

Dedicated to Outstanding Customer Service for a Better Community

SERVICE SOLUTIONS SUCCESS



OPEN SPACE ADVISORY BOARD

Wednesday, July 20, 2011, 1:30 P.M.

10th 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: July 6, 2011
 - b. Changes to the Agenda
 - c. Comprehensive Plan report and update.
Contact: Carlos Gallinar, (915) 541-4662, GallinarRC@elpasotexas.gov
 - d. Review and comment on current subdivision applications, as indicated below:
 - (1) SUSU11-00060: Enchanted Hills #3 - Being a portion of Tracts 8, 9C, and 9A, Laura E. Mundy Survey No. 238, City of El Paso, El Paso County, Texas

LOCATION: North of Transmountain and East of I-10
PROPERTY OWNER: E.P. Transmountain Residential
REPRESENTATIVE: Roe Engineering
DISTRICT: 1
APPLICATION TYPE: Major Preliminary
STAFF CONTACT: Raul Garcia, (915) 541-4935, garcia1@elpasotexas.gov
4. Discussion and Action: Presentation and progress report by El Paso Water Utilities regarding the Stormwater Priority List.
Contact: Rudy Valdez, rvaldez@EPWU.org
5. Discussion and Action on the evaluation of the projects listed for acquisition on the Stormwater Priority List.
Contact: Charlie Wakeem, charliewak@sbcglobal.net

Mayor

John F. Cook

City Council

District 1

Ann Morgan Lilly

District 2

Susie Byrd

District 3

Emma Acosta

District 4

Carl L. Robinson

District 5

Dr. Michiel R. Noe

District 6

Eddie Holguin Jr.

District 7

Steve Ortega

District 8

Cortney Carlisle Niland

City Manager

Joyce A. Wilson

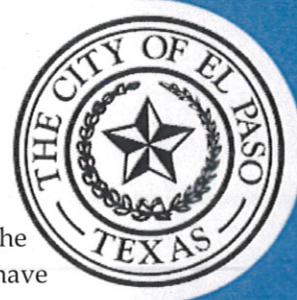


Planning & Economic Development

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6. **Discussion and Action:** Briefing on other ponding areas, not included in the City's Park Pond list, that may serve a stormwater purpose and that may have an ecological value.
Contact: Rudy Valdez, rvaldez@EPWU.org
7. **Discussion and Action:** Cement Lake acquisition status report by El Paso Water Utilities.
Contact: Rudy Valdez, rvaldez@EPWU.org
8. **Discussion and Action** on the Open Space Advisory Board's recommendations to City Council for consideration, acceptance, and submittal to the U.S. Army Corps of Engineers regarding the Sun Valley Flood Risk Reduction Project.
Contact: Charlie Wakeem, charliewak@sbcglobal.net
9. **Discussion and Action:** Items for Future Agendas
10. **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 14th day of July, 2011 at 10:30,
Basement Bulletin Board, City Hall, 2 Civic Center Plaza, by Armida Martinez, Planning and Economic Development

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

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ADVISORY BOARD MINUTES

Wednesday, July 6, 2011, 1:30 P.M.
8th Floor Conference Room
City Hall Building, 2 Civic Center Plaza

Members Present: 7

Bill Addington (2:00 p.m.), Lois Balin, Katrina M. Martich, Richard L. Thomas (1:35 p.m.), James H. Tolbert, Kevin von Finger, and Charlie S. Wakeem

Members Absent: 2

Joanne Burt, Luis Ruiz

Planning and Economic Development Staff:

Philip Etiwe, Development Review Manager; David Coronado, Lead Planner; Todd Taylor, Planner; Carlos Gallinar, Comprehensive Plan Manager

Others Present:

Marie Taylor, Assistant City Attorney, City Attorney's Office; Kareem Dallo, Engineering Division Manager, Engineering & Construction Management; Nanette Smejkal, Director, Parks & Recreation; Richard Garcia, Land Operations Manager, Parks & Recreation; Rudy Valdez, EPWU-PSB; Gonzalo Cedillos, Storm Water EPWU-PSB; Richard Teschner, Castner Conservation Conveyance Committee, Frontera Land Alliance, Franklin Mountain Wilderness Coalition

1. Meeting Called to Order

Chair Wakeem called the meeting to order at 1:28pm.

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

None.

3. Discussion and Action

a. Approval of Minutes: June 22, 2011

Chair Wakeem asked Board Members if there were any additions, corrections, or revisions.

PAGE 5 of 7, last sentence on page

Mr. von Finger revised **Frontier** to **Frontera**.

MOTION:

Motion made by Mr. Tolbert, seconded by Mr. Thomas and UNANIMOUSLY CARRIED TO APPROVE THE MINUTES FOR JUNE 22, 2011 WITH CORRECTION.

b. Changes to the Agenda

None.

c. Nomination and election of new Open Space Advisory Board Officers.

CHAIR, NOMINATION/ELECTION

MOTION:

Motion made by Mr. Tolbert, seconded by Mr. von Finger and UNANIMOUSLY CARRIED TO ELECT CHARLIE WAKEEM, CHAIR, OPEN SPACE ADVISORY BOARD OFFICER.

