



CITY PLAN COMMISSION HEARING MINUTES

July 8, 2004

MEMBERS PRESENT:

Gary Porras
Dick Vorba
John Neal
Daphne Hamilton
Oscar Venegas
Gus Haddad
Ruben Ponce

OTHERS PRESENT:

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

The City Plan Commission meeting was called to order by Oscar Venegas at 1:32 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 Gary Porras to accept changes to the agenda, seconded by John Neal and unanimously carried (6-0).

DISCUSSION AND ACTION:

SUBDIVISION MAP APPROVAL

Subdivision Application:

1. **SUB03-00032:** Park Hills Unit 6 – Combination; Being a portion of H.G. Foster Survey No. 262, City of El Paso, El Paso County, Texas. (District 1)

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

SUMMARY: James Shelton, Planning Department, noted that the developer is proposing a residential development containing 73 single-family residential lots. The developer will be receiving .365 acres of credits for a previously dedicated park site. Mr. Shelton noted that the City Plan Commission approved the subdivision on a final basis on January 29, 2004. The applicant has resubmitted this subdivision with a decrease in the total area from 26.97 acres to 26.85 acres. The developer was granted a modification during the preliminary platting process on November 20, 2003. This modification allowed for 5-foot sidewalks adjacent to the curb along Calle Cumbre Drive, which eliminated 3 feet of parkway, instead of the standard 4-foot sidewalk and 4-foot landscaped area.

Conrad Conde, Representative, agreed with staff recommendations. Mr. Conde requested that the wording "Lot 1, Block 16 and Lot 31, Block 15" be added to item #7, under Engineering Comments, which reads: "The developer shall construct a 6' high rockwall abutting the channel". Mr. Conde noted that those two lots abut the channel.

Bashar Abugalyon, Engineering Department, agreed with the request.

Rudy Valdez, Planning Department, noted that the street Calle Cumbre is duplicated therefore the street name would need to be changed.

Mr. Conde accepted that revision.

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

2. **SUB04-00011:** Ocotillo Estates #2 – Final; Being a Portion of A.G. McMath Survey No. 298, City of El Paso, El Paso County, Texas. (District 1)

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

SUMMARY: James Shelton, Planning Department, noted that the developer is proposing a residential development containing 16 single-family residential lots. This subdivision is zoned PMD (Planned Mountain Development) and is proposed to be a gated community. The applicant has submitted copies of the reports required by the Subdivision Ordinance, which addresses the following: drainage and erosion, storm water analysis, vegetation and revegetation, soils report, and grading plan. The average size of the lots in the subdivision is 13,500 square feet. The average cross slope of the property is 15.6%, and the allowable cross slope falls within the range of 15.1% and 20%. The maximum permitted density, based on the average cross slope of the property, is 59 units and the applicant is proposing 16 units. The developer is required to provide a minimum of 35% open space and is providing a total of 49.4%. Mr. Shelton noted that the El Paso Mountain Committee met on July 25, 2004 to consider the subdivision and recommended approval.

Conrad Conde, Representative, agreed with staff recommendations. Mr. Conde requested that the wording "until Park Hills Unit 6 is filed" be replaced for item #3, under Engineering Department Comments, which reads "Ocotillo Estates Unit 2 shall not be recorded until Park Hills Unit 6 is approved, constructed and accepted for maintenance by the City".

Bashar Abugalyon, Engineering Department, agreed with the request.

Rudy Valdez, Planning Department, noted that the El Paso Mountain Committee met on June 25, 2004 not July 25, 2004.

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

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

3. **SUB04-00036:** Velez Subdivision – Preliminary; Being all of Tract 2, Block 6, Christy Tract, City of El Paso, El Paso County, Texas. (District 7)

ACTION: Motion made by Gary Porras to postpone for two weeks (07/22/04); upon applicant's request, seconded by John Neal and unanimously carried (6-0).

