



CITY PLAN COMMISSION HEARING MINUTES

April 7, 2005

MEMBERS PRESENT:

Miguel Teran
Gary Porras
Dick Vorba
John Neal
Gus Haddad
Roman Bustillos
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 1:33 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 Roman Bustillos to accept changes to the agenda, seconded by Dick Vorba and unanimously carried (6-0).

DISCUSSION AND ACTION:

PUBLIC HEARING

Rezoning Applications:

- ZON03-00078:** A portion of Lot 2, Block 1, Whitfield Unit One
LOCATION: Between Ruby Drive and Coates Drive
REQUEST: From: M-1 (Light Manufacturing); To: R-3 (Residential)
PROPOSED USE: City park
OWNER/APPLICANT: City of El Paso / Same
REPRESENTATIVE: McCormick Architecture, LLC
DISTRICT: # 1

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

SUMMARY: Christina Valles, Planning Department, noted that the applicant is requesting a rezoning from M-1 (Light-Manufacturing) to R-3 (Residential) in order to permit a City park. The property is 3.2 acres in size and is currently vacant. The proposed site plan shows a City park to be located on the site. No vehicular access or parking is provided on the site. The Planning has received no calls or letters in support or opposition to this request.

No opposition was presented.

ACTION: Motion made by Gary Porras to approve, subject to staff comments, seconded by Dick Vorba and unanimously carried (5-0). (Commissioner Miguel Teran left the room.)

2. **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 this request was postponed from the March 24, 2005 City Plan Commission meeting in order to allow the applicant and the neighborhood association to meet to discuss this proposal.

Commissioner Gus Haddad asked if the parties met.

Mr. Lopez responded that to his understanding there was a meeting this morning.

Wayne Grinnell, CSA Consulting Representative, noted that there was no meeting.

Mr. Lopez noted that the applicant is requesting a rezoning from R-F (Ranch and Farm) to R-3 (Residential) for Parcel 1 and R-F (Ranch and Farm) to R-2 (Residential) for Parcel 2 in order to permit single-family residential development. Parcel 1 is 9.336 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) to be located on the site. 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 as follows:

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

Both of these conditions are based on the recommendations of the Upper Valley Plan, which was approved by City Council in 2004.

Commissioner Gus Haddad and John Neal asked the applicant and the neighborhood association why they did not meet.

Mr. Wayne Grinnell responded that on Friday, April 1, 2005, he called at 2:00 p.m. and left a message with Save the Valley, that was one week and one day after the commission meeting. At 3:07 p.m. that afternoon, he sent an email to Save the Valley mentioning that he placed a phone call. On Tuesday, April 5, 2005, at approximately 12:45 p.m., he received a message on his office phone from Save the Valley. Mr. Grinnell noted that he was made aware of that call on Wednesday, April 6, 2005 at 10:05 a.m., and he called back and spoke to Ms. Mary Francis Keisling who informed him that she was in a meeting at the time and would call him back. Mr. Grinnell stated that he gave Ms. Keisling his cell phone number. Mr. Grinnell also noted that since he hadn't heard back from her, he called her at 5:06 p.m. and they spoke for a few minutes. Mr. Grinnell offered to meet with them Thursday morning, April 7, 2005, since she said there was no time for a meeting that afternoon; Ms. Keisling responded that they would not be able to meet on April 7, 2005.

Ms. Mary Francis Keisling noted that at the City Plan Commission Meeting of March 24, 2005, Mr. Grinnell told her that he would call her on Monday. Ms. Keisling noted that he did not call until Friday, April 1, 2005 and Ms. Alyssa Jorgenson was checking her phone messages and email since she was out of town. When she returned on Friday evening she had a message from him but they were not able

to set up a meeting that weekend since they were irrigating. Ms. Keisling returned his call on Tuesday, April 5, 2005 and Mr. Grinnell returned her call on Wednesday, April 6, 2005, and it was impossible to meet on Thursday morning.

Commissioner Roman Bustillos suggested that they postpone the item and that the parties meet in the lobby to discuss the issues.

Ms. Keisling responded that not all the board members are present so they would not be able to have a quick meeting.

Commissioner Bustillos suggested that they postpone this item for a couple of weeks to give them an opportunity to meet.