CO-CHAIR, NOMINATION/ELECTION

MOTION:

Motion made by Mr. von Finger, seconded by Ms. Balin and UNANIMOUSLY CARRIED TO ELECT JAMES TOLBERT, CO-CHAIR, OPEN SPACE ADVISORY BOARD OFFICER.

At this time, Chair Wakeem introduced Ms. Katrina Martich, newly appointed Open Space Advisory Board Member.

4. **Discussion and Action** on the status of implementing park pond projects included in the Stormwater Capital Improvement Program.

Contact: Nanette Smejkal, (915) 541-4331, smejkalnl@elpasotexas.gov

Ms. Smejkal gave a PowerPoint presentation regarding the status of the 10% Stormwater Funds Approved Plan park pond projects. Park ponds have gentle slopes, they are lower in depth and, in many cases, are located next to an existing park; therefore, creating an expansion of the park as well as having a storm water function.

PARK POND PROJECTS

1. Capistrano
2. Edgemere/Guthrie
3. Galatzan/Oxidation
4. Jamestown

5. Saipan (*under construction*)
6. Shawver
7. Skyline
8. Tiger Eye
9. Vocational/Riverside

LEAVING THE PARK PONDS IN THEIR NATURAL STATE

Ms. Balin was concerned that the open space areas/storm water ponds would be used as sports fields. She thought these areas would be left in their natural state for hikers/bikers.

For these particular properties, Ms. Smejkal responded, that was not the direction Staff received via the adoption of the Master Plan or through City Council action. These are going to be developed projects; the goal all along was to provide for a recreational use. In this phase of implementation, the projects are specific to an "*active*" recreational use.

USE OF OPEN SPACE FUNDS FOR SKYLINE

Chair Wakeem was concerned that the Skyline project was trumping the many other ecologically sensitive areas that serve a storm water purpose. To lose money from the Open Space fund, for that kind of project, concerned him.

Ms. Smejkal responded Staff is implementing a Council approved and adopted Master Plan. OSAB had input into the Stormwater Steering Committee. The Stormwater Steering Committee recommended and approved the stormwater projects.

Chair Wakeem was in favor of converting park ponds into recreational use; however, his concern was to use the funds:

1. in the acquisition of ecologically sensitive areas, then;
2. for park pond projects

Moreover, as the Open Space Advisory Board, our concern is the ecologically sensitive areas.

10% STORMWATER FUNDS FOR PARK PONDS

Mr. von Finger asked how much of the 10% stormwater funds, intended for natural open space acquisition, is being spent on park ponds.

Ms. Smejkal responded up to \$3 million, potentially.

Mr. von Finger asked if the funds were spent on acquisition of the areas or "*Soil, Sod and Shrubs*".

Ms. Smejkal responded "*Soil, Sod and Shrubs*".

Mr. von Finger clarified \$3 million for *soil, sod and shrubs* in natural open space. He asked if the \$3 million was from the natural open space acquisition portion of the 10% Stormwater fee.

Chair Wakeem explained the 10% Stormwater funds are for both natural space acquisition and

park pond projects. He felt the priority should be acquisition; acquisition is more important due to natural open space being threatened. He felt the \$3 million could be better spent acquiring properties such as Cement Lake, FEMA Arroyo 41-A, etc. It was his opinion that park ponding could be suspended until after the important natural open space acquisitions were completed.

PRIORITIZED LIST OF PARK POND PROJECTS

Mr. Tolbert asked in what order the park pond projects were listed, if any. He reiterated all projects are currently in the design phase, with the exception of Saipan; which is in the construction phase.

From a Design and Engineering standpoint, Ms. Smejkal explained, Staff has discussed the possibility of dividing the projects into two groups.

MITIGATING ENVIRONMENTAL IMPACT – MAINTENANCE/OPERATION

Ms. Martich asked Ms. Smejkal if, during the design process:

1. The projects could be made more environmentally friendly regarding maintenance and operation; and
2. Who will be responsible for maintaining the pond EPWU-PSB or the Parks & Recreation Department; and
3. Is there a unique operation of maintenance plan being developed that could incorporate minimizing impacts to adjacent natural open space and integrating pest management?

Ms. Martich explained there will be pesticides in the flooded water heads on the ponds which could easily be migrated into the groundwater.

Ms. Smejkal responded yes and explained per the agreement with the EPWU PSB, if the project is developed as a recreational development, Parks & Recreation will be taking care of maintenance. For example the Saipan project, Tiers 1 and 2 (turfs around the edges, walking paths, shade structures, fitness course, and landscaping) will be maintained by the Parks & Recreation Department; Tier 3 (deep channel with pumps) will be maintained by EPWU PSB Stormwater Utility.

DELAY PARK POND PROJECTS

Mr. von Finger asked Ms. Smejkal if the park pond projects could be staggered, in terms of time, so that funds could go towards the acquisition of those ecologically significant areas that are in danger of being lost.

Ms. Smejkal explained both the City of El Paso and the EPWU PSB adopted the plan and funding structure.

Chair Wakeem asked if any members of the public wished to comment. There were none.