4. **SUB04-00037:** Southwest Estates Addition Replat "A" – Resubdivision Combination; Being a replat of Lot 1, Block 1, Southwest Estates, El Paso County, Texas. (East ETJ)

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

SUMMARY: James Shelton, Planning Department, noted that the developer is proposing 3 commercial lots. Primary access to the subdivision will be from Montana Avenue and Desert Meadows Drive. The subdivision is located in the eastern extraterritorial jurisdiction therefore no park fees will be required.

Oscar Perez, Representative, agreed with staff recommendations.

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

5. **SUB04-00045:** Spanish Pines I – Preliminary; Being all of Tract 4 and Block 9, Upper Valley Surveys, City of El Paso, El Paso County, Texas. (District 1)

ACTION: Motion made by Gary Porras to postpone for two weeks (07/22/04); upon applicant's request, seconded by John Neal and unanimously carried (6-0).

6. **SUB04-00040:** Spanish Pines II – Combination; Being all of Tracts 6E, 6F, and 6G, Block 9, 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 developer is proposing a subdivision containing 47 single-family dwelling lots. The developer would be required to pay \$14,100 in park fees. The developer is requesting a modification to allow for 4-foot sidewalks instead of the standard 4-foot sidewalk and 4-foot landscape area. The Planning Department recommended that the City Plan Commission find that the modification meets criteria #3 of the Subdivision Ordinance. The Engineering Department is recommending that 6-feet of additional right of way on Ada Lane be dedicated by the developer and that improvements on Ada Lane shall be required, including sidewalks.

Sal Massoud, Representative, agreed with staff recommendations.

Rudy Valdez, Planning Department, noted that the developer has agreed to the improvements to Ada Lane in lieu of having to submit a traffic impact study.

ACTION: Motion made by John Neal to approve the amendments, seconded by Gary Porras and unanimously carried (6-0).

ACTION: Motion made by John Neal to approve the subdivision, subject to staff comments, seconded by Daphne Hamilton and unanimously carried (6-0).

7. **SUB04-00042:** Ridge View Estates Unit 14 – Preliminary; 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 proposing a development containing 45 single-family residential lots. Primary access to the subdivision will be from Desert Canyon Drive. The minimum lot size is 9,690 square feet. The developer will be receiving .225 acres in park credits for a previously dedicated park. A special permit has been applied for and is being processed to allow for the private development, which will be a gated community. A special privilege license shall be secured to allow for the crossing of the drainage channel row. Access to the drainage channel would be provided by the developer. The Engineering Department – Traffic Section is requesting that no parking signs be posted on the bridge. Sidewalks will be required on the bridge. Sidewalks will be required within the subdivision.

Ernie Tarin, Representative, agreed with staff recommendations.

Rudy Valdez, Planning Department, noted that he would like to coordinate item #4, under Additional Requirements and General Comments.

Bashar Abugalyon, Engineering Department, noted that he spoke to the applicant and the applicant has agreed to make the bridge public from one side and private from the other side

Rudy Valdez noted that item #4, under Additional Requirements and General Comments, and item #8, under Engineering Department Comments, can be deleted.

ACTION: Motion made by John Neal to delete item #4 and item #8, seconded by Gary Porras and unanimously carried (6-0).

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

8. **SUB04-00044:** Gato Subdivision – Combination; Portion of Tract 10C2, Block 16, Upper Valley Surveys, El Paso County, Texas. Northwest ETJ

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

SUMMARY: James Shelton, Planning Department, noted that the developer is proposing a residential subdivision containing one single-family residential lot. Primary access to the subdivision will be from Gato Road. Since the subdivision is outside the existing city limits, no park fees will be required.

Representative was not present.

ACTION: Motion made by Gary Porras to approve, subject to staff comments, seconded by Ruben Ponce and unanimously carried (6-0).