Mr. Grinnell responded that at the last City Plan Commission Meeting of March 24, 2005, he did not give Ms. Keisling a day that he would call her; he simply told her that he would call her the following week. He apologized for not contacting her Monday or Tuesday. Mr. Grinnell went on to explain that Save the Valley has known about this request since January 27, 2005 and several of their board members have contacted John Karlsruher from CSA and expressed their concerns.

Mr. Fred Lopez noted that the Northwest Upper Valley Plan recommended that the density be restricted in certain areas, the Artcraft Corridor which this property involves, recommended that the gross density shall not exceed five units to the gross acreage. According to the concept plan, the density for this area is 4.17 acres so they are meeting that recommendation. Once you leave the Artcraft corridor the plan recommends that the density shall not exceed 2.5 acres, the proposed site plan that has been submitted is at 2.46 units to the gross acres, so that also meets the recommendation of that plan.

Wayne Grinnell, Representative, agreed with staff recommendations. Mr. Grinnell noted that the staff report clearly states the request for rezoning is completely in compliance with the adopted ordinance. Mr. Grinnell provided the commission with a letter based on an email that he received a copy from city staff with regards to certain issues. Mr. Grinnell noted that he answered those issues in the letter.

Commissioner Gus Haddad noted that the letter submitted would be part of the record.

Mr. Grinnell noted that one of the issues is concerning the annexation. Mr. Grinnell noted that the annexation to the City of El Paso generally does a blanket zoning because the city does not have the resources to do the full-length new study. Amendments to the comprehensive plan over the years actually changed what is going to be looked at and that is exactly the case here. This portion of the upper valley was looked at during the special study and over a period of months, the Comprehensive Plan of the Plan for El Paso was changed in January of 2004. The recommendation was for very specific land uses, single-family detached land uses. This request complies with that entirely and this application is completely in conformance with the Comprehensive Plan.

Mark Baker, resident of the area for 17 years, addressed the reasons why he and the neighbors are opposed to this request. Mr. Baker noted that he and his wife are geologists. Mr. Baker stated that he would like to point out three engineering issues that were not addressed. The first issue is the pervasive presence of swelling clay soils in this part of the valley. This impacts the drainage, it impacts the quality of the road construction, and it also impacts the foundations that the builder will be putting down. The second issue deals with road capacity, and the third issue deals with the capacity of the sewage pump station that this subdivision would be using. Mr. Baker went on to explain in detail how these issues affect the area.

Commissioner Gary Porras asked Mr. Baker what the main problem would be in the subdivision.

Mr. Baker replied that it would depend on the engineering they choose to do.

Matt Watson, Assistant City Attorney, noted that these issues would be covered in the subdivision. Mr. Baker noted that if you go ahead with standard city requirements for road construction then the roads could not bear the traffic density.

Commissioner Haddad reminded the commission that this is a zoning case and not a subdivision case.

Commissioner Miguel Teran asked when the master plan was approved if the neighborhood association was present during the discussion.

Ms. Keisling replied that they had a petition with 650 signatures requesting for a moratorium in developing the upper valley study area, until a flood plain study could be done. The request was denied and as a result of that there was a 90-day study by the Planning Department; after that 90-day study the City Plan Commission recommended two homes per gross acres in the whole upper valley study area. The recommendation went on to city council and it was changed to 2.5 per gross acre except for a 400-foot corridor from the Artcraft Road, within 400 feet council ruled that there could be five homes per gross acre. Ms. Keisling noted that they are concerned that this subdivision has two exits.

Commissioner Roman Bustillos noted that in terms of all the technical information that was given to them at this zoning portion, he would recommend that they make the presentation to the city engineering department to possibly revise one of the Title 19 requirements for subdivisions in the future.

Ms. Keisling noted that Mr. Matt Watson indicated at the last city plan commission meeting that these issues could be discussed before the zoning is changed.

Mr. Matt Watson, Assistant City Attorney, responded that these issues would be adequately addressed at the subdivision stage. Under Chapter 2.11 Local Government Code, the City Plan Commission and City Council could take traffic population density, traffic congestion concerns into account as public health and safety hazards.

