



AMENDED

ADVISORY BOARD MINUTES

September 30, 2010
City Hall – 4th Floor, 1:30 P.M.
Engineering Large Conference Room
2 Civic Center Plaza, El Paso, Texas

Members Present: 5

Charles S. Wakeem, James H. Tolbert, Bill Addington, Kevin T. von Finger, Robert Ardovino

Members Absent: 3

Luis Ruiz, Richard Thomas, Lois Anne Balin

Member Vacancies: 1

Ex-Officio Members Present: Gonzalo Cedillos

Planning and Economic Development Staff Present:

Mathew McElroy, Deputy Director; Philip Etiwe, Development Review Manager; David Coronado, Lead Planner; Todd Taylor, Planner; Lupe Cuellar, Assistant City Attorney; Legal Department; Eddie Garcia, Lead Planner; Art Rubio, Senior Planner; Ernie Arriola, Planner; Michelle Padilla, Planner; Donna Martinez, Senior Secretary

Others Present:

Shamori R. Whitt, Open Space, Trails & Parks Coordinator; Rudy Valdez, EPWU-PSB; Richard Garcia, Park Development Manager, Parks and Recreation; Richard Teschner, Rim Area Neighborhood Association; Dr. Richard Bonart, Borderland Mountain Bicycle Association; Jeff Mann, Parametrix; Conrad Conde, Conde, Inc.; Trish Tanner, Jobe, Heather McMurray

1. Meeting Called to Order

Chair Wakeem called the meeting to order at 1:33P.M.

2. Call to the public (for items not on the agenda)

None

3. Discussion and Action:

a. Approval of Minutes: September 16, 2010

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

MOTION:

*Motion made by Mr. Kevin von Finger, seconded by Mr. Ardovino and **UNANIMOUSLY CARRIED TO APPROVE THE MINUTES FOR SEPTEMBER 16, 2010.***

ABSTAIN: Mr. Addington

CHANGES TO THE AGENDA

Chair Wakeem requested the following:

1. Postpone Item 4. to the next Open Space Advisory Board meeting:

MOTION:

*Motion made by Mr. Ardovino, seconded by Mr. von Finger and **UNANIMOUSLY CARRIED TO POSTPONE ITEM 4 TO THE NEXT OSAB MEETING.***

2. Move Item 8. to the forefront and discuss simultaneously with Item 3.b.(1) ZON10-00076

MOTION:

*Motion made by Mr. Ardovino, seconded by Mr. von Finger and **UNANIMOUSLY CARRIED TO MOVE ITEM 8. TO THE FOREFRONT TO BE DISCUSSED SIMULTANEOUSLY WITH ITEM 3.B.(1). ZON10-00076.***

Review and comment on current rezoning applications, as indicated below:

Zoning Condition Release and Amendment

- (1) **ZON10-00076:** Parcels 1-9 All of Westport Unit Five, City of El Paso, El Paso County, Texas; A portion of Tracts 10B and all of Tract 10B3, Nellie D. Mundy Survey 239, City of El Paso, El Paso County, Texas; A portion of Tract 10B, Nellie D. Mundy Survey 239, City of El Paso, El Paso County, Texas; A portion of Tract 10B, Nellie D. Mundy Survey 239, Tract 2, Nellie D. Mundy Survey 240, Hoover Avenue and Northwestern Drive and all of Westport Unit Five and Westport Unit Seven Amending Subdivision, City of El Paso, El Paso County, Texas; A portion of Tracts 10A and 10E, Nellie D. Mundy Survey 239, City of El Paso, El Paso County, Texas; All of Tract 10B3, Nellie D. Mundy Survey 239, City of El Paso, El Paso County, Texas; All of Lot 1A, Block 3, Westport Unit Three, City of El Paso, El Paso County, Texas; All of Lot 1, Block 3, Westport Unit Three, City of El Paso, El Paso County, Texas; A 7.590 acre portion of Tract 2D, Nellie D. Mundy Survey 243 and Resler Drive right-of-way, City of El Paso, El Paso County, Texas; A 22.230-acre portion of Tract 2D, Nellie D. Mundy Survey 243 and Tract 10B4, Nellie D. Mundy Survey 239, City of El Paso, El Paso County, Texas; A 24.951-acre portion of Tract 2E, Nellie D. Mundy Survey 243 and Resler Drive right-of-way, City of El Paso, El Paso County, Texas; An 8.340-acre portion of Tract 2C, Nellie D. Mundy Survey 243, City of El Paso, El Paso County, Texas; An 8.904-acre portion of Tract 1D, Nellie D. Mundy Survey 243, City of El Paso, El Paso County, Texas; A 39.089-acre portion of Tract 1A1, Nellie D. Mundy Survey 243, City of El Paso, El Paso County, Texas; A portion of Tracts 10C, 10D, 10E1 and 12A and all of Tracts 9 and 11, Nellie D. Mundy Survey No. 239, and all of Lot 1, Block 2, Transwest Subdivision Unit One, City of El Paso, El Paso

