

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Department of the City Manager, Development & Infrastructure Services
AGENDA DATE: Introduction10-17-06; Public Hearing 10-31-06
CONTACT PERSON/PHONE: Patricia D. Aduato, Deputy City Manager, (915) 541-4853
DISTRICT(S) AFFECTED: District 8 / City-wide

SUBJECT:

AN ORDINANCE APPROVING THE DOWNTOWN 2015 PLAN AS A STUDY AREA PLAN TO BE INCORPORATED INTO THE CITY'S COMPREHENSIVE PLAN, THE PLAN FOR EL PASO, AND WHICH STUDY AREA PLAN SHALL AMEND THE YEAR 2025 GENERAL LAND USE MAP INCORPORATED THEREIN AS TO THE DOWNTOWN AREA.

BACKGROUND / DISCUSSION:

On March 31, 2006, the El Paso City Council held a special meeting at the Plaza Theatre & Performing Arts Centre to hear a presentation by the Paso Del Norte Group Foundation (PDNG). At the meeting, a preliminary framework for a Downtown Plan was presented by the PDNG as prepared by SMWM. SMWM is a San Francisco based land use firm hired to prepare the Plan. By a majority vote, the preliminary land use framework was accepted by the City Council and a vote taken to direct the City Manager to process the proposed Plan as a study area plan.

SMWM was retained to assist the City in processing/finalizing the document. Numerous community meetings were held and revisions made resulting from the community input received. On July 10, 2006, these revisions were presented to the El Paso City Council and a majority vote taken to approve the revised Preliminary Framework. The changes included the expansion/reduction of area within the Historic Incentive and Redevelopment Districts and the designation of culturally, historically and/or architecturally significant sites to be preserved. Various resolutions were also passed that serve as the basis for the continuing work on the Plan (attached). As a result of the Council action, City staff and SMWM have proceeded to the next phase of text development.

A full power point presentation will be made at the Council meeting of October 31, 2006 that highlights the incorporated text and substantive revisions made. A draft copy of the Downtown 2015 Plan is attached for your review and information, as well as a memorandum submitted to the City Plan Commission that addresses issues raised by the Commission at the community meetings held.

PRIOR COUNCIL ACTION:

See above.

AMOUNT AND SOURCE OF FUNDING:

In 2005, the El Paso City Council committed \$250,000 to the PDNG for development of a Downtown Plan. This funding supplemented an EDA Grant received by the PDNG in the amount of \$259,873 and private sector contributions of \$250,000.

BOARD / COMMISSION ACTION:

On October 5, 2006, following various community presentations on the land use framework recommendations and design guidelines/standards, the City Plan Commission recommended favorably on the adoption of the Downtown 2015 Plan (vote of 6-1) as presented by City Staff and SMWM. In addition, the City Plan Commission made other recommendations relative to the plan implementation and execution. These include:

1. **Motion** to expand the incentives offered for properties in the Proposed Historic Incentive District to properties in all areas covered by the Proposed Downtown 2015 Plan; motion carried by a vote of 7-0.

2. **Motion** that an oversight board created with the establishment of any Tax Increment Reinvestment Zone also serve as the responsible party for implementation and compliance with any approved Downtown 2015 Plan; motion carried by a vote of 7-0.
3. **Motion** that the composition of the oversight board as referenced in Recommendation #2 include representation from at least fifty (50) percent of the area covered by the boundaries of the Proposed Downtown 2015 Plan, including property owners and residents; motion carried by a vote of 7-0.
4. **Motion** that property owners within the area covered by the boundaries of the Proposed Downtown 2015 Plan be offered the first right of refusal for participation in the implementation of the Plan; motion carried by a vote of 7-0.
5. **Motion** that the design standards and guidelines contained within the Proposed Downtown 2015 Plan for the Redevelopment District be required as a part of implementation, and not be allowed as optional conditions; motion carried by a vote of 7-0.
6. **Motion** that an Implementation Strategy that includes specific phasing, implementation and financing mechanisms be handled as a priority following formal adoption of the Proposed Downtown 2015 Plan, and that staff reports be made to the City Plan Commission at least every sixty (60) days regarding the progress of its development; motion carried by a vote of 7-0.
7. **Motion** that the City require strict adherence with the requirements contained within the Proposed Downtown 2015 Plan, including providing additional staffing necessary to provide adequate code enforcement in the area and allow the greatest opportunity for success of the revitalization effort; motion carried by a vote of 7-0.
8. **Motion** that any Tax Increment Reinvestment Zone boundary include the entire area of the Proposed Downtown 2015 Plan, including the area within the Segundo Barrio initially incorporated into the Historic Incentive District and excluded from the proposed boundaries to allow its own separate neighborhood plan to permit financing opportunities in the area; motion carried by a vote of 7-0.

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

SECTION HEAD:

APPROVED FOR AGENDA:

CITY MANAGER: Patricia D. Aduato, Deputy City Manager **DATE:** October 10, 2006

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE DOWNTOWN 2015 PLAN AS A STUDY AREA PLAN TO BE INCORPORATED INTO THE CITY'S COMPREHENSIVE PLAN, THE PLAN FOR EL PASO, AND WHICH STUDY AREA PLAN SHALL AMEND THE YEAR 2025 GENERAL LAND USE MAP INCORPORATED THEREIN AS TO THE DOWNTOWN AREA.