Laure Searls, resident of the area, noted that she is disputing this request. Ms. Searls presented a letter dated April 6, 2005 from Dr. John Kessinger, Assistant Superintendent for the Canutillo School District. Dr. Kessinger wrote that there is currently only one way in and one way out of this addition. If they were to add an inlet/outlet on Upper Valley Road it would really help the traffic. Ms. Searls noted that she is concerned about the overcrowding at the schools and adding more houses is going to create more overcrowding.

Mr. Wayne Grinnell commented that he appreciates the concerns especially of Dr. Baker with regards to the soil and potential engineering problems. Mr. Grinnell noted that they are required by law to comply with the ordinances with regard to subdivision design, safety design, traffic design, flooding design, storm water design, and they are required to comply with the city's requirement. The designer must be a professional engineer in the State of Texas. With regard to the traffic, the traffic division of the City Engineering Department noted that they do not see any problems.

Commissioner Gary Porras noted that he is also concerned about the overcrowding at the schools.

Mr. Grinnell responded that it is a concern, however they also recognize that the school district exists for a purpose and that is to educate the children and to meet the obligation to the neighborhoods as they grow. Over the past 25 – 30 years, Ysleta Independent School District, Socorro Independent School District and Clint Independent School District have seen explosive growth. This will continue to happen in all cases in the United States.

Mr. Rudy Valdez, Planning Department, noted that all these issues would be addressed at the subdivision stage.

Commissioner John Neal urged the commission to request a traffic impact study at the time of the subdivision stage if they are going to approve the rezoning request.

Commissioner Gus Haddad urged the applicant to meet with Save the Valley between now and subdivision request.

ACTION: Motion made by Gary Porras to approve Parcel 1 and Parcel 2 but to limit as R-2 zoning and not more than 2.5 houses, and to request a traffic impact study. The motion was not seconded; motion failed.

ACTION: Motion made by Roman Bustillos to approve, subject to staff comments and traffic impact study, seconded by John Neal and carried (4-2). (Commissioners Gary Porras and Chad North opposed the motion.)

3. **ZON05-00014:** A portion of Tracts 1D, 2D, 3D, and 4D, First Supplemental Map of Parkland Addition and a portion of Lot 1, Block 1, Golberg and Lehman
- LOCATION: East of Cross Street and South of Quail Avenue
- REQUEST: From: C-4/sc (Commercial/special contract), C-1/sc (Commercial/special contract), A-O/sc (Apartment/Office/special contract); To: A-2 (Apartment)
- PROPOSED USE: Single-family residential development
- OWNER/APPLICANT: G & L Joint Venture / Same
- REPRESENTATIVE: Del Rio Engineering 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-4/sc (Commercial/special contract), C-1/sc (Commercial/special contract) and A-O (Apartment/Office/special contract) to A-2 (Apartment) in order to permit a single-family residential development. The property is 30.44 acres in size and is currently vacant. The proposed site plan shows 143 single-family residential homes to be located on the site. Access is proposed via Cross Street. Mr. Lopez noted that there is a condition for site plan review and it limits access off of Quail. The applicant has submitted a request to remove those conditions from this property and that application will be reaching the commission at the May 5, 2005 meeting. The Planning Department has received no calls or letters in support or opposition to this request. At the Development Coordinating Committee the applicant was asked why they were not rezoning to a residential district and the applicant responded that they would like the option for future use in case there was a demand for apartments.

Sal Massoud, Representative, agreed with staff recommendations. Mr. Massoud noted that the special contract that runs along with the land was put in place for the commercial zoning. The residents did not want traffic on Quail Avenue when it was zoned to commercial. However, the applicant noted that they are now down zoning to residential and that is why they are requesting that this condition be removed.

Commissioner Gus Haddad asked what the reasoning was for requesting A-2 (Apartment). Commissioner Haddad asked if the applicant would be willing to downgrade to residential.

Mr. Massoud replied that the applicant thought that if they could not sell residential property then perhaps they could build apartments. Mr. Massoud noted that the applicant has since agreed that he would be willing to accept residential zoning.

Eva Carter, resident of the area, noted that she is concerned that the property would be saturated with apartments.

Commissioner Haddad responded that the applicant has agreed to rezone to residential.

ACTION: Motion made by John Neal to approve R-5 (Residential), subject to staff comments, seconded by Gary Porras and unanimously carried (6-0).

