



CITY PLAN COMMISSION HEARING MINUTES

June 2, 2005

MEMBERS PRESENT:

Miguel Teran
Dick Vorba
John Neal
Gus Haddad
Ray Mancera
Ruben Ponce
Roman Bustillos
Chad North

OTHERS PRESENT:

Rudy Valdez, PRDD
George Sarmiento, PRDD
Fred Lopez, PRDD
Mark Weber, 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 Dick Vorba, and unanimously carried (7-0).

DISCUSSION AND ACTION:

PUBLIC HEARING

1. Discussion and action on authorizing the Planning, Research and Development Department to conduct the necessary research and produce a neighborhood plan for the San Juan Neighborhood. (District 3)

George Acosta, Planning, Department, gave a brief presentation of the San Juan Neighborhood. Mr. Acosta noted the San Juan Neighborhood Improvement Association requested a neighborhood plan. Mr. Acosta presented the boundaries of the association and presented the U.S. Census population.

Mr. Valenzuela, President of the San Juan Neighborhood Association, discussed the needs of the neighborhood.

The commission discussed their concerns regarding the boundaries of the association. The commission felt that the boundaries should expand further to include other neighborhoods. Commission Gus Haddad asked if the boundary is coherent to require a neighborhood plan.

George Sarmiento, Planning Department, responded that they would give them an update as to what the appropriate boundary is going to be.

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

2. An Ordinance incorporating the El Paso Water Utilities' Public Service Board Northeast Master Plan as a specific study area plan into the City's comprehensive plan, *The Plan for El Paso*, and which plan shall amend the Plan for El Paso and the year 2025 General Land Use Map incorporated therein.

Mark Weber, Planning, Department, gave a brief presentation on an Ordinance incorporating the El Paso Water Utilities' Public Service Board Northeast Master Plan as a specific study area plan into the City's comprehensive plan, *The Plan for El Paso*, and which plan shall amend the Plan for El Paso and the year 2025 General Land Use Map incorporated therein.

Mr. Weber noted that at a May 18, 2005 public meeting at Nolan Richardson Middle School, comments focused primarily on Martin Luther King Boulevard. Residents did not realize that the MTP lists Martin Luther King as a super arterial, which could potentially be an eight-lane road.

The Development Coordinating Committee recommended approval of this request amending the Projected General Land Use 2025 Map in the Plan for El Paso. The El Paso Mountain Committee met on May 27, 2005 and recommended approval this request subject to the following condition:

The following language in Exhibit A of the draft ordinance, under section titled "Natural Transition Buffer (Open Space)" remain:

"Development shall not occur within Natural Transition Buffer. The Natural Transition Buffer is intended to prevent development near the boundaries of the State Park."

Clifford Ellis, resident of the area, voiced his concerns.

Daniel Montero, Public Service Board, informed the commission that this project has been ongoing since July of 2003. Mr. Montero noted that there have been several public meetings.

ACTION: Motion made by Dick Vorba to approve, subject to staff comments, seconded by Chad North and unanimously carried (6-0). (Commissioner Roman Bustillos abstained.)

3. An Ordinance amending the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of the Plan for El Paso and its related documents as originally approved by the El Paso City Council in 1999, and as subsequently amended (within specific 4 parcels recently sold in Public Service Board Northeast Master Plan).

Tae-Gyu Kim, Planning Department, gave a brief presentation on an Ordinance amending the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of the Plan for El Paso and its related documents as originally approved by the El Paso City Council in 1999, and as subsequently amended (within specific 4 parcels recently sold in Public Service Board Northeast Master Plan).

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

Detailed Site Development Plan Application:

4. **ZON05-00037:** Lots 2, Save and Except, the Westerly 25' thereof, and all of Lot 3, Block 1, Redd Road Commercial Park
LOCATION: 120 Redd Road
REQUEST: Detailed Site Plan to permit a retail center
ZONE: C-4/sc (Commercial/special contract)
PROPOSED USE: Retail Center
OWNER/APPLICANT: Francis Properties, Inc. / Francis Properties, Inc.
REPRESENTATIVE: Dieter & James, Inc.
DISTRICT: # 1

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

SUMMARY: Christina Valles, Planning Department, noted that the applicant submitted a detailed site plan review in order to permit a retail center. Site plan review is required because a zoning contract exists on the subject property. The property is currently zoned C-4/sc (Commercial/special contract). The Planning Department has received no calls or letters in support or opposition to this request.