County, Texas; A portion of Tracts 10C, 10D and 10E1, Nellie D. Mundy Survey No. 239, City of El Paso, El Paso County, Texas.

Location: East of I-10 and approximately 2 miles east and adjacent to Transmountain Road

Request: Zoning Condition Release and Amendment for Ordinance No. 9364, 15708, 16241 and 10052

Zoning: C-3/c (Commercial/conditions), C-4/c (Commercial/conditions), C-4/sc (Commercial/special contract), and C-4/sc/sp (Commercial/special contract/special permit)

Existing Use: Convenience Store/Restaurant, Vacant

Property Owner: Transmountain Development Company LP, Hunt El Paso Investment LTD, Westport Improvement Association, Plexxar Capital LTD, Hill 262 Partners LTD, Plexxar North LTD, RVE Unit 18 LTD, George Duncan (TR), and Transmountain Investors LTD.

Representative: City of El Paso

District: 1

Application Type: Zoning Condition Release or Amendment

Staff Contact: Arturo Rubio, (915) 541-4633, rubioax@elpasotexas.gov

MOTION

*Motion made by Mr. von Finger, seconded by Mr. Ardovino and **UNANIMOUSLY CARRIED TO ADD 10' BUFFER.***

ABSTAIN: Mr. Addington

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

(1) **SUB10-00220** Montecillo Unit 1 Replat A – Being a replat of a portion of Lot 1, Block 1, Montecillo Unit 1, City of El Paso, El Paso County, Texas

Location: West of Mesa Street and North of Castellano Drive

Existing Zoning: GMU/c

Proposed Zoning: GMU/c

Property Owner: EPT The Venue at Montecillo Apartments

Representative: Conde Inc.

District: 1

Application Type: Minor

Staff Contact: Raul Garcia, (915) 541-4935, garcia1@elpasotexas.gov

MOTION:

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

(2) **SUB10-00189** Enchanted Hills #2 – Being a portion of Tract 8, Laura E. Mundy Survey No. 238, City of El Paso, El Paso County, Texas

Location: East of Interstate Highway 10 and North of Transmountain Road

Property Owner: E.P. Transmountain Residential

Representative: Roe Engineering

District: 1

Staff Contact: Frank Delgado, (915) 541-4238, delgadofx@elpasotexas.gov

RECESS

*During the presentation, Chair Wakeem requested a short recess at 2:50 pm.
Chair Wakeem reconvened the meeting at 2:55 pm.*

Regarding plat presentations should issues arise that the current Code does not address, Ms. Cuellar recommended, the Board make a notation of those issues so that Staff can start considering drafting potential changes to the Code to be presented to City Council. She suggested the Board direct Staff to keep tabs on the different issues that have been popping up that the Board may want to address via Code changes.

1st MOTION:

Motion made by Mr. Addington, seconded by Mr. Ardovino **TO TABLE THIS AGENDA ITEM UNTIL WE HAVE THE COMPLETE INFORMATION TO MAKE AN INFORMED DECISION.**

AYES: Mr. Addington and Mr. Ardovino

NAYS: Mr. von Finger, Mr. Tolbert and Chair Wakeem

To break the tie, Chair Wakeem voted NAY.

Motion failed.