4. **ZON05-00017:** A portion of Lot 1A, Block 4, Falcon Hills Unit One Replat B
LOCATION: 780 N. Resler Drive
REQUEST: From: A-2/sc (Apartment/ special contract); To: A-O (Apartment/Office)
PROPOSED USE: Offices
OWNER/APPLICANT: Davis Street Corporation / Same
REPRESENTATIVE: Roe Engineering
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 A-2/sc (Apartment/special contract) to A-O (Apartment/Office) in order to permit offices. The property is .94 acres in size and is currently vacant. The proposed site plan shows a two story, 26,200 square foot office building to be located on the site. Access is proposed via Resler Drive with fifty-four parking spaces. There are zoning conditions currently imposed on this property. The Planning Department has received no calls or letters in support or opposition to this request.

Commissioner John Neal noted that he thought A-O (Apartment/Office) was reserved to be compatible with existing residential; he feels that a two-story office complex does not meet the criteria.

Mr. Lopez responded that the classification of Resler is an arterial and the fact that there is S-D (Special Development) zoning, even though it is not developed. The staff felt that A-O is typically considered a neighborhood friendly type use. Mr. Lopez noted that they did receive a call regarding the two-story office and they felt that one-story would be more appropriate.

Bradley Roe, Representative, agreed with staff recommendations. Mr. Roe noted that right now the property is zoned A-2 (Apartment) and A-2 zoning allows structures of two and half stories high, with a height limitation of 35 feet, 20 feet front setback, and 25 feet rear setback. The applicant is proposing a two-story building with 70 feet front setback and 70 feet rear setback.

Albert Cueto, resident of the area, noted that he is concerned about the property being two-stories and is concerned about what it is going to look like and how it is going to impact properties in the future. Mr. Cueto is also concerned with traffic congestion and the lighting the commercial building is going to be illuminating at night.

Mr. Roe responded that they would comply with the dark sky ordinance.

Commissioner Miguel Teran made a motion to approve subject to limiting the building to 30 feet as shown in the exhibit and to comply with the dark sky ordinance.

Mr. Roe clarified that 30 feet is presented in the report, however, the center shaft where the elevator is placed is 45 feet.

ACTION: Motion made by Miguel Teran to approve, subject to staff comments, subject to limiting the building to 30 feet and 45 feet where the elevator shaft is located and subject to the dark sky ordinance, seconded by John Neal and unanimously carried (6-0).

ACTION: Motion made by Gus Haddad to recess at 3:05 p.m., seconded by John Neal and unanimously carried (6-0).

ACTION: Motion made by John Neal to reconvene at 3:18 p.m., seconded by Dick Vorba and unanimously carried (5-0). (Commissioner Chad North left.)

Special Permit Applications:

5. **ZON05-00018:** South 25' of Lot 1, Block 118, Campbell Addition
REQUEST: 100% Parking reduction
LOCATION: 519 S. Oregon Street
ZONE: C-4 (Commercial)
PROPOSED USE: Retail commercial development
OWNER/APPLICANT: Luis Hernandez / Same
REPRESENTATIVE: Alfredo Bocanegra
DISTRICT: # 8

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

SUMMARY: Linda Castle, Planning Department, noted that the applicant is requesting a special permit to allow for 100% parking reduction for a new 3,000 square foot building for retail. The site is currently vacant and is .0688 acres in size. The proposed site plan shows four retail spaces to be located on the site. Access is proposed via Fourth Street. Zero parking spaces are provided. The Planning Department has received no calls or letters in opposition or support of this request. The Development Coordinating Committee recommended denial of this request based on the fact that the Plan for El Paso recommends that El Paso preserve, protect and enhance the integrity, economic vitality and livability of the city's neighborhoods. The Traffic Division's 8-hour parking impact study shows that the required 15 parking spaces are not available in a 300' radius.

Alfredo Bocanegra, Representative, requested that the commission approve the special permit. Mr. Bocanegra noted that when they conducted their own impact study around February 2005, there was ample parking. The traffic division conducted their traffic impact study around March, during spring break, thus creating the discrepancy.

No opposition was presented.