Phillip Dieter, Representative, agreed with staff recommendations.

No opposition was presented.

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

Rezoning Applications:

5. **ZON05-00029:** North 138.00 feet of Lot 9 and West 1/2 of Lot 10, Block 7, North Loop Gardens Unit One
LOCATION: 510 East Road
REQUEST: From: A-2 (Apartment); To: C-4 (Commercial)
PROPOSED USE: Car Wash, Car Repair, Beauty Shop
OWNER/APPLICANT: Eduardo and Adriana Barboza / Eduardo Barboza
REPRESENTATIVE: Eduardo Barboza
DISTRICT: # 7

ACTION: Motion made by John Neal to postpone for two weeks (06/16/05); upon applicant's request, seconded by Dick Vorba, and unanimously carried (7-0).

6. **ZON05-00036:** A portion of Section 22, Block 81, TSP 1, Texas and Pacific Railroad Company Survey
LOCATION: US 54 and Sean Haggerty
REQUEST: From: R-F (Ranch and Farm); To: R-3A (Residential)
PROPOSED USE: Residential
OWNER/APPLICANT: City of El Paso / Tropicana Homes
REPRESENTATIVE: Del Rio Engineering
DISTRICT: # 4

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

SUMMARY: Mark Weber, Planning Department, noted that the applicant is requesting a rezoning from R-F (Ranch and Farm) to R-3A (Residential) in order to permit single-family residential. The property is 120.07 acres in size. Access is proposed via Loma Real, Marcus Uribe, Loma De Paz, and Sean Haggerty. 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.

Sal Massoud, Representative, agreed with staff recommendations.

No opposition was presented.

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

SUBDIVISION MAP APPROVAL

Subdivision Applications:

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

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

SUMMARY: Fred Lopez, Planning Department, noted on January 27, 2005 the City Plan Commission reviewed this subdivision and discussed their concerns about the length of the roadway. The developer has since revised the subdivision. The roadway has been broken up into two different roads. The developer is proposing 565 single-family lots. The applicant is requesting the following modifications:

- Turning heels
- Block length exceeding 1,500 feet
- Five-foot sidewalk with a three-foot parkway

Mr. Lopez noted that item #8, under Engineering Department Comments, should read “Coordinate with the Engineering Department regarding how the runoff of off-site drainage area “D “ will be handled”. Mr. Lopez also requested that item #10 be deleted. Mr. Lopez further noted that item #1, under Engineering Traffic Division, should read “Block 143”. Mr. Lopez noted that item #4, under Engineering Traffic Division, be deleted.

Conrad Conde, Representative, agreed with staff recommendations.

ACTION: Motion made John Neal to approve, with modification #3, subject to staff comments, seconded by Ruben Ponce, and unanimously carried (7-0).

8. **SUB05-00013:** Tierra Del Este Unit 38 – 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: Fred Lopez, Planning Department, noted that the applicant is proposing a 118 single-family residential subdivision. Mr. Lopez noted the City Plan Commission approved this subdivision on a preliminary basis with a modification to the cross-section of the proposed divided residential street to allow for 5-foot sidewalks and 3-foot parkways.

Conrad Conde, Representative, agreed with staff recommendations.

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

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

Rudy Valdez, Planning Department, noted that the developer is requesting if they could make improvements to a park site that is in this same park zone in order to take credits for a park. Mr. Valdez noted that the developer would need to coordinate with the Parks Department.

ACTION: Motion made by Miguel Teran to approve, subject to modifications and coordination of park credits, seconded by John Neal, and unanimously carried (7-0).

