

*Dedicated to Outstanding Customer Service for a Better Community*

**SERVICE SOLUTIONS SUCCESS**



**OPEN SPACE ADVISORY BOARD**  
Wednesday, August 3, 2011, 1:30 P.M.  
8<sup>th</sup> 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 20, 2011
  - b. Changes to the Agenda
  - c. Review and comment on current subdivision applications, as indicated below:
    - (1) **SUSU11-00063:** Desert Pass Drive - Being a portion of Tract 3A, A.F. Miller Survey No. 210, City of El Paso, El Paso County, Texas  
  
LOCATION: East of IH-10 and North of Resler Drive  
PROPERTY OWNER: Camino Real Investments  
REPRESENTATIVE: Conde Inc.  
DISTRICT: 1  
APPLICATION TYPE: Major Preliminary  
STAFF CONTACT: Frank Delgado, (915) 541-4238, [delgadofx@elpasotexas.gov](mailto:delgadofx@elpasotexas.gov)
  - d. Review and comment on current zoning applications, as indicated below:
    - (1) **PZRZ11-00026:** Lot 2, Block 2, Keystone Business Park Replat A, City of El Paso, El Paso County, Texas  
  
LOCATION: 4501 Osborne Drive  
ZONING: P-I/sc (Planned Industrial/special contract)  
REQUEST: From P-I/sc (Planned Industrial/special contract) to C-4/sc (Commercial/special contract)  
  
EXISTING USE: Vacant  
PROPOSED USE: Commercial/Office/Warehouse

**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





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PROPERTY OWNERS: EP Dirtmen, LLC & CIC Limited, Inc.  
REPRESENTATIVE: Chris Cummings  
DISTRICT: 8  
STAFF CONTACT: Esther Guerrero, (915) 541-4720,  
[guerreroex@elpasotexas.gov](mailto:guerreroex@elpasotexas.gov)

4. **Discussion and Action:** Items for Future Agendas
5. **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 \_\_\_\_\_ day of July, 2011 at \_\_\_\_\_,  
Basement Bulletin Board, City Hall, 2 Civic Center Plaza, by Todd Taylor, Planning and Economic Development

**Mayor**  
John F. Cook

#### **City Council**

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**City Manager**  
Joyce A. Wilson



**Planning & Economic Development**  
2 Civic Center Plaza • El Paso, Texas 79901 • (915) 541-4670



# Open Space Open Space



## ADVISORY BOARD MINUTES

Wednesday, July 20, 2011, 1:30 P.M.  
8<sup>th</sup> Floor Conference Room  
City Hall Building, 2 Civic Center Plaza

### **Members Present: 7**

Bill Addington (2:28), Lois Balin, Joanne Burt, Richard L. Thomas, James H. Tolbert, Kevin von Finger, and Charlie S. Wakeem

### **Members Absent: 2**

Katrina Martich

### **Planning and Economic Development Staff:**

Mathew McElroy, Deputy Director; Philip Etiwe, Planning Manager; Todd Taylor, Planner; Carlos Gallinar, Comprehensive Plan Manager; Eddie Garcia, Lead Planner; Raul Garcia, Planner; Ernie Arriola, Planner

### **Others Present:**

Lupe Cuellar, Assistant City Attorney, City Attorney's Office; Jason King, Dover Kohl & Partners, Andrew Georgiadis, Dover Kohl & Partners; Kareem Dallo, Engineering Division Manager, Engineering & Construction Management; Rudy Valdez, EPWU-PSB; Gonzalo Cedillos, Storm Water EPWU-PSB; John Kiseda, El Paso Zoo; Trish Tanner, Jobe; Bradley Roe, Roe Engineering.

### **1. Meeting Called to Order**

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

*Chair Wakeem introduced Joanne Burt, newly appointed Board Member, District 1.*

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

Per Mr. Ed Archuleta, El Paso Water Utilities Public Service Board President/Chief Executive Officer, Mr. Rudy Valdez distributed copies of the public awareness/media campaign entitled *Keep Alert. Keep Clear.* Mr. Valdez explained the PSB, El Paso County Water Improvement District No. 1, the Drowning Prevention Coalition of El Paso, and other public/private entities are hoping to raise the awareness of the dangers of drowning in drainage facilities – drainage canals, drainage ditches, and stormwater facilities – in El Paso County.

### 3. Discussion and Action

#### a. Approval of Minutes: July 6, 2011

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

Mr. Tolbert revised the following:

PAGE 4 of 14, under the heading, PRIORITIZED LIST OF PARK POND PROJECTS

Revise "He" to "Ms. Smekjal"

PAGE 13 of 14, bottom of page

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

1. Update on the OSAB motion advising City Council to reconsider the priorities to allow the delay in implementing the expenditures 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.

*MOTION:*

*Motion made by Mr. von Finger, seconded by Ms. Balin and UNANIMOUSLY CARRIED TO APPROVE THE MINUTES FOR JULY 6, 2011, AS CORRECTED.*

*ABSTAIN: Ms. Burt*

#### b. Changes to the Agenda

*None.*

#### c. Comprehensive Plan report and update.

Contact: Carlos Gallinar, (915) 541-4662, [gallinarcc@elpasotexas.gov](mailto:gallinarcc@elpasotexas.gov)

Chair Wakeem explained Dover Kohl & Partners is assisting in the preparation of the Comprehensive Plan, a very important document for the City of El Paso.

Mr. Gallinar explained rewriting the Comprehensive Plan is arguably one of the most important processing and planning documents, in the last 20 years. Dover Kohl & Partners, one of the top leading urban planning firms in the nation, was selected to assist the city in the rewriting process. Mr. Gallinar introduced Mr. Jason King and Mr. Andrew Georgiadis, Dover Kohl & Partners and explained Mr. King will address the overall process of the Comprehensive Plan and Mr. Georgiadis will address the sustainability element of the Comprehensive Plan.



Mr. King gave a PowerPoint presentation.

### CONNECTING EL PASO

He explained Dover Kohl & Associates first endeavor working with the city, *Connecting El Paso*, was adopted by City Council in January, 2011. *Connecting El Paso* focused on bus rapid transit routes, transporting people to places all over the city via fast moving buses. With this new investment in transportation, public monies could trigger private reinvestment in underutilized areas of the city. *Connecting El Paso* is not only about getting from Point A to Point B; it's also about creating worthwhile places between them.

### OVERALL PROCESS OF THE COMPREHENSIVE PLAN

Mr. King discussed the Comprehensive Plan is a guiding document for capital improvements and public policy, the development of projects, and most importantly, to ensure that El Paso is a city that its residents want it to be. Hundreds of people have come together, via charettes and numerous other meetings, to discuss and refine ideas. All presentations, maps, plans (over 2,200 square miles), surveys, public comments, etc. can be found at [www.planelpaso.org](http://www.planelpaso.org). Working in conjunction with the Comprehensive Plan Advisory Committee, we anticipate presenting a proposed draft of the Comprehensive Plan in late Fall or early Winter this year.