2ND AND FINAL MOTION:

Motion made by Mr. von Finger, seconded by Mr. Tolbert and **CARRIED TO RECOMMEND DENIAL BASED ON THE ISSUE OF THE MOUNTAIN TO RIVER TRAIL AND THE ISSUE OF DRAINAGE.**

NAY: Chair Wakeem

4. **Discussion and Information:** Presentation on how to read and interpret plats, and overview of the Mountain Development Area and Planned Mountain Development District standards by Subdivision section staff, Planning and Economic Development.
Staff Contact: Eddie Garcia, (915) 541-4638, GarciaEZ2@elpasotexas.gov

MOTION:

*Motion made by Mr. Ardovino, seconded by Mr. von Finger and **UNANIMOUSLY CARRIED TO POSTPONE ITEM 4 TO THE NEXT OSAB MEETING.***

5. **Discussion and Action** on a request for an amendment to the 2025 Proposed Thoroughfare System (Major Thoroughfare Plan, MTP) through the deletion of the uncompleted portion of Billy the Kid Street and extension to Americas Avenue. The proposed Collector Arterial extension is located south of Zaragoza Road and north of Americas Avenue; east of Roseway Drive, and south of Billy the Kid Street.
Staff Contact: Ernesto Arriola, (915) 541-4723, arriolaee@elpasotexas.gov

Mr. Arriola explained the applicant has withdrawn the application.

MOTION:

Motion made by Mr. von Finger, seconded by Mr. Ardovino and **UNANIMOUSLY CARRIED TO DELETE.**

6. **Discussion and Information:** Regarding the Open Space opportunities through Green Infrastructure and Low Impact Development.
Contact: Jeffrey Mann, Parametrix, JMann@parametrix.com

Mr. Mann gave a PowerPoint presentation and distributed copies of same to Board Members and Staff. (copy on file)

7. **Discussion and Information:** Regarding the Natural Open Space (NOS) Zoning Ordinance Subcommittee structure and status.
Contact: Chair Charles S. Wakeem, charliewak@sbcglobal.net

Chair Wakeem scheduled a meeting of the Natural Open Space (NOS) Zoning Ordinance Subcommittee Members, Chair Wakeem, Mr. von Finger and Mr. Tolbert, for Wednesday, October 6th, in the afternoon.

8. **Discussion and Action** on extending the scenic corridor in the Transmountain Freeway project by:
- Directing City Manager to initiate a zoning change on three tracts of land owned by City of El Paso and managed by the El Paso Water Utilities (Parcel #1: 637.5 Acres legally described as Nellie D Mundy Survey 246, Parcel #2: 125.3360 acres legally described as SJ Larkin, Survey 269 Abstract 10070 Tract 1 and Parcel #3: 155.4651 Acres legally described as SJ Larkin Survey 269 Abstract 10070 Tract 1-A) from R-3, Residential District and PMD, Planned Mountain Development to Natural Open Space (See map for more information),
 - Directing City Manager to put this land into a conservation easement so that it be preserved in perpetuity as open space,
 - Directing City Manager to amend the Master Thoroughfare Plan to remove the Paseo del Norte arterial, and
 - Directing City Manager to work with TXDOT to remove the Paseo del Norte overpass from the Transmountain Freeway design.

Contact: Chair Charles S. Wakeem, charliewak@sbcglobal.net

1st MOTION:

*Motion made by Mr. Ardovino, seconded by Mr. von Finger and **UNANIMOUSLY CARRIED TO MOVE ITEM 8. TO THE FOREFRONT AND DISCUSS SIMULTANEOUSLY WITH ITEM 3.B.(1). ZON10-00076.***

PowerPoint presentation – Borderland Mountain Bicycle Association

Mr. Tolbert presented the Borderland Mountain Bicycle Association's ideas/recommendations/suggestions regarding extending the scenic corridor in the Transmountain Freeway project. (presentation on file)

FOR THE RECORD

Dr. Bonart stated he was a member of the Public Service Board; however, he was speaking only on behalf of the Borderland Mountain Bicycle Association. Dr. Bonart commented on the existing plan and the ideas proposed by Borderland Mountain Bicycle Association.

FOR THE RECORD

Mr. Rudy Valdez, EPWU-PSB, stated the Public Service Board met on this issue several weeks ago in Executive Session to discuss the entire Transmountain project, as well as, this particular Master Plan. Their decision was, with respect to the Master Plan, that it be left intact the way it is. This was a Master Plan that came in 2005, it was vetted, it went through the various processes; Planning Commission and was even approved by City Council as a Master Plan, we still feel it is a valid Master Plan. There is substantial open space that is being provided by way of the Master Plan; almost 1/3 of the property that was part of the original Master Plan was going to be left as open space. They also felt that the extension of Paseo del Norte or Artcraft should also remain. That particular extension actually is proposed to be extended all the way to the State Line, so it's not just serving these properties here that are part of this Master Plan. As properties develop further north that Artcraft extension will also be providing access to those properties. On Representative Byrd's proposal, within that corridor area, the open space that is within that property that Susie Byrd is proposing, there is approximately 365 acres that are within the Master Plan that would be open space and about 409 acres of development property. The other point is that the PSB just last year, as I think I've told the Board before, sold to the State 210 acres that were part of the original Master Plan and an additional 1400 plus acres in Northeast El Paso that were sold to the State to be included in the Franklin Mountain State Park. Also back in 1989 the PSB sold, at a very minimal price to the State, 6800 acres. When you take all those acres and add them up you're looking at almost 1/3 of the acres that are now within the Franklin Mountain State Park that were sold by the PSB to the State.