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

6. **ZON05-00021:** Tract 1C1 and a portion of Tract 1D1, Block 10, Upper Valley Surveys
REQUEST: Planned residential development
LOCATION: Gomez Road West of Upper Valley Road
ZONE: R-2/c (Residential/conditions)
PROPOSED USE: Single-family residential development
OWNER/APPLICANT: View Point Acreage, L.L.C / Same
REPRESENTATIVE: Brock & Bustillos, Inc.
DISTRICT: # 1

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

SUMMARY: Fred Lopez, Planning Department, noted that the applicant is requesting a special permit to allow for planned residential development with private streets. The property is 11.21 acres in size. The proposed site plan shows 28 single-family residential lots and one lot as a private pond to be located within a portion of the proposed Ortiz Farms Unit One Subdivision. Access is proposed via Gomez Road. The Planning Department has received no calls or letters in support or opposition to this request.

Oscar Perez, Representative, agreed with staff recommendations.

Mary Francis Keisling, Save the Valley, noted that they are in support of this request.

No opposition was presented.

ACTION: Motion made by Miguel Teran to approve, subject to staff comments, seconded by John Neal and unanimously carried (4-0). (Commissioner Chad North left and Commissioner Roman Bustillos left the room.)

Detailed Site Development Plan Application:

7. **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 Roman Bustillos to postpone for two weeks (04/21/05); upon applicant's request, seconded by Dick Vorba and unanimously carried (6-0).

8. **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

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

SUMMARY: Fred Lopez, Planning Department, noted that the site plan was submitted in order to permit retail commercial development. The property is currently 1.85 acres in size and is currently zoned C-1/sc (Commercial/special contract). The proposed site plan shows a 7,000 square foot building and a 9,100 square foot building to be located on the site. Access is proposed via Mesa Hills Drive with 81 parking spaces available. The site plan shows 10,797 square feet of landscaping. The Planning Department has received no calls or letters in support or opposition to this request. Site plan review is required because a special contract that exists on the property.

Conrad Conde, Representative, agreed with staff recommendations.

Randy Graham, resident of the area, noted that he is opposed to this request because of the lighting, the noise and what effect it would have on property values. Mr. Graham is concerned that an adult business would be allowed. Two other residents of the area also opposed this request.

Alan Shubert, Building Permits and Inspections Department, replied that the sexually oriented businesses that are presently next to residential are existing establishments that are non-conforming. Mr. Shubert assured Mr. Graham that a sexually oriented business would not be able to be placed here because it is within 1,000 feet of a residential area.

Mr. Conde responded that they would be complying with the dark sky ordinance.

The Commission suggested to Mr. Conde that he meet with the residents of the area to alleviate any concerns, before this request is presented to City Council.

Mr. Conde agreed.

ACTION: Motion made by Miguel Teran to approve, subject to staff comments, seconded by John Neal and unanimously carried (5-0). (Commissioner Chad North left.)

9. **ZON05-00019:** Tract 6A, Block 1 and Tract 17B, Block 5, Ysleta Grant
LOCATION: 9521 North Loop Drive
REQUEST: Contract condition requirement
ZONE: C-2/c (Commercial/condition)
PROPOSED USE: Sunset Funeral Home
OWNER/APPLICANT: Winton & Associates
REPRESENTATIVE: John Morrison
DISTRICT: # 6

ACTION: Motion made by Roman Bustillos to postpone for two weeks (04/21/05); upon applicant's request, seconded by Dick Vorba and unanimously carried (6-0).

10. **ZON05-00022:** Tracts 5 and 6, Block 10, Upper Valley Surveys
LOCATION: 960 W. Borderland Road
REQUEST: Site plan review
ZONE: C-1/c (Commercial/Condition)
PROPOSED USE: Church
OWNER/APPLICANT: Calvary Chapel Sun City / Martin Arriola
REPRESENTATIVE: Carlos Figueroa
DISTRICT: # 1

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

SUMMARY: Christina Valles, Planning Department, noted that the site plan was submitted in order to permit a church. Site plan review is required because a condition exists on the subject property. The property is currently zoned C-1/c (Commercial/condition). The site is currently a cotton gin and is 3.83 acres in size. The proposed site plan shows a church facility and main office to be located on the site. Access is proposed via Borderland Road. 107 parking spaces are provided. The Planning Department has received no calls or letters in support or opposition to this request.

No opposition was presented.