PUBLIC HEARING

Subdivision Application:

9. **SUB04-00004:** Loma Linda Unit 4 – Revised Preliminary; Being a replat of portion of Lot 1 and all of Lot 2, Block 2, Hueco View Acres, and a portion of Harkis Road, City of El Paso, El Paso County, Texas. (District 5)

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

SUMMARY: James Shelton, Planning Department, noted that the developer is proposing a subdivision containing 39 residential lots. The developer would be required to pay \$11,700 in park fees. The developer will be dedicating 30 feet of additional right of way on Edgemere Boulevard. Harkis Road, which is an unimproved road, is to be vacated by this plat. Adjacent owners abutting Harkis Road have all signed affidavits agreeing to the vacation.

Conrad Conde, Representative, agreed with staff recommendations. Mr. Conde requested to delete item #13, under Engineering Department Comments.

No opposition was presented.

ACTION: Motion made by Daphne Hamilton to approve the amendments, seconded by John Neal and unanimously carried (6-0).

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

Extension Request to Complete Subdivision Improvements:

10. **SD97010:** Cumbre Estates Unit 1 – Extension Request to Complete Subdivision Improvements; Being an amended Subdivision of all of Cumbre Estates Unit 1, City of El Paso, El Paso County, Texas. (District 1)

ACTION: Motion made by Gary Porras to postpone for two weeks (07/22/04); upon applicant's request, seconded by John Neal and unanimously carried (6-0).

11. **SD98059:** Keystone Business Park – Extension request to complete subdivision improvements. (District 8)

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

SUMMARY: James Shelton, Planning Department, noted that this applicant is requesting an extension to complete the subdivision improvements. The subdivision was approved by the City Plan Commission on a final basis on June 1, 2000 and recorded on October 29, 2001. The two years to complete the subdivision expired on October 29, 2003. The applicant requested an additional one year extension and was given an eight month extension which expired on June 29, 2004. The developer states that due to utility design coordination problems with the El Paso Electric Company's relocation of transmission lines and the El Paso Water Utilities service points, the developer has been unable to commence construction of the required subdivision improvements, and also with the Keystone Business Park Replat A. The developer is coordinating several issues with the City of El Paso in regards to a land swap. The developer is requesting a two-year extension to complete the improvements or the possible land trade with the City of El Paso. The Development Coordinating Committee unanimously recommended approval of a six-month extension request for the Keystone Business Park to complete improvements. This extension, if approved, should be valid until December 29, 2004.

Jorge Garcia, Representative, agreed with staff recommendations.

No opposition was presented.

Commissioner John Neal commented that if they approve the extension it would take them beyond a one-year period of time. The Construction of Subdivision Improvements states that city plan commission may grant 1 one-year extension of time for completion of the required subdivision improvements. Commissioner Neal asked how they could extend the time beyond one-year when they are limited by that language.

Matt Watson, Assistant City Attorney, responded that the interpretation provided by the staff of the Development Coordinating Committee provides that since it is silent, after a year they can have additional extensions.

Commissioner Neal asked what has not been completed on a percentage basis or a descriptive basis and can they, at this point, require financial guarantee that these improvements be made as a condition of the extension and if so how much should that be.

Mr. Valdez responded that the applicant did submit a phasing plan for the improvements that were required as part of the original subdivision that was approved. The major improvement to the subdivision is the extension of Kappa Road from Doniphan, which has not been completed. The other street improvements towards the west of the property are actually part of another plat, the replats, so that is not a consideration of this extension today. Mr. Valdez noted that they are currently working with Representative Cobos on a potential land swap with the owner of this property. Mr. Valdez noted that they have not received an estimate from the developer in terms of the cost of those improvements. Mr. Valdez suggested that the commission postpone this item if they wanted to pursue a guarantee in order for the city and the developer to come up with the estimate on those cost improvements.

Commissioner Gus Haddad asked if they could have a quick discussion on this financial guarantee.

Matt Watson, Assistant City Attorney, responded that the city plan commission could require that the developer provide a financial guarantee, as a condition of the grant of an extension for the completion of the subdivision improvements. It could be cash, a letter of credit, or bond.