WHEREAS, *The Plan for El Paso* was adopted by the El Paso City Council on April 27, 1999, and further ratified on March 13, 2001, pursuant to the provisions of Section 219.002 of the Texas Local Government Code as the comprehensive plan for the City; and

WHEREAS, the comprehensive plan serves as a general guide for the future growth and development of the City to promote public health, safety and welfare; and

WHEREAS, a specific recommendation of *The Plan for El Paso* is the creation of study area plans that will serve as separate policy documents that give general support to the objectives of the City's comprehensive plan; and

WHEREAS, members of the community are invited to take part in the development of these study area plans to encourage community acceptance of this ongoing planning process and to establish a value for the goals and objectives enumerated in these plans; and

WHEREAS, the City and SMWM (its Consultant), in partnership with the Paso Del Norte Group Foundation, has developed a study area plan for the downtown area which identifies the concerns, objectives, guidelines and design standards that propose to protect the existing characteristics of the area; and

WHEREAS, *The Plan for El Paso* addresses key components to be achieved in the revitalization of the downtown area that include a focus on international connectivity, redevelopment opportunities, housing strategies, infill development, and mixed-use choices; and

WHEREAS, the study area plan referred to as the Downtown 2015 Plan has been developed with these components as catalysts for revitalization and redevelopment of the area; and

WHEREAS, input from area residents and property owners and other interested parties in the community has been received during numerous public meetings held as part of the various phases of the plan development; and

WHEREAS, the Downtown 2015 Plan, as recommended by a technical team of the City, was submitted to the City Plan Commission for its review of the merits of the plan and has recommended the adoption of the Downtown 2015 Plan at its meeting on October 5, 2006 as herein enumerated; and

WHEREAS, the El Paso City Council finds that the adoption of the Downtown 2015 Plan as herein enumerated will have no negative impact upon the public health, safety, morals and general welfare of the City, and that the study area plan will carry out the purpose and spirit of the policies expressed in *The Plan for El Paso*,

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

1. **THAT**, the El Paso City Council hereby adopts the Downtown 2015 Plan as a study area plan for the Downtown Area, and which Downtown 2015 Plan shall be incorporated into *The Plan for El Paso* for all purposes, including amending the Year 2025 Projected General Land Use Map for the long-range development of the Downtown Area.

2. **THAT**, the recommendations shown on Attachment A and submitted by the City Plan Commission in relation to its approval of the Downtown 2015 Plan, are hereby accepted, approved and incorporated for all purposes with the approval and implementation of the Plan.

3. **THAT**, the El Paso City Council directs that the City Manager prepare an Implementation Strategy for execution of the Downtown 2015 Plan, and that such Implementation Strategy be developed as a priority with particular focus to the phasing, implementation tools and financing mechanisms to be utilized to carry out the intent of the Plan.

4. **Except** as herein modified, *The Plan for El Paso* and its related documents shall remain in full force and effect as to the long-range general policies for guiding growth and development in the City.

PASSED AND APPROVED this _____ day of October, 2006.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda D. Momsen, Municipal Clerk

APPROVED AS TO FORM:



Charlie F. McNabb
City Attorney

APPROVED AS TO CONTENT:



Patricia D. Adauto, Deputy City Manager
Development & Infrastructure Services

ATTACHMENT A

**CITY PLAN COMMISSION
OCTOBER 5, 2006**

ACTIONS ON PROPOSED DOWNTOWN 2015 PLAN

A. Motion to approve the Proposed Downtown 2015 Plan as presented by City staff and SMWM; motion carried by a vote of 6-1.

B. Other Recommendations for City Council consideration relative to the Proposed Downtown 2015 Plan:

1. **Motion** to expand the incentives offered for properties in the Proposed Historic Incentive District to properties in all areas covered by the Proposed Downtown 2015 Plan; motion carried by a vote of 7-0.
2. **Motion** that an oversight board created with the establishment of any Tax Increment Reinvestment Zone also serve as the responsible party for implementation and compliance with any approved Downtown 2015 Plan; motion carried by a vote of 7-0.
3. **Motion** that the composition of the oversight board as referenced in Recommendation #2 include representation from at least fifty (50) percent of the area covered by the boundaries of the Proposed Downtown 2015 Plan, including property owners and residents; motion carried by a vote of 7-0.
4. **Motion** that property owners within the area covered by the boundaries of the Proposed Downtown 2015 Plan be offered the first right of refusal for participation in the implementation of the Plan; motion carried by a vote of 7-0.
5. **Motion** that the design standards and guidelines contained within the Proposed Downtown 2015 Plan for the Redevelopment District be required as a part of implementation, and not be allowed as optional conditions; motion carried by a vote of 7-0.
6. **Motion** that an Implementation Strategy that includes specific phasing, implementation and financing mechanisms be handled as a priority following formal adoption of the Proposed Downtown 2015 Plan, and that staff reports be made to the City Plan Commission at least every sixty (60) days regarding the progress of its development; motion carried by a vote of 7-0.
7. **Motion** that the City require strict adherence with the requirements contained within the Proposed Downtown 2015 Plan, including providing additional staffing necessary to provide adequate code enforcement in the area and allow the greatest opportunity for success of the revitalization effort; motion carried by a vote of 7-0.
8. **Motion** that any Tax Increment Reinvestment Zone boundary include the entire area of the Proposed Downtown 2015 Plan, including the area within the Segundo Barrio initially incorporated into the Historic Incentive District and excluded from the proposed boundaries to allow its own separate neighborhood plan to permit financing opportunities in the area; motion carried by a vote of 7-0.

