

OPEN SPACE ADVISORY BOARD
Wednesday, March 16, 2011, 1:30 P.M.
8th Floor Conference Room
City Hall Building, 2 Civic Center Plaza

AGENDA

1. **Meeting Called to Order**
2. **Call to the Public** (items not listed on the agenda)
3. **Discussion and Action**
 - a. Approval of Minutes: March 2, 2011
 - b. Changes to the Agenda
 - c. Review and comment on current subdivision applications, as indicated below:
 - (1) **SUSU11-00010:** Cimarron Sage Unit Two – Being a portion of Tracts 1 and 1B4, Nellie D. Mundy Survey 242, City of El Paso, El Paso County, Texas
LOCATION: East of Resler Drive and south of Northern Pass Drive
PROPERTY OWNER: Cimarron Hunt Communities, LLC
REPRESENTATIVE: CSA Design Group
DISTRICT: 1
APPLICATION TYPE: Major Preliminary
STAFF CONTACT: Justin Bass, (915) 541-4930, bassjd@elpasotexas.gov
4. **Discussion and Action** on developing a wetlands mitigation bank or banks for the City of El Paso.
Contact: Alan Shubert, (915) 541-4423, ShubertAR@elpasotexas.gov
5. **Discussion and Action:** Presentation on Public Service Board Stormwater's maintenance plan for facilities being considered to be rezoned to Natural Open Space (NOS) and to determine if any changes to the NOS District under Title 20 (Zoning) are warranted.
Contact: Rudy Valdez, (915) 594-5590, rvaldez@epwu.org
6. **Discussion and Action:** Presentation on the Loop 375 (Transmountain Road) Environmental Assessment.
Contact: Texas Department of Transportation

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susannah M. Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson



7. **Discussion and Action:** Presentation on the Westside Traffic Impact Analysis Update.
Contact: Alan Shubert, (915) 541-4423, ShubertAR@elpasotexas.gov
8. **Discussion and Action** to recommend possible scenic corridor locations within the El Paso city limits and ETJ.
Contact: Shamori Whitt, (915) 541-4477, whittSR@elpasotexas.gov
9. **Discussion and Action** on an Ordinance amending Title 19 (Subdivisions), Chapter 19.20 (Parks and Open Space), Section 19.20.030 (Parkland Calculation), Section 19.23 (Lots-Determination and Regulation of Size) and Chapter 19.50 (Definitions) of the El Paso City Code to amend the park size requirements for residential development and parkland characteristics and improvements, to require a front build-to line on plats, and to add definitions for Build-to Line, Green, Plaza, Pocket Park and Square. The penalty is as provided in Chapter 19.42 of the City of El Paso City Code.
Contact: Shamori Whitt, (915) 541-4477, whittSR@elpasotexas.gov
10. **Discussion and Action:** Items for Future Agendas
11. **Adjournment**

EXECUTIVE SESSION

The Open Space Advisory Board of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the items on this agenda, consistent with the terms of the Open Meetings Act. The Open Space Advisory Board will return to open session to take any final action.

- Section 551.071 CONSULTATION WITH ATTORNEY
- Section 551.072 DELIBERATION REGARDING REAL PROPERTY
- Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
- Section 551.074 PERSONNEL MATTERS
- Section 551.076 DELIBERATION REGARDING SECURITY DEVICES
- Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Posted this 10 day of March, 2011 at 9:30 A.M.,
Basement Bulletin Board, City Hall, 2 Civic Center Plaza, by Armida R. Martinez, Planning and Economic Development



Open Space Open Space



ADVISORY BOARD MINUTES

Wednesday, March 2, 2011, 1:30 P.M.

8th Floor Conference Room

City Hall Building, 2 Civic Center Plaza

Members Present: 6

Bill G. Addington, Robert Ardovino (1:34 p.m.), Terry Bilderback, James H. Tolbert, Kevin T. von Finger, and Charlie S. Wakeem

Members Absent: 3

Lois Anne Balin, Luis Ruiz, Richard Thomas

Member Vacancies: 0

Planning and Economic Development Staff Present:

Mathew McElroy, Deputy Director – Planning; Philip Etiwe, Development Review Manager; Fred Lopez, Comprehensive Plans Project Manager; Carlos Gallinar, Comprehensive Plan Manager; David Coronado, Lead Planner; Eddie Garcia, Lead Planner; Melissa Granado, Senior Planner; Raul Garcia, Planner; Kevin Smith, Planner; Geena Maskey, Planner; Donna Martinez, Senior Secretary.

Others Present:

Lupe Cuellar, Assistant City Attorney, Legal Department; Kareem Dallo, Engineering & Construction Management, Engineering Division Manager; Gonzalo Cedillos, StormWater Engineer, EPWU-PSB; Rudy Valdez, EPWU-PSB; Richard Garcia, Land Operations Manager, Parks and Recreation; Ted Marquez, P.E., Traffic Engineer Division Manager; Trish Tanner, Jobe Materials; Robert Puga, ASARCO Custodial Trustee; Walt Boyle, ASARCO Onsite Manager; Charles "Chuck" H. Berry Jr., P.E., District Engineer, El Paso District, Texas Department of Transportation; Eduardo Calvo, Texas Department of Transportation; Sal Alonzo, CSA Design Group; Joel Guzman, Project Manager, Hunt Communities GP, LLC.

1. Meeting Called to Order

Chair Wakeem called the meeting to order at 1:30 p.m.

2. Call to the Public (items not listed on the agenda)

None

3. Discussion and Action

a. Approval of Minutes: February 16, 2011

Chair Wakeem asked Board Members if there were any additions, corrections, or revisions. There being none.

MOTION:

*Motion made by Mr. von Finger, seconded by Mr. Tolbert and **UNANIMOUSLY CARRIED TO APPROVE THE MINUTES FOR FEBRUARY 16, 2011.***

b. Changes to the Agenda

Chair Wakeem requested the following:

1. Move to the top of the agenda – Item 4 – **Discussion and Information:** Presentation on the ASARCO site remediation by ASARO Trustee Mr. Roberto Puga.
2. Move to the top of the agenda – Item 5. **Discussion and Information:** Presentation on the Loop 375 (Transmountain Road) Environmental Assessment.
3. Postpone two weeks – Item 7. **Discussion and Action** on developing a wetlands mitigation bank or banks for the City of El Paso.

Staff requested Items 3. c. (1) **SUB11-00043** and 3. c. (2) **SUB11-00045** be discussed concurrently.

MOTION:

*Motion made by Mr. von Finger, seconded by Mr. Tolbert and **UNANIMOUSLY CARRIED TO APPROVE THE CHANGES TO THE AGENDA.***

c. Review and comment on current subdivision applications, as indicated below:

- (1) **SUB11-00043:** Cimarron Sage Land Study – Being a portion of Tracts 1, 1B4, 3, 3A, 3B1 and all of Tracts 1A and 1A1 of Nellie D. Mundy Survey 242 and portions of Tracts 1B4C, 1B5C, and 1B5B2 of S. J. Larkin Survey 266, City of El Paso, El Paso County, Texas
- LOCATION: East of Resler Drive and south of Northern Pass Drive
- PROPERTY OWNER: Cimarron Hunt Communities, LLC
- REPRESENTATIVE: CSA Design Group
- DISTRICT: 1
- APPLICATION TYPE: Land Study
- STAFF CONTACT: Raul Garcia, (915) 541-4935, garcia1@elpasotexas.gov

Mr. Raul Garcia gave a PowerPoint presentation and explained the applicant is proposing to develop 87.89 acres of which 65.22 acres will be for 421 proposed single-family lots total for Cimarron Sage Units One, Two and Three, and 14.83 acres for a proposed school site.

The transportation element of the land study proposes the extension of Paseo Del Norte Boulevard as a Major Arterial which abuts Northern Pass, Northern Pass is a Minor Arterial. The arterials do conform to the Major Thoroughfare Plan. The proposed residential streets throughout the land study include 48' ROWs, 50 ROWs and 54' ROWs that conform to the current subdivision code. The property is part of the amended Rancho Las Lomas Land Study that was approved by the City Plan Commission on September 25, 2009.

The applicant has rezoned the subject property to R-3A (Residential) and A-O (Apartment/Office), therefore losing vesting rights under the original land study. The applicant is submitting a new land study for the area recently rezoned that will not be vested. The Development Coordinating Committee recommends **APPROVAL** of Cimarron Sage Land Study subject to City Department's conditions and requirements.

The following is the projected construction start time of improvements for the various Phases:

- Phase I 2011
- Phase II 2011
- Phase IV 2011
- Phase III 2012

Regarding the flow path, Mr. Garcia explained, due to mitigation, it was removed. Mr. Dallo will expand on this further. LOMARs and CLOMARs were done.

Mr. Addington asked Staff if the Canutillo School Board had approved the purchase of the property for the proposed school site. He did not think so.

Mr. Garcia responded he did not have that information.

Mr. Addington commented that he was opposed to the request because of the amount of arroyo going through the development. He made the recommendation that City Council stop allowing construction in the arroyos, like they said they should be doing. Additionally, he would like that language to be included in the Code.

Mr. Sal Alonzo, CSA Design Group, explained the proposed hike/bike trail. He noted that the 404 was acquired in 2007. He commented on the proposed one acre park and dedicated open space. He explained the layout of the pipe for the Board. Mr. Alonzo stated that EPWU PSB Stormwater staff do not want to enclose the drainage right-of-way; in the event that maintenance or upgrades were necessary, PSB would have to tear down the rock wall.