ACTION: Motion made by John Neal to postpone for two weeks (07/22/04) in order for the Planning Department to research the estimate on the amount of improvements, or money needed for improvements, seconded by Gary Porras and carried (4-3). Chairperson voted to break the vote.

Detailed Site Development Plan Application:

12. **ZON04-00070:** Tract 23B, Block 29, Ysleta Grant & Tract 814, Block 33, Ysleta Grant
LOCATION: 131 S. Yarbrough
REQUEST: Zoning Condition
ZONE: C-3/sc (Commercial/special contract)
PROPOSED USE: Automotive repair
OWNER/APPLICANT: Ricardo Olague / same
REPRESENTATIVE: Luis Sarinana
DISTRICT: # 7

ACTION: Motion made by Gary Porras to postpone for two weeks (07/22/04); upon applicant's request, seconded by John Neal and unanimously carried (6-0).

13. **ZON04-00076:** Block 10A, Tejas Addition
LOCATION: 1050 N. Clark Street
REQUEST: Zoning Condition
ZONE: R-4/sp (Residential/special permit)
PROPOSED USE: Educational/Assembly
OWNER/APPLICANT: Saint Pius X Catholic Church / Same
REPRESENTATIVE: Lucero Melendez Architects
DISTRICT: # 3

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

SUMMARY: Jorge Rousselin, Planning Department, noted the site plan was submitted in order permit educational/assembly. The proposed site plan shows additional buildings to be located on the site to include a cafeteria and classroom wing with an additional parking lot consisting of twenty-two spaces located at the south east corner of the site. Access is proposed via Clark Drive and Gila Street for the new parking lot. A total of 219 parking spaces are proposed.

Alice Beltran, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made by Gus Haddad to approve, subject to staff comments, seconded by Gary Porras and unanimously carried (6-0).

14. **ZON04-00078:** Tract 21, O.A. Danielson Survey No. 310, City of El Paso
LOCATION: 11861 Physicians Dr.
REQUEST: Zoning Condition
ZONE: A-O/c (Apartment/Office/condition)
PROPOSED USE: Medical offices/clinic
OWNER/APPLICANT: Patty Velas - Valley Forge / same
REPRESENTATIVE: PSRBB Architects
DISTRICT: # 6

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

SUMMARY: Jorge Rousselin, Planning Department, noted the site plan was submitted in order to permit medical offices/clinic. Access is proposed via Physicians Drive. 90 parking spaces are proposed. The Planning Department has received no calls or letters in opposition or in favor to this request. The Development Coordinating Committee did recommend approval with the condition that the installation of a six-foot high screening wall be located at the northern portion of the property.

Bob Filarsky, Representative, agreed with staff recommendations.

Barbara Cobos and Martha Gallardo, residents of the area and members of the Board of Directors for Stone Ridge Property Owners Association, expressed their concerns of the medical offices. They noted that they would like some type of landscaping buffer between the buildings and the residential area.

ACTION: Motion made by Gus Haddad to approve with landscaping, subject to staff comments, seconded by Gary Porras and unanimously carried (6-0).

Special Permit Applications:

15. **ZON04-00064:** Lots 1 - 4, Block 76C, Logan Heights
REQUEST: Infill development
LOCATION: Flory and Stevens
ZONE: R-4 (Residential)
PROPOSED USE: Single-family residential on reduced lots
OWNER/APPLICANT: Windridge Properties / Lisa McFarlin
REPRESENTATIVE: Same
DISTRICT: #2

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

SUMMARY: Kimberly Forsyth, Planning Department, noted that the applicant is requesting a special permit to allow for infill development to permit four single-family houses on reduced lots. The site is currently vacant land and is 12,000 square feet in size. There are four separate lots, each one is 3,000 square feet and the zoning is R-4. The R-4 zoning for a single-family structure would require a 6,000 square foot lot. Under the Infill Development Ordinance that was passed by City Council, this type of development was permitted on a case by case basis to allow for development of older subdivisions and vacant lots that had not been built upon. Access is proposed via the alley. There are no zoning conditions currently imposed on this property. The ordinance does allow for a 50% increase in the maximum density of the base zoning district. The maximum density for an R-4 would be 12.44 units per acre. A 50% increase would allow up to 18 units per acre or a minimum lot size of 2,334 square feet per dwelling unit. The site is 12,000 square feet with four proposed units, which would come out to 3,000 square feet per dwelling unit. The Planning Department has received one call and three letters in opposition of this request.