2nd MOTION:

Motion made by Mr. Addington, seconded by Mr. Ardovino **THAT THIS BOARD SUPPORTS AND RECOMMENDS REPRESENTATIVE BYRD'S PLAN TO REMOVE THE ONE BRIDGE AND MAKE ALL OF THE 774 ACRES IN THE NORTHWEST MASTER PLAN OPEN SPACE.**

Prior to the vote, Mr. Tolbert requested amending the motion language to include "*that the Northwest Master Plan be reviewed*".

Mr. Addington accepted the amendment.

Chair Wakeem reiterated the Motion language "*That the Northwest Master Plan be reviewed and that Representative Byrd's recommendation be recommended by this Board.*"

Prior to the vote, Mr. Ardovino requested an additional amendment to the motion language "*recommending creating a secondary entrance into the State Park, parallel to Transmountain.*"

Mr. von Finger recommended the amended motion language state "*recommend consideration of an optimum way to go.*"

Mr. Addington further recommended the amended motion language state "*look into it and study it*".

Mr. Ardovino recommended the amended motion language state *“to consider a proper entrance to the Franklin State Park, on the north side, an ecologically sensitive entrance.”*

3rd AND FINAL MOTION AMENDED:

Motion made by Mr. Addington, seconded by Mr. Tolbert and **UNANIMOUSLY CARRIED THAT THE BOARD RECOMMEND SUPPORTING ALL OF ITEM 8 AND REPRESENTATIVE BYRD’S MOTION GOING TO COUNCIL OCTOBER 5TH, ITEM 7A; ADDITIONALLY RECOMMENDS A ROADWAY RUNNING PARALLEL NORTH OF TRANSMOUNTAIN ROAD TO THE STATE PARK SUBJECT TO THE STATE APPROVING THAT AND REVIEW OF THE NORTHWEST MASTER PLAN.**

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

October 13th Agenda

1. Chair Wakeem requested the following items:
 - a. **Discussion and Information:** Presentation on how to read and interpret plats, and overview of the Mountain Development Area and Planned Mountain Development District standards by Subdivision section staff, Planning and Economic Development. Staff Contact: Eddie Garcia, (915) 541-4638, GarciaEZ2@elpasotexas.gov
 - b. Grading Ordinance review
 - c. Castner Range Conservation Committee presentation.

Future OSAB Agendas

2. Ms. Cuellar suggested discussing:
 - a. Open Space Advisory Board By-Laws
 - b. Code changes that generate the best results
3. Mr. Addington noted Board Members never got to hear Richie Hernandez of the Texas Water Development Board. Chair Wakeem responded Mr. Martin Noriega, City of El Paso, Flood Plain Administrator, scheduled **Sean Snyder of TWDB** to speak at the October 27th OSAB meeting.

SUGGESTIONS FOR STAFF:

1. Mr. Addington would like one map with all proposed subdivisions, development projects, plats, commercial, the proposed Transmountain and Freeway projects, everything all together. Chair Wakeem suggested one map with the land study.
2. Mr. von Finger would like to know the status of the Dover-Kohl report on ASARCO and would Board Members be receiving a copy of the Dover-Kohl Comp Plan. Additionally, he wondered if Dover-Kohl has been hired for Transmountain. Chair Wakeem responded Staff will present that information at a future OSAB meeting. Chair Wakeem wondered why Board Members have not received a draft copy of the Dover-Kohl Comp Plan **that the Parks Advisory Board did.**

10. **Adjournment**

MOTION:

Motion made by Mr. Tolbert, seconded by Mr. von Finger and unanimously carried **TO ADJOURN THE MEETING AT 3:56 P.M.**

Minutes prepared by Donna Martinez