JOHN COOK
MAYOR



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

JOYCE WILSON
CITY MANAGER

DEVELOPMENT & INFRASTRUCTURE SERVICES

TO: City Plan Commission

THRU: Joyce A. Wilson, City Manager *jw*

FROM: Patricia D. Adauto, Deputy City Manager *PAdauto*

SUBJECT: Administrative Position Relative to the Proposed Downtown 2015 Plan
City Plan Commission Meeting, October 5, 2006

DATE: October 5, 2006

At the community meetings hosted by the City Plan Commission on September 21 and 28, 2006, and following the presentations of the City's consultant (SMWM) and staff, the Commission raised various questions regarding the development of the Proposed Downtown 2015 Plan ("Plan") that it deemed prudent in order to forward a recommendation to City Council on the merits of the Plan. In summary, the questions focused in six primary areas: (1) the analyses undertaken that serves as the basis from which the Plan was developed and recommendations made, including any documentation used or generated; (2) the estimate of public investment necessary to implement the Plan; (3) the justification for development of an arena facility as a catalyst project within the proposed Redevelopment District; (4) the financing strategies/tools that are being considered by the City to execute the Plan; (5) the City's implementation strategy for execution of an adopted Plan; and (6) the City's staff review process. This memorandum serves as supplemental information that provides general responses to the questions raised by the Commission. A more detailed action report that includes specific phasing, implementation and financing mechanisms will follow the formal Plan adoption. As presented at the community meetings, the Commission will take part in formulating and reviewing the implementation report for submission to the City Council.

- (1) Relevant Analyses to Support the Plan Recommendations. Preliminary analyses used to support and substantiate the recommendations of the Plan are included as an attachment to this memorandum (**Attachment A**). SMWM has referred to these documents in the presentations made and generally responded to their use as a guide in the plan development. Included are summaries of past plans for the area, best practices for downtown redevelopment in other communities, catalyst projects used as major drivers for economic change in other communities, and other relevant supporting documentation. The documentation utilized is specifically outlined at the end of this memorandum for ease of reference.

In addition, the City is presently performing a citywide housing market assessment that includes a separate focus on downtown housing demand, product types and opportunities. Also in process is a hotel room demand assessment for the downtown area, a project requested by the City Council at the time that it gave its approval of major incentives for the restoration of

the International Hotel. This work is in the early stages of development and was specifically designed to determine the appropriate number and types of hotel rooms required to support an enhanced convention/conference market for the City's facilities. Both assessments would provide current information that would complement and support previous analyses relative to the land use recommendations contained within the Plan.

- (2) Public Investments Necessary. The probable public infrastructure costs contemplated as a part of the Proposed Downtown 2015 Plan are currently being evaluated by an independent City consultant relative to the creation of a Tax Increment Financing Zone (TIRZ) for the area. The scope of work for this effort is described in **Attachment B**. It is difficult to provide exact estimates of public infrastructure requirements and costs until after plan adoption, as the final plan and phasing of various strategies will dictate the need and timing of the infrastructure. However, to provide a general sense of the typical costs contemplated with the development/improvement of the area, the following estimates are provided:

One block of curb and gutter, sidewalk, and asphalt pavement (assumes a block length of 250 feet), \$57,000;

One block of enhanced streetscape, including trees, irrigation, lighting, and benches (assumes a block length of 250 feet), \$41,000;

Transit shelters and benches with lighting, trash receptacles, and concrete pads, \$8,900 each; and

One acre of parkland development (assuming significant amenities), \$350,000.

Many (if not all) of these public improvements will be funded under the auspices of a TIRZ, which has bonding authority and applies the costs to the properties in the district. Another option is the utilization of Community Development Block Grant or other federal funding since the area is a designated eligible zone for use of these funds. Additionally, the City may utilize its Capital Improvement Program with financing through a General Obligation Bond issuance that requires voter approval. Current plans do not anticipate use of this latter option as the City administration expects that funding for these improvements will be from the TIRZ or other direct developer participation.

Regarding parking, it is recognized that substantial additional parking will be required to support the higher density development – residential, commercial and entertainment. While some parking needs may be addressed as part of private development, a majority will likely be public parking that will need a development source. The City is considering utilizing funding from a Regional Mobility Authority (RMA), once formed and operational, who would also function as a parking authority for the downtown area. The RMA would be allowed to issue debt (tax exempt) and finance the upfront investment, manage the parking, and service/retire the debt. This is not an unusual process for downtown parking when the present market may not support the considerable upfront costs. There are examples of cities who use quasi-public entities for parking operations, and the City would consider this and other viable options to

finance the infrastructure. Today's parking designs also allow for more commercial and street front activity to minimize dead spaces and allow for revenue generation that could be utilized for expanding parking opportunities.

In addition to these physical/capital expenditures, the City will likely incur some operating costs associated with staffing and other general financial support for a Downtown Redevelopment Office/Program – whether as a City agency/program or operating as an independent non-profit organization. City staff is currently evaluating options for a model agency/program. In the current fiscal year (FY 2007), funding in the amount of \$100,000 has been approved and set aside for a position and related operating expenses for startup of the agency/program. This was a commitment that the City administration made in the early community meetings held on the Plan.