Rudy Valdez, Planning Department, noted that they received a phone call from a gentleman requesting that the item be postponed since he and other people in opposition to this request would not be able to attend the meeting.

Robert Kelly, Representative, agreed with staff recommendations.

Peter Alvarez, resident of the area, noted that he is in opposition to this request.

Commissioner John Neal expressed that he is in favor of the Infill Ordinance and supports it, however he is opposed to having four units on this property. Commissioner Neal noted that the Infill Ordinance allows for an increase of 50%, however the R-4 zoning has a minimum of 6,000 square feet. Commissioner Neal asked why they were not building 3 units instead of the 4 units.

Ms. Forsyth responded that it is calculated based on the maximum density permitted in the district and because the R-4 does permit duplexes as well as single family they had to look at the lot size requirement for the duplex, which is 7,000 square feet per unit, or per two dwelling units.

Commission Dick Vorba agreed with Commission Neal.

Commissioner Neal asked if the applicant would be willing to modify his request.

Mr. Kelly agreed to modify the request to three houses on the site.

Ms. Forsyth recommended to the commission that they postpone this item since the site plan is tied to the special permit, thus giving the applicant time to modify the site plan.

ACTION: Motion made by John Neal to postpone for two weeks (07/22/04); upon applicant's request, seconded by Dick Vorba and unanimously carried (6-0).

16. **ZON04-00069:** Block 12, Portion of Lot 83, Tierra Del Este Unit One
REQUEST: Special permit to allow for governmental buildings and uses
LOCATION: 12600 Pebble Hills Drive
ZONE: R-5 (Residential)
PROPOSED USE: Library
OWNER/APPLICANT: City of El Paso / Same
REPRESENTATIVE: Brock & Bustillos, Inc.
DISTRICT: # 5

ACTION: Motion made by Gary Porras to postpone for two weeks (07/22/04); upon applicant's request, seconded by John Neal and unanimously carried (6-0).

17. **ZON04-00071:** Lot 2 and a portion of Lot 3, Block 1, Castner Range Subdivision
REQUEST: Special permit to allow for governmental buildings and uses
LOCATION: Hondo Pass West of Stahala Drive
ZONE: R-4 (Residential)
PROPOSED USE: Northeast Corral / Garden Area
OWNER/APPLICANT: City of El Paso / Same
REPRESENTATIVE: Street Department
DISTRICT: # 4

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

SUMMARY: Items #17, #18, and #21 were heard simultaneously. Fred Lopez, Planning Department, noted that the City of El Paso is requesting a special permit for the existing Northeast Corral and existing garden area. The special permit is proposed for Parcel 1 to allow for governmental buildings and uses. Access is proposed via Hondo Pass Drive.

Daryl Cole, Representative, agreed with staff recommendations.

No opposition was presented.

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

18. **ZON04-00072:** A portion of Lot 3, Block 1, Castner Range Subdivision
REQUEST: Special permit to allow for philanthropic institutions
LOCATION: Hondo Pass West of Stahala Drive
ZONE: R-4 (Residential)
PROPOSED USE: YWCA Northeast Branch
OWNER/APPLICANT: City of El Paso / same
REPRESENTATIVE: Street Department
DISTRICT: # 4

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

SUMMARY: Items #17, #18, and #21 were heard simultaneously. Fred Lopez, Planning Department, noted that the City of El Paso is requesting a special permit for the existing YWCA Northeast Branch. The special permit is proposed for Parcel 2 to allow for philanthropic institutions. Access is proposed via Stahala Drive. 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.

