



CITY PLAN COMMISSION HEARING MINUTES

October 20, 2005

MEMBERS PRESENT:

Dick Vorba
John Neal
Gus Haddad
Ray Mancera
Roman Bustillos
Carlos Gallinar

OTHERS PRESENT:

Rudy Valdez, PRDD
George Sarmiento, PRDD
Fred Lopez, PRDD
Christian Valles, PRDD
Jim Fisk, PRDD
Mark Weber, PRDD
Cindy Crosby, Assistant City Attorney
Sandra Hernandez, Recording Secretary

The City Plan Commission meeting was called to order by Gus Haddad at 1:34 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 Ray Mancera, and unanimously carried (5-0).

DISCUSSION AND ACTION:

PUBLIC HEARING

1. Neighborhood Planning Program - FY 2006 Quarterly Report on neighborhood plans in process.

Veronica Rosales, Development Services Department, gave a brief presentation regarding the FY-2006 Quarterly Report on neighborhood plans in process. Ms. Rosales noted that there are six neighborhood plans in process and gave brief details about the plans.

No action was taken.

Special Contract Application:

2. **ZON05-00093:** Tract 3C4 & Tract 3C5, Section 27, Block 81, Township 1, T & P RR Surveys
LOCATION: 10800 Gateway Boulevard North
ZONING: C-1/c (Commercial/conditions)
REQUEST: Amendment to conditions for minimum ten foot (10') wide landscape buffer along southerly property line and eight foot (8') screening wall
PROPOSED USE: Self-storage facility
OWNER/APPLICANT: Saggitarius Holding Company, Inc. / Same
REPRESENTATIVE: Arnold Peinado & Gustavo Quintana
DISTRICT: # 4

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

SUMMARY: Agenda Items #2 and # 7 were heard simultaneously. Mark Weber, Development Services Department, noted that the applicant is requesting a rezoning from C-1/c (Commercial/condition) to C-2/c (Commercial/condition) in order to permit a self-storage facility. The property is 5.96 acres in size and is currently vacant. The proposed site plan shows a 12,000 square foot commercial building, a 21,200 square foot commercial building, and 79,200 square foot self-storage units to be located on the site. Access is proposed via Gateway North with four parking spaces provided. The Planning Division has

received on call in opposition to this request. The Development Coordinating Committee recommended denial of this request for rezoning from C-1/c (Commercial/condition) to C-2 (Commercial/condition) because C-2 zoning permits a self-storage facility and is not compatible with adjacent development. The applicant is also requesting to amend the condition that applies to the property when last rezoned. The condition states that a ten-foot landscaped buffer shall be provided along the southerly property line where it abuts Pleasant Hills Units 2 and 3. The applicant is proposing to move the landscape buffer to the front of the property, along the gateway, in addition to standard landscape requirements. The applicant is also requesting to be permitted to build a solid 8-foot wall along the southerly property line where it abuts Pleasant Hills Units 2 and 3. The existing condition on the property requires the vertical surface of the screening wall above six-feet be at least 75% open. The Development Coordinating Committee voted 8 to 1 to recommend approval of the contract condition amendment, with dissenting vote from Planning.

Arnold Peinado, Representative, agreed with staff recommendations. Mr. Peinado explained that he is representing the property owner and the prospective buyer. The buyer would like to rezone the property in order to establish a self-storage facility. Mr. Peinado noted that this storage facility would benefit the military when families relocate to El Paso. Mr. Peinado also noted that residents in the surrounding area have complained of noise from the freeway; thus the self-storage facility would be a noise buffer. Mr. Peinado noted that weekday traffic at the facility would include 10 to 15 tenants per day and about 200 units being leased. During the weekend, the traffic would increase to about 30 to 40 tenants per day. Mr. Peinado further explained in detail what the storage facility would entail.

Ralph Sanchez, resident of the area, noted that he is not opposed to the storage facility, however he would have concerns if the property owner were to change the use of the property.

Mr. Peinado reiterated that a storage facility would generate little traffic and noise on a daily basis.

Commissioner Dick Vorba expressed his concerns of the property being rezoned to C-2.

Commissioner Ray Mancera noted that C-2 use would be appropriate for the property since the property is located near the freeway.

ACTION: Motion made by John Neal to deny item #7, seconded by Dick Vorba, and carried (3-2). (Commissioners Ray Mancera and Roman Bustillos opposed the motion.)

ACTION: Motion made by John Neal to deny item #2, seconded by Dick Vorba, and carried (3-2). (Commissioners Ray Mancera and Roman Bustillos opposed the motion.)