9. **SUB05-00014:** Tierra Del Este Unit 39 – Final; 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 #9 and #10 were heard simultaneously. Fred Lopez, Planning Department, noted that the developer is proposing 137 single-family residential lots for Tierra Del Este Unit 39. The developer is proposing 97 single-family residential lots for Tierra Del Este Unit 40.

Conrad Conde, Representative, agreed with staff recommendations. Mr. Conde requested that park fees be coordinated.

Mr. Rudy Valdez, Planning Department, requested that the Engineering Traffic Division comment regarding the turning heels be deleted.

ACTION: Motion made by Ray Mancera to hear items #9 and #10 together, seconded by John Neal, and unanimously carried (7-0).

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

10. **SUB05-00015:** Tierra Del Este Unit 40 – Final; 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 #9 and #10 were heard simultaneously. Fred Lopez, Planning Department, noted that the developer is proposing 137 single-family residential lots for Tierra Del Este Unit 39. The developer is proposing 97 single-family residential lots for Tierra Del Este Unit 40.

Conrad Conde, Representative, agreed with staff recommendations. Mr. Conde requested that park fees be coordinated.

Mr. Rudy Valdez, Planning Department, requested that the Engineering Traffic Division comment regarding the turning heels be deleted.

ACTION: Motion made by Ray Mancera to hear items #9 and #10 together, seconded by John Neal, and unanimously carried (7-0).

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

11. **SUB05-00021:** River Park West Unit Eight - Revised Combination; 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: Agenda items #11 and #12 were heard simultaneously. Jim Fisk, Planning Department, noted that the developer is proposing 39 single-family residential lots for River Park West Unit Eight. The applicant was granted a modification at the April 7, 2005 City Plan Commission meeting for a 47-foot wide right-of-way. The developer is proposing 75 single-family residential lots for River Park West Unit Nine.

Jorge Azcarate, Representative, agreed with staff recommendations. Mr. Azcarate noted that for item #1, under Engineering Department Comments, River Park Unit Five has to be recorded before River Park Unit 8 and 9. Mr. Azcarate also requested that items #12 and #13 be deleted since those items have already been coordinated with the Engineering Department. Mr. Azcarate noted that those comments also apply to River Park West Unit Nine.

ACTION: Motion made by John Neal to hear items #11 and #12 together, seconded by Dick Vorba, and unanimously carried (7-0).

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

12. **SUB05-00023:** River Park West Unit Nine – Revised Combination; 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: Agenda items #11 and #12 were heard simultaneously. Jim Fisk, Planning Department, noted that the developer is proposing 39 single-family residential lots for River Park West Unit Eight. The applicant was granted a modification at the April 7, 2005 City Plan Commission meeting for a 47-foot wide right-of-way. The developer is proposing 75 single-family residential lots for River Park West Unit Nine.

Jorge Azcarate, Representative, agreed with staff recommendations. Mr. Azcarate noted that for item #1, under Engineering Department Comments, River Park Unit Five has to be recorded before River Park Unit 8 and 9. Mr. Azcarate also requested that items #12 and #13 be deleted since those items have already been coordinated with the Engineering Department. Mr. Azcarated noted that those comments also apply to River Park West Unit Nine.

ACTION: Motion made by John Neal to hear items #11 and #12 together, seconded by Dick Vorba, and unanimously carried (7-0).

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

13. **SUB05-00028:** Americas Estates Unit One – Preliminary; Tract 1, Block 3, A G Bell Survey #315 ½, City of El Paso, El Paso County, Texas. (East ETJ)

ACTION: Motion made by John Neal to delete item; upon applicant's request, seconded by Dick Vorba, and unanimously carried (7-0).

14. **SUB05-00036** Brillo De La Luna - Major Preliminary; Being All of Tract 9B and a Portion of Tracts 6, 9F, and 10A, Block 11, Upper Valley Surveys, City of El Paso, El Paso County, Texas. (District 1)

ACTION: Motion made by John Neal to postpone for two weeks (06/16/05); upon applicant's request, seconded by Dick Vorba, and unanimously carried (7-0).