### MAJOR CONCEPTS OF THE COMPREHENSIVE PLAN

The Comprehensive Plan is comprehensive in that it addresses:

1. Historic preservation;
2. Health and public facilities;
3. Open space;
4. Creating public spaces – plazas, large parks, green space, etc.;
5. Investing in streetscape – to spur private investment, concentrating on the downtown area first;
6. Investing in Cincinnati Avenue – to extend prosperity from one side of Mesa Street to the other;
7. Remodeling City Hall/surrounding area;
8. Park in front of the Burnham building;
9. Large open space
  - a. Recreating/relocating the rail yard;
    - i. Large Central Park
    - ii. Arena/stadium
10. Recreating Transit Centers;
  - a. Lively urban places
  - b. Civic green space
  - c. Farmer's Market
11. Recreating underutilized areas and
  - a. Public spaces – parks
  - b. Street space – accommodating cars, buses, bicyclists, pedestrians comfortably

12. Recreating major arterials
  - a. Homes facing major arterials
  - b. Removing rock walls
  - c. Providing large open space
  - d. Pocket parks
  - e. Attached family dwellings

Mr. Georgiadis gave a PowerPoint presentation.

#### SUSTAINABILITY ELEMENT OF THE COMPREHENSIVE PLAN

1. Open spaces;
  - a. Long term viability of:
    - i. Water
    - ii. Other important ecological considerations
2. Historical conditions of the city;
  - a. Early founders/settlers survival
  - b. How historical conditions help form the present/future
3. How the overall urban form affects other issues relating to the economy;
  - a. Sprawl
    - i. Air/Water quality
    - ii. Effects on wildlife
    - iii. Effects on arroyos
4. Recreating drainage pits;
5. Farmer's Market;
6. Recreation/Physical fitness;
7. Transit/Walkability;
8. Historic Preservation;
9. Clean Energy and Industry; and
10. RiverPark and Trail system

#### QUESTIONS/COMMENTS FROM BOARD MEMBERS

Chair Wakeem thanked Messrs. King and Georgiadis and congratulated Dover Kohl & Partners on doing an outstanding job.

Regarding the creation of *unnatural open spaces throughout the city*, Ms. Balin wondered if a portion(s) of those *unnatural open space areas* would be kept in their natural state.

Mr. Georgiadis responded yes, the community has requested that there be more diversity/naturalistic treatment in the parks especially along the edges; turf would be located only where necessary. A portion of the park area will be dedicated to the creation of habitat by diversity. Additionally, rather than



Mr. King added the EPWU-PSB has requested the plants be the right native species; mesquite, palo verde, natural acacia trees, etc.

Mr. Gallinar noted Mr. King has looked into incorporating Mr. Rick Lobello, El Paso Zoo, Public Relations, Education Curator, project *Healthy Families Live Outside the Box – Living a Healthy Life While Sharing El Paso with Native Plants and Animals*, into the park projects.

Mr. John Kiseda, El Paso Zoo, suggested leaving the unnatural open spaces as they are, rather than having to create these habitats by diversity.

Mr. King explained Dover Kohl & Partners will be conducting a number of conference calls in mid-August and returning to El Paso mid-September. We hope to have our first draft approximately November 1<sup>st</sup>.

Mr. Valdez noted EPWU PSB Staff had not seen the Sustainability portion of the Comprehensive Plan prior to today.

Mr. King suggested Mr. Valdez provide the documents/information to Mr. Gallinar between today and mid-October.

Chair Wakeem suggested Mr. Valdez attend the CPAC meeting.

Mr. Gallinar would provide Mr. Valdez a copy of the CPAC meeting schedule.

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](mailto:garcia1@elpasotexas.gov)

Mr. Garcia gave a PowerPoint presentation and explained the property is located north of Transmountain Road, east of I-10. The property is approximately 97 acres and is currently zoned R-5 (Residential). Per Section 19.16.050.H *Preservation of Natural Arroyos*; the sub-divider is proposing to cross the arroyos via the proposed Right-of-Ways. The City Engineer has recommended approval of the sub-divider's request. The applicant is proposing 358 single family lots with the smallest lot measuring 5,775 square feet in size. Additionally, the applicant is proposing a 2.84 acre park; there is an

existing 1.5 acre park already dedicated through an off-site dedication. The applicant is also proposing 7.18 acres of public open space, portions of which will remain in its natural state to serve as a drainage Right-of-Way and easement. The applicant has requested the following modifications:

1. To allow for a modified 52' Right-of-Way to include 5' sidewalks, 4' and 5' parkways and 34' of pavement;
2. To allow pedestrian Right-of-Ways;
3. To allow for a turning circle;
4. To allow for street names in excess of thirteen characters; and
5. Modification to Section 19.16.050.H *Preservation of Natural Arroyos* to allow for construction within an existing arroyo.

The proposed development is part of the Enchanted Hills Land Study approved by the City Plan Commission June 5, 2008. The Development Coordinating Committee and Planning recommend approval of this subdivision on a Major Preliminary basis and modifications based on the previous code with the condition that Enchanted Hills Unit One be recorded concurrently or prior to Enchanted Hills Unit Three in order to provide adequate access to the subdivision by Unit One located south of this proposed subdivision. Staff is recommended that the City Plan Commission require that street trees be placed along the rear of the double cornice lots as provided for in the code.

Chair Wakeem wondered if the subdivision will go through FEMA arroyo 42A.

Mr. Dallo responded the subdivision goes through FEMA arroyo 42B and added everything will be natural, 42C, 42B and 42A.

Ms. Balin requested Staff point out the location of the arroyos in relation to the development.

Mr. Dallo noted the arroyo locations for Ms. Balin.

The applicant and/or applicant's representative was not present.

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

Referring to the park area, Ms. Balin requested Staff point out which section would be kept natural open space.

Mr. Garcia noted the natural open space section and added the natural open space sections will serve as drainage Right-of-Ways.

No further questions or comments from the Board.



**MOTION:**

*Motion made by Mr. von Finger, seconded by Mr. Thomas and UNANIMOUSLY CARRIED TO APPROVE.*

4. **Discussion and Action:** Presentation and progress report by El Paso Water Utilities regarding the Stormwater Priority List. Contact: Rudy Valdez, [rvaldez@EPWU.org](mailto:rvaldez@EPWU.org)

Mr. Valdez gave a PowerPoint presentation entitled *Stormwater Utility Priority List*. Per the PowerPoint slide showing the original OSAB Stormwater Original Priority List – 2010; Mr. Valdez explained the properties highlighted in yellow were approved by the Stormwater Utility; the properties highlighted in gray were not. Mr. Valdez stated the Open Space Advisory Board priority list had changed since the Stormwater Utility Advisory Committee's last meeting. He then commented on the properties listed under *Round II Storm Water Funding Priority List and the criteria used by the Open Space Advisory Board in the creation of the Round II priority list*.

**CEMENT LAKE AND HUNT COMMUNITY ARROYOS**

The two projects recently identified by the OSAB as properties for acquisition; Cement Lake and the Hunt Community arroyos, Mr. Valdez explained, regarding Cement Lake, the EPWU PSB is currently negotiating with the property owner. Regarding the Hunt Community arroyos, EPWU PSB has been conversing with Mr. Justin Chapman, at this time nothing has been finalized.

Mr. von Finger asked if a retention dam was located on one of the three Knapp property parcels.

Mr. Valdez responded yes.

Mr. Cedillos added the city currently owns that.

Mr. von Finger then asked what Cement Lake will be used as and how much will be left in its natural state.

Mr. Valdez was unsure what the use will be; however, the portion acquired with Stormwater funding will be left in its natural state.

Regarding Cement Lake, Ms. Balin wondered if discussions regarding easement acquisition have occurred.

Mr. Valdez was unsure; however, he emphasized there must be access.

Mr. Kiseda asked about the headwater between the Lake and I-10.

