

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

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: December 21, 2010
Public Hearing: January 11, 2011

CONTACT PERSON/PHONE: Kimberly Forsyth, (915) 541-4668

DISTRICT(S) AFFECTED: 1

SUBJECT:

An Ordinance changing the zoning of the following real property known as: Parcel 1: Portion of Nellie D. Mundy Survey 246; City of El Paso, El Paso County, Texas, from R-3 (Residential) and PMD (Planned Mountain Development) to NOS (Natural Open Space); Parcel 2: Portion of Tract 1, Abstract 10070, S. J. Larkin Survey 269; City of El Paso, El Paso County, Texas, from PMD (Planned Mountain Development) to NOS (Natural Open Space); and Parcel 3: Portion of Tract 1-A, Abstract 10070, S. J. Larkin Survey 269, City of El Paso, El Paso County, Texas, from PMD (Planned Mountain Development) to NOS (Natural Open Space). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: North and South of Transmountain Road, West of Franklin Mountain State Park. Property Owner: City of El Paso. ZON10-00090 (District 1)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

Approval of EPWU Northwest Master Plan on May 24, 2005. On October 5, 2010, City Council directed staff to process an application to rezone subject property to NOS (Natural Open Space).

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

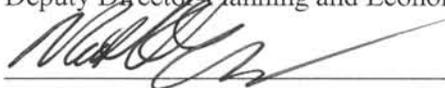
Development Coordinating Committee (DCC) – Denial Recommendation of NOS
City Plan Commission (CPC) – Denial Recommendation of NOS (8-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Deputy Director, Planning and Economic Development



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY KNOWN AS:

PARCEL 1: PORTION OF NELLIE D. MUNDY SURVEY 246; CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-3 (RESIDENTIAL) AND PMD (PLANNED MOUNTAIN DEVELOPMENT) TO NOS (NATURAL OPEN SPACE);

PARCEL 2: PORTION OF TRACT 1, ABSTRACT 10070, S. J. LARKIN SURVEY 269; CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM PMD (PLANNED MOUNTAIN DEVELOPMENT) TO NOS (NATURAL OPEN SPACE); AND

PARCEL 3: PORTION OF TRACT 1-A, ABSTRACT 10070, S. J. LARKIN SURVEY 269, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM PMD (PLANNED MOUNTAIN DEVELOPMENT) TO NOS (NATURAL OPEN SPACE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

That the zoning of *Parcel 1: Portion of Nellie D. Mundy Survey 246, City of El Paso, El Paso County, Texas*, and as more particularly described by metes and bounds on the attached Exhibit "A"; *Parcel 2: Portion of Tract 1, Abstract 10070, S.J. Larkin Survey 269, City of El Paso, El Paso County, Texas*, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference; and *Parcel 3: Portion of Tract 1-A, Abstract 10070, S. J. Larkin Survey 269, City of El Paso, El Paso County, Texas*, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed as listed for **PARCEL 1: FROM R-3 (RESIDENTIAL) AND PMD (PLANNED MOUNTAIN DEVELOPMENT) TO NOS (NATURAL OPEN SPACE); PARCEL 2: FROM PMD (PLANNED MOUNTAIN DEVELOPMENT) TO NOS (NATURAL OPEN SPACE); AND PARCEL 3: FROM PMD (PLANNED MOUNTAIN DEVELOPMENT) TO NOS (NATURAL OPEN SPACE)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this _____ day of _____, 2011.

ORDINANCE NO. _____

ZONING CASE NO: ZON10-00090

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

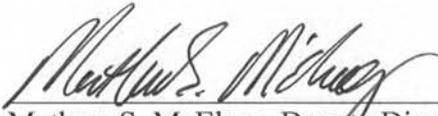
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Lupe Cuellar
Assistant City Attorney

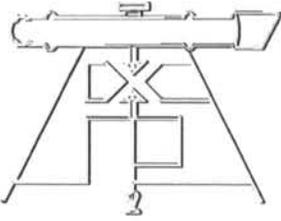


Mathew S. McElroy, Deputy Director
Planning and Economic Development
Department

ORDINANCE NO. _____

ZONING CASE NO: ZON10-00090

"EXHIBIT A"



Frank X. Spencer & Associates, Inc.
Consulting Civil Engineers & Surveyors
1130 Montana * El Paso, Texas 79902

Frank X. Spencer, P.E., R.P.L.S.

(915) 533-4600
FAX (915) 533-4673
e-mail: elpaso@fxsa.com

METES AND BOUNDS DESCRIPTION

A 344.114 ACRE PARCEL OF LAND, BEING A PORTION OF SURVEY 246, NELLIE D. MUNDY, PATENT TO THE CITY OF EL PASO DATED FEBRUARY 1, 1956, RECORDED IN BOOK 1273, PAGE 349, DEED RECORDS, EL PASO COUNTY, TEXAS.