Regarding the proposed school, Mr. Joel Guzman, Project Manager, Hunt Communities, GP, LLC., explained the school contract has not closed yet, it is contingent on the bond sale proposed to come before the voters in May. Additionally, Hunt Communities did reclaim those two flow paths, FEMA 38B and a portion of FEMA 38A, but not the bottom portion (as shown on the map).

At this time, Mr. Dallo presented flow path maps to the Board Members for further discussion. Messrs. Alonzo, Guzman and Cedillos were also present.

Mr. Gonzalo Cedillos, StormWater Engineer, EPWU-PSB, commented on the Stormwater staff suggestions and recommendations regarding the hike/bike trail, drainage right-of-way and pipe connectivity.

Mr. Ardovino would like the pond to remain open.

Chair Wakeem noted he and Mr. Richard Garcia, Land Operations Manager, Parks and Recreation, were witness to wildlife, coyote, roaming the mountainside.

No further questions from the Board.

Chair Wakeem asked if there were any members of the audience who wished to comment on the application. There were none.

Chair Wakeem recommended approval with the recommendation that the connection between the upper ponding area be left natural to the FEMA 38A, as natural as it is.

MOTION:

Motion made by Mr. Ardovino, seconded by Mr. von Finger and CARRIED (5-1) TO APPROVE WITH A RECOMMENDATION TO LEAVE THE AREA BETWEEN POND 3 AND THE FEMA 38B, TO THE FEMA 38A, IN A NATURAL STATE.

OPPOSED: *Mr. Addington*

Ms. Cuellar explained that the Board's recommendation will go to the City Plan Commission. The City Plan Commission will then make a recommendation to the developer for them to consider. Additionally, there is city staff, being the Storm Water Engineer; that must also remember that the Open Space Advisory Board Members made that recommendation and that that recommendation will probably be made by the City Plan Commission, as well.

Mr. Alonzo added there are a few items pertaining to the drainage right-of-way from daylightings going up. Under the current code, there must be a 6" rock wall, leaving it open would be going against the code.

Ms. Cuellar felt that might be okay, due to two issues:

1. this is a recommendation, they understand they have to comply with the code; and
2. the code may change, at some point in time, it becomes the city's property so the city can follow through with the recommendation.

Following the vote, for clarification, Ms. Cuellar stated that the prior motion pertained to the recommendation for approval for items 1 and 2.

- (2) **SUB11-00045:** Cimarron Sage Unit One – Being a portion of Tracts 1, 1A and 1A1, Nellie D. Mundy Survey 242 and Tract 1B5C, S.J. Larkin Survey 266, City of El Paso, El Paso County, Texas
- LOCATION: South of Paseo del Norte Road and east of Resler Drive
- PROPERTY OWNER: Cimarron Hunt Communities, LLC
- REPRESENTATIVE: CSA Design Group
- DISTRICT: 1
- APPLICATION TYPE: Major Preliminary
- STAFF CONTACT: Frank Delgado, (915) 541-4238, delgadofx@elpasotexas.gov

Mr. Raul Garcia gave a PowerPoint presentation and explained the applicant is proposing 223 single-family residential lots, zoned R-3A, one 1-acre park; and 17 acres of open space on this 61.11 acre parcel. There is one arroyo that will remain. Cimarron Sage Unit One is being considered under the current Subdivision Ordinance.

No further questions from the Board.

Chair Wakeem asked if there were any members of the audience who wished to comment on the application. There were none.

MOTION:

Motion made by Mr. Ardovino, seconded by Mr. von Finger and CARRIED (5-1) TO APPROVE WITH A RECOMMENDATION TO LEAVE THE AREA BETWEEN POND 3 AND THE FEMA 38B, TO THE FEMA 38A, IN A NATURAL STATE.

OPPOSED: Mr. Addington

1st agenda item Moved to the top of the agenda

4. **Discussion and Information:** Presentation on the ASARCO site remediation by ASARCO Trustee, Mr. Roberto Puga. Contact: Roberto Puga, rpuga@projectnavigator.com

Chair Wakeem explained Mr. von Finger has requested the item be placed on the agenda.

Mr. Puga, Site Custodial Trustee, gave a PowerPoint presentation entitled "Former ASARCO Smelter, The Texas Custodial Trust: Project Overview". (copy of presentation on file) He briefly went over the February 16, 2011, fire that occurred at the El Paso Smelter. The fire lasted approximately 1.5 hours and no one was injured. The El Paso Fire Department decided the best way to neutralize the fire was to let it burn itself out. The safety review has been posted on the web at www.recastingthesmelter.com.

Questions/Comments from the Board:

1. Mr. Ardovino asked how the Trust came about, who is running it.

Mr. Puga responded the Trust came about through the U. S. Bankruptcy Court settlement with ASARCO Corporation. That settlement enabled Asarco to come out of bankruptcy in return for a payment \$1.3 billion dollars and entitled them to the land and assets at various impacted locations. All of those assets were divided into four trusts: Texas Custodial Trust which holds the El Paso assets and a closed site in Amarillo. The trust is an instrument of the Bankruptcy Court; the beneficiaries of the trust are the people of the State of Texas and United States, as represented by Texas Commission on Environmental Quality and U. S. EPA. Mr. Puga did not promise there would be any monies left over.

2. Mr. von Finger thanked Mr. Puga for coming and stated the City and Dover Kohl brought in a lot of public interest, and maybe expectation, regarding the planning, the vision of the public, what can happen here. Are there constraints, in terms of what can happen where?

Mr. Puga works very closely with Dover Kohl and Dover Kohl wants to do residential on the east side. That would take us doing a clean closure; which means finding all potential impacts, removing them and bringing them over the west side. We are willing to do that but not all the land up there is pristine, a large area was used by Asarco for essentially waste disposal. For the west side, by statute you cannot have schools, hospitals, day care centers and homes.

- a. Mr. von Finger stated in order to recoup some of the Trust's expenditures; that land, including Smelertown, will have to be sold.

Mr. Puga responded he is counting on that money for long term care of the environmental components that will be in place.

3. Mr. Ardovino asked how the land would be sold.

Mr. Puga responded he wants to sell the east side property as two parcels and the west side property as one whole parcel. There is a small piece he wants to sell to Wal-Mart and two parcels on the flanks of the Franklin Mountain State Park that, he believed, would be donated to the State to add acreage to the park.

4. Mr. von Finger, regarding Smeltertown, a number of individuals want to preserve some of the land around the Rio Grande and convert that to Bosque. He wondered if there would be a way to donate that land to the City.

Mr. Puga does not own any acreage next to the river; however, he was not opposed to meeting with Mr. von Finger to discuss the matter further. Should anyone like to schedule a tour of Smeltertown, please contact Mr. Puga, rpuga@projectnavigator.com or Mr. Walt Boyle, wboyle@projectnavigator.com

5. Chair Wakeem, his major concerns being the arroyos, specifically, the Parker Brothers Arroyo. He discussed the highly contaminated state of the arroyo and the amount of money designated will not cover the cost of remediation.

Mr. Puga responded he has targeted \$15 million for the Parker Brothers Arroyo remediation, via the sale of assets, the market price for scrap metal, steel and iron; furthermore, the demolition bids have come back negative, meaning, they will pay ASARCO to do the work. Mr. Puga has spoken with Congressman Reyes regarding the possibility of matching public funds.

6. Mr. Ardovino asked if there would be future auctions.

Mr. Puga responded no, it was more lucrative when there were specific buyers for equipment. He has donated specific items from the lab and memorabilia to the Texas Historical Commission, Mr. Jackson Polk went to the lab and took photos and hopes to make an exhibit. There have been documentarians that have visited the site to document what is there. Finally, we want to donate a couple locomotives and train cars to the local Railroad Museum.

7. Mr. Ardovino asked what the major concerns would be if the stack were left standing and how.

Mr. Puga responded it would cost \$14 million to maintain the stack. The major concern was that the stack was not built to seismic code, it's a stack within a stack; allocating monies for continued maintenance and to purchase insurance. Mr. Puga stated that they are thinking of leaving the base intact, perhaps as a foundation for a memorial to all those who worked there.

8. Mr. Addington commented on ASARCO not having a permit to incinerate hazardous material/waste, 40% of ENCYCLE's waste not having been manifested and the fine by the EPA.

Mr. Puga was not conversing precisely what the charges were, however, Mr. Puga was aware ASARCO had done something illegal and that they were fined by the EPA.

9. Mr. Addington toured the Parker Brothers arroyo last week and noted the water; that runs through the pipe underneath the freeway, does not reach the river; it just sits there and percolates into the alluvium itself which creates a groundwater contamination problem.

Mr. Puga concurred and added the culverts beneath I-10 and Paisano were constructed decades ago before the current expansion of El Paso. He explained that with all the recent expansion projects and paving, the amount of stormwater flux coming into the culverts is more than what it should be; therefore, the water gets back up in the culverts and sits like there like a big pond. The coarse material percolates down to the subsurface and comes in contact with the ponding water and becomes contaminated. The remedy would be to daylight the water before it gets there, improving the culvert and making the bottom of the arroyo impermeable so that the water travels swiftly toward the river. There is contaminated groundwater in the subsurface now; we are going to address this two-fold:

1. We are going to treat the hotspots, where a lot of the contaminates seem to be emanating from, we're gonna dig down there and treat the material, arsenic mainly, so that it no longer leaches into the groundwater; and
2. We're putting in passive/reactive walls. These walls intercept the groundwater beneath the surface and by having iron in the walls, the iron reacts with the arsenic in the groundwater and converts that from a liquid to a solid, eventually dropping the solid material from the groundwater.

Mr. Coronado will forward a copy of Mr. Puga's PowerPoint presentation to the Board Members.