Mr. Valdez was unsure what the negotiation discussions entailed.

Mr. von Finger asked how OSAB could make those parties involved in the negotiations,

specifically, the EPWU PSB aware of the importance of getting that headwater and the area around it, in the event the property owner does not propose that.

Mr. Valdez commented on a letter that the OSAB had prepared.

Chair Wakeem explained he had had a conversation with Mr. Archuleta regarding the headwaters.

Mr. Valdez would discuss the OSAB's concerns regarding the headwater with Mr. Archuleta.

Mr. Kiseda commented on CEMEX's conservation efforts in Mexico and the United States, in the event the negotiations do not pan out, he suggested the OSAB reach out to the international company and contact the individuals involved in the conservation efforts in Mexico. Ms. Kiseda would provide contact information to Mr. Valdez.

Mr. Addington added comments regarding CEMEX's conservation efforts in Mexico and the United States.

Mr. Kiseda commented on a femoral pond/breeding space located very near to Cement Lake.

No further questions or comments from the Board.

**NO ACTION WAS TAKEN.**

5. **Discussion and Action** on the evaluation of the projects listed for acquisition on the Stormwater Priority List. Contact: Charlie Wakeem, [charliewak@sbcglobal.net](mailto:charliewak@sbcglobal.net)

See previous item for discussion and action.

**MOTION:**

*Motion made by Mr. von Finger, seconded by Ms. Balin and UNANIMOUSLY CARRIED TO INCLUDE THE HEADWATERS IN CEMENT LAKE AS PART OF THE LETTER TO MR. ARCHULETA REGARDING ITS ACQUISITION, AS A BUFFER AREA.*

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](mailto:rvaldez@EPWU.org)

Chair Wakeem explained there may be some ponding areas that could be converted to wetlands. Additionally, Dover Kohl & Partners had requested this information. Chair Wakeem stated the Open Space Master Plan is very general, for example, 2A – Upper Rio Grande Bosques and Wetlands and 2B – Lower Rio Grande Valley and asked if there was anything that the OSAB could do.



Mr. Cedillos gave background information regarding over 72-hour percolation, silt and maintenance on over 250 ponding areas located in East El Paso. He noted there are very few natural wetlands. Mr. Cedillos explained his proposal regarding the creation of wetlands; however, at this time he does not have any candidates.

Mr. von Finger commented on the property northeast of Doniphan and Sunland Park and stated that was the kind of area that the OSAB was referring to.

Chair Wakeem stated it would be helpful to identify these proposed wetland areas for the OSAB and the Comprehensive Plan.

Mr. Valdez explained there is property located on Mulberry with a pond that retains water.

Chair Wakeem added that property located at Doniphan and Country Club.

To identify additional sites, Mr. Kiseda suggested the OSAB contact the Audobon Club, the Sierra Club, Franklin Mountain \_\_\_\_\_ Coalition, they might have some suggestions.

*NO ACTION WAS TAKEN.*

7. **Discussion and Action:** Cement Lake acquisition status report by El Paso Water Utilities.  
Contact: Rudy Valdez, [rvaldez@EPWU.org](mailto:rvaldez@EPWU.org)

See item 4 for discussion and action.

*NO ACTION WAS TAKEN.*

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](mailto:charliewak@sbcglobal.net)

Chair Wakeem referred to the backup information letter from the Corps of Engineers and the proposed Resolution.

Regarding the proposed Resolution language, Mr. von Finger noted there was no reference to the benefit ratio analysis, as suggested by Commissioner Martich at the last OSAB meeting.

Mr. Cedillos was unsure what the language was not included in the Resolution.

#### **FOR YOUR INFORMATION**

Chair Wakeem explained he and Mr. Cedillos went to Albuquerque last week and spoke with Ms. Dana Price, Corps of Engineers Biologist. He stated the EA will take until late 2013.

Regarding the blank line, Ms. Cuellar explained Staff could insert the City of El Paso's two goals or leave the language as is.

As one of the goals, Mr. von Finger suggested, to create the least amount of degradation to Castner Ranger.

Chair Wakeem commented on the City's adopting a resolution preserving Castner Range as an open space.

Ms. Cuellar suggested the inserting *the City of El Paso's goals adopted by Resolution March 14, 2006.*

Chair Wakeem requested Staff insert the language proposed by Mr. von Finger.

**FOR YOUR INFORMATION**

This morning, Ms. Balin explained, she had a meeting with Ms. Price and other engineers from the Corps at Castner Range. Ms. Balin was able to assist Ms. Price regarding the local vegetation analysis; Ms. Price also took some soil samples. Ms. Balin felt Ms. Price was clear on the importance of the poppy habitat and the area as a whole.

Mr. von Finger asked if Staff had requested an extension for comment and what was that extension date.

Chair Wakeem responded yes.

Mr. Taylor responded the extension was granted for one month.

Chair Wakeem added if the OSAB recommends this to City Council today, there should not be any problem.

Ms. Cuellar clarified the proposed Resolution language *the City of El Paso's goals established and adopted on March, 14, 2006 Resolution and to create the least amount of degradation to Castner Range as possible.*

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. Thomas, seconded by Mr. von Finger and UNANIMOUSLY CARRIED TO APPROVE THE RESOLUTION, AS AMENDED.*



9. **Discussion and Action:** Items for Future Agenda

Mr. von Finger requested:

1. Staff research the request to rezone the property located at the northeast corner of Osborne and Doniphan. The land is habitat and currently open space. Mr. von Finger requested the small portion of wetland be rezoned NOS (Natural Open Space).

Ms. Burt clarified the property to be rezoned is adjacent to the wetland, it is not city owned. She requested the city determine and ensure that none of the wetland is included in the rezoning request.

10. **Adjournment**

**MOTION:**

*Motion made by Mr. von Finger AND UNANIMOUSLY CARRIED TO ADJOURN THE MEETING.*

Minutes prepared by Donna Martinez







*City of El Paso – City Plan Commission Staff Report*

**Case No:** SUSU11-00063 Desert Pass Drive  
**Application Type:** Major Preliminary  
**CPC Hearing Date:** August 11, 2011  
**Staff Planner:** Frank Delgado, (915) 541-4238, [delgadofx@elpasotexas.gov](mailto:delgadofx@elpasotexas.gov)  
**Location:** North/South of and East/West of  
**Legal Description Acreage:** 77.405 acres  
**Rep District:** 1  
**Existing Use:** Vacant  
**Existing Zoning:** C-3c (Commercial) and C-4c (Commercial)  
**Proposed Zoning:** C-3c (Commercial) and C-4c (Commercial)  
  
**Nearest Park:** Wakeem-Teschner Nature Preserve (1.17 miles)  
**Nearest School:** Coronado High School (1.08 miles)  
**Park Fees:** \$33,080  
**Impact Fee:** The property is not located in an impact-fee area.  
  
**Property Owner:** Camino Real Investments I, LTD  
**Applicant:** Camino Real Investments I, LTD  
**Representative:** Conde, Inc.

**SURROUNDING ZONING AND LAND USE**

**North:** C-3sc (Commercial)/ Residential development  
**South:** R-4 (Residential)/ Interstate Highway and Pond  
**East:** R-3 (Residential)/ Nature Preserve  
**West:** C-3sc (Commercial)/ Commercial development

**THE PLAN FOR EL PASO DESIGNATION:** Commercial, Mixed Use and

**APPLICATION DESCRIPTION**

The applicant is proposing multi-family residential, commercial, office, private parks and open space development on this 77,041-acre parcel and is proposing eight (8) lots. The smallest lot is 7.469 acres. The largest lot is 258.405 acres.

**DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION**

***PENDING***

**DEVELOPMENT COORDINATING COMMITTEE COMMENTS**

***PENDING***

## **PLANNING & ECONOMIC DEVELOPMENT RECOMMENDATION**

***DENIAL*** based on lack of compliance with:

### **19.18.010.B.1 Traffic Impact Analysis-Purpose and Applicability-Applicability**

A traffic impact analysis (TIA), in adherence to standards contained within this title and City of El Paso approved guidelines, shall be required by the city manager, or designee for the following unless the city manager or designee determines that a TIA is not needed due to studies already completed or improvements already constructed.

### **Section 19.18.040.A.1 - City evaluation and action-Criteria**

The city manager or designee shall evaluate the adequacy of the TIA prepared by the applicant.

### **19.20.030.A.1.b - Parkland calculation-Rate-Multifamily.**

A. Rate.

1. Where a residential subdivision application is filed, the amount of parkland required to be deeded to the city shall be as follows:

b. Multifamily. One acre of parkland for every two hundred dwelling units calculated as follows:

$$x = \frac{y}{200} \times z$$

Where:

"x" is the amount of acres of parkland required to be dedicated;

"y" is the gross acres of the proposed multifamily subdivision; and

"z" is the density of the proposed multifamily subdivision.

## **OPEN SPACE ADVISORY BOARD RECOMMENDATION**

***PENDING***

## **LAND DEVELOPMENT—ENGINEERING & CONSTRUCTION MANAGEMENT COMMENTS AND REQUIREMENTS**

No Objections

## **PARKS & RECREATION DEPARTMENT COMMENTS**

We have reviewed **Desert Pass Subdivision**, a major preliminary plat map and offer Engineer / Developer the following comments:

Please note that this subdivision is zoned "C-3/sc & C-4/sc" thus meeting the requirements for Multi-family dwellings use with a minimum lot area of 750 sq. ft. per dwelling (C-4/sc) or restricted to a maximum of 29 dwelling units per acre (C-3/sc), therefore, park fees will be assessed based on the following:

1. **If** gross density waiver is granted by the Planning Department or designee and covenants are provided restricting all residential uses, then applicant shall be required to pay "park fees" in the amount of **\$77,410.00**

Fees calculated as follows:

Subdivision acreage 77.41 (rounded to two decimals) @ \$1,000.00 per acre = **\$77,410.00**

2. **If** subdivider fails to provide proof of gross density waiver with the filing of the final plat and/or gross density waiver **is not** granted by the Planning Department or designee, then



applicant shall be required to dedicate **22.475-acres of "Parkland"** based on the following maximum gross density rates:

Parkland calculations:

Subdivision acreage @ the minimum lot area of 750 sq. ft. per dwelling = # of dwellings

77.405 ac. (x) 43560 sq. ft. / acre = 3,371,761.80 sq. ft.

3,371,761.80 sq. ft. divided by minimum lot area of 750 sq. ft. per dwelling = 4,495.68 dwellings

4,495 dwellings @ a rate of one acre per every 200 dwelling units = **22.475-acres of "Parkland"**

Plat as submitted does not meet the minimum parkland requirements since it does not include any park sites.

Please allocate any funds under Park Zone: **NW-5**

Nearest Parks: **H.T. Ponsford** & **Paul Harvey**

If density/acreage is increased/decreased or the property zoning/use changes, then fees will be re-assessed based on applicable conditions.

#### **STORMWATER DIVISION—EL PASO WATER UTILITIES COMMENTS**

We have reviewed the subdivision described above and provide the following comments:

##### **Desert Pass Drive Subdivision – Major Preliminary**

1. The plat states the subject property is located in Flood Hazard Zones C and A1. Coordinate with FEMA and the City of El Paso to meet all applicable flood hazard zone requirements.
2. The drainage plan indicates runoff from several watersheds will discharge to structures on I-10. Coordinate with TxDOT for discharge to the existing structures on I-10.
3. Show existing and proposed drainage flow patterns along the extension of Gem Street. Identify the discharge location for the Gem Street stormwater runoff.
4. At the improvement plan stage ensure that all channel and storm drain pipe outlets include appropriate erosion and scour control measures. Also, ensure that the earthen channel flow velocities do not exceed the permissible velocity recommended in the City of El Paso Drainage Design Manual.
5. Provide the appropriate drainage right-of-ways and/or easements for all stormwater infrastructure, including the channel and proposed storm drain system conveying runoff from the existing detention basin.
6. Size all stormwater drainage structures to account for sediment volume. In addition, design all drainage structures to allow access for EPWU maintenance staff and equipment. Undersized culverts and culvert crossings in Northwest El Paso tend to clog easily and increase EPWU maintenance costs.
7. Ensure that all drainage easements are wide enough to accommodate future EPWU storm drain maintenance. EPWU recommends a minimum easement width of 20 feet. Very deep pipes complicate future maintenance activities and may require easements wider than 20 feet.
8. Incorporate principles of low impact development and green infrastructure design (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff. Provide additional stormwater retention at all landscaped and open space areas.

#### **FIRE DEPARTMENT COMMENTS**

No comments received.

### **SUN METRO COMMENTS**

No comments received.

### **DEPARTMENT OF TRANSPORTATION COMMENTS**

The Department of Transportation recommends **denial** of the proposed plat for the following reason:

- A Traffic Impact Analysis is required for the Desert Pass subdivision in accordance with Section 19.18. (Traffic Impact Analysis) of the El Paso Municipal Code. The TIA submitted with the subdivision shall comply with Section 19.15.010.C (Road Network).
- Gem Street is designated as a Collector on the Major Thoroughfare Plan (MTP) and shall comply with Section 19.15.060B (Arrangement of Streets and Conformance to the Thoroughfare Plan) and 19.15.06E (Transitions of Right-of-Way Width) of the El Paso Municipal Code.
- Cross-sections for Desert Pass do not comply as per Section 19.15.060A (Design Standards for Construction Met); 14 ft. medians required.
- Gem Street does not comply with Section 19.15.100B (Dead End Streets) as the proposed street exceeds the maximum length of a cul-de-sac street.
- The end of Gem Street must include a temporary turnaround bulb as per Section 19.15.100A (Dead End Streets).

The Department of Transportation has the following comments:

- Recommend pedestrian connectivity where original delineation of minor collect was shown on the MTP.
- Landscaping, vegetation, and irrigation system shall be provided within the proposed median on Desert Pass Street.
- Double frontage lots shall comply with Section 19.23.040 H (Double Frontage lots) of the El Paso Municipal Code.
- The proposed intersection of Desert Pass and Resler shall not be completed until developer installs the required traffic signal. Coordination of the design and installation shall be coordinated and approved by the Department of Transportation.

Notes:

- Access and improvements to Resler shall be coordinated with Texas Department of Transportation.
- All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

### **911 DISTRICT COMMENTS**

No comments received.

### **CENTRAL APPRAISAL DISTRICT COMMENTS**

No comments received.

### **EL PASO ELECTRIC COMPANY COMMENTS**

No comments received.



**EL PASO INDEPENDENT SCHOOL DISTRICT COMMENTS**

No comments received.

**TEXAS DEPARTMENT OF TRANSPORTATION COMMENTS**

No comments received.