No further questions or comments from the Board.

MOTION:

Motion made by Mr. von Finger, seconded by Mr. Thomas and UNANIMOUSLY CARRIED TO ADVISE CITY COUNCIL TO RECONSIDER THE PRIORITIES TO ALLOW THE DELAY IN IMPLEMENTING THE EXPEDITURES FOR SOD, SOIL AND SHRUBS SO THAT THAT FUNDING COULD GO TO HIGHER PRIORITY, ECOLOGICALLY SENSITIVE AREAS THAT ARE IN IMMINENT DANGER OF BEING LOST.

5. **Discussion and Action:** Presentation by El Paso Water Utilities regarding the creation and functions of the Stormwater Advisory Committee.
Contact: Rudy Valdez, rvaldez@EPWU.org

Mr. Valdez gave a PowerPoint presentation regarding the creation and functions of the Stormwater Advisory Committee.

CREATION OF THE STORMWATER ADVISORY COMMITTEE

1. EPWU-PSB created the Stormwater Utility as a result of Storm 2006; furthermore, the Stormwater Utility created the Stormwater Advisory Committee in 2008.
2. July 9, 2008 – PSB approves creation of the Committee
3. August 12, 2008 – PSB makes presentation to City Council
4. August 19, 2008 – City Council adopts Resolution regarding selection of members to Committee
5. Membership on Committee includes members of:
 - a. Neighborhood Associations
 - b. Health
 - c. Education
 - d. Business
 - e. Building
 - f. Civic

FUNCTIONS OF THE STORMWATER ADVISORY COMMITTEE

1. Assist EPWU in developing Stormwater Master Plan
2. Provide feedback and make recommendations on prioritizing capital projects and using open space, arroyos and wilderness areas in their natural state as a means of managing storm water including 10% of stormwater utility fee for open space acquisition.
With regard to open space, arroyos and wilderness areas, the Open Space Advisory Board provides input to the Stormwater Advisory Committee.
3. Refine criteria to rank alternatives that will reduce flood risk
4. Refine priority of open space areas to be acquired
5. Refine priority order for the first three years of capital project implementation

DELAY PARK POND PROJECTS

Mr. von Finger wondered if the OSAB would have to go to the Committee to seek their approval and, if so, what is the procedure to accomplish this.

Mr. Valdez replied yes, OSAB would have to request the approval from the Committee to delay the park pond projects. He suggested the OSAB make a recommendation to be

forwarded to the PSB and subsequently to the Committee for their consideration.

Mr. Cedillos advised Board Members that the Stormwater Advisory Committee is in the process of completing the first three years of projects.

Chair Wakeem explained the Stormwater Advisory Committee served its purpose in the formation of the EPWU PSB Storm Water Utility; however, since January, 2009, there has been only one meeting. He requested that the Stormwater Advisory Committee not be abolished but that the duplication, overlapping and bureaucracy, with regard to open space, be eliminated. Furthermore, Stormwater Advisory Committee should address stormwater issues and the Open Space Advisory Board should address open space issues.

Mr. Coronado clarified Staff placed the item on the agenda to clarify the creation and function of the Stormwater Advisory Committee.

Mr. Valdez explained because the PSB created the Stormwater Advisory Committee, he suggested the OSAB make a recommendation and submit a memorandum to Mr. Archuleta stating such request.

Mr. Tolbert noted City Council is the final word. He requested the Board submit their recommendations to them; City Council will then direct the PSB.

Ms. Taylor suggested Board Members *move to direct Staff to research what would be the appropriate mechanism to get a recommendation to either City Council or through the PSB.*

Chair Wakeem stated City Council is ultimately responsible for acquiring open space even though the 10% is managed by the PSB. From the previous OSAB meeting, Chair Wakeem reiterated, *the OSAB action was to advise City Council to bypass the Stormwater Advisory Committee on acquisition of open space.*

Mr. Valdez responded Legal determined that could not be; otherwise the item would not have been deleted from the City Council agenda.

MOTION:

Motion made by Mr. von Finger, seconded by Ms. Balin and UNANIMOUSLY CARRIED TO DIRECT STAFF TO RESEARCH WHAT WOULD BE THE APPROPRIATE MECHANISM TO GET A RECOMMENDATION TO EITHER CITY COUNCIL OR THROUGH THE PSB..

6. **Discussion and action** on developing a standard format for memorandums sent to the Public Service Board concerning the priority list for acquisition of green projects using the 10% from storm water fees and revenue.

Contact: Lupe Cuellar, cuellarlm@elpasotexas.gov

Per the backup information, Ms. Taylor explained, Ms. Cuellar drafted a memorandum regarding *"Recommendation on Green Projects to include in the Municipal Drainage Utility*

System's Stormwater Capital Improvement Plan". Ms. Taylor stated that should the Board Members have any changes, she would take note of those changes and forward them to Ms. Cuellar. Additionally, Ms. Cuellar thought the Board Members would like to add a Recommendation section directing the PSB as to what the OSAB expects the PSB to do with the memorandum. The draft memorandum formalizes the priorities, how the OSAB generated the priorities, how the priorities are changing, and how the priorities are being reordered in a way to systematically adjust and keep track of the priorities.