COMMENCING at a found 2-inch pinched pipe in concrete for the northeast corner of S.J. Larkin Survey 269, the northwest corner of S.J. Larkin Survey 270 and the southerly boundary line of Section 8, Block 82, Township 1, Texas and Pacific Railway Surveys, **Thence**, North $86^{\circ}39'19''$ West, along the southerly boundary line of said Section 8, a distance of 2848.17 feet to a 2 inch pinched pipe in concrete for the southwest corner of section 8 and the southeast corner of section 9, Block 82, Township 1, Texas and Pacific Railway Surveys, same being the northeast corner of the Franklin Mountains State Park Property recorded in clerk's deed records document No. 20090028320, El Paso County, Texas, **Thence**, North $86^{\circ}44'45''$ West, along the northerly line said Survey 269, a distance of 1196.36 feet to a $\frac{1}{2}$ rebar for the northwest corner of said Franklin Mountains State Park Property; **Thence**, North $87^{\circ}15'40''$ West, continuing along said Survey 269, a distance of 1230.30 feet to a found pinched pipe and rock mound for the northwest corner of said Survey 269 and the northeast corner of Nellie D Mundy Survey 246, said point lies on the southerly boundary line of said Section 9, same point being the **POINT OF BEGINNING** of this description; from which a found pinched pipe in concrete for the common corner of said Survey 246, Survey 269, S.J. Larkin Survey 268 and S.J. Larkin Survey 267, bears South $02^{\circ}25'40''$ West a distance of 5274.20 feet (Basis of Bearings);

THENCE, South $02^{\circ}25'40''$ West, along common boundary line for Nellie D Mundy Survey 246 and S.J. Larkin Survey 269, a distance of 2436.19 feet to a found TX-DOT concrete monument, said point lies on the north right-of-way line of Trans Mountain Loop-375 (Bk 78, Pg 628, Deed Records, El Paso County, Texas)(State of Texas Department of Transportation Right-of-Way Map Control 2552-1);

THENCE, along said right-of-way, the following 18 courses;

South $70^{\circ}02'43''$ West, a distance of 1324.01 feet, to a found aluminum cap stamped "TXDOT R.O.W.", and the point of beginning of a curve;

324.51 feet along the arc of a curve to the right with a radius of 368.04 feet, an interior angle of $05^{\circ}02'29''$, a chord that bears South $77^{\circ}51'31''$ West a distance of 324.40, to a found aluminum cap stamped "TXDOT R.O.W.";

North 86°00'36" West, a distance of 516.52 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

North 86°00'55" West, a distance of 405.37 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

North 84°35'51" West, a distance of 683.89 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

North 81°15'05" West, a distance of 375.29 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

North 42°08'49" West, a distance of 82.98 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

North 81°17'07" West, a distance of 136.29 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

South 78°25'34" West, a distance of 185.61 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

North 80°52'04" West, a distance of 426.87 feet, to a found aluminum cap stamped "TXDOT R.O.W. ACCESS DENIAL";

North 34°53'01" West, a distance of 34.66 feet, to a found aluminum cap stamped "TXDOT R.O.W. ACCESS DENIAL";

North 79°15'35" West, a distance of 161.79 feet, to a found aluminum cap stamped "TXDOT R.O.W. ACCESS DENIAL";

South 55°08'40" West, a distance of 32.91 feet, to a found aluminum cap stamped "TXDOT R.O.W. ACCESS DENIAL";

North 81°17'17" West, a distance of 358.16 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

North 35°59'53" West, a distance of 35.33 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

North 81°25'19" West, a distance of 50.01 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

South 63°47'47" West, a distance of 43.60 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

North 81°13'13" West, a distance of 193.93 feet, to a found aluminum cap stamped "TX DEPT OF TRANSPORTATION PROPERTY CORNER", said point lies on the common boundary line of Nellie D Mundy Surveys 243 and 246;

THENCE, leaving right-of-way line, North 03°14'31" East along said common boundary line, a distance of 2807.37 feet to a found 1-1/4 inch pipe and rock mound with cap stamped "EPNG BSE ELEV 4152.4 GF 1977", for the northeast corner of said survey 243 and the northwest corner of said survey 246, said point lies on the southerly boundary line of Section 10, Block 82, Township 1, Texas and Pacific Railway Surveys, El Paso County, Texas;

THENCE, South 87° 09'08" East, along said southerly boundary line, a distance of 2349.61 feet, to a found 2-inch pipe in concrete for the southeast corner of said section 10 and the southwest corner of Section 9, Block 82, Township 1, Texas and Pacific Railway Survey;

THENCE, South 86°29'33" East, along the southerly boundary line of said Section 9, a distance of 2790.55 feet, to the **POINT OF BEGINNING**, containing 344.114 acres (14,989,623 square feet) of land, more or less.