Special Permit Applications:

3. **ZON05-00102:** A portion of Section 41, Block 79, Township 2, Texas and Pacific Railroad Company Surveys
REQUEST: Planned Residential Development to allow reduced setbacks – 20' front, 20' rear
LOCATION: Edgemere & Saul Kleinfeld
ZONE: C-3/c (Commercial/condition)
PROPOSED USE: Single Family Residential Homes
OWNER/APPLICANT: Ranchos Real IV, Ltd. / Same
REPRESENTATIVE: Conde, Inc.
DISTRICT: # 5

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

SUMMARY: Agenda Items #3 and #6 were heard simultaneously. Christina Valles, Development Services Department, noted that the applicant is requesting a rezoning from C-3/c (Commercial/condition) to R-5/c (Residential/condition) in order to permit single-family residential homes. The applicant is also requesting a special permit for a planned residential development to allow for reduced front and rear yard setback of 20 feet. The proposed site plan includes 48 single-family residential homes. The Planning Division has received no calls or letters in support or opposition to this request.

Conrad Conde, Representative, agreed with staff recommendations.

No opposition was presented.

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

4. **ZON05-00103:** A portion of Indiana Street vacated by City of El Paso Ordinance No. 13348 and portions of Lots 29 through 32, Block 49, Third Amended Map of Highland Park Addition
- REQUEST: Special permit for governmental use
LOCATION: Indiana Street at San Diego
ZONE: R-5 (Residential)
PROPOSED USE: A pump station for El Paso Water Utilities / PSB
OWNER/APPLICANT: El Paso Independent School District / El Paso Water Utilities
REPRESENTATIVE: Brock & Bustillos, Inc.
DISTRICT: # 2

ACTION: Motion made by John Neal to delete item; upon applicant's request, seconded by Ray Mancera, and unanimously carried (5-0).

Rezoning Applications:

5. **ZON05-00067:** All of Lot 6 and the West 1/2 of Lot 7, Block 59, East El Paso
- LOCATION: 3411 Gateway West Boulevard
REQUEST: From: R-5 (Residential); To: C-1 (Commercial)
PROPOSED USE: Commercial Kitchen
OWNER/APPLICANT: Romulado Delgadillo / Same
REPRESENTATIVE: Jesus Ortega
DISTRICT: # 8

ACTION: Motion made by John Neal to postpone item for two weeks (11/03/05); upon applicant's request, seconded by Ray Mancera, and unanimously carried (5-0).

6. **ZON05-00086:** A portion of Section 41, Block 79, Township 2, Texas and Pacific Railroad Company Surveys
- LOCATION: Edgemere Boulevard and Saul Kleinfeld
REQUEST: From: C-3/c (Commercial/conditions); To: R-5/c (Residential/conditions)
PROPOSED USE: Residential
OWNER/APPLICANT: Camino Real Investments I, Ltd. / Same
REPRESENTATIVE: Conde, Inc.
DISTRICT: # 5

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

SUMMARY: Agenda Items #3 and #6 were heard simultaneously. Christina Valles, Development Services Department, noted that the applicant is requesting a rezoning from C-3/c (Commercial/condition) to R-5/c (Residential/condition) in order to permit single-family residential homes. The applicant is also requesting a special permit for a planned residential development to allow for reduced front and rear yard setback of 20 feet. The proposed site plan includes 48 single-family residential homes. The Planning Division has received no calls or letters in support or opposition to this request.

Conrad Conde, Representative, agreed with staff recommendations.

No opposition was presented.

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

7. **ZON05-00094:** Tract 3C4 & Tract 3C5, Section 27, Block 81, Township 1 T & P RR Surveys
LOCATION: 10800 Gateway Boulevard North
REQUEST: From: C-1/c (Commercial/conditions); To: C-2/c (Commercial/conditions)
PROPOSED USE: Self-storage facility
OWNER/APPLICANT: Saggittarius Holding / Same
REPRESENTATIVE: Arnold B. Peinado, & Gustavo C. Quintana
DISTRICT: # 4