PROPOSED RECOMMENDATION SECTION LANGUAGE

Ms. Taylor read the proposed Recommendation section language into the record:

The Board recommends that this memorandum be forwarded to the Stormwater Advisory Committee that it replace any other higher priority memorandum and that it be included in the documentation submitted to the Public Service Board and City Council for their consideration and selection of the Green Projects.

Chair Wakeem suggested adding 4. The willingness of the property owner. He explained if an arroyo serves a stormwater function, open space, and is privately owned and the property owner does not wish to relinquish the property.

Mr. Valdez responded the City or the PSB could condemn the property. He suggested the language be left off.

Ms. Martich thought the willingness of the property owner should be one of the criteria to be considered.

Mr. Valdez responded that would be considered in a case by case basis, depending on the stormwater function needed for the property.

Mr. von Finger added that would be discovered during the negotiation phase, which should not come before PSB decides to acquire the property.

Regarding the Recommendation section language, Chair Wakeem requested the language "*be forwarded to the Stormwater Advisory Committee*" be removed. He would like the recommendation to be forwarded directly to the PSB.

Mr. Thomas wondered if the PSB had a Condemnation ordinance.

Mr. Valdez responded yes.

Mr. von Finger wondered if there would be another OSAB meeting or if an OSAB subcommittee would be established to revise or consider revising the priority list and provide analysis for the three criteria.

Ms. Taylor was unsure what the status of the priority list was.

For now, Chair Wakeem stated, there would not be any changes due to the OSAB moving up some items, such as Cement Lake.

Mr. Coronado suggested Mr. Valdez present the status of the priority list at the next OSAB meeting. He explained he sent a letter, with the two Hunt arroyos included to the PSB; just last week he sent another letter for Cement Lake. He would provide copies of these letters to Mr. Valdez. Mr. Coronado felt the draft memorandum could be utilized for future projects that the OSAB would like to add to the existing list.

Mr. von Finger would like to see a copy of the existing projects explaining what the status of these projects. For many of the projects the OSAB did not have the analysis, specific to each project with these criteria. He felt the OSAB should develop as soon as possible.

Chair Wakeem suggested the Board take action on the memorandum today; the Board could revise the priority list at a future meeting.

Mr. von Finger requested Staff email the draft memorandum to the PSB.

Regarding the existing priority list, Mr. Thomas wondered if the OSAB would have to start over; additionally, he wondered if the criteria were weighted or all they the same.

Chair Wakeem responded the OSAB would "tweak" the priority list; not start over.

Per the draft memorandum, Ms. Taylor read into the record, *"No one factor carries more weight than the other when considering whether land should be acquired for a Green Project, except that in establishing placement on the priority list, one factor may outweigh another."* In their analysis, Ms. Taylor suggested, the Board explain how the projects were changed and whether the project was a higher or lower priority.

Regarding the proposed Recommendation section language, Chair Wakeem requested the language ~~be forwarded to the Stormwater Advisory Committee~~ be deleted.

Ms. Taylor read the revised Recommendation section language into the record *"The Board requests that this memorandum replace any other prior priority memorandum and that it be included in the documentation considered by the Public Service Board and City Council in selection of the Green Projects."*

3. TIME SENSITIVE ACQUISITION

The proposed language currently read:

This factor considers whether the potential Green Project is subject to immediate or imminent private development. This factor alone will never cause land to be selected for a Green Project if the other two factors are not present, but may be determinative of where the Green Project should be placed on the priority list.

Ms. Martich suggested deleting ~~private development~~ and adding **loss or degradation** as follows:

"This factor considers whether the potential Green Project is subject to immediate or imminent loss or degradation."

Mr. von Finger suggested ... development and/or degradation.

Ms. Martich revised her previous request ... immediate or imminent loss or degradation of its natural state.

Ms. Balin suggested leaving the language as it is; however, adding ... or the degradation of any natural state.

Chair Wakeem suggested ... subject to immediate or imminent private development or degradation in its natural state.

In conclusion, the proposed language would read:

"3. Time sensitive acquisition. This factor considers whether the potential Green Project is subject to immediate or imminent development or degradation of its natural state.

No further questions or comments from the Board.

MOTION:

Motion made by Mr. von Finger, seconded by Mr. Tolbert and UNANIMOUSLY CARRIED TO APPROVE THE REMOVING THE LANGUAGE BE FORWARDED TO THE STORMWATER ADVISORY COMMITTEE FROM THE PROPOSED RECOMMENDATION SECTION LANGUAGE AND ADD SUBJECT TO IMMEDIATE OR IMMINENT DEVELOPMENT OR DEGRADATION OF ITS NATURAL STATE TO 3. TIME SENSITIVE ACQUISITION.