A Plat of even date accompanies this Metes & Bounds.

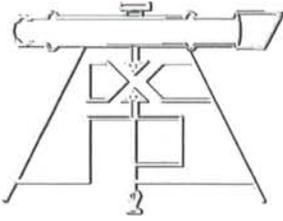
Frank X. Spencer & Associates, Inc.



Charles Gutierrez, RPLS
Texas License No. 5572

Date: 11/15/10

"EXHIBIT A"



Frank X. Spencer, P.E., R.P.L.S.

Frank X. Spencer & Associates, Inc.
Consulting Civil Engineers & Surveyors
1130 Montana * El Paso, Texas 79902

(915) 533-4600
FAX (915) 533-4673
e-mail: elpaso@fxsa.com

METES AND BOUNDS DESCRIPTION

A 244.380 ACRE PARCEL OF LAND, BEING A PORTION OF SURVEY 246, NELLIE D. MUNDY, PATENT TO THE CITY OF EL PASO DATED FEBRUARY 1, 1956, RECORDED IN BOOK 1273, PAGE 349, DEED RECORDS, EL PASO COUNTY, TEXAS.

COMMENCING at a found 2-inch pinched pipe in concrete for the northeast corner of S.J. Larkin Survey 269, the northwest corner of S.J. Larkin Survey 270 and the southerly boundary line of Section 8, Block 82, Township 1, Texas and Pacific Railway Surveys, **Thence**, North $86^{\circ}39'19''$ West, along the southerly boundary line of said Section 8, a distance of 2848.17 feet to a 2 inch pinched pipe in concrete for the southwest corner of section 8 and the southeast corner of section 9, Block 82, Township 1, Texas and Pacific Railway Surveys, same being the northeast corner of the Franklin Mountains State Park Property recorded in clerk's deed records document No. 20090028320, El Paso County, Texas, **Thence**, North $86^{\circ}44'45''$ West, along the northerly line of said Survey 269, a distance of 1196.36 feet to a $\frac{1}{2}$ rebar for the northwest corner of said Franklin Mountains State Park Property; **Thence**, North $87^{\circ}15'40''$ West, continuing along said Survey 269, a distance of 1230.30 feet to a found pinched pipe and rock mound for the northwest corner of said Survey 269 and the northeast corner of Nellie D Mundy Survey 246, said point lies on the southerly boundary line of said Section 9, **Thence**, South $02^{\circ}25'40''$ West, along common boundary line of said Survey 246 and Survey 269, a distance of 2731.35 feet to a found brass cap stamped "TEXAS HIGHWAY DEPARTMENT ROW NO. ELEV. STA.", said point lies on the northerly right-of-way line of Trans Mountain Loop-375 (Bk 78, Pg 628, Deed Records, El Paso County, Texas)(State of Texas Department of Transportation Right-of-Way Map Control 2552-1), said point being the **POINT OF BEGINNING** of this description;

THENCE, South $02^{\circ}25'40''$ West, continuing with said common boundary line, a distance of 2542.85 feet to a found pinched pipe in concrete for the common corner of said Survey 246, Survey 269, S. J. Larkin Survey 268 and S. J. Larkin Survey 267;

THENCE, North $86^{\circ}45'01''$ West, along common boundary line for Nellie D Mundy Survey 246 and S.J. Larkin Survey 267, a distance of 5215.02 feet to a set $\frac{5}{8}$ inch rebar with aluminum cap marked "FXS RPLS 2198" for the common corner of S.L. Larkin Survey 267, Nellie D Mundy Surveys 242, 243 and 246;

THENCE, North 03°14'31" East, along common boundary line of said Survey 243 and 246, a distance of 2095.79 feet to a set 5/8 inch rebar with aluminum cap marked "FXS RPLS 2198", said point lies on the south right-of-way line of Trans Mountain Loop-375, from which a found 2-1/4 inch pipe and rock mound with cap stamped "EPNG BSE ELEV 4152.4 GF 1977", for the northeast corner of said survey 243 and the northwest corner of said survey 246, bears North 03°14'31" East, a distance of 3173.93, from said 2-1/4 inch pipe a found 2-inch pipe in concrete for the southeast corner of Section 10, and the southwest corner of Section 9, Block 82, Township 1, Texas and Pacific Railway Surveys, bears South 87°09'08" East a distance of 2349.61 feet;;

THENCE, along said right-of-way, the following 19 courses;

North 55°09'43" East, a distance of 35.40 feet to a found aluminum cap stamped "TX DEPT OF TRANSPORTATION PROPERTY CORNER",