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

SUMMARY: Agenda Items #2 and # 7 were heard simultaneously. Mark Weber, Development Services Department, noted that the applicant is requesting a rezoning from C-1/c (Commercial/condition) to C-2/c (Commercial/condition) in order to permit a self-storage facility. The property is 5.96 acres in size and is currently vacant. The proposed site plan shows a 12,000 square foot commercial building, a 21,200 square foot commercial building, and 79,200 square foot self-storage units to be located on the site. Access is proposed via Gateway North with four parking spaces provided. The Planning Division has received on call in opposition to this request. The Development Coordinating Committee recommended denial of this request for rezoning from C-1/c (Commercial/condition) to C-2 (Commercial/condition) because C-2 zoning permits a self-storage facility and is not compatible with adjacent development. The applicant is also requesting to amend the condition that applies to the property when last rezoned. The condition states that a ten-foot landscaped buffer shall be provided along the southerly property line where it abuts Pleasant Hills Units 2 and 3. The applicant is proposing to move the landscape buffer to the front of the property, along the gateway, in addition to standard landscape requirements. The applicant is also requesting to be permitted to build a solid 8-foot wall along the southerly property line where it abuts Pleasant Hills Units 2 and 3. The existing condition on the property requires the vertical surface of the screening wall above six-feet be at least 75% open. The Development Coordinating Committee voted 8 to 1 to recommend approval of the contract condition amendment, with dissenting vote from Planning.

Arnold Peinado, Representative, agreed with staff recommendations. Mr. Peinado explained that he is representing the property owner and the prospective buyer. The buyer would like to rezone the property in order to establish a self-storage facility. Mr. Peinado noted that this storage facility would benefit the military when families relocate to El Paso. Mr. Peinado also noted that residents in the surrounding area have complained of noise from the freeway; thus the self-storage facility would be a noise buffer. Mr. Peinado noted that weekday traffic at the facility would include 10 to 15 tenants per day and about 200 units being leased. During the weekend, the traffic would increase to about 30 to 40 tenants per day. Mr. Peinado further explained in detail what the storage facility would entail.

Ralph Sanchez, resident of the area, noted that he is not opposed to the storage facility, however he would have concerns if the property owner were to change the use of the property.

Mr. Peinado reiterated that a storage facility would generate little traffic and noise on a daily basis.

Commissioner Dick Vorba expressed his concerns of the property being rezoned to C-2.

Commissioner Ray Mancera noted that C-2 use would be appropriate for the property since the property is located near the freeway.

ACTION: Motion made by John Neal to deny item #7, seconded by Dick Vorba, and carried (3-2). (Commissioners Ray Mancera and Roman Bustillos opposed the motion.)

ACTION: Motion made by John Neal to deny item #2, seconded by Dick Vorba, and carried (3-2). (Commissioners Ray Mancera and Roman Bustillos opposed the motion.)

8. **ZON05-00097:** Being Lot 17, Block 4, Stiles Gardens
LOCATION: 7144 Dale Road
REQUEST: From: A-O (Apartment/Office); To: C-4 (Commercial)
PROPOSED USE: Plumbing Office / Shop
OWNER/APPLICANT: Albert and Laura Avila / Same
REPRESENTATIVE: Freddie Oliver
DISTRICT: # 3

ACTION: Motion made by John Neal to postpone item for two weeks (11/03/05); upon applicant's request, seconded by Ray Mancera, and unanimously carried (5-0).

9. **ZON05-00100:** Lots 1 through 10, Block 213, Alexander Addition
LOCATION: 212 Cincinnati / 2601 N. Stanton
REQUEST: C-1 (Commercial); To: C-3 (Commercial)
PROPOSED USE: Winery Boutique
OWNER/APPLICANT: Old Kern Place Joint Venture / Donna Alba
REPRESENTATIVE: Yolanda Giner/ Gordon & Mott
DISTRICT: # 1

ACTION: Motion made by John Neal to postpone item for two weeks (11/03/05); upon applicant's request, seconded by Ray Mancera, and unanimously carried (5-0).

10. **ZON05-00101:** A portion of Tract 33A, Block 37, Ysleta Grant
LOCATION: 8927 Old County Road
REQUEST: From: C-1/H/sc (Commercial/Historic/special contract);
To: C-4/H/sc (Commercial/Historic/special contract)
PROPOSED USE: Warehouse
OWNER/APPLICANT: Ezequil Lizardo / Same
REPRESENTATIVE: Luis & Rene de la Cruz
DISTRICT: # 7

ACTION: Motion made by John Neal to postpone item for four weeks (11/17/05); upon applicant's request, seconded by Ray Mancera, and unanimously carried (5-0).

11. **ZON05-00104:** Tract 2, Save and Except a portion thereof, Map of Lomaland
LOCATION: 8303 North Loop
REQUEST: From: R-F (Ranch-Farm); To: A-1 (Apartment)
PROPOSED USE: Convert existing building into apartment
OWNER/APPLICANT: Guadalupe Yturales / Guadalupe Yturales
REPRESENTATIVE: Luis & Rene de la Cruz
DISTRICT: # 7

ACTION: Motion made by John Neal to postpone item for two weeks (11/03/05); upon applicant's request, seconded by Dick Vorba, and unanimously carried (5-0).