Daryl Cole, Representative, agreed with staff recommendations.

No opposition was presented.

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

19. **ZON04-00079:** A portion of Section 17, Block 8, Township 2, T & PRR Survey
REQUEST: Offsite parking
LOCATION: 4707 Fred Wilson
ZONE: M-1 (Manufacturing)
PROPOSED USE: Offsite Parking
OWNER/APPLICANT: HJH Overseas LLC / same
REPRESENTATIVE: Conde, Inc.
DISTRICT: # 2

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

SUMMARY: Jorge Rousselin, Planning Department, noted that the applicant is requesting a special permit in order to allow for offsite parking which will serve an existing manufacturing plant. The property is currently zoned M-1 (Manufacturing). Access is proposed via Plane Port Loop. The Planning Department has received no letters or phone calls in favor or opposition to this request.

Conrad Conde, Representative, agreed with staff recommendations.

No opposition was presented.

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

Rezoning Application:

20. **ZON04-00060:** Tract 12 B, Block 14, Ysleta Grant
LOCATION: 308 Lomaland
REQUEST: From: R-5 (Residential); To: C-1 (Commercial)
PROPOSED USE: Retail
OWNER/APPLICANT: Carlos and Ignacia Dominguez / Same
REPRESENTATIVE: Adrian Hernandez
DISTRICT: # 7

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

SUMMARY: Kimberly Forsyth, Planning Department, noted that the applicant is requesting a rezoning from R-5 (Residential) to C-1 (Commercial) in order to permit retail commercial uses. The proposed concept plan shows a 2,075 square foot building with three tenant spaces to be located on the site. Access is proposed via Lomaland Drive; parking spaces are provided. There are no zoning conditions currently imposed on this property. The Planning Department did receive one letter in opposition and a petition with 24 signatures in support of this request. The Development Coordinating did unanimously recommend denial of this request for rezoning from R-5 to C-1 because it did not conform to the Plan for El Paso, which designates this area as residential, and it was not compatible with the surrounding predominantly residential uses.

Adrian Hernandez, Representative, agreed with staff recommendations.

Rosa Morales, Staff Assistant for District #7, noted that she contacted the individuals that signed the petition providing support to this development and they stated that they were unsure of what was going to be developed, so they just signed the petition because they thought it would be a good idea have something there, instead of the empty lot. However, the residents do have concerns regarding the volume of traffic.

ACTION: Motion made by John Neal to deny, seconded by Daphne Hamilton and unanimously carried (5-0). (Commissioner Gary Porras left.)

21. **ZON04-00073:** A portion of Lot 3, Block 1, Castner Range Subdivision
LOCATION: Hondo Pass West of Stahala Drive
REQUEST: From: R-4 (Residential); To: A-2 (Apartment)
PROPOSED USE: Apartments
OWNER/APPLICANT: City of El Paso / same
REPRESENTATIVE: Street Department
DISTRICT: # 4

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

SUMMARY: Items #17, #18, and #21 were heard simultaneously. Fred Lopez, Planning Department, noted that the City of El Paso is requesting a rezoning request from R-4 (Residential) to A-2 (Apartment) in order to permit apartments on Parcels 2 and 3. The property is 11.57 acres in size and is currently vacant. Access is via Stahala Drive. There are no zoning conditions currently imposed on this property. The Planning Department has received one letter, two phone calls and petitions with 58 signatures in opposition to this request.

Daryl Cole, Representative, agreed with staff recommendations.

Joe Molinar, representative of General Maloney Neighborhood Association, noted that they are opposed to this request. On June 14, 2004 they met with two representatives of the YWCA, and they informed them that the apartment complex was going to be for the elderly, however since there is no one here from the YWCA to confirm, they are still unsure. The YWCA has not communicated to them in anyway regarding the number of buildings that are going to be placed, the number of dwellings that are going to be placed, the height of the structure, any of the setbacks of the structures to be built or any of the infrastructure improvements. Presently, there is no lease between the City of El Paso and the YWCA. To that extent the City has adjusted entering into a 20-25 year lease with the YWCA, and the city would retain the ownership of the property, however there are presently no properties owned by the City of El Paso that are operating as apartments.