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Gary Porras and unanimously carried (5-0). (Commissioner Chad North left.)

SUBDIVISION MAP APPROVAL

Subdivision Applications:

11. **SUB05-00026:** Talbot Place #2 – Revised 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 applicant is proposing 65 single-family residential lots.

Matt Watson, Assistant City Attorney, noted that under Engineering Department comments, item #12 should read: developer shall coordinate with TX DOT.

Enrique Escobar, 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). (Commissioner Chad North left.)

12. **SUB04-00072:** Desert Trail #2 – Revised Combination; Being a Portion of Tract 3A, A.F. Miller Survey No. 210, City of El Paso, El Paso County, Texas. (District 8)

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

SUMMARY: James Shelton, Planning Department, noted that the applicant is adding a 10-foot utility easement abutting Belvidere Drive and also running along the eastern boundary line of the subdivision. A 15-foot drainage easement was added on the western portion of the subdivision.

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 (5-0). (Commissioner Chad North left.)

13. **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)

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

SUMMARY: James Shelton, Planning Department, noted that Engineering Department has revised their comments and they are recommending approval. The Engineering Department is also requesting to delete items # 1, 3 and 4, under Engineering Comments.

Commissioner Miguel Teran asked if the length of the street is in compliance with the distances.

Mr. Shelton replied that there are intersections at each point.

Commissioner Teran asked if there would be stop signs placed.

Rick Conner, Engineering Department, replied that would be part of the design and they will be looking at traffic calming devices.

Andy Telles, Representative, agreed with staff recommendations.

Rudy Valdez, Planning Department, noted that for item #5, on the revised Engineering Department comments, that they would require the developer to vacate the easement prior to recording of the map.

Commissioner Teran made a motion to approve with the compliance of some type of traffic calming device.

Mr. Telles noted that he would be willing to place stop signs or whatever the traffic division deems necessary.

Mr. Valdez required that the developer coordinate with PSB.

ACTION: Motion made by Miguel Teran to approve, subject to staff comments, seconded by John Neal and unanimously carried (5-0). (Commissioner Chad North left.)

14. **SUB05-00016:** North Hills Unit Twenty Two – Combination; Being a portion of Tract 1A, Section 27, Block 81, Township 1, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas. (District 4)

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

SUMMARY: James Fisk, Planning Department, noted that the applicant is proposing one commercial lot. Primary access to the subdivision will be from US Highway 54. The minimum size lot is 5.3 acres. The subdivision is within park zones 196 and 197. The developer will be required to pay a total of \$2,539 to satisfy the parkland requirements.

Conrad Conde, Representative, agreed with staff recommendations.

Joel Bay, representing the interests of the 3,000 plus residents of the North Hills Subdivision, noted that they are opposed to this development. Mr. Bay feels that a private storage facility does not fit the character of a primary residential area and it causes concerns for diminished property values and concerns for the types of clientele that such facility might draw to the neighborhood. Several other residents of the area also expressed their concerns.

ACTION: Motion made by Dick Vorba to allow public hearing, seconded by John Neal and unanimously carried (5-0).

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Gary Porras and carried (4-1). (Commissioner Miguel Teran opposed the motion.) (Commissioner Chad North left.)

15. **SUB05-00020:** Emerald Springs Retreat – Combination; Being a Portion of C.D. Stewart Survey No. 320, El Paso County, Texas. (District 6)

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

SUMMARY: James Shelton, Planning Department, noted that the developer is proposing 93 single-family dwellings. The subdivision lies within the City of El Paso's East Extraterritorial Jurisdiction (ETJ).

Rudy Valdez, Planning Department, requested that item #9, under Engineering Department comments, be deleted.

Kevin Kranage, Representative, agreed with staff recommendations.

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Gary Porras and unanimously carried (5-0). (Commissioner Chad North left.)

16. **SUB05-00021:** River Park West Unit Eight - Preliminary; Being All of Tract 3A, Block 10 and Portion of Tract 1G, Block 10, Upper Valley Surveys, El Paso County, City of El Paso. (District 1)

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

SUMMARY: James Fisk, Planning Department, noted that the developer is proposing 292 single-family dwellings.

Rudy Valdez, Planning Department, noted that the Traffic Engineering Department is requesting 3 feet of right of way for the turning heel.