12. **ZON05-00105:** Lots 11 & 12 Except South 20 Feet, Block 2, Buena Vista Addition - Revised Plat
LOCATION: 3494 Doniphan
REQUEST: From: C-2 (Commercial); To: M-1 (Light Manufacturing)
PROPOSED USE: Light Manufacturing/granite countertops
OWNER/APPLICANT: Hipolito Zaldivar & Dario Rios / Hipolito Zaldivar & Dario Rios
REPRESENTATIVE: Salvador Nunez
DISTRICT: # 8

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

SUMMARY: Christina Valles, Development Services Department, the applicant is requesting a rezoning from C-2 (Commercial) to M-1 (Light Manufacturing) in order to permit a granite countertop manufacturing facility. The proposed site plan shows an existing building and proposed addition to be located on the site. Access is proposed via Doniphan Drive with 10 parking spaces provided. The Planning Division has received no calls or letters in support of opposition to this request.

Thomas Vasquez, 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).

SUBDIVISION MAP APPROVAL

Subdivision Applications:

13. **SUB05-00014:** Tierra Del Este Unit 39 – Revised Combination; 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)

ACTION: Motion made by Ray Mancera to postpone item for two weeks (11/03/05); upon applicant's request, seconded by Roman Bustillos, and unanimously carried (5-0).

14. **SUB05-00028:** Americas Estates Unit One – Revised Combination; Tract 1, Block 3, A. G. Bell Survey No. 315 ½, City of El Paso, El Paso County, Texas. (East ETJ)

ACTION: Motion made by John Neal to postpone item for two weeks (11/03/05); upon applicant's request, seconded by Ray Mancera, and unanimously carried (5-0).

15. **SUB05-00041:** W. Well Field Unit 2 – Major Combination; Being a Portion of Tracts 3A, 3F, and all of Tracts 3D, and 3G, O.A. Danielson Survey No. 316,

ACTION: Motion made by John Neal to postpone item for two weeks (11/03/05); upon applicant's request, seconded by Ray Mancera, and unanimously carried (5-0).

16. **SUB05-00048** Artcraft Estates – Major Preliminary; Being all of Tracts 1F, 3B, 3B1A, and 3C, and portions of Tract 1J, 1J1, and 1K, Block 10, Upper Valley Surveys, City of El Paso, El Paso County, Texas. (District 1)

ACTION: Motion made by John Neal to postpone item for two weeks (11/03/05); upon applicant's request, seconded by Ray Mancera, and unanimously carried (5-0).

17. **SUB05-00058:** Alto Mesa Unit 9 – Major Combination; A portion of Tract 15A, A. F. Miller Survey No. 213, and a portion of Lot 3, Block 3, Alto Mesa Unit 3, El Paso, El Paso County, Texas. (District 8)

ACTION: Motion made by John Neal to postpone item for two weeks (11/03/05); upon applicant's request, seconded by Ray Mancera, and unanimously carried (5-0).

PUBLIC HEARING

18. **SUB05-00056:** Tibuni Place – Major Combination; Being all of Tract 270 and a portion of Tract 269, Sunrise Acres No. 1, City of El Paso, El Paso County, Texas. (District 3)

ACTION: Motion made by John Neal to postpone item for two weeks (11/03/05); upon applicant's request, seconded by Ray Mancera, and unanimously carried (5-0).

19. **SUB05-00057:** San Mateo – Major Combination; Being a replat of Lot A, Block 9, Mission Hills Addition, City of El Paso, El Paso County, Texas. (District 1)

ACTION: Motion made by John Neal to postpone item for two weeks (11/03/05); upon applicant's request, seconded by Ray Mancera, and unanimously carried (5-0).

20. **SUB05-00062:** Falcon Heights – Resubdivision Combination; Being a portion of Tracts 1D, 2D, 3D and 4D, First Supplemental Map of Parkland Addition and Lot 1, Block 1, Golberg & Lehman Subdivision. (District 4)

ACTION: Motion made by John Neal to move item #20 to the front of the agenda, seconded by Ray Mancera, and unanimously carried (5-0).

ACTION: Motion made by Ray Mancera to postpone item for two weeks (11/03/05); upon applicant's request, seconded by John Neal, and unanimously carried (5-0).

Other Business:

21. Discussion and action regarding a request for the City of El Paso to consent to the creation of a Municipal Utility District located within the City's East Extraterritorial Jurisdiction. J.C. Viramontes has submitted a petition to create a municipal district generally located north of Montana Avenue and East of Loop 375 and also legally described as being Tract 11C2, Section 34, and a portion of Section 27, Block 79, Township 2, Texas & Pacific Railway Company Surveys, El Paso County, Texas. The proposed municipal district contains a total of 577.70 acres.