Mr. Puga noted the presentation will also be posted at www.recastingthesmelter.com

Mr. Addington thanked Mr. Puga for coming and he complimented the website www.recastingthesmelter.com, specifically all the maps and informational material posted there.

NO ACTION TAKEN

2nd agenda item moved to the top of the agenda

5. **Discussion and Information:** Presentation on the Loop 375 (Transmountain Road) Environmental Assessment. Contact: Texas Department of Transportation

Chair Wakeem thanked Messrs. Berry, Uribe and Calvo, from the Texas Department of Transportation, for coming to the meeting today.

Mr. Charles "Chuck" H. Berry Jr., P.E., District Engineer, El Paso District, Texas Department of Transportation, gave a PowerPoint and video presentation. Mr. Berry explained the PowerPoint/video presentation will be accessible on the web at www.txdot.gov (copy of presentation on file)

Concerns/Questions from the Board:

1. Per the PowerPoint presentation slide, Chair Wakeem stated, the most controversial section starts at Plexxar and ends at Paseo Del Norte. He commented on two ridges and a major branch of FEMA 40 arroyo and in the opinion of the Board Members; this is where the scenic corridor begins. Chair Wakeem explained, per the Westside Master Plan, all commercial development will obliterate the two hillsides/ridges and the arroyo. All Board Members have concerns regarding the scenic corridor and what may happen to it.

Chair Wakeem explained he had requested staff to place this item on the OSAB agenda two weeks ago, prior to yesterday's City Council agenda item posting. Chair Wakeem opted to leave this on the OSAB agenda, because of the public comment period until March 22nd. Chair Wakeem wanted Board Members to see Mr. Berry's presentation and then move forward on the public comment.

Mr. Berry added the public comment period goes 10 days beyond the public hearing date, April 1, 2011. City Council asked me to come back to Council on March 29th.

2. Chair Wakeem noted, two weeks ago, via telephone conference, Ms. Clary of the Texas Parks & Wildlife discussed the Environmental Assessment with the Board. Chair Wakeem asked Mr. Berry if:

- a. The wildlife crossing at Tom Mays Park had been addressed.

Mr. Berry responded he has a meeting scheduled tomorrow with Texas Parks & Wildlife to discuss the wildlife crossings. TxDOT has provided one wildlife crossing between the proposed Plexxar and Paseo Del Norte locations; the proposed crossing aligns with one of the arroyos.

- b. Safe entrance to Tom Mays Park.

Chair Wakeem explained Board Members had recommended a spur road from Paseo Del Norte or Plexxar, whichever is the closest.

Mr. Berry responded Texas Parks & Wildlife have proposed an overpass there. TxDOT will be meeting with them tomorrow to further discuss options/proposals. In the interim, TxDOT has improved the ground access for that driveway.

- c. Existing frontage road design and a lot of driveways for commercial areas. Chair Wakeem asked if the number of driveways would be unsafe for the proposed hike/bike trails.

Mr. Berry responded he wouldn't categorize them as unsafe; additionally, he wasn't sure what the Chair meant by "a lot". TxDOT has been working with property owners in order to manage the number of driveways, establish a system to collect the traffic outside the highway, outside the hike/bike trail.

Mr. Tony Uribe responded the spacing is now every 400 to 600 feet, rather than every 200 feet for a driveway.

Mr. Berry added every 400 to 600 feet there could be a driveway in the future. Additionally, TxDOT is working on a design that is similar to the design that is used at the malls, where the pedestrian/bicycle path control and crossroads come up and over a speed pillow and the pedestrian/bicycle path would be flush. The driveways will be required to be signed and require a design whereby drivers using the driveways know there is a potential for pedestrians or bicyclists.

Mr. Berry noted, per the insistence of the Federal Highway Administration, avid bicyclists that do not want to use the hike/bike trails, are allowed to use the service roads.

- d. Chair Wakeem referred to the Ash Toll Standards and commented on TxDOT's proposed Alternatives 1 and Alternative 2. The preferred recommendation being Alternative 1 – all four overpasses as proposed. Chair Wakeem read into the record a section of the Ash Toll Standards regarding on/off, turn around spacing. Per the Ash Toll Standard, Chair Wakeem noted, the at grade minimum standard is ½ mile, which is exactly the distance between Resler and Plexxar. Chair Wakeem mentioned all this, is a case for the Boulevard style.

Mr. Berry responded Ash Toll is a guide developed by the American Association of State Highway and Transportation Officials. TxDOT proposed the one mile principal arterial spacing. Mr. Berry explained what encompasses the Boulevard Style.

- 3. Mr. Ardovino felt it will be more dangerous for traffic to cross into Tom Mays Park, now that traffic is going faster.

Mr. Berry responded the speed limit is 55; however, the operating speed might be higher. As you add lanes, you tend to open up gaps; vehicles no longer have to follow one another. He will be discussing vehicular traffic and pedestrian crossings with Texas Parks & Wildlife tomorrow

4. Mr. von Finger thanked Mr. Berry for coming today and giving his presentation. Mr. von Finger does not have a preference regarding the four lanes; however, he does have concerns regarding impacts east of Gasline Road. He asked Mr. Berry:

- a. To clarify – TxDOT estimates the Woodrow Bean Transmountain Road project to cost \$80 million; the EA estimates project costs will be \$120 million. Mr. von Finger wondered if the difference between the two project costs could be attributed to procurement of rights-of-way.

Mr. Berry responded the EA includes TxDOT estimates for total project costs, including right-of-way. For this project, the property owners are; so far, open to providing the land at no direct cost.

- b. Mr. von Finger explained back in February or March 2010, Board Members were brief on the project by local engineers. He referred to the proposed landscape plant list; he asked if TxDOT would reconsider what plants will be used and if TxDOT could address the landscape plant list in the EA. If so, Mr. von Finger would like to see the plant list. Finally, Mr. von Finger stated it should be addressed if they are going to invasives or non-invasives.

Mr. Uribe responded the landscape plant list is not in the EA.

Mr. von Finger paraphrased a statement in the EA – weren't not gonna use any invasives according to the (*he forgot what the name of the invasive plant list was*) plant list. Meaning it may not be on the Texas invasive plant list; however, it might be on another State's invasive plant list. He preferred folks listen to local people and use alternative plants for the landscape.

Mr. Berry explained we do not intend to have invasive or non-native plants in the landscape.

Mr. Uribe responded we have made adjustments to the plant list; additionally, we will listen to the local people's recommendations.

Mr. von Finger has not had any feedback from project engineers.

Mr. Uribe responded the plans are not done yet, we are still deciding on plant life.

Mr. von Finger added now is the time, during the EA process.

- c. Lastly, Mr. von Finger asked if it was still possible to look at an alternative in the EA, moving Paseo Del Norte and tying into Plexxar.

Mr. Berry responded it is possible to change the plan and proceed without Paseo Del Norte. 50% of the proposed design would change. Yes, it's physically possible however; we are working to address is whether or not it's practical. TxDOT makes recommendations; however, the Federal Highway Administration has the last word.

5. Mr. Tolbert wondered why Plexxar was there.

Mr. Berry responded we proposed Plexxar for operational requirements; he compared it to Sumac and IH-10.

6. Mr. Addington questioned Mr. Berry regarding the number of trips per day going over Transmountain

Mr. Berry responded we've counted 17,500 vehicles per day; however three to four years ago that number was 12,000, a huge increase. That seems consistent with our 20/25 year projection from now, 70,000 vehicles per day.

Mr. Addington asked when would TxDOT forecast seeing gridlock using the current proposed plan.

Mr. Berry responded TxDOT is projecting we would have trouble at the future Paseo Del Norte and service roads beyond the next 25 years.

Mr. Addington clarified so 70,000 vehicles per day, this current design would handle sufficiently without causing gridlock.

Mr. Berry concurred and added without causing gridlock.

In conclusion, Mr. Berry stated he would provide the link information to Staff.

No further questions from the Board.

Chair Wakeem stated Board Members may want to make a recommendation to City Council prior to March 29th.

NO ACTION TAKEN

FIVE MINUTE RECESS

Chair Wakeem called for a five minute recess at 3:05 p.m.

RECONVENE

Chair Wakeem reconvened the meeting at 3:10 p.m.

MOTION:

*Motion made by Mr. Tolbert, seconded by Mr. Ardovino and **UNANIMOUSLY CARRIED TO MOVE ITEM 6. to the top of the agenda.***

3rd agenda item moved to the top of the agenda

6. **Discussion and Information:** Presentation on the Westside Traffic Impact Analysis Update. Contact: Alan Shubert, (915) 541-4423, shubertar@elpasotexas.gov

Mr. Ted Marquez, P.E., Traffic Engineer Division Manager, distributed a few copies of the PowerPoint presentation regarding the *Westside Traffic Impact Analysis Update* that Mr. Shubert presented at the City Council meeting yesterday.

Mr. Marquez explained Mr. Shubert was out of town and requested Mr. Marquez explain the PowerPoint presentation for Board Members today. For those Board Members who did not receive a copy of the presentation, Planning Staff would provide them a copy of the digital

copy.

Mr. Marquez explained the pros and cons and best case scenario of the three alternatives and, in conclusion, stated the recommendation is to go with Alternative One.

Concerns/Questions from the Board:

1. Regarding the elevated roadway section slide, Mr. von Finger clarified the Board has concerns regarding the aesthetics on the other side of Gasline Road.

Mr. Marquez responded staff's comments were; if you are on one side, you're facing a wall and cannot see all the way across.

