22. **SUB04-00052:** Horizon Hills Replat "E" – Extension request to submit recording map; Being a replat of all of Lots 8 and 9 and a portion of Lot 4, Block 11, Horizon Hills Subdivision, El Paso County, Texas. (East ETJ)

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

SUMMARY: James Shelton, Planning Department, noted that the applicant is requesting a 60-day extension to submit the recording maps. The applicant stated that due to unforeseen problems, the subdivision was not able to receive approval from the Engineering Department prior to the expiration date. However, the Engineering Department has approved the improvements to the subdivision and the applicant is currently preparing the plats for recording. The Development Coordinating Committee approved a 30-day extension.

Representative was not present.

No opposition was presented.

ACTION: Motion made by John Neal to approve 60-day extension, subject to staff comments, seconded by Miguel Teran and unanimously carried (5-0). (Commissioners Gary Porras and Ray Mancera left.)

Street Name Change Request

23. **NC05001:** Street Name Change Request of Solitude Court to Adama Ct. (District 1)

ACTION: Motion made by John Neal to postpone for two weeks (04/07/05); upon applicant's request, seconded by Miguel Teran and unanimously carried (7-0).

Easement Vacation:

24. **EV05002:** Easement Vacation – Being a portion of Lots 16 and 17, Shadow Mountain Heights Replat "A". (District 1)

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

SUMMARY: James Shelton, Planning Department, noted that the applicant is requesting a vacation of the easement, which runs along the side of their dwelling.

Bradley Roe, Representative, agreed with staff recommendations.

No opposition was presented.

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

Street Vacation:

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

ACTION: Motion made by John Neal to delete item, seconded by Miguel Teran and unanimously carried (7-0).

Street Dedication:

26. **DD05001:** Street Dedication by Metes and Bounds, Various Tracts within Block 8, Ysleta Grant. (District 7)

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

SUMMARY: James Shelton, Planning Department, noted that the applicant is proposing to dedicate by metes and bounds a 15-foot wide road abutting an existing 10-foot right of way and then widening to approximately 25 feet accessing onto Sunland Road. This new improvement is a Community Development project that was requested by the area residents.

No opposition was presented.

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

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

ACTION: Motion made by John Neal to postpone for two weeks (04/07/05); upon applicant's request, seconded by Miguel Teran and unanimously carried (7-0).

Other Business:

28. Discussion and action on a Resolution adopting the Neighborhood Plan Development Process and neighborhood plan template.

ACTION: Motion made by John Neal to move item #28 to the front of the agenda, seconded by Dick Vorba and unanimously carried (6-1). Commissioner Ray Mancera opposed the motion.

Veronica Rosales, Planning Department, gave a brief presentation on the Resolution adopting the Neighborhood Plan Development Process and neighborhood plan template. Ms. Rosales noted that one of the biggest changes they are proposing is to have the city plan commission be the authority to authorize and prioritize those neighborhood plans. If for some reason the city plan commission denies authorization there is an appeal process built directly to city council.

Commissioner Ray Mancera proposed that economic impact or economic development be implemented into the plan.

ACTION: Motion made by Ray Mancera to approve, including an item that there would be economic development in the area of the neighborhood, seconded by John Neal and unanimously carried (7-0).

29. Approval of CPC Minutes: March 10, 2005

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Miguel Teran and unanimously carried (4-0). (Commissioners Gary Porras and Ray Mancera left and Commissioner Dick Vorba abstained.)

30. Planning Report.

31. Legal Report.

The City Plan Commission Hearing adjourned at 5:25 p.m.

Rudy Valdez, Executive Secretary

OFFICIAL MINUTES AND RECORD OF ACTION

TAKEN BY THE EL PASO CITY PLAN COMMISSION ON MARCH 24, 2005

_____, **CHAIR**