Rudy Valdez, Development Services Department, noted that the applicant is requesting consent for creation of a Municipal Utility District in East El Paso extraterritorial jurisdiction. Mr. Valdez noted that this request is similar to the one that was heard by the commission several weeks ago. The property owner is J.C. Viramontes. The property is approximately 577.70 acres in size located north of Montana and east of Purple Heart Memorial Highway. This petition was submitted September 6, 2005. The Development Coordinating Committee recommended that this request be denied. The Development Coordinating Committee's recommendation was based on the following considerations:

- The Mayor and City Council have directed staff to conduct a comprehensive annexation study for areas in El Paso's ETJ. Until such time as the study is complete and the City determines future growth policies, petitions for creation of any MUD should be discouraged.
- Annexation would provide for better control of development through building code and zoning regulations.
- Creation of a MUD could preclude growth of El Paso east of its city limits.
- El Paso Water Utilities is opposed to the creation of the subject MUD, the study currently being undertaken by the City will set out the manner in which the El Paso Water Utilities may be able to serve the area with water and wastewater services. Annexation will allow for city control of vital water assets.

Conrad Conde, Representative, noted that this is not the first time this issue comes before the commission. Mr. Conde requested that this item be approved.

No opposition was presented.

ACTION: Motion made by John Neal to recommend to the City Council that the MUD not be approved at this time, seconded by Ray Mancera, and unanimously carried (5-0).

22. Review and discuss a draft proposal for the process of, and the draft matrix for, evaluating Arroyos for preservation.

Rick Conner, Engineering Department, gave a brief presentation on the draft proposal process of, and the draft matrix for, evaluating Arroyos for preservation.

No action was taken.

23. Approval of City Plan Commission 2006 Public Hearing Schedule

Commissioners discussed the possibility of having the City Plan Commission meetings once a month in the evenings.

ACTION: Motion made by John Neal to postpone item for two weeks (11/03/05); seconded by Ray Mancera, and unanimously carried (5-0).

24. Approval of CPC Minutes: September 22, 2005

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

25. Approval of CPC Minutes: October 6, 2005

Commissioner John Neal presented changes to the minutes.

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

26. Planning Report.

27. Legal Report.



**CITY PLAN COMMISSION HEARING
ADDITION TO THE AGENDA
MINUTES**

October 20, 2005

DISCUSSION AND ACTION

1. Discussion and Action on Save the Valley Civic Neighborhood Associations letter dated October 7, 2005 to the City Plan Commission.

Commissioner Gus Haddad expressed his concerns over a letter dated October 7, 2005 from Save the Valley Civic Neighborhood Association. Commissioner Haddad noted that the city plan commissioners were not notified immediately of the letter until some time later.

Cindy Crosby, Assistant City Attorney, noted that there is not a specific legal provision or prohibition on how the communication can flow from staff to the commissioners at this time. Ms. Crosby noted that the bylaws could be amended to reflect the procedures to be taken. Ms. Crosby further noted that caution is taken when sending emails in mass to the commissioners as a full in order to prevent deliberation as stated under the open meetings act.

George Sarmiento, Director of Planning, noted that he received the letter via email but unfortunately was out of town and could not forward the email to staff to take direction. Mr. Sarmiento noted that to avoid any discussion that might occur outside of the public forum, which is the most appropriate place to have that type of discussion regarding the letter, he deemed it necessary to have the letter as part of the city plan commissioners' packet.

The commissioners discussed in length the remedies for distributing letters to the commissioners in a timely manner.

Ms. Mary Francis Keesling addressed the commission and her concerns of staff not providing requested documentation right away. Ms. Keesling noted that staff requests an open records request and sometimes is received after the city plan commission meetings.

Ms. Cindy Crosby noted that open records is not in specific to the neighborhood associations and that it is a policy that is applicable to all city departments. Ms. Crosby further noted that she has been working with staff to revise a specific form that will make it easy to have records turned over the members of the public.

No action was taken on this item.

2. Discussion and Action regarding staff communication with the City Plan Commission.

No action was taken on this item.

The City Plan Commission Hearing adjourned at 3:30 p.m.

Rudy Valdez, Executive Secretary

OFFICIAL MINUTES AND RECORD OF ACTION

TAKEN BY THE EL PASO CITY PLAN COMMISSION ON OCTOBER 20, 2005

_____, CHAIR