- (3) Development of an Arena Facility. An *Arena and Sports Complex Feasibility Report* was commissioned by the El Paso Sports and Entertainment Committee in 2000, a report funded by the City and County through the El Paso Convention and Visitors Bureau. The report was completed in 2001 and concluded that a 12,000-seat arena with a downtown location would support approximately 105 events and nearly 500,000 patrons annually. The estimated economic impact at that time was \$7 million. This study needs updating for current market conditions and trends, and will be analyzed in conjunction with the present City facility conditions (i.e., Civic & Convention Center, Abraham Chavez Theatre, Plaza Theatre) to provide a more complete perspective relative to combined community facilities and supporting infrastructure, such as hotels, office/commercial usage and parking. It is envisioned by City staff that this broader, expanded analysis would be performed prior to any major effort to advance this economic catalyst to determine the density of private investment in ancillary efforts and how that investment might be captured through a separate TIRZ and then used to finance the project itself. Specifically, a calculated review of private financing would be essential to advance an arena facility, recognizing that public funding would be required to support the operations and maintenance side (with some of the funding coming from the hotel occupancy tax source in addition to the general fund). A copy of the 2001 study and other documentation generated for other arenas in similar markets is also included with this transmittal as **Attachment C**.
- (4) Financing Strategies & Tools for Plan Execution. Generally, the City will evaluate all opportunities for public/private investment into the area. Provided below is a listing of some viable options available that will need further study and refinement as the Implementation phase progresses following formal plan adoption.
 - (a) Real Estate Investment Trust (REIT) – private initiatives that allow companies to own and/or operate income-producing real estate. [See **Attachment D**]
 - (b) Tax Increment Reinvestment Zone (TIRZ) – a special district created by a local government that can be used to publicly finance needed structural improvements and enhanced infrastructure within a defined area, the costs repaid by the contributions of future tax revenues by each participating taxing unit that levies taxes against the property. [See **Attachment D**]

- (c) Façade Improvement Program – a program (public or private) that encourages reinvestment in the restoration of exterior facades through the use of incentives, grants or rebates; ordinarily an eligible activity utilizing Community Development Block Grant funding.
- (d) Incentives – multiple options available to encourage renovation of properties/buildings. [See **Attachment E**]
- (e) Developer Rebates – specific project incentives that reimburse construction costs through tax abatements and rebates.
- (f) Empowerment Zone – applicability of funding resource for various activities as area is within a designated zone.
- (g) New Market Tax Credits Program – allow market tax credits for commercial projects.
- (h) Tax Credit Affordable Housing program – a state/federal program that builds market rate housing with discounted rents.
- (i) Federal Grants – many sources available for support of downtown redevelopment and revitalization programs from HUD, EDA and other sources.
- (j) Historic Preservation Incentives – for properties with historic designations that allow tax incentives for revitalization of buildings per City ordinance. [See **Attachment F**]

(5) Implementation Strategy. As previously mentioned, the City has committed to funding a Downtown Redevelopment Office/Program. Examples of models for implementation are included in the Incentives Task Force Recommendations submitted as **Attachment E**. This Office/Program would explore opportunities for creating an independent Downtown Development Corporation whose sole mission would be to implement an approved Plan, and to work with property owners, prospective investors, and other key stakeholders to further refine and implement specific projects based on the approved Plan. Funding for this initiative would be from the City and other private entities, and would operate and function under a separate board for implementation. Examples of high performing models are included in the Incentives Task Force Recommendations.

(6) Staff Recommendation. During the development of the plan by the Paso Del Norte Foundation, a representative of the Development Services Department-Planning Division served as a technical resource to the Foundation and SMWM. Following the acceptance by the City Council of the proposed Downtown Plan for processing on March 31, 2006, a team of City staff was assigned by the City Manager to review and formulate recommendations in conjunction with the City's consultant (SMWM), and to assist with the presentation and processing of the Plan. The team consists of the following individuals:

Patricia D. Adauto, Deputy City Manager, Development & Infrastructure Services
Bill Studer, Deputy City Manager, Financial & Administrative Services
Deborah G; Hamlyn, Deputy City Manager, Quality of Life Services
Rozanna M. Mendoza, Asst. to the City Manager
Juliet Lozano, Communication & Public Affairs Manager
Sylvia B. Firth, Asst. City Attorney

Chuck Kooshian, Lead Planner, Development Services-Long Range Planning
Christina Valles, Senior Planner, Development Services-Long Range Planning

As can be seen, the team consisted of high-level officials who have expertise in all areas addressed by the Plan – land use and development, quality of life initiatives, and financing. In particular, this team utilized needed staffing resources that were necessary from within the City organization to address issues raised and to assist in the presentation of a viable Plan. It is the recommendation of the City's technical team that the City Plan Commission submit a recommendation for approval of the plan to the City Council for finalization. The staff and SMWM stand ready to respond to other questions, and to formulate amendments to the proposed plan as the Commission determines necessary to submit its recommendations to City Council. As additional information, a synopsis of contents of other City approved neighborhood plans are shown in **Attachment G**. It is necessary that I point out that no specific project recommendations, cost projections or financing strategies are incorporated into these approved land use documents.

I hope that you will find the information contained in this memorandum and the documentation included useful in your deliberations of the Plan. As this is an important effort to the revitalization of the Downtown area, City staff is sensitive to the Commission's request for viable information to support the plan. As you will ascertain in a review of the documentation provided, careful study has gone into the plan development utilizing best practices from other community efforts. The level of detail contained within the proposed design guidelines and standards has carefully addressed the uniqueness of the area, and has provided a level of detail greater than in any former neighborhood plan presented and approved by the City. We look to your favorable consideration of this proposal and will be ready to assist as you deliberate on the issue.