7. **Discussion and Action:** Update on City of El Paso's Comprehensive Plan rewrite.
Contact: Carlos Gallinar, (915) 541-4662, gallinarrc@elpasotexas.gov

Mr. Gallinar explained the Comprehensive Plan is the guiding document for both short and long term policies and procedures for El Paso. Staff is utilizing the most current national best practice policies and data and technologies in order to enact the Comprehensive Plan. Citizens, elected Officials and Staff are proactively discussing the future of El Paso. Via several charettes and other meetings, Staff has met with citizens and various entities, public and private to include Ciudad Juarez and the County of El Paso, and are now in the process of drafting the many goals and objectives of the Comprehensive Plan. Dover Kohl & Partners, the Planning firm selected to assist the City in rewriting the Comprehensive Plan, has been providing drafts of the proposed Comprehensive Plan. Over the next several months, Staff will begin reviewing these drafts; our goal is to have the first draft of the Comprehensive Plan available for review mid-September or early October. Mr. Gallinar stated that in two weeks the Representatives from Dover Kohl & Partners will be in El Paso. He has suggested to Chair Wakeem that the Representatives give a formal presentation at that time.

Currently, Chair Wakeem explained, the OSAB is under the 1999 Comprehensive Plan. In the proposed Comprehensive Plan, there are very important sections regarding open space. He would like to ensure that the proposed Comprehensive Plan protect ecologically sensitive areas and scenic vistas.

In the interim, Mr. Gallinar suggested Board Members view previous presentations and drawings at the Plan El Paso website <http://www.planelpaso.org/>

NO ACTION WAS TAKEN

8. **Discussion and Information** on the U.S. Army Corps of Engineers' Sun Valley Flood Risk Reduction Project. Contact: Charlie Wakeem, charliewak@sbcglobal.net

Prior to the discussion, copies of the PowerPoint presentation entitled "Sun Valley 205 Flood Risk Retention Project at Castner Range" were distributed. Chair Wakeem explained originally this was a ponding area project (a sediment basin) proposed by URS Corporation, consultant for the PSB Storm Water Utility. The Stormwater Advisory Committee reviewed all stormwater projects in Castner Range and projects located in the Northeast. At the Stormwater Advisory Committee meeting this particular project was discussed at length; specifically, the Committee did not want to have a large ponding area; however, ultimately, the Committee deemed the project acceptable.

Per the PowerPoint presentation, slides show:

1. the project as originally proposed by URS; and
2. the project as it will be developed. *The second slide shows the project area was greatly enlarged; no comparison to the original proposal.*

Chair Wakeem referred to the following StormWater Master Plan Table 8-1 Project Cost Summary

Region	System	Project Number	Issue to be addressed	Description of Improvements	Total Cost
Northeast	Northeast Ponding	NE7 Phase 3	Northeast Channel No. 2 has high sediment loads due to large upstream deposits.	Construction of sediment basin west of US 54.	\$7,933,000
Northeast	Northeast Ponding	NE7 Phase 4	Northeast Channel No. 2 is significantly undersized.	Construction of detention with Phase 2 sediment basin.	\$15,416,000
Northeast	Range Dam	NE8 Phase 1	1. Flooding on Fairbanks Drive. 2. High sediment load from Castner Range.	Construction of sediment basin west of US 54. Improve US 54 culvert outlet.	\$2,836,000

Per the Master Plan, Chair Wakeem explained he did not see anything along Fairbanks or another detention area.

Per the "Environmental Constraints" map PowerPoint slide, Chair Wakeem noted the retention pond is clearly located in the Hillside Development Area; a portion of the pond might be located in the Mountain Development Area. Chair Wakeem explained the OSAB has jurisdiction review of any applications that reference the Hillside Development Area and Mountain Development Area.

Mr. Cedillos discussed, at length, the details behind this project and answered several questions asked by board members on this issue.

Chair Wakeem explained Board Member's concern, and peace of mind, is that Castner Range is very ecologically sensitive. The Stormwater Advisory Committee said let's not disturb too much of it for stormwater; but yet protect the people, property and safety.

Mr. Cedillos thought this was a good opportunity for the Board to express their concerns to the Corps.

Mr. Addington reiterated there is no design yet for these sediment or detention ponds. They're just noticing there's a problem and they are asking for input how to deal with the sediment pond. He asked Mr. Cedillos how they come up with the Total Cost numbers.

Within a year, Mr. Cedillos explained, we tried to conceptualize all these problems and give it a good professional assessment, how big "X", "Y" and "Z" and give it a number, just to have some direction to take with a magnitude of the project as to what it would be. It is not optimized, it is not tailored at this point, so don't be mislead. We just need to report that we have an idea how this might look.

Mr. Thomas clarified the OSAB is looking at this project because of the open space with Castner Range.

Mr. Thomas stated the OSAB's response is let's not build the structure so big that it invades into the open space and poppies.

Mr. Cedillos responded that is a legitimate concern and suggested instead of a huge structure, construct staged dams throughout or perhaps microdams.

Ms. Taylor explained the item was posted on the agenda as a "Discussion and Information" item, due to the way the request came in from the Corps. As this is an advisory Board to Council, not a Board that gives its comments to another entity, this is outside the scope of the duties of this Board. It is acceptable to make comments as individuals; however, not as the "Open Space Advisory Board". She suggested the item be posted, on a future OSAB agenda, in such a way that would allow the Board to take action, in terms of giving a recommendation to City Council.