2. a. Chair Wakeem remembered Walter P. Moore's presentation at City Council yesterday regarding models representing the three and four overpasses. He noted, Representative Byrd pointed this out that if there were to be four overpasses there would be red dots and red lines, which means overcapacity. But with the three overpasses there are yellow and green dots and lines, which means at capacity or below. He felt this seemed contradictory to this plan.
- b. Chair Wakeem referred to the entitled "*Negative Impact on Arroyos*" and that pointed out that Mr. Marquez stated there would be negative impact on the arroyos in this area, at the Gasline Road and future Plexxar, particularly with FEMA 39 and FEMA 40. Chair Wakeem also referred to the branch of FEMA 40 and noted this is a major branch. Furthermore, the arroyos east of Gasline Road are steeper, deeper and more significant. Chair Wakeem explained when the arroyos go beyond the Gasline Road, they go below the foothills and become more alluvial, flatter and wider. The negative impact would be far less, having a roadway below the Gasline Road, than there would be where the future Paseo Del Norte will go. Chair Wakeem questioned the validity of Mr. Marquez' statement.

Mr. Marquez responded one of the things we wanted to point out was that arroyos would be crossed if we did this. Mr. Marquez explained that while the Walter P. Moore report was posted on the web there was a notation explaining "we did not fully evaluate the impact on arroyos". It is a concern that staff needs to be aware of, that there may be some challenges in terms of do we want to cross them or not and if so, how do we cross them.

Chair Wakeem explained the challenge is upstream or downstream. Furthermore, Chair Wakeem has visited those sites and stated the arroyos are even more significant and more of an impact than those same arroyos further west.

Mr. Marquez responded by March 26th or March 29th staff will be able present the information better and answer the Board's concerns and questions.

3. Mr. von Finger clarified that the red, yellow and green dots, per the report, were tentative because perhaps there were assumptions made that were not correct, as far as what those other arterials would be carrying.

Mr. Marquez responded staff will be double-checking every step in order to tell City Council that yes, the information we presented is correct or there might possibly be some nuances to this. Staff is not saying the Walter P. Moore report is wrong, Council has asked staff to double check, then report back to Council exactly where the traffic goes, why are some overpasses overcapacity and other are not, etc. Council wants a better explanation and staff is committed to doing just that.

4. Mr. Addington referred to the bridges within the Traffic Impact Analysis and asked Mr. Marquez if he had or had not considered not building bridges above Plexxar and Gasline.

Mr. Marquez responded we did not consider an alternative for neither Plexxar nor Paseo Del Norte because Council charged staff to evaluate one or the other, not both.

Mr. Addington concluded by stating for \$100 million we should be getting the best design for 3.6 miles and not worried about impeding TxDOT's schedule.

Board Members thanked Mr. Marquez for his presentation.

NO ACTION TAKEN

7. **Discussion and Action** on developing a wetlands mitigation bank or banks for the City of El Paso. Contact: Alan Shubert, (915) 541-4423, shubertar@elpasotexas.gov

Please see page 2 for the motion to postpone.

MOTION:

Motion made by Mr. von Finger, seconded by Mr. Tolbert and UANIMOUSLY CARRIED TO APPROVE THE CHANGES TO THE AGENDA.

8. **Discussion, Information and Action:** Update on requiring new development to provide public access to Franklin Mountain Park trailheads, to include discussion on amendment to Title 19 and prior application of Section 19.05.060.O to previously approved subdivision. Contact: Richard Garcia, (915) 541-4087, garciarg@elpasotexas.gov

Chair Wakeem had requested Ms. Cuellar research whether or not Ocotillo was vested.

Ms. Cuellar responded she had looked into Ocotillo and yes, Ocotillo was vested. Additionally, Chair Wakeem had requested staff research whether or not Title 19 should be amended in order to require the development to have at least pathways/access ways to developments. Following Mr. Garcia's presentation, Ms. Cuellar would inform the Chair how

the Board should proceed.

Mr. Richard Garcia gave a PowerPoint presentation and explained, as a result of the meeting regarding Ocotillo, one of the things Staff did was request possible trailhead locations from the Franklin Mountain State Park Superintendent.

Mr. Garcia discussed the following:

1. Palisades – The trailhead is located on PSB property, the Superintendent suggested placing the Iron Ranger, a payment collection box to access the trailheads.
2. Stony Bluff – Mr. Garcia explained the proposed location is right on the Franklin Mountain State Park.

Chair Wakeem thought the property was privately owned.

Mr. Tolbert stated there is a sign at this location stating "No Trespassing Private Property".

3. Redd Road – Redd Road and Helen of Troy intersect, this is on private property (Hunt Corporation).

Mr. Joel Guzman, Project Manager, Hunt Communities GC, LLC., thought the property in question had been sold to the City of El Paso, EPWU-PSB.

Mr. Garcia responded this might be a good location, perhaps moving up a little higher.

Chair Wakeem commented on the two arroyos being ideal leading into the State Park.

4. Franklin Bluff – The location is on private property (Hunt Corporation).

Mr. Guzman concurred. Additionally, in the future, the City would have to submit LOMARs and CLOMARs. Hunt Corporation has been trying to provide trailheads and in-roads for future development.

Mr. von Finger noted this is the location that is blocked off.

Mr. Tolbert added this is the location where they want to sell the land or give it away.

Chair Wakeem concurred and noted that the OSAB is recommending that the PSB acquire that land from Hunt. Additionally, Parks & Recreation is supposed to be submitting to the PSB. Chair Wakeem proceeded to describe the arroyos and flow path and agreed that this would be an excellent location for public access to the trailheads.

Mr. Garcia explained Parks & Recreation had submitted a letter to the PSB; however, the Stormwater Committee has to reconvene to add this location to the list. He concurred this was a very good location.

Ms. Cuellar explained Staff wanted to show the Board which trailheads we are looking at. She would like to present this, in addition to the rezoning of Rio Bosque and Keystone and the issue regarding ponding areas and proposed wildlife refuges, to the City Council at the March 15th meeting. Regarding the trailheads, she anticipated there being Interlocal Agreements with the State, PSB and the developer.

To conclude, Mr. Garcia stated he would be scheduling one more meeting with Franklin Mountain State Park personnel, sometime early next week, to define the locations, etc.

Ms. Cuellar explained staff was just briefing the Board on possible trailhead locations, at this time, no recommendation was required.

Mr. Addington asked Mr. Garcia which properties were private, public, no trespassing, PSB land and proposed locations. He stated in order to prevent trespassing on private property; that would mean either the purchase of the land or the rights-of-way given by landowners.

Chair Wakeem, Messrs. Garcia and Guzman responded.

Regarding Ocotillo, Chair Wakeem asked Staff which City Department denied the developer, Southwest Land Development, denied their offer to open that trailhead on their property. He noted the developer had wanted parkland credits; however, he was denied.

Mr. Garcia did not have that information; however, he explained if the property is located in the MDA; the developer is required to provide a percentage of open space in the development.

Chair Wakeem wondered if the developer could be given parkland credit even if the property is located in the MDA.

Ms. Cuellar explained, although this was prior to her becoming the land use attorney, the developer could have done an off-site dedication to get parkland credits; he may have been able to do that. Recently, there has been shift in how the city defines parks, how the city wants to develop parks and what the city wants to accept as parks, etc.

Chair Wakeem requested staff add Ocotillo as a recommendation for a trailhead and wondered if staff could work with the developer. He explained he did not want to take the land but to give the developer parkland credit or a credit of some kind. For clarification, Chair Wakeem requested Staff look at working with whoever we need to, that owns any of the property, to access that trail at Calle Lago and Ocotillo Estates at the very tip end of the cul-de-sac, where the State Park begins.

Ms. Cuellar responded yes and added when the Board presents the recommendation list to Council, Ocotillo will be included. She expounded on the Chair's request for Mr. Garcia.

Mr. Valdez observed if property is in the Mountain Development Area developers are not required, as of now, to give up any park amenities. He stated the code would have to be changed; the credits would not be permitted for the park.

Ms. Cuellar responded Title 19 will have to be amended; there will have to be agreements made with the Homeowner's Associations, etc; however, Staff will have to get City Council's authorization to proceed.

NO ACTION WAS TAKEN.

9. Discussion and Action: Items for Future Agendas

Mr. von Finger requested:

1. Status regarding the legal review of the potential rezoning to NOS for Keystone Heritage Park, Feather Lake and Rio Bosque.

Ms. Cuellar explained she will have to take this to City Council for direction, since this will require funding.

2. PSB Stormwater to come before the Board regarding the issues with maintenance that might disturb areas rezoned to NOS. He would like to see what the maintenance plan is, what the maintenance plan is anticipated to be, what maintenance there would be that would potentially affect NOS and the habitat.

Ms. Cuellar responded Staff has the information requested; Staff will post an item on the next OSAB agenda.

Mr. Tolbert would like to be able to take action on the EA and the TIA.

Chair Wakeem requested Staff place an item on the agenda "Discussion and action on the EA and TIA and make recommendation(s) to Council."

Mr. Ardovino wondered if the City Council had allocated monies to Dover Kohl to talk about Transmountain and had that transpired.

Mr. Carlos Gallinar responded Dover Kohl was tasked with looking at different alternatives

for Transmountain, for example, more SmartGrowth in a sensitive manner. They did do that; he has the presentation. Should anyone like a copy, please send him an email at gallinarrc@elpasotexas.gov.

10. Adjournment

MOTION:

Motion made by Mr. Tolbert, seconded by Mr. Bilderback and UNANIMOUSLY CARRIED TO ADJOURN THE MEETING AT 4:30 P.M.