RESOURCE DOCUMENTS UTILIZED

Materials Provided to SMWM

Data

2000 Census information (single sheet)

Population projections (web download from www.elpasotexas.gov), from Mike Breitinger's office, 2.18.05. (2pp.)

"Bridge Crossings" report, August 2004. Shows **border crossings**, by type, per month: Jan. 2001 to Dec. 2004. (12pp.)

EP MPO (Metropolitan Planning Organization) map of **2030 Roadway Projects** (showing every 5-years'-worth of projects). (2pp.--one 8.5X11" version and one 11X17")

Traffic Numbers map showing region and EP (inset). (Small and large format; 2pp.)

Sun Metro **bus service** data (web download from www.elpasotexas.gov), 2.18.05. (3pp.)

Business Incentives/City of El Paso list from EP Dept. of Economic Dev't.; stapled to the White House/OMB's **Strengthening America's Communities Initiative** info. (4pp.)

List of **projects in the works** (private/local, state, and federal investments) **w/costs and completion dates**, and **maps** showing each project site. (4pp.)

Plans, Laws & Other City Documents

Copy of (**parts of**) ***The Plan for El Paso***, from the City Planning Dept., March 1999. Incl. 6 pp. **Plan Atlas** (11X17").

A Municipal Strategic Plan for El Paso, Texas: Confronting Challenges and Opportunities...Now and in the Future. (Related to the comprehensive plan "Plan for El Paso," 106 pp. held together by a rubber band)

EPDP (Downtown Partnership) and **CBA** (Central Business Assoc.) docs.: charter, plans/goals, etc. (In manila file folder; hundreds of pages)

City of EP Arts & Culture Dept. Assessment and Preliminary Recommendations
Report: **Cultural Vitality as Economic Development Strategy**, Feb. 2004,
by Eduardo Díaz (edo@dcci.com), excerpted. (16pp.)

Civic Arts/Artes Civicas: A **Public Art Master Plan** for the City of El Paso, Jan. 2,
2005 draft. (86pp. spiral-bound)

Civic Arts/Artes Civicas: A **Public Art Master Plan** for the City of El Paso, March 1,
2005. (70pp. spiral-bound)

Downtown **Parking Meter and Land Use Study** for 30-min. and 1-hr. Parking
Meters, w/maps and Downtown Parking analysis. (12 pp.)

*A New Vision: 2004 Annual Report: City of El Paso: Leadership – Performance –
Service.* (More info. available at www.elpasotexas.gov) (32pp. booklet)

Proposed Legislation: Proposed Amendments to **TX Enterprise Zone Act**; the
Law as it presently stands. (Letter from James F. Scherr, 1.6.05. (2 pp.)

El Paso **Empowerment Zone/South Central CRC Area**, Incl. Census Tracts 28, 29,
and 30: **Demographic and Land Use Study**. Prepared by Zacour & Assoc.
Real Estate Valuation Services, EP, 2.28.02. (Spiral-bound, approx. 100 pp.)

Historic Preservation Urban Design Division Department of Planning Research &
Development, City of El Paso, Texas Report: **Downtown Historic District,
Design Guidelines**, Jan21,1992 (49pp)

Historic Preservation Department of Planning Research & Development, City of El
Paso, Texas Report: **Magoffin Historic District, Design Guidelines,
Section 2** (50pp)

Historic Preservation Department of Planning Research & Development, City of El
Paso, Texas Report: **Chihuahuita Historic District**, (50pp)

Department of Planning Research & Development, City of El Paso, Texas
Report: **Union Plaza- Architectural & Design Guidelines**, July 1996 (33pp)

Historic Preservation Department of Planning Research & Development, City of El Paso, Texas
Report: **Downtown Redevelopment Plan**, November 1996 (11x17 document,38pp)

Materials pertaining to Specific Projects (El Paso and elsewhere; proposed and built)

LINC Creative Communities Project: Possible Models for EP Downtown Plan.
(Info. on the Center for Cultural Innovation/LA and the New England
Foundation for the Arts/Boston.) (2pp.)

Drawings of **Union Plaza** from Pat Goff. (color, single sheet, 11X17)

El Paso **Arena**: EP Arena Team Presentation, Aug.26, 2004. PPT show/response to
RFQ/P for **sports/entertainment complex** at Union Plaza (?). (37pp. spiral-
bound)

JGS (J. Greg Smith) Development's *Lone Star West: El Paso **Heritage Tourism***
Attraction Feasibility Study, Jan.14, 2003. Response to RFQ/P for
sports/entertainment complex at Union Plaza (?); incl. PPT show (14pp.
stapled and tucked in at back of book). (35pp. spiral-bound)

Garfield Traub Development informational packet (looks like a response to an RFQ).
(Folder containing 20 loose pp.)

Promotional Materials & Brochures

*El Paso, Texas: The New Old West **Profile and Economic Summary***, 2000-2001
(2nd Edition), EP Dept. of Economic Dev't. (70pp. spiral-bound)

*El Paso: The **Official Visitor's Guide to El Paso, Texas***, from the EP Convention &
Visitor's Bureau (www.VisitElPaso.com). "Places, Events, History, Dining,
Shopping, Lodging, Mexico, and Maps." Spring 2005. (54pp. magazine)

*The **Plaza Theatre*** brochure mailing, extolling the benefits of developing the site
into the Plaza Theatre Performing Arts Center. Published by the El Paso
Community Foundation.