Several other residents of the area also expressed their concerns and were in opposition to this request.

Commissioner Gary Porras noted that the city does not have any business changing the zoning and since there is no contract, he would like to make a motion to deny.

Daryl Cole requested that the item be deleted.

ACTION: Motion made by Gary Porras to delete, seconded by Gus Haddad and unanimously carried (6-0).

22. **ZON04-00074:** Tract 17C157, Block 79, Section 8, Township 2, Texas and Pacific Railway Company Surveys
LOCATION: Joe Battle Boulevard North of Lorenzo Ruiz Avenue
REQUEST: From: R-3 (Residential); To: C-4 (Commercial)
PROPOSED USE: Automotive sales
OWNER/APPLICANT: Ramon Salais / Same
REPRESENTATIVE: Ramon Salais
DISTRICT: # 5

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-3 (Residential) to C-4 (Commercial) in order to permit automotive sales. The proposed site plan shows 4,871 square feet of automotive sales office to be located on the site with thirty-eight parking spaces provided. Access is proposed via Joe Battle Boulevard. There are no zoning conditions currently imposed on this property. The Development Coordinating Committee unanimously recommended denial of this request for rezoning to C-4 and instead recommends approval to C-3 with the following conditions:

- Prior to the issuance of any building permits, a detailed site development plan shall be reviewed and approved per the El Paso Municipal Code.

- A ten foot landscaped buffer to include, but not limited to, evergreen trees placed at fifteen feet on center shall be required along the westerly property line where abutting residential or apartment zoning districts. This shall be in addition to the landscaping requirements of the Chapter 20.65 of the El Paso Municipal Code and shall be required prior to the issuance of any building permits.

Ramon Salais, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made by John Neal to approve C-3, subject to staff comments, seconded by Dick Vorba and carried (4-1). (Commissioner Gary Porras left.)

23. **ZON04-00075:** Being Tract 26A, Block 29, Ysleta Grant, El Paso, El Paso County, Texas
LOCATION: 108 Seneca Drive
REQUEST: C-3 (Commercial); To: C-4 (Commercial)
PROPOSED USE: Wood Cabinet Shop
OWNER/APPLICANT: Antonio Cobos / Same
REPRESENTATIVE: Jesus Jaime
DISTRICT: # 7

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

SUMMARY: Jorge Rousselin, Planning Department, noted that the applicant is requesting a rezoning from C-3 (Commercial) to C-4 (Commercial) in order to permit a wood cabinet shop that currently exists on the property. 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. The Development Coordinating Committee did recommend approval.

Bashar Abugalyon, Engineering Department, requested to change the wording "auto sales" to "wood cabinet shops" in the Engineering Department Comments.

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

Jesus Jaime, Representative, agreed with staff recommendations.

No opposition was presented.

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

24. **ZON04-00077:** Tract 44C, O. A. Danielson Survey No. 310
LOCATION: 1500 Block of N. Zaragoza Road
REQUEST: From: R-3 (Residential); To: C-4 (Commercial)
PROPOSED USE: Retail commercial development and office warehousing
OWNER/APPLICANT: Alameda Theatre, Inc. and Delmo and Martha Pearce Family Partnership, Ltd.
/ Same
REPRESENTATIVE: Roe Engineering, L. C.
DISTRICT: # 6

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-3 (Residential) to C-4 (Commercial) in order to permit retail commercial development and office warehousing. Access is proposed via Zaragoza Road. There are no zoning conditions currently imposed on the property. The Planning Department has received no calls or letters in support or opposition to this request. The Development Coordinating Committee recommends approval of rezoning from R-3 (Residential) to C-4/c for Parcel 1 and C-2/c for Parcel 2 with the following conditions:

Recommended conditions for Parcel 1 and Parcel 2:

- Prior to the issuance of any building permits, a detailed site plan shall be reviewed and approved per the El Paso Municipal Code.
- A ten-foot (10') wide landscaped buffer to include, but not limited to, evergreen trees placed at fifteen (15) feet on center shall be required along the property line where abutting residential or apartment zoning districts. This shall be in addition to the landscaping requirements of the Chapter 20.65 of the El Paso Municipal Code and shall be required prior to the issuance of any building permits.

Recommended conditions for Parcel 1:

- The following uses shall be prohibited: automotive repair garage; automobile, light and heavy trucks, buses, motorcycles and boats sales, storage, rental or service; sales, storage, repair and rental of tractors, heavy trucks, farm equipment, contractor's equipment and heavy vehicles and equipment; trailer, mobile home, travel trailer and recreational vehicle sales, display and repair; and contractor's yard.

Bradley Roe, Representative, agreed with staff recommendations.

No opposition was presented.

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

25. **ZON04-00086:** A portion of West Hills Unit 23, El Paso, El Paso County, Texas
LOCATION: South of Helen of Troy Drive
REQUEST: From: R-3 (Residential); To: R-3A (Residential)
PROPOSED USE: Single-family residential development
OWNER/APPLICANT: Sierra Hills Joint Venture, Mountain Vista Builders, Inc. and Direct Home Sales, Inc / Same
REPRESENTATIVE: Conde, 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 rezoning from R-3 (Residential) to R-3A (Residential) in order to permit single-family residential development. The Planning Department has received no calls or letters in support or opposition to this request. The Development Coordinating Committee did recommend approval.

Conrad Conde, Representative, agreed with staff recommendations.

No opposition was presented.

ACTION: Motion made by Gus Haddad to approve, subject to staff comments, seconded by Ruben Ponce and unanimously carried (5-0). (Commissioner Gary Porras left.)

Discussion and Action on Ordinance Amendments:

26. An Ordinance amending Title 19 (Subdivisions) of the El Paso Municipal Code, by amending Sections 19.28.010 (Construction of Subdivision Improvements) to modify language concerning Extension Requests, and by Amending 19.28.020 (Guarantees) to modify language regarding required security ensuring completion of Subdivision Improvements when requesting extensions to complete same.

ACTION: Motion made by Gus Haddad to postpone for two weeks (07/22/04); upon applicant's request, seconded by John Neal and unanimously carried (5-0). (Commissioner Gary Porras left.)

27. An Ordinance amending Title 19 (Subdivisions) of the El Paso Municipal Code, by amending Appendix "P" thereto (Subdivision Improvements Agreement and Guarantee) to increase submission requirements, clarify a subdivider's ability to install street name signage prior to acceptance of subdivision improvements, and to clarify who the responsible individual or entity is for the cost of such improvements.

ACTION: Motion made by Gus Haddad to postpone for two weeks (07/22/04); upon applicant's request, seconded by John Neal and unanimously carried (5-0). (Commissioner Gary Porras left.)

Other Business:

28. Election of 1st Vice Chair and 2nd Vice Chair

ACTION: Motion made by John Neal to appoint Daphne Hamilton as 1st Vice Chair, seconded by Dick Vorba and unanimously carried (5-0).

ACTION: Motion made by John Neal to appoint Dick Vorba as 2nd Vice Chair, seconded by Gary Porras and unanimously carried (5-0).

29. Approval of CPC Minutes: June 17, 2004

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

30. Planning Report.

31. Legal Report.

The City Plan Commission Hearing adjourned at 4:12 p.m.

Rudy Valdez, Executive Secretary

OFFICIAL MINUTES AND RECORD OF ACTION

TAKEN BY THE EL PASO CITY PLAN COMMISSION ON JULY 8, 2004

_____, **CHAIR**

_____, **DATE**