Easement Vacation:

15. **EV05003:** Easement Vacation - Being a Portion of Lot 4, Block 83, River Park West Unit 2. (District 1)

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

SUMMARY: Jim Fisk, Planning Department, noted that the applicant is requesting to vacate a portion of a 20-foot drainage easement located between Lots 3 and 4, Block 83, River Park West Unit 2.

Conrad Conde, Representative, agreed with staff recommendations.

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

PUBLIC HEARING

16. **SUB05-00027:** River Valley Subdivision – Revised Combination; Being all of Tract 12, Block C, Christy Tract, City of El Paso, El Paso County, Texas. (District 7)

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

SUMMARY: Jim Fisk, Planning Department, noted that developer is proposing a development containing 24 single-family residential lots. The developer will be required to pay \$6,900 in park fees. The developer is requesting a modification to allow for a five-foot sidewalk with a three-foot landscaped parkway.

Sal Massoud, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made John Neal to approve, subject to staff comments, and approval of modification #3, seconded by Dick Vorba, and unanimously carried (6-0). (Commissioner Miguel Teran left the room.)

Land Study:

17. **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 John Neal to postpone for two weeks (06/16/05); upon applicant's request, seconded by Dick Vorba, and unanimously carried (7-0).

Extension Request to Complete Subdivision Improvements

18. **SD99053:** Ridge View Estates Unit 16 - Extension request to complete subdivision improvements. (District 1)

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

SUMMARY: Fred Lopez, Planning Department, noted that the applicant is requesting a two-month extension to complete subdivision improvements. The subdivision was recorded on September 15, 2000, and the deadline to complete the subdivision improvements expired on September 15, 2002. The City Plan Commission granted a one-year extension until September 15, 2003. The City Plan Commission granted an eight-month extension and then granted two additional six-month extensions.

Jorge Azcarate, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made Ruben Ponce to approve, subject to staff comments, seconded by Chad North, and unanimously carried (7-0).

Extension Request to Submit Recording Maps

19. **SUB04-00016:** Lomas Del Sol Unit 3 – Extension request to submit recording maps; Being a portion of Tract 1B2, Nellie D. Mundy Survey No. 242, El Paso, El Paso County, Texas. (District 1)

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

SUMMARY: Fred Lopez, Planning Department, explained that the applicant submitted a letter on May 11, 2005, requesting a 90-day extension to submit the recording maps. The reason is the issue of the off-site dedication of the 3.71-acre park shown with and incorporated within this plat. The conveyance has not been completed.

Wayne Grinnell, Representative, agreed with staff recommendations.
No opposition was presented.

ACTION: Motion made John Neal to approve, subject to staff comments, seconded by Ray Mancera, and unanimously carried (6-0). (Commissioner Chad North left the room.)

20. **SUB04-00033:** Eastlake Estates Unit 1 – Extension request to submit recording maps; Being a portion of W. J. of Rand Survey No. 315-1/2. (East ETJ)

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

SUMMARY: Agenda Items #20, #21, and #22 were heard simultaneously. Fred Lopez, Planning Department, noted that the applicant is requesting a six-month extension request to submit the recording maps. The subdivision was approved on a final basis on November 11, 2004. There have been no prior extensions for these subdivisions. The applicant is coordinating the recording requirements for the subdivision with the County of El Paso.

Jorge Azcarate, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made by John Neal to hear items #20, #21 and #22 together, seconded by Dick Vorba and unanimously carried (6-0).

ACTION: Motion made Ray Mancera to approve, subject to staff comments, seconded by John Neal, and unanimously carried (6-0). (Commissioner Roman Bustillos abstained and left the room.)

21. **SUB04-00034:** Eastlake Estates Unit 2 – Extension request to submit recording maps; Being a portion of W. J. of Rand Survey No. 315-1/2. (East ETJ)

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

SUMMARY: Agenda Items #20, #21, and #22 were heard simultaneously. Fred Lopez, Planning Department, noted that the applicant is requesting a six-month extension request to submit the recording maps. The subdivision was approved on a final basis on November 11, 2004. There have been no prior extensions for these subdivisions. The applicant is coordinating the recording requirements for the subdivision with the County of El Paso.