Mr. Thomas noted there is nothing to recommend, as we are not certain exactly what size the

structure is going to be.

Ms. Martich understood this was the preliminary development of the draft environmental assessment, the NEPA process. This is the time to get ahead of the wagon that happened to TxDOT with Loop 375. The Corps takes very seriously statements from the city. She thought a recommendation from Council, to consider certain alternatives, would be very significant to the Corps. Part of this document will be coming up with alternatives and this is an opportunity for the Board to influence it. She felt the OSAB should make a recommendation to Council, Council could then do a benefit cost analysis for the sizing, they could limit it to the 100 year.

Chair Wakeem asked what kind of recommendation could the OSAB make to Council and post it as an action item.

Ms. Martich explained she was not current on the Section 205 Project Criteria that they have now but obviously the flooding must be addressed. There are numerous ways the Board could recommend that they size it on a benefit cost ratio analysis versus defaulting to the PMF. The PMF is going to give you the largest footprint. Or we could recommend they use the city standard of the 100 year as the design factor.

BENEFIT COST RATIO ANALYSIS

Ms. Martich explained there is a Corps procedure where they look at the flood damage reduction and balance that against the cost of the project. It must have a positive "one" to begin with but you could also go for the smallest factor that provides a certain level of protection versus going with probable maximum flood for the level of protection. However, the Corps is somewhat constrained within Section 205, Clean Water Act.

Ms. Martich thought it would be best to consult with the PSB and the Storm Water utilities. We have to provide that level of protection; however, the Board could influence and state there is a strong public interest plus the environmental aspect. Per the NEPA process, the Corps must assess the community impact, at the same time will be assessing the flooding community impact, as well.

Mr. Thomas wondered if the item is posted for action on the next OSAB agenda, the Board could make that recommendation, the Board is concerned and we would like for this consideration to be in place.

Ms. Martich responded it would go in the NEPA, as part of one of the appendices, will be all the letters of public comment they have received and they must address it.

Ms. Taylor clarified the Board's recommendation would be going to City Council.

Ms. Taylor stated that if the Advisory Board wants to make a recommendation to City Council, then City Council would be the one accepting and approve, and forward the comments to the Corps.

Mr. Addington suggested that Board Members try and collect input and suggestions on the design that could be forwarded to the PSB and Corps for consideration.

Chair Wakeem thought that was a great suggestion; however, the Corps is requesting a response by July 30th.

As the letter was address to Staff, Mr. von Finger recommended that Staff contact the individual at the Corps requesting an extension.

Mr. Coronado stated he would contact the Corps and request an extension.

Chair Wakeem explained the item was not posted for action, Staff will place an item on the next OSAB agenda.

Since this is not an action item, Chair Wakeem asked Legal for some direction as to what the Board could recommend to City Council.

Ms. Taylor responded Mr. Cedillos could work with Mr. Coronado and Ms. Martich to come up with a Staff recommendation.

Ms. Martich stated she would ensure that we capture the flood damage reductions that Mr. Cedillos knows are needed.

Mr. Cedillos explained we were not aggressive in requesting a large structure knowing how sensitive the area is to the Board. We wanted to basically just stop the sediment, that was where our scope was and what the Corp is doing. However, there is also the issue of the water; however, the primary issue is the sediment.

Chair Wakeem reiterated Messrs. Coronado and Cedillos and Ms. Martich will work together and provide the Board with some guidelines.

9. Discussion and Action: Items for Future Agenda

Chair Wakeem requested:

1. Discussion, action and review of the priority list.
2. Briefing on other ponding areas not included in the City's Park Pond list that may serve a stormwater purpose and that may have an important ecological value.
3. Cement Lake purchase status report.
4. Dover Kohl presentation.
5. Discussion and action on the Sun Valley project.

Mr. Tolbert requested:

1. Progress report on OSAB's recommendation to City Council regarding the progress of Park Pond projects.

10. Adjournment

MOTION:

*Motion made by Mr. Thomas, seconded by Ms. Balin AND UNANIMOUSLY CARRIED TO
ADJOURN THE MEETING AT 3:27PM.*

Minutes prepared by Donna Martinez



City of El Paso – City Plan Commission Staff Report

Case No: SUSU11-00060 Enchanted Hills Unit Three
Application Type: Major Preliminary
CPC Hearing Date: July 28, 2011
Staff Planner: Raul Garcia, 915-541-4935, garcia1@elpasotexas.gov
Location: North of Transmountain Road and East of I-10
Acreage: 97.03 acres
Rep District:
Existing Use: Vacant
Existing Zoning: R-5 (Residential)
Proposed Zoning: R-5 (Residential)
Nearest School: Canutillo Middle School (1.5 miles)
Nearest Park: Rio Grande River Trail (1.7 miles)
Park Fees: N/A
Impact Fee Area: Property is located within the Westside Impact Fee Area and is subject to impact fees.
Property Owner: E.P. Transmountain Residential, L.L.C.
Applicant: E.P. Transmountain Residential, L.L.C.
Representative: Roe Engineering

SURROUNDING ZONING AND LAND USE

North: RMU (Residential-Mixed Use)/ Vacant
South: C-4 (Commercial)/ Vacant
East: R-3A (Residential)/ Vacant
West: C-3/c (Commercial/condition)/ Vacant

THE PLAN FOR EL PASO DESIGNATION: Mixed Use

APPLICATION DESCRIPTION

The applicant is proposing 358 single family lots with the smallest lot measuring 5,775 square feet in size. The applicant is also proposing a 2.84-acre park. The subdivision also includes a 1.5-acre park already dedicated through an off-site dedication. The applicant is also proposing five pedestrian ROWs to provide access to the open space areas. Primary access will be from Enchanted Hills Drive.