Minutes prepared by Donna Martinez



City of El Paso – City Plan Commission Staff Report

Case No: SUSU11-00010 Cimarron Sage Unit Two
Application Type: Major Preliminary
CPC Hearing Date: March 24, 2011
Staff Planner: Justin Bass, 915-541-4930, bassjd@elpasotexas.gov
Location: East of Resler Drive and South of Northern Pass Drive
Legal Description Acreage: 25.56 acres
Rep District: 1
Existing Use: Vacant
Existing Zoning: R-3A(Residential) and C-1 (Commercial)
Proposed Zoning: R-3A(Residential) and C-1 (Commercial)
Nearest School: Hut Brown Middle School (1.20 miles)
Note: Cimarron Sage Land Study (to be considered at the March 10 CPC meeting) identifies a school site adjacent – north and east – to the park site within this plat.
Nearest Park: Cimarron Park (0.78 mile)
Impact Fee Area: Not in Impact Fee Area
Property Owner: Cimarron Hunt Communities, LLC
Applicant: CSA Design Group
Representative: CSA Design Group

SURROUNDING ZONING AND LAND USE

North: R-3A/c (Residential/ conditions)/ Single-family Residential Development
South: R-3A (Residential)/ Vacant
East: C-1 (Commercial) and A-O (Apartment – Office)/ Vacant
West: R-3A/c (Residential/ conditions) and C-3/c (Commercial/ conditions)/ Vacant

THE PLAN FOR EL PASO DESIGNATION: Residential & Mixed-use.

APPLICATION DESCRIPTION

The applicant proposes to subdivide a 25.56-acre parcel of property into a 124 single family lots. The smallest lot measures approximately 5,200 square feet and the largest measures 11,442 square feet. The proposed subdivision will also include two park sites. The primary site is a 2.37-acre park, which will be located adjacent to the land that has been designated for a future school site. The second park will consist of an approximate .24 acre site located adjacent to Cimarron Unit One, to the northwest. Primary access for this development will be from Paseo Del Norte Boulevard.

This subdivision is being reviewed under the current subdivision ordinance. A majority of the property is located within the Cimarron Sage Land Study, to be considered by the City Plan Commission at its March 10, 2011 regular meeting.

The applicant is also requesting the use of alternative subdivision design for Cimarron Sage Way. The cross-section will consist of 54-feet of right-of-way as required under the current subdivision ordinance; however, the pavement width of each lane will be reduced to 10-feet from 11-feet and the median will be increased from 14-feet to 16-feet.

This subdivision is located within the Hillside Development Area (HDA).

CASE HISTORY

The property is part of the Rancho Las Lomas Land Study that was approved by the City Plan Commission on September 18, 2003.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **pending** of Cimarron Sage Unit Two on a **Major Preliminary** basis subject to the following conditions and requirements:

Planning Division Recommendation:

Pending.

Engineering & Construction Management - Land Development:

No comments received.

EPDOT:

No comments received.

Parks and Recreation Department:

No comments received.

El Paso Water Utilities:

No comments received.

Stormwater Division:

No comments received.

El Paso Fire Department:

No comments received.

911

No comments received.

Sun Metro:

No comments received.

El Paso Electric Company:

No comments received.

Texas Gas Company:

No comments received.

Canutillo Independent School District:

No comments received.

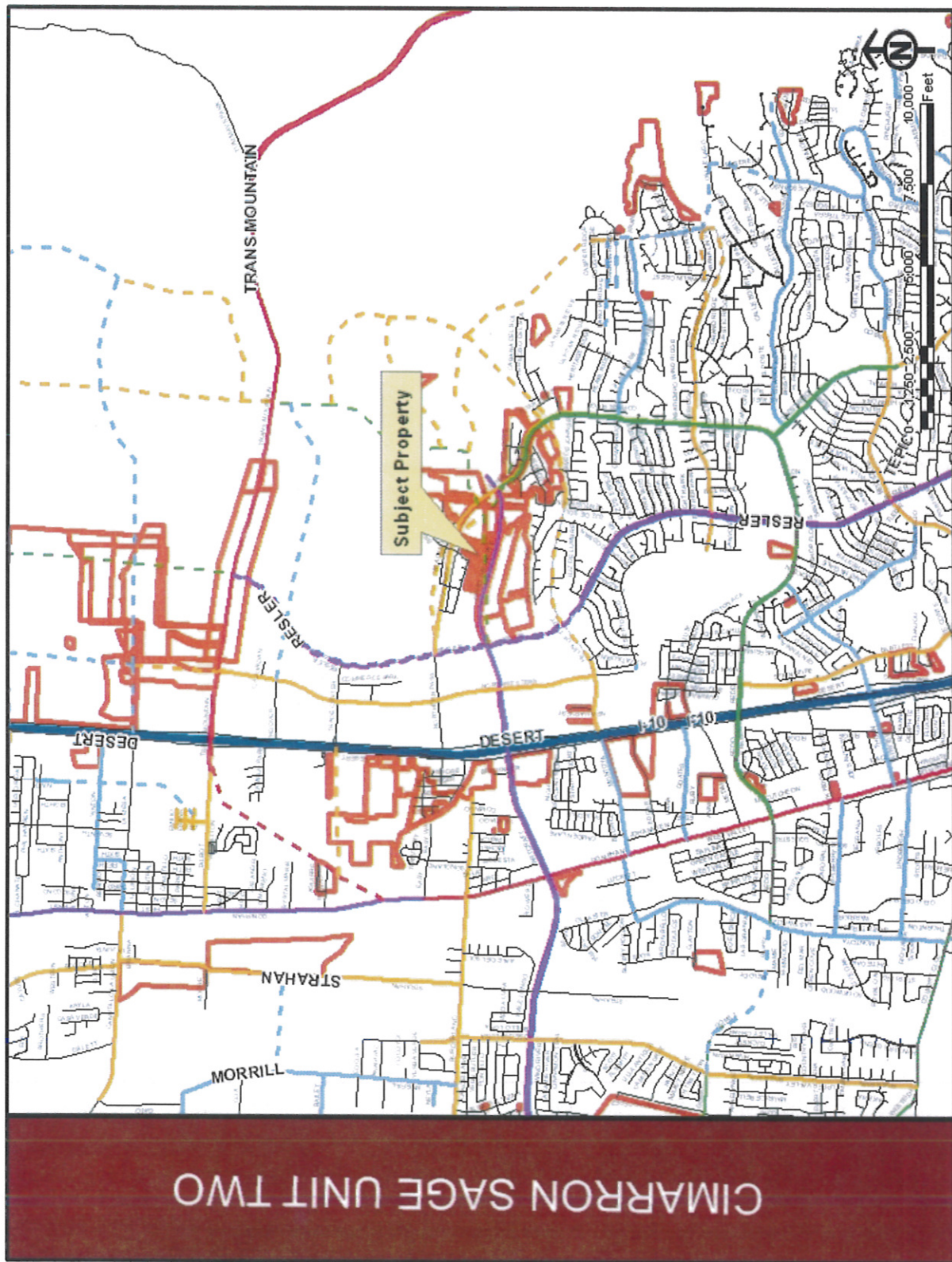
Additional Requirements and General Comments:

1. Submit to the Development Services Department – Planning Division the following prior to recording of the subdivision.
 - a. Current certified tax certificate(s)
 - b. Current proof of ownership
 - c. Release of access document, if applicable
 - d. Set of restrictive covenants, if applicable
 - e. Deed for property to be dedicated as parkland.
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