*Mexico Now: Mexico and China **Conference brochure/program***. Offshore
Manufacturing and Country Analysis, March 15-17, 2005. (X 2)

Articles & Background Information

"**Arena Proposals Face Off**," by Vic Kolenc, from the *El Paso Times* Business
Section of Sun., June 20, 2004, p. E1. (Entire business section; 4pp.)

DMD: The EP **Downtown Management District newspaper**, Vol.1.4, 4th Quarter.
(8 pp.; 2 copies—one located here, one in city docs folder)

“Downtown Re-Do: **Public, Private Sectors Commit to Success**,” an **editorial** from the *El Paso Times* of Thurs., Feb. 17, 2005, p. 5B.

“Just For Fun” (re: **IMAX** Theater hopes), from the *El Paso Scene*, July 2004, p.34. (1 p.)

“Downtown Plans,” a letter to the editor from John D. Thomas regarding **revitalization in general**, from the Opinion page (p.5B) of the *El Paso Times* of Tues., Jan 18, 2005. (1 p.)

“Buy Now Retire Later: **Best Places to Retire**,” from *Money* magazine, July 2004, pp. 62-68. (**Baby boomers migrate** now to the towns where they’ll later be retiring.) (Photocopy, 4pp.)

The Economic Impacts of Mexican Visitors to Arizona: 2001 by Alberta H. Charney and Vera K. Pavlakovich-Kochi of the U of Arizona, 7/02. (67pp. bound w/binder clip)

“**Mexican Border Factories Rebound**” by Ricardo Sandoval of the Dallas Morning News (originator of story), in the San Jose Mercury News Sunday business section, Oct. 3, 2004.

“**Juarez Begins Developing 21-mile River Park**” by Fabiola de Goribar, marked in the Feb. 13-19, 2005 issue of *El Paso Inc.* (Vol. 10, No. 24). (whole newspaper)

MexicoNow magazine, Year 3/No. 14/Jan.-Feb. 2005.

Maps

Aerials of downtown (seemingly of a specific 17-acre site, though unlabeled) w/superimposed **parcels** (from River Oaks Properties, 2pp.)

Downtown Area of EP **Census Tract Nos. and Data Sets** (from Census 2000), created 2.21.05 by Planning, Research, & Dev’t. (3pp.)

Parcel map of downtown EP showing border, Chihuahuita, Segundo Barrio, Gov’t District, Union Plaza, and the convention center. (single sheet 11X17”)

Historic Districts maps: aerials w/districts delineated and labeled. (4 pp.)

RESOLUTION

WHEREAS, the downtown area is considered the economic heart of El Paso, Texas and its vibrancy is key to the investments made throughout the community;

WHEREAS, the El Paso City Council has determined that a revitalization strategy is necessary to address the critical needs of the downtown area in order to foster and support economic growth and opportunity and to ensure new investments will market the area as a thriving place to work, live and visit;

WHEREAS, the City of El Paso, in partnership with the Paso Del Norte Group Foundation, has commissioned the preparation of a Downtown Redevelopment Plan with the stated purpose of:

- Establishing a vision of the downtown area for the future,
- Coordinating the investment and use activities of the public and private sector with the capital investment and service programs of the community,
- Identifying the capital, regulatory, service investments, and policies to be followed by the owners, developers, and tenants of the downtown area, and
- Marketing the downtown area as a center of attraction and a place of investment by both the public and private sectors.

WHEREAS, a conceptual framework for the downtown plan development has been prepared, presented to the community, changes recommended, adjustments made, and direction received by the El Paso City Council to proceed to the next formal plan development phase;

WHEREAS, the El Paso City Council is sensitive to the concerns and issues raised in the community meetings held on the initial conceptual framework of the Downtown Redevelopment Plan, and is seeking to provide general guidance on how the formal plan development, phasing and implementation will take shape;

WHEREAS, a completed Downtown Redevelopment Plan will serve as an addendum to the City's comprehensive plan, *The Plan for El Paso*, and will require the adoption of an ordinance approved by the El Paso City Council; and

WHEREAS, this general guidance will serve to further refine the plan development process going forward, will further protect and provide for the public health, safety and general welfare of the community, and will carry out the purpose and spirit of the policies expressed in *The Plan for El Paso*.

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

THAT the El Paso City Council hereby adopts the following guiding values that will serve as the basis from which the formal plan development, phasing and implementation strategies will be prepared and an adopted plan executed:

- To produce a feasible plan that has private investment options and potential, and that does not depend entirely on government or taxpayer subsidy.
- To identify and pursue opportunities within the plan to preserve historically, socially, culturally and architecturally significant structures and places within the area.
- To create design standards for renovation and construction within the area that reflects the integrity and character of the existing urban form.
- To build upon and create new opportunities for public spaces and walkable environments throughout the area, and maximize regional and international art forms.
- To add new residential development that includes a mix of housing markets, including at least thirty percent (30%) of which is affordable housing to allow new relocation opportunities for displaced residents within the area.
- To establish a rent stabilization program so that affordable housing units are replaced long term and to insure that 30% of the new housing shall be affordable.
- To offer replacement value for all housing displacement and relocation assistance to homeowners within the area.
- To provide a relocation strategy that includes financial assistance for businesses and commercial tenant displacement within the area, including allowing property swaps wherever possible to promote local private investment within the area.
- To develop a workforce implementation strategy that includes job development, training and placement for area residents, including location of a job placement and redevelopment office within the area.
- To celebrate the cultural diversity throughout the area by allowing for the creation and development of special districts.
- To look at financial strategies that allow for and promote open investment opportunities to all El Pasoans as part of the plan implementation.
- To allow national chain operations that foster modified prototypes that preserves local business activities and fit the El Paso urban scale.