The applicant is requesting a vested rights petition making the development subject to the subdivision ordinance in effect prior to June 1, 2008.

The applicant is requesting the following modifications:

- To allow for a modified 52' ROW to include 5' sidewalks, 4' and 5' parkways and 34' of pavement
- To allow for pedestrian ROWs.
- To allow for a turning circle.
- To allow for street names in excess of thirteen characters.
- Modification to section 19.16.050.H *Preservation of Natural Arroyos* to allow for construction within an existing arroyo.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **pending** of the modifications and **pending** of Enchanted Hills Unit Three on a **Major Preliminary** basis subject to the following conditions and requirements:

Planning Division Recommendation:

Pending.

Engineering & Construction Management-Land Development:

Pending.

El Paso Department of Transportation:

Pending.

Parks and Recreation Department:

Pending.

El Paso Water Utilities:

Pending.

Stormwater:

Pending.

El Paso Fire Department:

Pending.

911

Pending.

Sun Metro:

Pending.

El Paso Electric Company:

Pending.

Texas Gas Company:

Pending.

Canutillo Independent School District:

Pending.

Additional Requirements and General Comments:

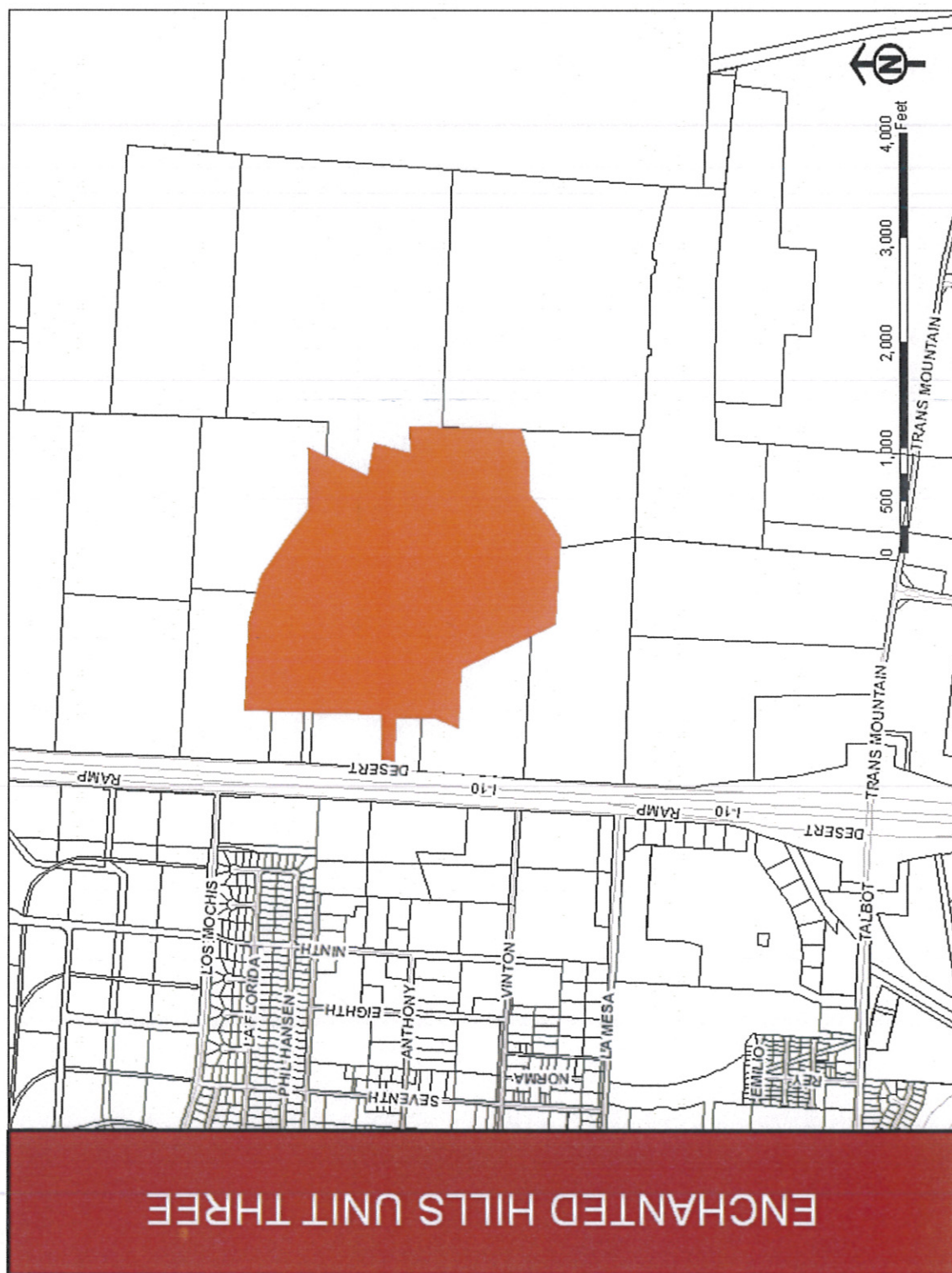
1. Submit to the Planning & Economic Development Department – Planning Division the following prior to recording of the subdivision.