Jorge Azcarate, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made by John Neal to hear items #20, #21 and #22 together, seconded by Dick Vorba and unanimously carried (6-0).

ACTION: Motion made Ray Mancera to approve, subject to staff comments, seconded by John Neal, and unanimously carried (6-0). (Commissioner Roman Bustillos abstained and left the room.)

22. **SUB04-00035:** Eastlake Estates Unit 3 – Extension request to submit recording maps; Being a portion of W. J. of Rand Survey No. 315-1/2. (East ETJ)

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

SUMMARY: Agenda Items #20, #21, and #22 were heard simultaneously. Fred Lopez, Planning Department, noted that the applicant is requesting a six-month extension request to submit the recording maps. The subdivision was approved on a final basis on November 11, 2004. There have been no prior extensions for these subdivisions. The applicant is coordinating the recording requirements for the subdivision with the County of El Paso.

Jorge Azcarate, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made by John Neal to hear items #20, #21 and #22 together, seconded by Dick Vorba and unanimously carried (6-0).

ACTION: Motion made Ray Mancera to approve, subject to staff comments, seconded by John Neal, and unanimously carried (6-0). (Commissioner Roman Bustillos abstained and left the room.)

Other Business:

23. Discussion and Action: **(Reconsideration)** An Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by amending Chapter 20.02 (General Provisions and Definitions) to add 20.02.722 (Secondary Advertising Signs), and also by amending Chapter 20.66 (Signs), Sections 20.66.100 (Sign Permit Fee Formula), 20.66.130 (Prohibited Signs) and 20.66.300 (Commercial, Manufacturing, and Industrial Uses-C-1, C-2, C-3, C-4, M-1, M-2, {P-C, M-3 and Q Districts). The penalty is as provided in Chapter 20.68 of the City of El Paso Municipal Code.

ACTION: Motion made by John Neal to postpone for two weeks (06/16/05); upon applicant's request, seconded by Dick Vorba, and unanimously carried (7-0).

24. Discussion and Action: Amendment to CPC Bylaws.

Changes to the City Plan Commission Bylaws were discussed. Commissioner Ray Mancera also discussed additional changes to the bylaws.

ACTION: Motion made by John Neal to approve the bylaws as presented, seconded by Ray Mancera, and unanimously carried (7-0).

ACTION: Motion made by Ray Mancera to amend the bylaws, seconded by John Neal, and unanimously carried (7-0).

Matt Watson, Assistant City Attorney, noted that at City Council's Meeting of Tuesday, May 31, 2005, Mr. Richard Schecter requested that members of the public always be afforded the opportunity to provide comment with regard to any item being heard by the city plan commission. Mr. Watson noted that the bylaws can be amended to reflect that members of the public automatically be afforded an opportunity to provide comment. Mr. Watson explained that Mr. Schecter is requesting that any time there is opposition, the city Planning Department needs to write down the names, contact information for all members of the public in opposition to that application. That application hence forth, if there is ever any other application covering all or a portion of that original application area, then all the people who originally opposed need to be provided written notice by the applicant, whether it be the same applicant, or a different applicant.

Commissioner Gus Haddad noted that if the bylaws were changed to allow public input for every agenda item, then the meeting would last longer. This would also increase the cost of an application and time to the staff, the city, as well as to applicant.

Commissioner Chad North commented that in his opinion that is why the neighborhood liaison was created so that a representative of the neighborhood could speak for the neighborhood.

The commission decided to post these items on the June 16, 2005 City Plan Commission agenda for further discussion and action.

25. Discussion and Action on Annual Financial Disclosure Form.

Rudy Valdez, Planning Department, reminded the commissioners to turn in their annual financial disclosure form.

26. Planning Report.

27. Legal Report.

The City Plan Commission Hearing adjourned at 3:55 p.m.

Rudy Valdez, Executive Secretary

OFFICIAL MINUTES AND RECORD OF ACTION

TAKEN BY THE EL PASO CITY PLAN COMMISSION ON JUNE 2, 2005

_____, **CHAIR**