- To encourage new public and private investment to the area through the use of financial and development incentives.
- To require that, if a Tax Increment Reinvestment Zone is created as part of any plan implementation strategy, at least one member each representing the residential and commercial segments of the area shall be included on the Board of Directors.
- To require that, if any real estate investment trusts are created as part of any plan implementation strategy, all investments and development undertaken within the area shall be in accordance with the approved plan.
- To host regular community and stakeholder work sessions to allow adequate public review, critique and refinement of the plan elements going forward.
- To produce an inventory of historical, cultural, and other significant properties within the study area.
- To explore 21st Century mass transit and other transportation options as an integral component of the formal plan development, including light rail.
- To encourage the location/relocation of all public sector entities into the study area.
- To create opportunities after revitalization that allow displaced residents near and adjacent to Sacred Heart Church to return to the area, including senior housing.
- To explore alternative opportunities to the arena for catalyst projects within the Entertainment/Arena District that would serve as an anchor tenant or consider relocation of the arena.

PASSED AND APPROVED this 10th day of July 2006.

THE CITY OF EL PASO



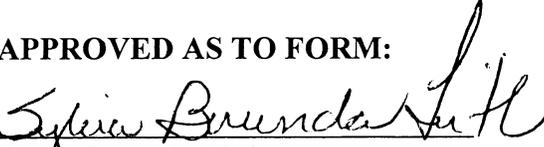
 John F. Cook
 Mayor

ATTEST:



 Richarda Duffy Momsen
 City Clerk

APPROVED AS TO FORM:



 Sylvia Borunda Firth
 Senior Assistant City Attorney

APPROVED AS TO CONTENT:



 Patricia D. Adauto
 Deputy City Manager, Development
 and Infrastructure Services

RESOLUTION

WHEREAS, the City Council of the City of El Paso fully recognizes that discussions regarding the proposed plan to revitalize downtown El Paso have raised citizen concerns regarding the potential use of the power of eminent domain by the City of El Paso;

WHEREAS, no decisions have been made regarding the use of the power of eminent domain by the City of El Paso in order to implement a plan to revitalize downtown El Paso;

WHEREAS, the City Council of the City of El Paso is sensitive to and has respect for the private property rights of the citizens of the City of El Paso; and

WHEREAS, the City Council wishes to allay the concerns of the citizens of El Paso regarding the issue of eminent domain.

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

The City Council of the City of El Paso recognizes that the use of eminent domain for economic development purposes has always been very limited under Texas law and has been recently further limited by Chapter 2206.001 of the Texas Government Code which provides as follows:

“A governmental or private entity may not take private property through the use of eminent domain if the taking:

- (1) confers a private benefit on a particular private party through the use of the property;
- (2) is for a public use that is merely a pretext to confer a private benefit on a particular private party; or
- (3) is for economic development purposes, unless the economic development is a secondary purpose resulting from municipal community development or municipal urban renewal activities to eliminate an existing affirmative harm on society from slum or blighted areas under:
 - (A) Chapter 373 or 374, Local Government Code, other than an activity described by Section 373.002(b)(5), Local Government Code; or
 - (B) Section 311.005(a)(1)(I), Tax Code;”

and further, that the City Council of the City of El Paso resolves that eminent domain shall only be considered as a last resort and only when all negotiation efforts have failed. If eminent domain is considered for a particular property, City Council will comply with Chapter 2206 of the Texas Government Code and any other statutory requirements.

Finally, the City Council resolves not to consider the use of eminent domain as an implementation strategy within the study area for any project other than for public purposes for a twelve (12) month time period following the date of formal adoption of the plan for the revitalization of downtown.

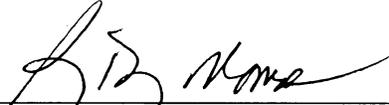
PASSED and APPROVED this 10th day of July 2006.

THE CITY OF EL PASO



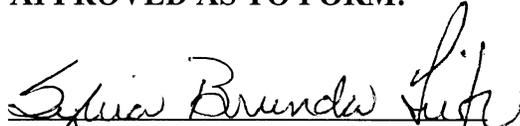
John F. Cook
Mayor

ATTEST:



Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Sylvia Borunda Firth
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Patricia D. Adauto
Deputy City Manager, Development
and Infrastructure Services

RESOLUTION

WHEREAS, Downtown El Paso is important to its citizens; and

WHEREAS, Government should not involve itself in private development; and

WHEREAS, Government should promote revitalization; and

WHEREAS, Government has a duty to promote its city within the scope of its responsibilities and duties; and

WHEREAS, Eminent Domain for Private development is contrary to the constitutionally, inviolable principles of private property rights.

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

That all governmental, quasi-governmental, educational and financial entities should resolve to site their offices and services in a downtown target area.

ADOPTED this the 10th day of July 2006.