**TEXAS GAS SERVICE COMMENTS**

No comments received.

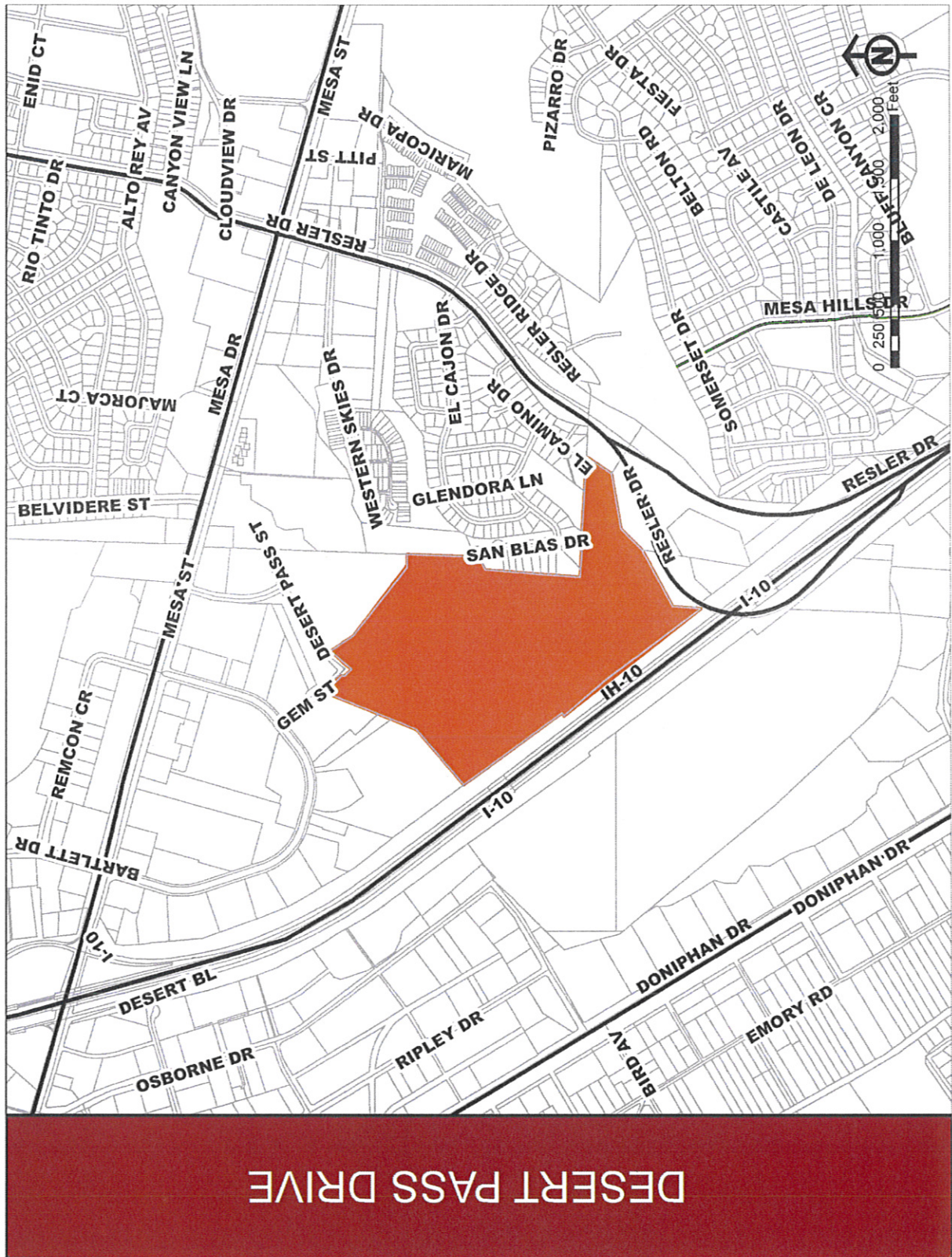
**ADDITIONAL REQUIREMENTS AND GENERAL COMMENTS:**

1. Prior to recording, please submit to Planning & Economic Development—Planning Division the following:
  - a. tax certificates
  - b. release of access document
  - c. set of restrictive covenants
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. Aerial Map
3. Preliminary Plat
4. Application