Jorge Azcarate, Representative, agreed with staff recommendations. Mr. Azcarate noted that on item #11, under Engineering Comments, Milton Henry Drive does not abut the subdivision.

Mr. Valdez replied that the standard comment should be "sidewalks required within and abutting subdivision".

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Gary Porras and unanimously carried (5-0). (Commissioner Chad North left.)

17. **SUB05-00023:** River Park West Unit Nine – Preliminary; Being a Portion of Tract 1G, Block 10, Upper Valley Surveys, El Paso County, City of El Paso, Texas. (District 1)

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

SUMMARY: James Fisk, Planning Department, noted that the developer is proposing 292 single-family dwellings.

Rudy Valdez, Planning Department, noted that item #4, under Engineering Department Traffic Comments, could be deleted if turning heels comply with the code.

Mr. Rick Conner, Engineering Department, replied that the turning heels do comply.

Jorge Azcarate, Representative, agreed with staff recommendations. Mr. Azcarate noted that this is not on-site ponding and requested that item #11, under Engineering Department Comments, be deleted.

Mr. Valdez agreed.

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Gary Porras and unanimously carried (5-0). (Commissioner Chad North left.)

18. **SUB05-00022:** El Manto Addition – Combination; Being a Portion of Tract 2, O'Keefe and Dwyer Subdivision in F. Neve Survey Number Eight, and a Portion of a 25' Wide Alley, City of El Paso, El Paso County, Texas. (District 3)

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

SUMMARY: James Shelton, Planning Department, noted that the developer is proposing 12 single-family dwellings.

Sergio Plaza, Representative, agreed with staff recommendations.

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Miguel Teran and unanimously carried (5-0). (Commissioner Chad North left.)

PUBLIC HEARING

Extension Request to Submit Map:

19. **SUB04-00042:** Tuscany at Ridgeview – Extension request to submit map; A portion of Tract 1A, S.J. Larkin Survey No. 265, 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 requesting a 60-day extension to submit the recoding maps for the subdivision.

George Hallou, 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 (5-0). (Commissioner Chad North left.)

Street Name Change Request

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

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

SUMMARY: James Fisk, Planning Department, noted that the applicant is requesting the name change of Solitude Ct. to Pleasant View Ct.

Clement Nduka, 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 (5-0). (Commissioner Chad North left.)

Street Dedication:

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

ACTION: Motion made by Roman Bustillos to delete; upon applicant's request, seconded by Dick Vorba and unanimously carried (6-0).

Land Study:

22. **LS05001:** Land Study for the Westside Master Plan; A portion of S.J. Larkin Survey #267, #268, #269 and Nellie D. Mundy Survey #246. (District 1)

ACTION: Motion made by Roman Bustillos to postpone for four weeks (05/05/05); upon applicant's request, seconded by Dick Vorba and unanimously carried (6-0).

Other Business:

23. Discussion and action on the 2005 El Paso Zoological Master Plan.

ACTION: Motion made by Roman Bustillos to move item #23 to the front of the agenda, seconded by Dick Vorba and unanimously carried (6-0).

Kathleen Mason, Executive Director for the Zoological Society, noted that the Society contributed more than \$367,000 to the Zoo for program services that included water filtration, veterinarian equipment and support for the education and volunteer and conservation programs within the Zoo.

Angie White, President for the Zoological Society, noted that the Society is dedicated to supporting the zoo in any way. Ms. White noted that the holiday lights were a success. Ms. White also noted that the upcoming zoological gala that will be held on May 21, 2005 is an excellent opportunity to demonstrate what is coming to the zoo. Ms. White emphasized that the Society will continue to do for the zoo as they have done since 1963 in helping provide funds.

ACTION: Motion made by Gary Porras to accept the Zoological Master Plan, seconded by Dick Vorba, and unanimously carried (5-0). (Commissioner Miguel Teran left the room.)

24. An Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by amending Section 20.04.270 (Special Permits for Planned Residential Developments-Minimum Site Area). The penalty is as provided in Chapter 20.68 of the City of El Paso Municipal Code.

Kimberly Forsyth gave a brief presentation on an Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by amending Section 20.04.270 (Special Permits for Planned Residential Developments-Minimum Site Area). The penalty is as provided in Chapter 20.68 of the City of El Paso Municipal Code.