THE CITY OF EL PASO



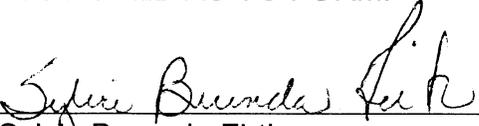
John F. Cook
Mayor

ATTEST:



Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Sylvia Borunda Firth
Senior Assistant City Attorney

JOHN COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

DEVELOPMENT & INFRASTRUCTURE SERVICES

TO: The Honorable Mayor and City Council

COPY TO: Joyce A. Wilson, City Manager
William Studer, Deputy City Manager, Financial & Administrative Services
Deborah G. Hamlyn, Deputy City Manager, Quality of Life Services
Sylvia B. Firth, Office of the Mayor – Chief of Staff & Asst. City Attorney
Rozanna M. Mendoza, Executive Asst. to the City Manager
Juliet Lozano, Communications & Public Affairs Manager
Charles H. Kooshian, Lead Planner, Development Services
Maria C. Valles, Senior Planner, Development Services
Richarda D. Momsen, Municipal Clerk

FROM: Patricia D. Adauto, Deputy City Manager *PAdauto*

SUBJECT: Proposed Downtown 2015 Plan, City Council Meeting
Ordinance Introduction, October 17, 2006
Ordinance Public Hearing, October 31, 2006

DATE: October 12, 2006

Attached for your review and information is the final draft of the proposed Downtown 2015 Plan as recommended by the City Plan Commission on October 5, 2006 (by a vote of 6-1) and scheduled for City Council action. Other supporting documentation is also attached as follows:

- 1) An Ordinance approving the Downtown 2015 Plan as a Study Area Plan to be incorporated into the City's comprehensive plan, *The Plan for El Paso*, and which Study Area Plan shall amend the Year 2025 General Land Use Map incorporated therein as to the Downtown Area.
- 2) Agenda Item Summary Form.
- 3) Resolution setting guiding values for the formal plan development, phasing and implementation as approved July 10, 2006 by City Council.
- 4) Resolution setting policy on the use of eminent domain as part of implementation of a downtown plan as approved July 10, 2006 by City Council.
- 5) Resolution encouraging the location of governmental offices and services in the downtown area as approved July 10, 2006 by City Council.
- 6) Memorandum to the City Plan Commission providing the Administrative Position Relative to the Proposed Downtown 2015 Plan dated October 5, 2006.

As part of the proposed Ordinance (Item 1), Attachment A incorporates all of the actions taken by the City Plan Commission at the October 5, 2006 hearing. Particular to the other recommendations submitted by the Commission, shown under Subsection B of Attachment A, City staff recommends some revisions as noted below and would request that these revisions be incorporated as part of any motion made on the proposed Ordinance.

1. **Motion** to expand the incentives offered for properties in the Proposed Historic Incentive District to properties in all areas covered by the Proposed Downtown 2015 Plan; motion carried by a vote of 7-0. City staff supports
2. **Motion** that an oversight board created with the establishment of any Tax Increment Reinvestment Zone also serve as the responsible party for implementation and compliance with any approved Downtown 2015 Plan; motion carried by a vote of 7-0. City staff supports
3. **Motion** that the composition of the oversight board as referenced in Recommendation #2 include representation from at least fifty (50) percent of the area covered by the boundaries of the Proposed Downtown 2015 Plan, including property owners and residents; motion carried by a vote of 7-0. City staff supports as a goal and not as an absolute requirement
4. **Motion** that property owners within the area covered by the boundaries of the Proposed Downtown 2015 Plan be offered the first right of refusal for participation in the implementation of the Plan; motion carried by a vote of 7-0. City staff supports where practicable
5. **Motion** that the design standards and guidelines contained within the Proposed Downtown 2015 Plan for the Redevelopment District be required as a part of implementation, and not be allowed as optional conditions; motion carried by a vote of 7-0. City staff supports
6. **Motion** that an Implementation Strategy that includes specific phasing, implementation and financing mechanisms be handled as a priority following formal adoption of the Proposed Downtown 2015 Plan, and that staff reports be made to the City Plan Commission at least every sixty (60) days regarding the progress of its development; motion carried by a vote of 7-0. City staff supports with staff progress reports made every ninety (90) days
7. **Motion** that the City require strict adherence with the requirements contained within the Proposed Downtown 2015 Plan, including providing additional staffing necessary to provide adequate code enforcement in the area and allow the greatest opportunity for success of the revitalization effort; motion carried by a vote of 7-0. City staff supports

8. **Motion** that any Tax Increment Reinvestment Zone boundary include the entire area of the Proposed Downtown 2015 Plan, including the area within the Segundo Barrio initially incorporated into the Historic Incentive District and excluded from the proposed boundaries to allow its own separate neighborhood plan to permit financing opportunities in the area; motion carried by a vote of 7-0. City staff supports creation of a TIRZ covering only the Redevelopment District as a first phase action, and deferring creation of a new or expanded TIRZ boundary for the Historic Incentive District and the area within the Segundo Barrio (excluded from the Plan to allow its own separate study area plan) for a future Council action when time permits to develop the required documentation for the larger area(s)

Additionally, following adoption of a downtown plan, City staff is requesting authorization to develop an Implementation Strategy that includes specific phasing, project-specific recommendations, implementation tools and financing mechanisms to implement and execute an approved plan. A power point presentation providing the details of the Proposed Downtown 2015 Plan will be given at the October 31st public hearing, and City staff and SMWM will be on hand to answer any questions you may have. Should you require additional documentation or wish to meet on this subject, please let me know.