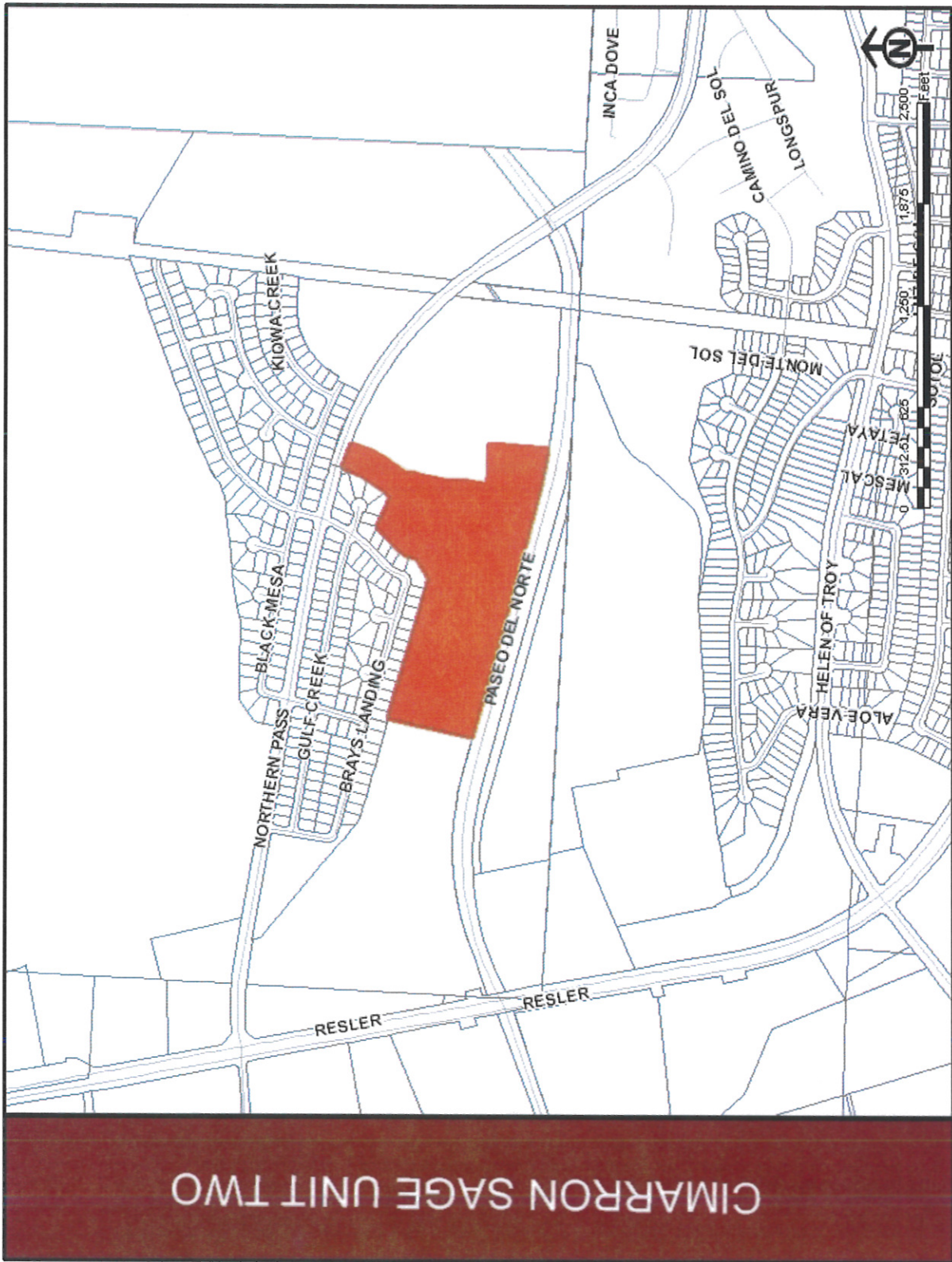
Attachments

1. Location map zoomed out
2. Location map
3. Aerial map zoomed out
4. Aerial map
5. Arroyos map zoomed out
6. Arroyos map
7. Preliminary Plat
8. Application

ATTACHMENT 1



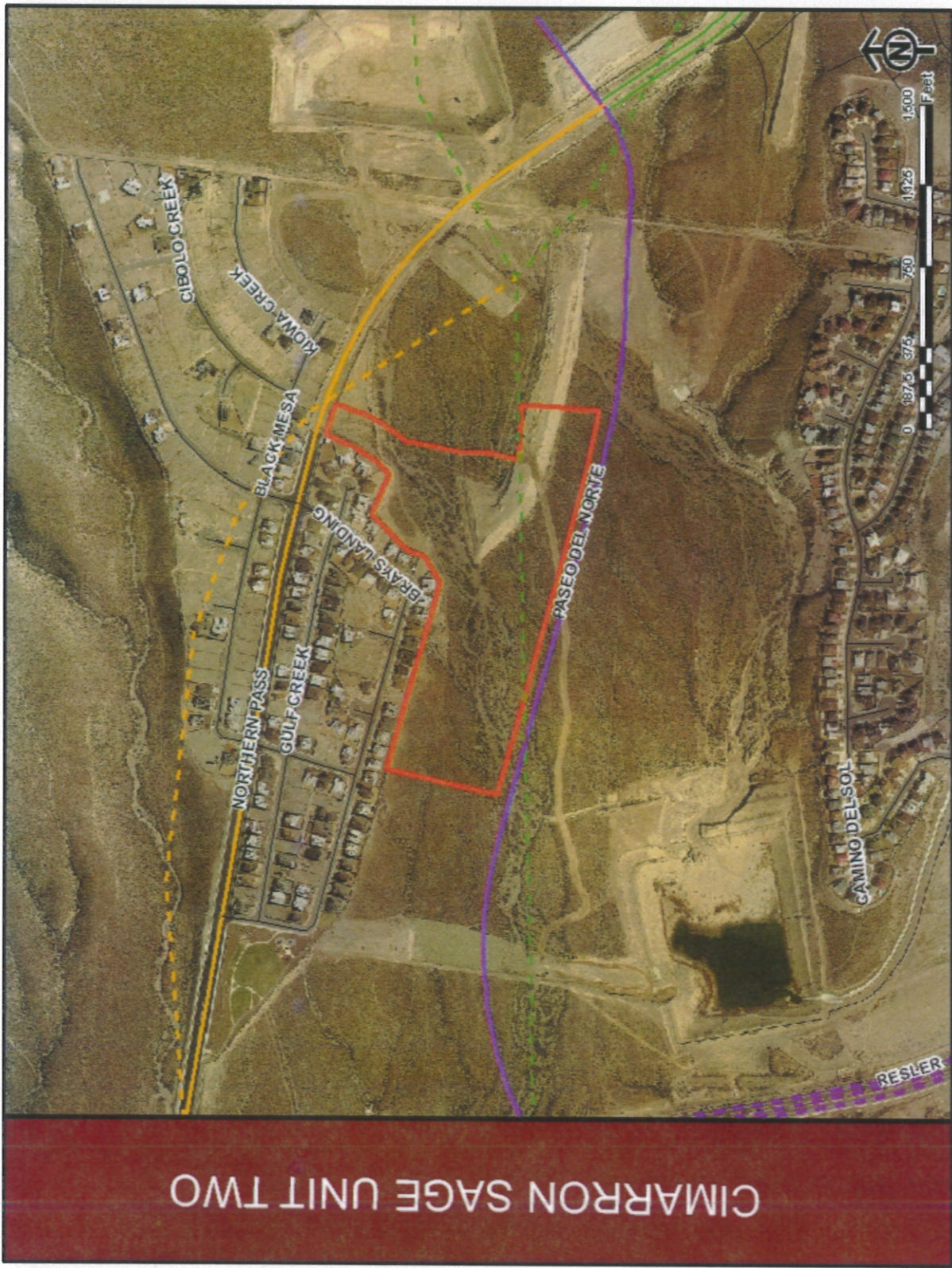
ATTACHMENT 2



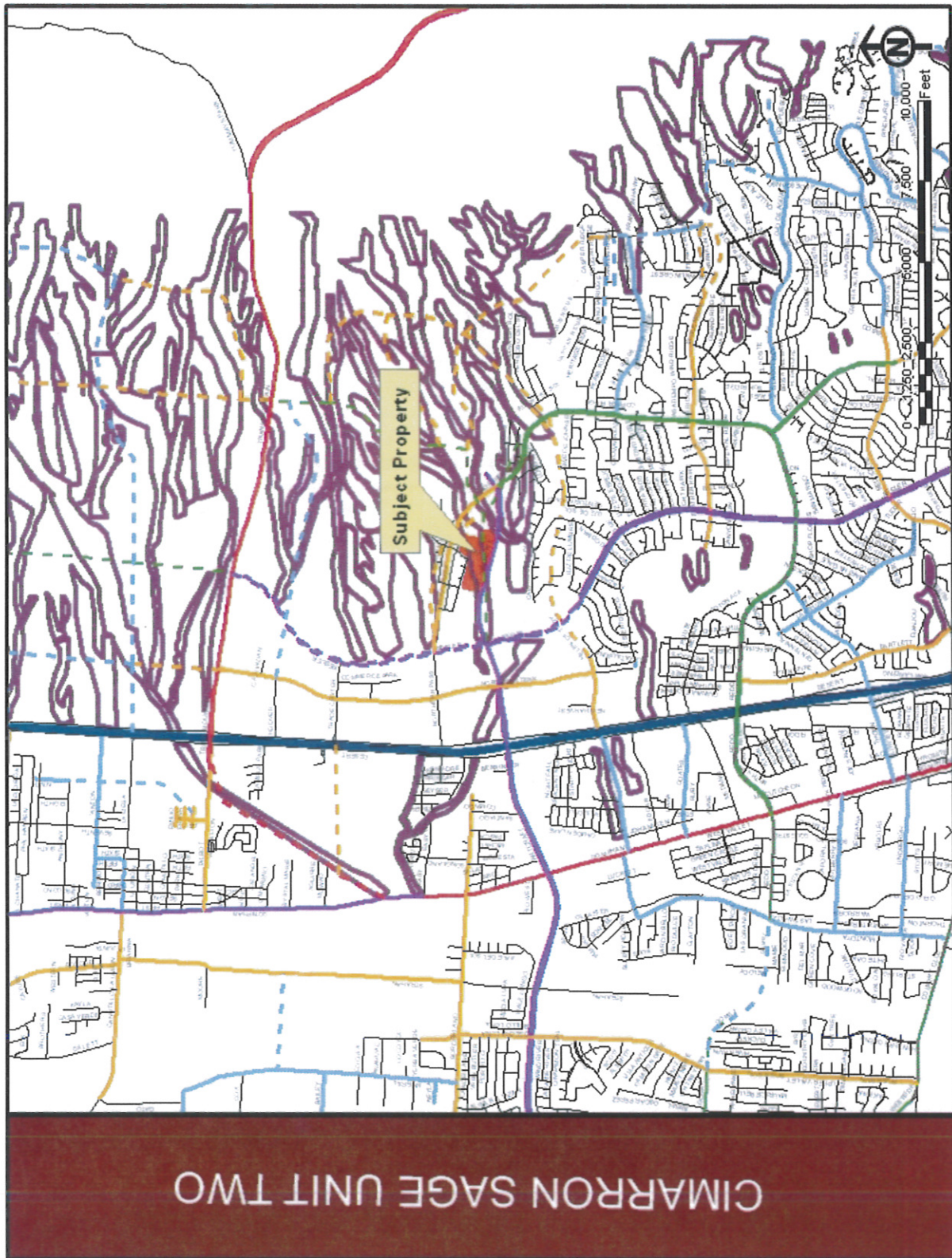
ATTACHMENT 3



ATTACHMENT 4



ATTACHMENT 5



ATTACHMENT 6



ATTACHMENT 8



CITY PLAN COMMISSION APPLICATION FOR MAJOR SUBDIVISION PRELIMINARY APPROVAL

DATE: March 7, 2011

FILE NO. SUSU11-00010

SUBDIVISION NAME: Cimarron Sage Unit Two

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
Being a portion of Tracts 1 and 1B4, Nellie D. Mundy Survey 242, City of El Paso, El Paso County,
Texas.