- 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
2. Subs in process
3. Aerial map
4. Aerial zoomed out
5. Arroyos zoomed out
6. Arroyos
7. Preliminary plat
8. Modification Request
9. Application

ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3



ATTACHMENT 4



ATTACHMENT 5



ATTACHMENT 6



ATTACHMENT 7



ATTACHMENT 8

Roe Engineering, L.C.

Civil Engineering • Land Development • Planning • Surveying

July 7, 2011

Mr. Raul Garcia, Planner
City of El Paso
Department of Planning - Subdivisions
2 Civic Center Plaza, 5th Floor
El Paso, Texas 79999

Re: Enchanted Hills Unit Three Preliminary Plat

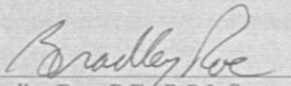
Dear Mr. Raul Garcia,

We are respectfully requesting the following modifications:

1. A modification for a 5 foot sidewalk within all the 52 foot wide public right-of-ways within the subdivision.
2. A modification for the pavement section to be 34' wide to follow the same approved cross section as within Enchanted Hills One for Enchanted Pass Drive and Enchanted Hills Drive for better traffic control in and around proposed commercial.
3. A modification for the Drainage right-of- ways and pedestrian access.
4. A modification for the turning circle along Enchanted Ridge Drive. As shown on Preliminary Plat.
5. A modification for all street names in excess of thirteen characters. As shown on Preliminary Plat.

We appreciate your assistance, if you have any questions please do not hesitate to call.

Sincerely,


Bradley Roe, P.E., R.P.L.S.

cc: Rick Cordova

FILE:EH1 final plat_mod letter.wpd

601 N. Cotton Suite 6 • El Paso, Texas 79902 • (915)533-1418 • Fax (915) 533-4972

ATTACHMENT 9



CITY PLAN COMMISSION APPLICATION FOR MAJOR SUBDIVISION PRELIMINARY APPROVAL



DATE: 07-07-2011

FILE NO. SUSU11-00060

SUBDIVISION NAME: ENCHANTED HILLS UNIT THREE (PHASES 1-4)

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
Being a portion of Tracts 8, 9C and 9A, Laura E. Mundy Survey No. 238,
City of El Paso, El Paso, County, Texas.
2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	<u>63.52</u>	<u>358</u>	Office		
Duplex			Street & Alley	<u>21.99</u>	
Apartment			Ponding & Drainage		
Mobile Home			Institutional		
P.U.D.			Other (specify below)		
Park <u>offsite park plus area</u>	<u>4.34</u>	<u>2</u>	<u>DRAINAGE /</u>	<u>7.18</u>	<u>3</u>
School <u>to dedicated</u>			<u>OPEN SPACE</u>		
Commercial			Total No. Sites		
Industrial			Total (Gross) Acreage	<u>97.0322</u>	
3. What is existing zoning of the above described property? R-5 Proposed zoning? R-5
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 X Overhead _____ Combination of Both _____
6. What type of drainage is proposed? (If applicable, list more than one)
Lots to streets, to drainage right-of-way / open spaces arroyos
7. Are special public improvements proposed in connection with development? Yes X No _____
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 5' sidewalk in a 52' right-of-way
with 32' of pavement throughout the subdivision except on Enchanted Pass and Enchanted Hills
where it will be 34' of pavement, modification for drainage / pedestrian right-of-way,
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 X No _____
If yes, please submit a vested _____ rights petition in accordance with Section 19.47- Vested Rights (See Attached).

Letter dated April 10, 2009 regarding Enchanted Hills by Victor Torres has addressed vested rights. This development will be subject to subdivision standards in effect prior to June 1, 2008.

12.	Owner of record	E.P. Transmountain Residential, L.L.C.	6080 Surety Drive, Suite 300 El Paso, Texas 79905	915-592-0290
		(Name & Address)	(Zip)	(Phone)
12.	Developer	E.P. Transmountain Residential, L.L.C.	6080 Surety Drive, Suite 300 El Paso, Texas 79905	915-592-0290
		(Name & Address)	(Zip)	(Phone)
14.	Engineer	Roe Engineering, L.C.	601 North Cotton Street, Suite 6 El Paso, Texas 79902	915-533-1418
		(Name & Address)	(Zip)	(Phone)

CASHIER'S VALIDATION
FEE: \$1,901.00

OWNER SIGNATURE:

REPRESENTATIVE:

ROE for E.P. Transmountain
Bradley Roe

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