ATTACHMENT 1



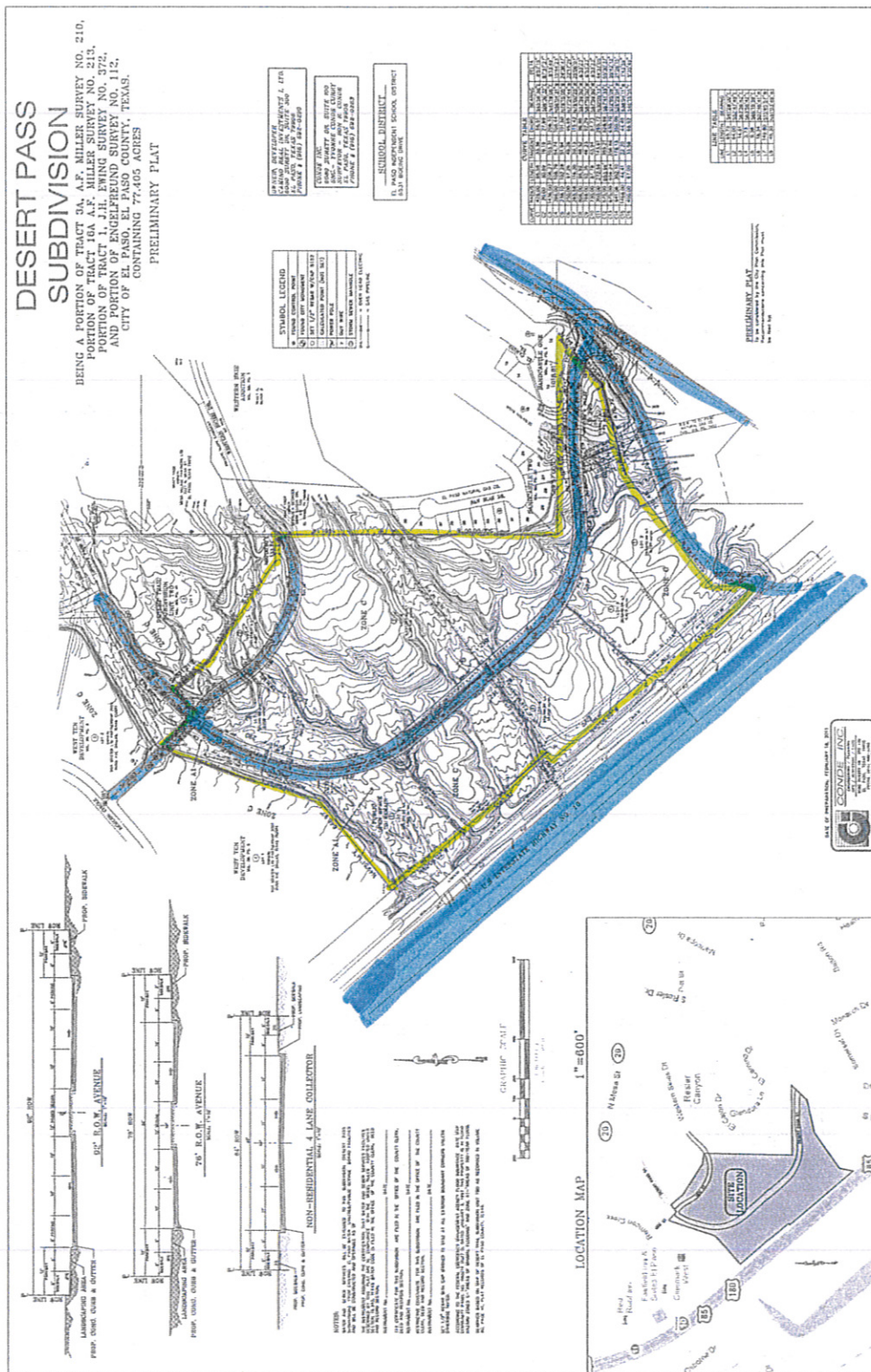


ATTACHMENT 2





### ATTACHMENT 3



# ATTACHMENT 4



## CITY PLAN COMMISSION APPLICATION FOR MAJOR SUBDIVISION PRELIMINARY APPROVAL



DATE: July 7, 2011

File No. SUSU11-00063

SUBDIVISION NAME: Desert Pass Drive Subdivision

1. Legal Description for the area included on this plat (Tract, Block, Grant, etc.)  
Being a portion of Tract 3A, A. F. Miller Survey No. 210, Portion of Tract 16A, A. F. Miller Survey No. 213, Portion of Tract 1, J. H. Ewing Survey No. 372, and a portion of Engelfreund Survey No. 112, City of El Paso, El Paso County, Texas
2. Proposed Land Uses:
 

	ACRES	SITES		ACRES	SITES
Single-family	_____	_____	Office	<u>14.397</u>	<u>4</u>
Duplex	_____	_____	Street & Alley	<u>8.45</u>	<u>2</u>
Apartment	<u>25.405</u>	<u>1</u>	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	Open Space	<u>7.469</u>	<u>1</u>
School	_____	_____	Private Parks within Apts	<u>3.00</u>	<u>3</u>
Commercial	<u>18.683</u>	<u>2</u>	Total No. Sites	<u>13</u>	
Industrial	_____	_____	Total Acres (Gross)	<u>77.405</u>	
3. What is existing zoning of the above described property? C-3 Proposed zoning? n/a
4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes \_\_\_\_\_ No \_\_\_\_\_ n/a
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)  
Lot to street to Ponds
7. Are special public improvements proposed in connection with the development? Yes \_\_\_\_\_ No X
8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes \_\_\_\_\_ No X  
If answer to is "Yes", please explain the nature of the modification or exception \_\_\_\_\_
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 Camino Real Investments I, LTD 6080 Surety Drive, Ste 300, El Paso, TX 79905 915-592-0290  
(Name & Address) (Zip) (Phone)

13. Developer Camino Real Investments I, LTD 6080 Surety Drive, Ste 300, El Paso, TX 79905 915-592-0290  
(Name & Address) (Zip) (Phone)

14. Engineer CONDE INC. 6080 Surety Drive, Ste 100, El Paso, TX 79905 915-592-0283  
(Name & Address) (Zip) (Phone)

**CASHIER'S VALIDATION**  
**FEE: \$1,901.00**

Camino Real Investments I, LTD  
By: Camino Real Properties, Inc.  
It's General Partner

OWNER SIGNATURE:   
Douglas A. Schwartz, President

REPRESENTATIVE: 

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



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** PZRZ11-00026  
**Application Type:** Rezoning  
**OSAB Meeting Date:** August 3, 2011  
**Staff Planner:** Esther Guerrero, 915-541-4720, [guerreroex@elpasotexas.gov](mailto:guerreroex@elpasotexas.gov)

**Location:** 4501 Osborne Drive  
**Legal Description:** Lot 2, Block 2, Keystone Business Park Replat A, City of El Paso, El Paso County, Texas  
**Acreage:** 2.0343 acres  
**Rep District:** 8  
**Zoning:** P-I/sc (Planned Industrial/special contract)  
**Existing Use:** Vacant  
**Request:** C-4/sc (Commercial/special contract)  
**Proposed Use:** Commercial/Office/Warehouse  
**Property Owner:** EP Dirtmen, LLC & CIC Limited, Inc.  
**Representative:** Chris Cummings

### **SURROUNDING ZONING AND LAND USE**

**North:** P-I/sc (Planned Industrial/special contract), M-1/sc (Manufacturing/special contract) / Keystone Wetlands, pond  
**South:** C-4/sc (Commercial/special contract) / vacant  
**East:** P-I/sc (Planned Industrial/special contract) / vacant  
**West:** R-2A (Residential) / single-family residential

**The Plan for El Paso Designation:** Parks and Open Space (Northwest Planning Area)

**Nearest Park:** Keystone Heritage Wetlands (a small portion of the Keystone Wetlands immediately to the north)

**Nearest School:** Zach White Elementary (5,372 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Upper Valley Neighborhood Association, Save the Valley, Coronado Neighborhood Association, Upper Mesa Hills Neighborhood Association, Upper Valley Improvement Association

### **NEIGHBORHOOD INPUT**

Notices of the July 28, 2011 public hearing were mailed to all property owners within 300 feet of the subject property on July 12, 2011. The Planning Division has not received any phone calls or letters in support or opposition of this rezoning request.

### **APPLICATION DESCRIPTION**

The request is to change the zoning from P-I/sc (Planned Industrial/special contract) to C-4/sc (Commercial/special contract). The applicant is in the process of selling this parcel and the potential buyer wishes to utilize the parcel with commercial uses that might include offices, warehousing and retail; some of these uses are permitted in the P-I (Planned Industrial) district but would require a detailed site development plan. The special contract imposed conditions for sidewalks, temporary ponding and curb and gutters. These imposed conditions have either been complied with or will be addressed during the construction phase.

## **PLANNING AND ECONOMIC DEVELOPMENT-PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of the rezoning request.

### **The Plan for El Paso-City-Wide Land Use Goals**

All applications for rezoning shall demonstrate compliance with the following criteria:

- a. Goal: establish a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities and outlets for social and cultural expression.
- b. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- c. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.

The purpose of the C-3 (Commercial) district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the City. The regulations of the districts will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

### **Development Coordinating Committee Review**

The DCC reviewed and discussed the application for rezoning and offered no objections to Planning Staff's recommendation for approval.

### **Department of Transportation**

No objection to rezoning on revised plan of smaller land area.

Note:

All existing / proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations and Current City of El Paso Design Standards for Construction.

### **Sun Metro**

Sun Metro does not oppose this request. Sun Metro recommends the construction of sidewalks to provide pedestrian access to nearby public transit.

### **Engineering – Construction Management Division-Plan Review**

#### **Plan Review**

No comments received.

#### **Land Development**

No objections.

### **Fire Department**

No objections to rezoning.

### **El Paso Water Utilities**

EPWU does not object to this request.

#### **Water**

Along Osborne Drive fronting Lot 2 Block 2, Keystone Business Park Replat "A" there is an existing fifty-four (54) inch diameter water transmission main. No service connections are allowed to this main as per the El Paso Water Utilities - Public Service Board Rules & Regulations.

Along Osborne Drive fronting Lot 2 Block 2, Keystone Business Park Replat "A" there is an existing eight (8) inch diameter water main.

Previous water pressure readings conducted on fire hydrant number 10033 located at Osborne Drive and Ripley Drive have yielded a static pressure of 78 pounds per square inch (psi), residual pressure of 68 psi,



discharge of 1,061 gallons per minute (gpm).