2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	<u>16.92</u>	<u>124</u>	Office		
Duplex			Street & Alley	<u>5.981</u>	<u>6</u>
Apartment			Ponding & Drainage	<u>0.048</u>	<u>1</u>
Mobile Home			Institutional		
P.U.D.			Other (specify below)		
Park	<u>2.609</u>	<u>2</u>			
School					
Commercial			Total No. Sites		
Industrial			Total (Gross) Acreage	<u>25.558</u>	

3. What is existing zoning of the above described property? R3A Proposed zoning? _____
4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes X No _____
5. What type of utility easements are proposed: Underground _____ Overhead _____ Combination of Both X
6. What type of drainage is proposed? (If applicable, list more than one)
Sheet flow, drainage structures
7. Are special public improvements proposed in connection with development? Yes _____ No X
8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes X No _____
If answer is "Yes", please explain the nature of the modification or exception
Alternative Design - see attached letter
9. Remarks and/or explanation of special circumstances: _____
10. Improvement Plans submitted? Yes _____ No X
11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes _____ No X
- If yes, please submit a vested rights petition in accordance with Section 19.47- Vested Rights (See Attached).

12. Owner of record Cimarron Hunt Communities, LLC. (c/o 14)
(Name & Address) (Zip) (Phone)

12. Developer _____
(Name & Address) (Zip) (Phone)

14. Engineer CSA Design Group, 1845 Northwestern Dr. Ste C 79912 915-877-4155
(Name & Address) salonzo@csaengineers.com (Zip) (Phone)

CASHIER'S VALIDATION
FEE: \$1,901.00

OWNER SIGNATURE: _____

REPRESENTATIVE: _____

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.

ORDINANCE NO. _____

~~AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), CHAPTER 19.15 (ROADWAYS), CHAPTER 19.20 (PARKS AND OPEN SPACE), SECTION 19.20.030 (PARKLAND CALCULATION) AND SECTION 19.20.050 (STANDARDS FOR DEEDED PARKLAND), AND CHAPTER 19.50 (DEFINITIONS) OF THE EL PASO CITY CODE TO AMEND THE WIDTH AND DESIGN OF CERTAIN STREETS; TO AMEND THE PARK SIZE REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT AND PARKLAND CHARACTERISTICS AND IMPROVEMENTS, AND TO ADD DEFINITIONS FOR GREEN, PLAZA, POCKET PARK, AND SQUARE. THE PENALTY IS AS PROVIDED IN CHAPTER 19.42 OF THE CITY OF EL PASO CITY CODE.~~

~~WHEREAS, Title 19 (Subdivisions) of the El Paso City Code (the "Code") was adopted to promote the health, safety, morals and general welfare of the community; and,~~

~~WHEREAS, the Subdivision Ordinance helps guide the physical development of the community by promoting orderly and healthful design, and particularly by providing adequate public facilities; and,~~

~~WHEREAS, the Subdivision Ordinance establishes the requirements for providing public park facilities in new development and establishes the design standard for streets within new development; and,~~

~~WHEREAS, the City Council has determined that in some instances smaller park sites can promote the general welfare of the community and wishes to allow smaller park sites and amend park design criteria; and,~~

~~WHEREAS, the City Council has determined that alternate design standards for certain streets would also be beneficial for the community; and,~~

~~WHEREAS, the City Plan Commission has recommended approval of the amendments, and the El Paso City Council finds that the amendments proposed herein will further protect and provide for the public health, safety, morals and general welfare of the community; and~~

~~NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:~~

~~Section 1. That Title 19, Subdivisions, Chapter 19.15 (Roadways), Section 19.15.110 (Street width and design), Table 19.15-3: Widths/Design Required by Street Type, of the El Paso City Code be amended as shown in Attachment "A." attached to this ordinance and incorporated~~

~~Section 2. That Title 19, Subdivisions, Chapter 19.20 (Parks And Open Space), of the El Paso City Code is amended as follows:~~

~~1. Section 19.20.030 (Parkland calculation), Subsection B (Types of parkland that may be Dedicated), Paragraph 1, is amended as follows:~~

~~B. Types of parkland that may be Dedicated~~

~~1. Neighborhood Parks. Lands for parks that serve a neighborhood shall meet the following requirements:~~

~~—— a. The total quantity of the parkland shall be as determined by the density of the residential subdivision submitted pursuant to Section 19.20.030. The developer may satisfy Section 19.20.030 by providing multiple park sites for a residential subdivision application, provided that under no circumstance shall a park site of less than 1/4 acres be approved by the city plan commission except where the commission finds that:~~

- ~~i. The residential subdivision application is submitted as an infill development;~~
- ~~ii. The subdivider demonstrates a derived public benefit based on usability and feasibility of the smaller park site; and~~
- ~~iii. The director of the parks and recreation department makes an affirmative recommendation on the smaller park site;~~

~~(are you sure you want to say this? In other words, you are going to allow parksites less than a 1/4 acres upon a finding of CPC, do you really want park sites that small. If yes, then this is ok. However, I also thought we were going to adopt standards for parksites less than an acre.)~~

~~2. Section 19.20.050 (Standards for deeded parkland), Subsection A (General Characteristics), is amended as follows:~~

~~A. General Characteristics~~

~~1. The parkland shall be placed in a central location within the subdivision or subdivisions that it serves, with the expressed goal that the park is no further than one half mile measured by walking distance from any residence within the subdivision that it serves; (kind of funny, but did you know in the code it says with the expressed “goal”)~~

~~2. Where the subdivision is an initial phase of multiple phases, the park may be located so that it is accessible to the future phases, provided that the park meets the goal established in subsection (A)(1) above;~~

~~3. Parklands submitted for dedication shall be located so that users are not required to cross arterial roads to access the park site;~~

~~4. The entire boundary of the parkland shall abut either a public or private street, except that residential lots may abut parkland provided that the subdivider submit an alternative design, per Section 19.26.040, that incorporates the following standards:~~

- ~~a. Pedestrian connectivity between the parkland and adjacent lots is provided; and~~
- ~~b. That a front build to line, in accordance with the zoning ordinance, is delineated on the plat so that residential structures face the park; and~~
- ~~c. The park site shall share at least one boundary line with a public or private street;~~

~~5. The parkland may be located adjacent to school sites, ponding areas, or public open space to facilitate shared facilities;~~

~~6. When parkland is deeded to the city as required by this title, the area of the park shall be calculated from the nearest property line or street right of way line, and not from the existing or proposed curb line of an adjacent street, unless park features are incorporated into the parkway, subject to an affirmative recommendation by the director of parks and recreation and approval by the city plan commission. Sidewalks and signs shall not count as park features that allow the inclusion of the parkway area as part of the park area calculation; and,~~

~~7. Where possible, and as approved by the director of the parks and recreation department, parkland shall be designed and located within a subdivision to allow for an extension or connection to a public park or other public recreational facility within an abutting subdivision.~~

~~3. Section 19.20.050 (Standards for deeded parkland), Subsection B (Minimum Improvements for lands to be Dedicated as Parklands), Paragraph 3 is amended to revise subparagraph g and add subparagraph j as follows:~~

~~B. Minimum Improvements for lands to be Dedicated as Parklands~~

~~3. An improved park shall, at a minimum, include the following:~~

~~g. Perimeter lighting along adjacent public and private street rights of way;~~

~~j. Street trees shall be provided in the parkway at 30-foot intervals.~~

~~4. Section 19.20.050 (Standards for deeded parkland), Subsection B (Minimum Improvements for lands to be Dedicated as Parklands), Paragraph 4 is amended as follows:~~

~~B. Minimum Improvements for lands to be Dedicated as Parklands~~

~~4. The subdivider may choose to submit an alternative development proposal for the parkland to be dedicated. The alternative proposal shall create a suitable park-like character and meet the intent of this title and the direction provided by the city's parks and recreation master plan and open space plan. Alternative designs may include Pocket Parks, Greens, Plazas, and Squares. The proposal will indicate the proposed alternative park facilities, their locations, and the cost to install such facilities. The proposal shall require an affirmative recommendation by the director of parks and recreation and approval by the city plan commission. The cost of such facilities shall at a minimum be equal to that of the basic park infrastructure listed in items subsection (B)(3)(a) through (B)(3)(i) above. Upon approval of the proposed alternative park development proposal, the subdivider may authorize preparation of construction documents for neighborhood park development.~~

~~**Section 3.** That Title 19, Subdivisions, Chapter 19.23 (Easements, Block And Lot Design And Improvement Standards), Section 19.23.040 (Lots—Determination and regulation of size), of the El Paso City Code is amended to add the following paragraph:~~

~~19.23.040. Lots—Determination and regulation of size~~

~~**L. Building Lines.** All plats for all single-family and duplex lots shall show front build-to-lines. Build-to-lines for property located within the city limits shall comply with the minimum building setback requirements of the appropriate zoning district. Build-to-lines for property located outside the city limits but within the city's extra-territorial jurisdiction shall be as determined by the subdivider. A note shall be placed on the plat requiring the subdivider to orient buildings in such a manner that the front part of the structure, not to include garages, abuts the front build-to line.~~

~~**Section 4.** That Title 19, Subdivisions, Chapter 19.50 (Definitions), Section 19.50.030 (Definitions), of the El Paso City Code is amended to add the following definitions:~~

~~“Green” means an Open Space, available for unstructured recreation. A Green may be spatially defined by landscaping rather than by building frontages. It's landscape shall consist of lawns~~

~~and trees, naturalistically disposed. The minimum size shall be 1/2 acre and the maximum shall be 8 acres.~~

~~-~~

~~"Plaza" means an Open Space available for civic purposes and commercial activities. A Plaza shall be spatially defined by building frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas should be located at the intersection of important streets. The minimum size shall be 1/4 acre and the maximum shall be 2 acres.~~

~~-~~

~~"Pocket Park" means an Open Space used for active or passive recreation, usually less than one acre; also referred to as a Mini Park.~~

~~-~~

~~"Square" means an Open Space available for unstructured recreation and civic purposes. A Square is spatially defined by building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important thoroughfares. The minimum size shall be 1/2 acre and the maximum shall be 5 acres.~~

~~Section 5. Except as herein amended, Title 19, Subdivisions, of the El Paso City Code shall remain in full force and effect.~~

~~PASSED AND APPROVED this _____ of _____ 2011~~

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST: _____

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM: _____ APPROVED AS TO CONTENT: _____

Lupe Cuellar
Assistant City Attorney

Mathew McElroy Deputy Director
Planning & Economic Dev. Department
Planning Division

ATTACHMENT A

Table 19.15 3: Widths/Design Required by Street Type ORDINANCE NO.

AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), CHAPTER 19.20 (PARKS AND OPEN SPACE), SECTION 19.20.030 (PARKLAND CALCULATION) AND SECTION 19.20.050 (STANDARDS FOR DEEDED PARKLAND), CHAPTER 19.23 (LOTS- DETERMINATION AND REGULATION OF SIZE AND CHAPTER 19.50 (DEFINITIONS) OF THE EL PASO CITY CODE TO AMEND THE PARK SIZE REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT AND PARKLAND CHARACTERISTICS AND IMPROVEMENTS, TO REQUIRE FRONT BUILD-TO LINES ON PLATS, AND TO ADD DEFINITIONS FOR BUILD-TO LINE, GREEN, PLAZA, POCKET PARK, AND SQUARE. THE PENALTY IS AS PROVIDED IN CHAPTER 19.42 OF THE CITY OF EL PASO CITY CODE.

WHEREAS, Title 19 (Subdivisions) of the El Paso City Code (the "Code") was adopted to promote the health, safety, morals and general welfare of the community; and,

WHEREAS, the Subdivision Ordinance helps guide the physical development of the community by promoting orderly and healthful design, and particularly by providing adequate public facilities; and,

WHEREAS, the Subdivision Ordinance establishes the requirements for providing public park facilities in new development and establishes the design standard for streets within new development; and,

WHEREAS, the City Council has determined that in some instances smaller park sites can promote the general welfare of the community and wishes to allow smaller park sites and amend park design criteria; and,

WHEREAS, the City Plan Commission has recommended approval of the amendments, and the El Paso City Council finds that the amendments proposed herein will further protect and provide for the public health, safety, morals and general welfare of the community, and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That Title 19, Subdivisions, Chapter 19.20 (Parks And Open Space), of the El Paso City Code is amended as follows:

1. Section 19.20.030 (Parkland calculation), Subsection B (Types of parkland that may be Dedicated), Paragraph 1, is amended as follows:

B. Types of parkland that may be Dedicated

1. Neighborhood Parks. Lands for parks that serve a neighborhood shall meet the following requirements:

a. The total quantity of the parkland required to be dedicated shall be calculated in accordance with 19.20.030A. The developer may satisfy the parkland dedication requirements

by providing multiple park sites, provided that developer comply with Subsection 19.20.050A of this Title and under no circumstance shall a park site of less than 1/4 acres be approved by the city plan commission except where the commission finds that:

- i. The residential subdivision application is submitted as an infill development,
- ii. The subdivider demonstrates a derived public benefit based on usability and feasibility of the smaller park site, and
- iii. The director of the parks and recreation department makes an affirmative recommendation on the smaller park site;

2. Section 19.20.050 (Standards for deeded parkland), Subsection A (General Characteristics), is amended as follows:

A. General Characteristics

- 1. The parkland shall be placed in a central location within the subdivision or subdivisions that it serves, with the expressed goal that the park is no further than one-half mile measured by walking distance from any residence within the subdivision that it serves;
- 2. Where the subdivision is an initial phase of multiple phases, the park may be located so that it is accessible to the future phases, provided that the park meets the goal established in subsection (A)(1) above;
- 3. Parklands submitted for dedication shall be located so that users are not required to cross arterial roads to access the park site;
- 4. The entire boundary of the parkland shall abut either a public or private street, except that residential lots may abut parkland provided that the subdivider submit an alternative design, per Section 19.26.040, that incorporates the following standards:
 - a. Pedestrian connectivity between the parkland and adjacent lots is provided, and
 - b. That a front build-to line, in accordance with the zoning ordinance, is delineated on the plat so that residential structures face the park, and
 - c. The park site shall share at least one boundary line with a public or private street;
- 5. The parkland may be located adjacent to school sites, ponding areas, or public open space to facilitate shared facilities;
- 6. When parkland is deeded to the city as required by this title, the area of the park shall be calculated from the nearest property line or street right-of-way line, and not from the existing or proposed curb line of an adjacent street, unless park features are incorporated into the parkway, subject to an affirmative recommendation by the director of parks and recreation and approval by the city plan commission. Sidewalks and signs shall not count as park features that allow the inclusion of the parkway area as part of the park area calculation; and,
- 7. Where possible, and as approved by the director of the parks and recreation department, parkland shall be designed and located within a subdivision to allow for an extension or connection to a public park or other public recreational facility within an abutting subdivision.

3. Section 19.20.050 (Standards for deeded parkland), Subsection B (Minimum Improvements for lands to be Dedicated as Parklands), Paragraph 3 is amended to revise subparagraph g and add subparagraph j as follows:

B. Minimum Improvements for lands to be Dedicated as Parklands

- 3. An improved park shall, at a minimum, include the following:
 - g. Perimeter lighting along adjacent public and private street rights-of-way;
 - j. Street trees shall be provided in the parkway at 30-foot intervals.

4. Section 19.20.050 (Standards for deeded parkland), Subsection B (Minimum Improvements for lands to be Dedicated as Parklands), Paragraph 4 is amended as follows:

B. Minimum Improvements for lands to be Dedicated as Parklands

4. The subdivider may choose to submit an alternative development proposal for the parkland to be dedicated. The alternative proposal shall create a suitable park-like character and meet the intent of this title and the direction provided by the city's parks and recreation master plan and open space plan. Alternative designs may include Pocket Parks, Greens, Plazas, and Squares. The proposal will indicate the proposed alternative park facilities, their locations, and the cost to install such facilities. The proposal shall require an affirmative recommendation by the director of parks and recreation and approval by the city plan commission. The cost of such facilities shall at a minimum be equal to that of the basic park infrastructure listed in items subsection (B)(3)(a) through (B)(3)(i) above. Upon approval of the proposed alternative park development proposal, the subdivider may authorize preparation of construction documents for neighborhood park development.

Section 2. That Title 19, Subdivisions, Chapter 19.23 (Easements, Block And Lot Design And Improvement Standards), Section 19.23.040 (Lots – Determination and regulation of size), of the El Paso City Code is amended to add the following paragraph:

19.23.040. Lots – Determination and regulation of size

L. Building Lines. All plats for all single-family and duplex lots shall show front build-to lines. Build-to lines for property located within the city limits shall comply with the building setback requirements of the appropriate zoning district. Once the build-to line has been designated on the plat, the dwelling or building must be built so that the dwelling or building is within five feet of the back of the build-to line, except that certain dwelling or building appurtenances, such as porches, carports and patios, may be built beyond the build-to line, as permitted in Section 20.12.040.B. A note shall be placed on the plat requiring the subdivider to orient buildings in such a manner that the garage doors shall be recessed from the front door.

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Build-to lines for property located outside the city limits but within the city's extra territorial jurisdiction shall be as determined by the subdivider. ~~A note shall be placed on the plat requiring the subdivider to orient buildings in such a manner that the garage doors shall be recessed from the front door.~~

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Section 3. That Title 19, Subdivisions, Chapter 19.50 (Definitions), Section 19.50.030 (Definitions), of the El Paso City Code is amended to add the following definitions:

“Build-to line” means an alignment that establishes a certain distance from the curb line to a line along which the building shall be built. The goal of a build-to line is to establish a uniformity of building frontages.

“Green” means an Open Space, available for unstructured recreation. A Green may be spatially defined by landscaping rather than by building frontages. Its landscape shall consist of lawns

and trees, naturalistically disposed. The minimum size shall be 1/2 acre and the maximum shall be 8 acres.

- "Plaza" means an Open Space available for civic purposes, commercial activities and unstructured recreation. A Plaza shall be spatially defined by building frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas should be located at the intersection of important streets. The minimum size shall be 1/4 acre and the maximum shall be 2 acres.

- "Pocket Park" means an Open Space used for active or passive recreation, usually less than one acre.

- "Square" means an Open Space available for unstructured recreation and civic purposes. A Square is spatially defined by building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be location at the intersection of important thoroughfares. The minimum size shall be 1/2 acre and the maximum shall be 5 acres.

Section 4. Except as herein amended, Title 19, Subdivisions, of the El Paso City Code shall remain in full force and effect.

PASSED AND APPROVED this _____ **of** _____ **2011**

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST: _____

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM: _____

APPROVED AS TO CONTENT: _____

Lupe Cuellar
Assistant City Attorney

Mathew McElroy Deputy Director
Planning & Economic Dev. Department -
Planning Division