ACTION: Motion made by Gary Porras to approve, subject to staff comments, seconded by Dick Vorba and unanimously carried (5-0). (Commissioner Chad North left.)

25. An Ordinance amending Title 2 (Administration and Personnel) of the El Paso City Code, by amending Chapter 2.30 (Building Board of Appeals), Section 2.30.060 (Powers) to add the Outdoor Lighting Ordinance (Chapter 18.18) to the list of ordinances which the Building Board of Appeals is authorized to grant variances and hear appeals over.

Alan Shubert Building Permits and Inspections Department, and Rick Conner, Engineering Department gave a brief presentation on the ordinances.

ACTION: Motion made by John Neal to hear items #25, #26 and #27 simultaneously, seconded by Roman Bustillos and unanimously carried (5-0).

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

26. An Ordinance to amend Title 19 (Subdivisions) of the El Paso Municipal Code, Chapter 19.16 (Improvement Standards and Design Principles), Section 19.16.030 (Street Lighting) to ensure consistency with the Outdoor Lighting Ordinance, to amend Section 8 (Street Lighting) of Appendix A to Title 19 to provide that lighting standards shall be as on file with the City Engineer, and to amend Chapter 19.04 (General Provisions) Section 19.04.100 (Subdivision Improvement Design Standards) to eliminate conflict with the proposed amendment to Section 8 of Appendix A of Title 19. The penalty is as provided in 19.04.190 of the El Paso Municipal Code.

Alan Shubert Building Permits and Inspections Department, and Rick Conner, Engineering Department gave a brief presentation on the ordinances.

ACTION: Motion made by John Neal to hear items #25, #26 and #27 simultaneously, seconded by Roman Bustillos and unanimously carried (5-0).

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Gary Porras and unanimously carried (5-0). (Commissioner Chad North left.)

ACTION: Motion made by John Neal to reconsider item, seconded by Gary Porras and unanimously carried (5-0). (Commissioner Chad North left.)

Rick Conner explained that he feels the wording on the standards of the lines being buried to two feet should be changed to three feet.

ACTION: Motion made by John Neal to approve, subject to staff comments, subject to wording being changed to three feet, seconded by Gary Porras and unanimously carried (5-0). (Commissioner Chad North left.)

27. An Ordinance to amend Title 18 (Building and Construction) of the El Paso Municipal Code, Chapter 18.18 (Outdoor Lighting Ordinance), by adding Section 18.18.375 (Historic Properties) to exempt certain historic properties from required compliance with the Outdoor Lighting Ordinance. The penalty is as provided in Section 18.02.107 of the El Paso City Code.

Alan Shubert Building Permits and Inspections Department, and Rick Conner, Engineering Department gave a brief presentation on the ordinances.

ACTION: Motion made by John Neal to hear items #25, #26 and #27 simultaneously, seconded by Roman Bustillos and unanimously carried (5-0).

ACTION: Motion made by John Neal to approve, subject to staff comments, seconded by Roman Bustillos and unanimously carried (5-0). (Commissioner Chad North left.)

28. An Ordinance amending Title 19 (Subdivisions) of the El Paso Municipal Code by amending Chapters 19.16 (Improvement Standards and Design Principles) Section 19.16.020 (Streets) subsection 19.16.020.p (Vehicular Access) to provide certain assurances to a subdivider who has offered to dedicate more land than the City is willing to accept. The penalty is as provided in Section 19.04.190 of the Code.

ACTION: Motion made by Roman Bustillos to postpone for two weeks (04/21/05); upon applicant's request, seconded by Dick Vorba and unanimously carried (6-0).

29. Approval of CPC Minutes: March 24, 2005

ACTION: Motion made by Roman Bustillos to postpone for two weeks (04/21/05); upon applicant's request, seconded by Dick Vorba and unanimously carried (6-0).

30. Planning Report.

31. Legal Report.

The City Plan Commission Hearing adjourned at 4:55 p.m.

Rudy Valdez, Executive Secretary

OFFICIAL MINUTES AND RECORD OF ACTION

TAKEN BY THE EL PASO CITY PLAN COMMISSION ON APRIL 7, 2005

_____, CHAIR