Sanitary Sewer

Along Osborne Drive fronting Lot 2 Block 2, Keystone Business Park Replat "A" there is an existing twelve (12) inch diameter sanitary sewer main. At approximately 260 feet south of Ripley Drive the diameter of this main increases to fifteen (15) inches in diameter.

General

Water and sanitary sewer service is available from the above described mains.

Application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

**CITY PLAN COMMISSION OPTIONS**

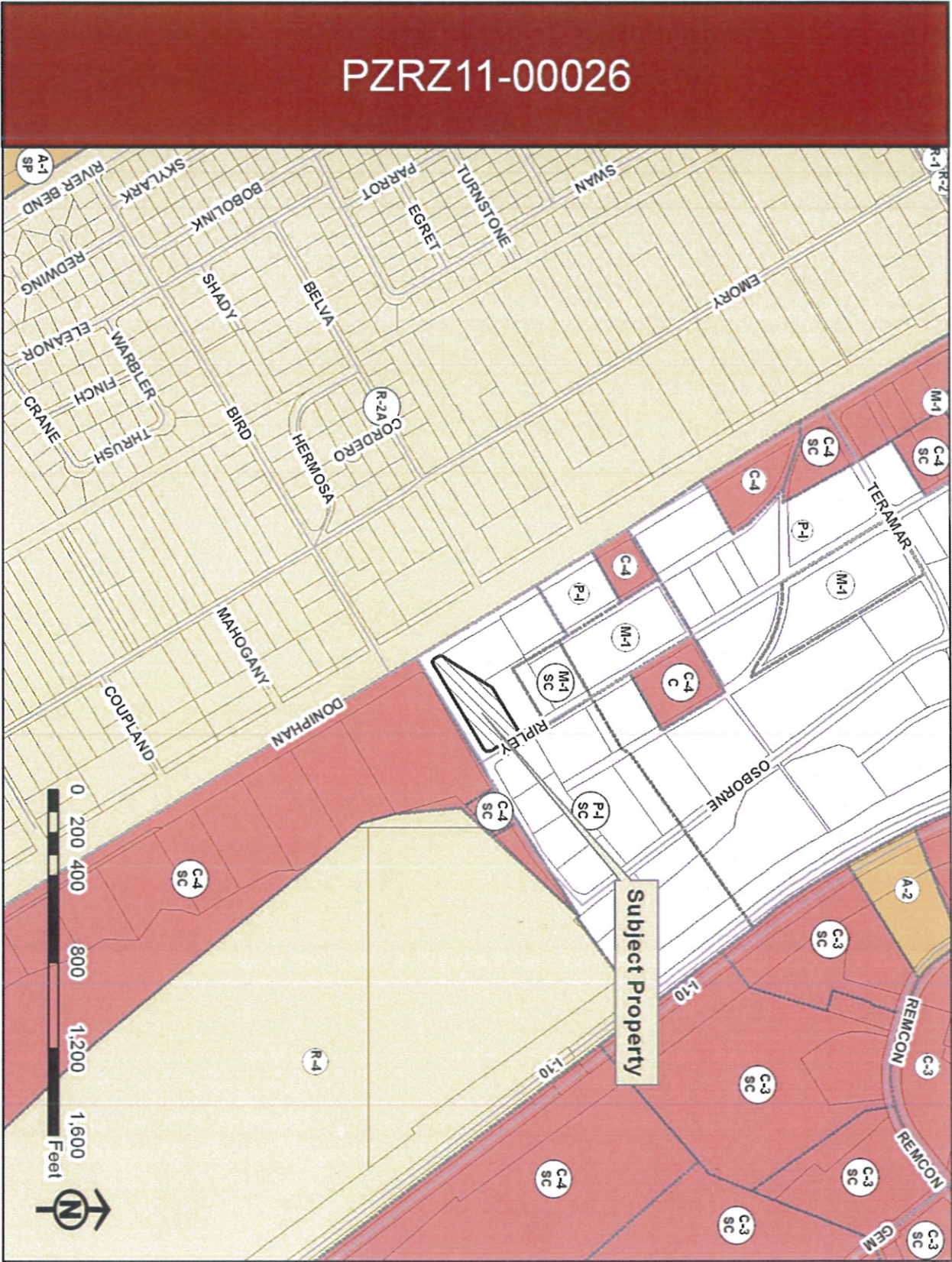
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the change of zoning application:

1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

**Attachments**

1. Zoning Map
2. Aerial Map
3. Parks & Schools Map
4. Survey
5. Special Contract dated May 10, 1976

ATTACHMENT 1: ZONING MAP



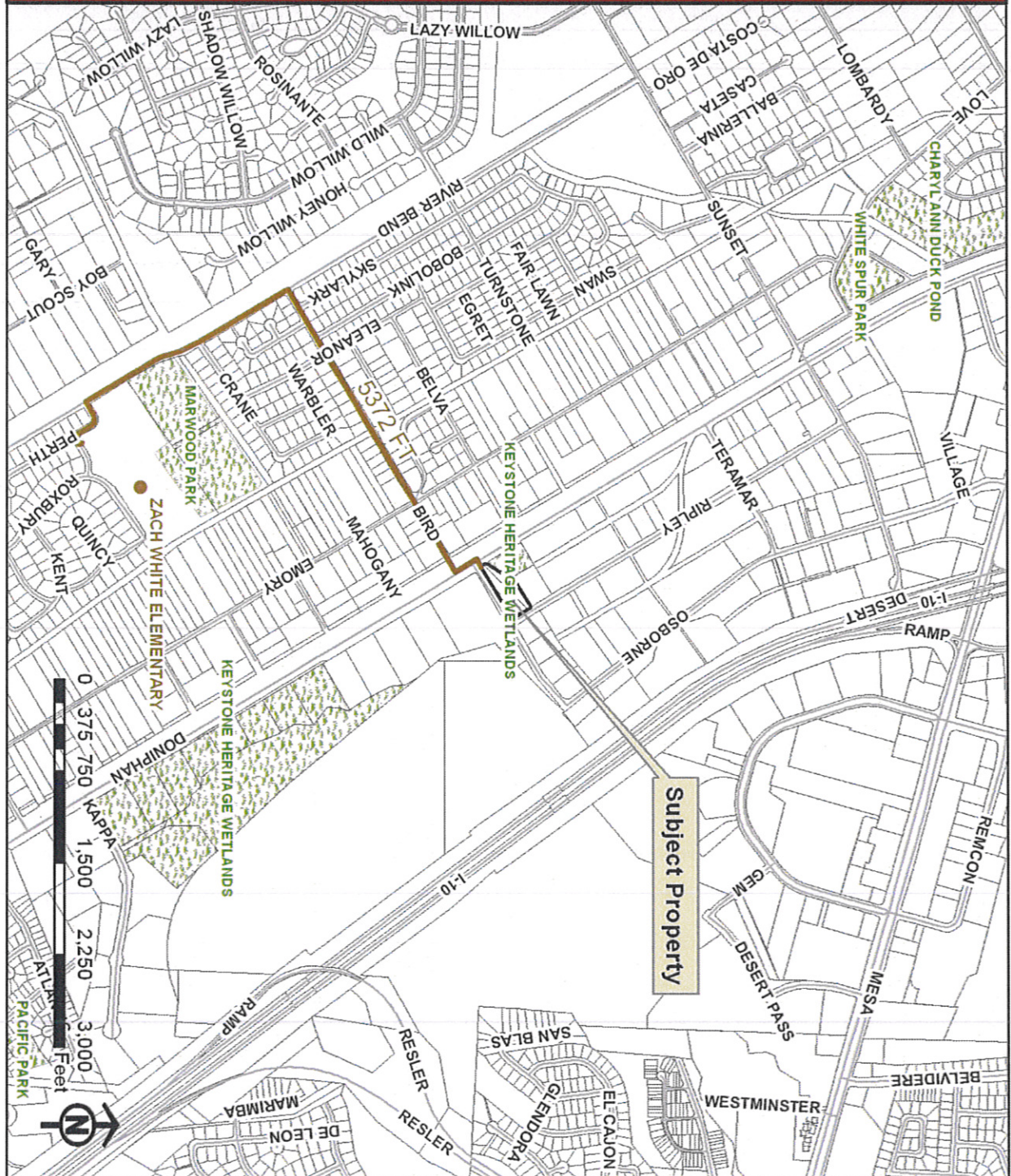


ATTACHMENT 2: AERIAL MAP

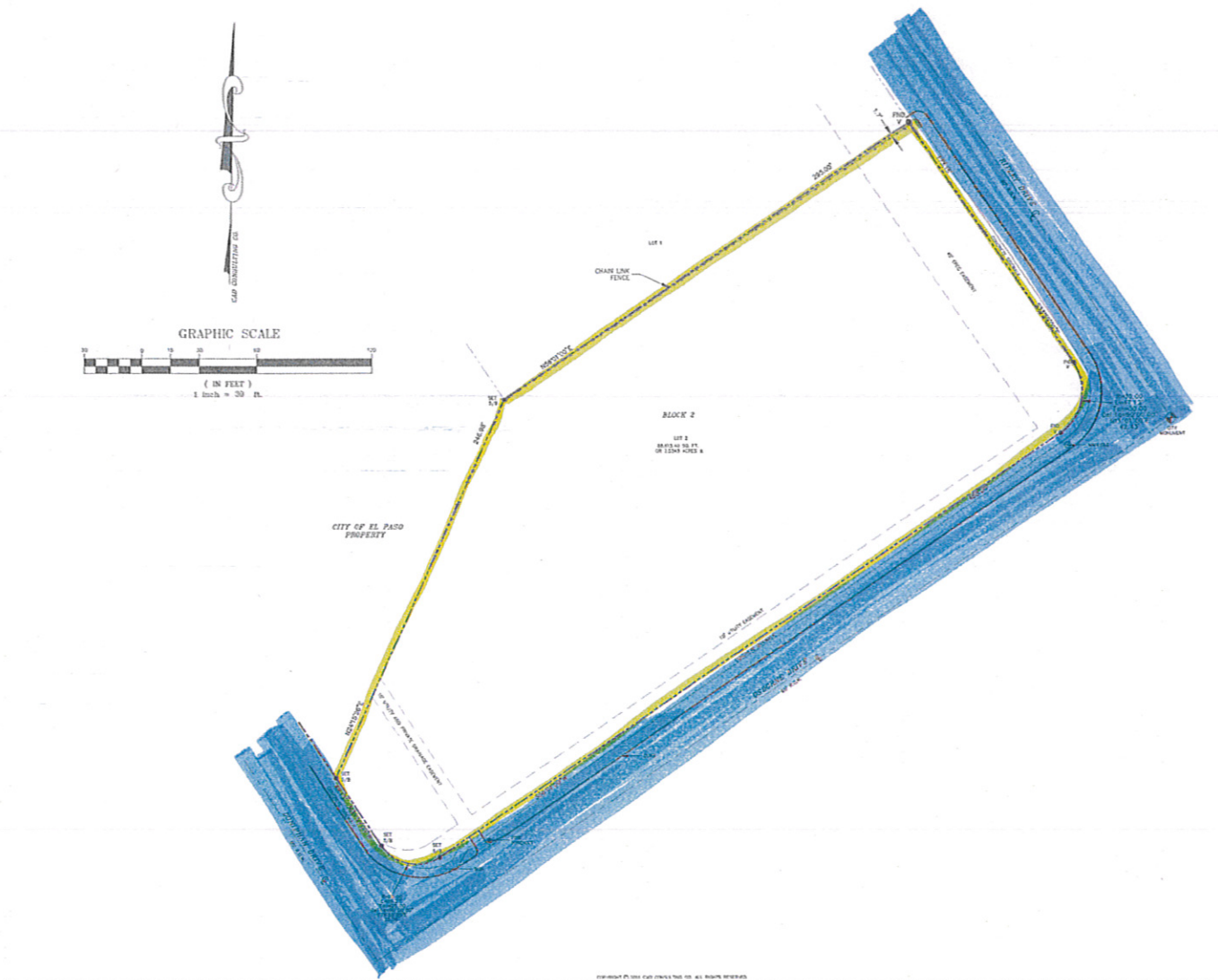




PZRZ11-00026



# ATTACHMENT 4: SURVEY





## ATTACHMENT 5: SPECIAL CONTRACT

### CONTRACT

This contract, made this 10 day of May, 1976,  
by and between THE EL PASO NATIONAL BANK, Trustee of the  
BOYKIN-HARVEY TRUST ESTATE, First Party, and the CITY OF EL  
PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning of Lot 29, Block 2, Zach White Industrial District, a portion of B.B.B. & C. Railroad Survey #154, and a portion of A. F. Miller Survey #210 in the City of El Paso, El Paso County, Texas, such property being more particularly described in Ordinance No. 5140 now pending before the City Council of the City of El Paso, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference.

In order to remove certain objections to such rezoning, First Party covenants that if the property is rezoned as indicated in the attached ordinance, it shall be subject to the following restrictions, conditions and covenants:

1. First Party shall, at no cost to the City, construct a temporary ponding area for ponding of surface waters on the above property. Such temporary ponding area must be constructed in accordance with plans and specifications to be approved by the City Engineer of the City of El Paso and must be completed by First Party and approved by the City Engineer before building permits shall be issued for any buildings to be constructed on the property. Such temporary ponding area shall be maintained by First Party until the City Engineer advises First Party in writing that permanent drainage facilities located outside the property are available to receive surface waters to be discharged from the property. When such notice is received from the City Engineer, First Party may abandon the temporary ponding area, backfill it and be free to use it for other lawful purposes.

2. When Doniphan Drive is improved by widening the pavement thereon, First Party shall, at no cost to the City, construct the following improvements:

76-3970

-1-



- (a) A curb and gutter on the side of Doniphan Drive adjacent to the property;
- (b) A concrete sidewalk along the boundary of the property adjacent to Doniphan Drive.

Such improvement shall be installed by First Party within 90 days after the City Engineer of the City of El Paso advises First Party that Doniphan Drive is being widened and that such improvements should be installed. Such improvements shall be installed in accordance with specifications to be approved by the City Engineer and shall be subject to inspection and approval by him upon completion.

This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Party and its successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express reference.

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby.

WITNESS the following signatures and seals:

THE EL PASO NATIONAL BANK, a  
corporation, Trustee of the  
BOYKIN-HARVEY TRUST ESTATE

By *Jack D. Sargent*  
Jack D. Sargent, Vice President  
and Senior Trust Officer

ATTEST:

*W. S. Chail*  
Cashier  
N.P.

THE CITY OF EL PASO

By *Ed Bago*  
Mayor

ATTEST:

*W. H. Regis*  
City Clerk

76-3970