South 79°39'05" East, a distance of 71.20 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

South 81°15'53" East, a distance of 217.22 feet, to a found aluminum cap stamped "TXDOT R.O.W. ACCESS DENIAL";

South 81°15'56" East, a distance of 425.48 feet, to a found aluminum cap stamped "TXDOT R.O.W. ACCESS DENIAL";

South 57°03'58" East, a distance of 136.39 feet, to a found aluminum cap stamped "TXDOT R.O.W. ACCESS DENIAL";

South 81°15'22" East, a distance of 250.01 feet, to a found aluminum cap stamped "TXDOT R.O.W. ACCESS DENIAL";

North 82°23'39" East, a distance of 156.30 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

South 81°16'47" East, a distance of 106.39 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

South 32°28'46" East, a distance of 107.67 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

South 81°16'26" East, a distance of 129.99 feet, to a set 5/8 inch rebar with aluminum cap marked "FXS RPLS 2198";

North 55°35'04" East, a distance of 132.38 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

South 81°15'25" East, a distance of 101.12 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

South 36°16'15" East, a distance of 35.39 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

South 81°15'53" East, a distance of 100.02 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

North 68°41'35" East, a distance of 54.19 feet, to a found aluminum cap stamped "TXDOT R.O.W.";

South 84°35'38" East, a distance of 424.56 feet, to a found aluminum cap stamped "TXDOT R.O.W. ACCESS DENIAL";

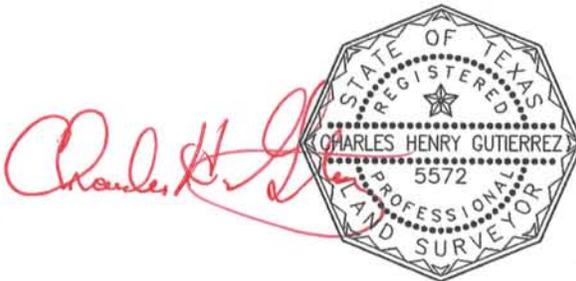
South 81°15'47" East, a distance of 963.99 feet, to a found brass cap stamped "TEXAS HIGHWAY DEPARTMENT ROW NO. ELEV. STA.";

North 70°02'37" East, a distance of 1541.30 feet, to a found brass cap stamped "TEXAS HIGHWAY DEPARTMENT ROW NO. ELEV. STA.";

North 79°12'21" East, a distance of 457.97, to the **POINT OF BEGINNING**, containing 244.380 acres (10,645,196 square feet) of land, more or less.

A Plat of even date accompanies this Metes & Bounds.

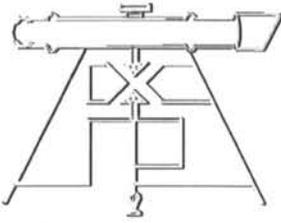
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Texas License No. 5572

Date: 11/15/10

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Consulting Civil Engineers & Surveyors

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METES AND BOUNDS DESCRIPTION

A 68.251 ACRE PARCEL OF LAND, BEING A PORTION OF SURVEY 269, S.J. LARKIN, PATENT TO THE CITY OF EL PASO DATED JANUARY 25, 1956, RECORDED IN BOOK 1272, PAGE 323, DEED RECORDS, EL PASO COUNTY, TEXAS.

COMMENCING at a found 2-inch pinched pipe in concrete for the northeast corner of S.J. Larkin Survey 269, the northwest corner of S.J. Larkin Survey 270 and the southerly boundary line of Section 8, Block 82, Township 1, Texas and Pacific Railway Surveys, **Thence**, North 86°39'19" West, along the southerly boundary line of said Section 8, a distance of 2848.17 feet to a 2 inch pinched pipe in concrete for the southwest corner of section 8 and the southeast corner of section 9, Block 82, Township 1, Texas and Pacific Railway Surveys, same being the northeast corner of the Franklin Mountains State Park Property recorded in clerk's deed records document No. 20090028320, El Paso County, Texas, **Thence**, North 86°44'45" West, along the northerly line said Survey 269, a distance of 1196.36 feet to a ½ rebar for the northwest corner of said Franklin Mountains State Park Property, same point being the **POINT OF BEGINNING** of this description;

THENCE, South 03°16'09" West, along the westerly boundary line of said Franklin Mountains State Park Property, a distance of 1784.07 feet, to a found ½ inch rebar;

THENCE, South 66°54'45" East, continuing along said boundary line, a distance of 462.49 feet to a found ½ inch rebar;

THENCE, South 04°02'56" West, a distance of 282.30 feet to the north right-of-way line of Trans Mountain Loop 375, (Bk 78, Pg 628, Deed Records, El Paso County, Texas) (State of Texas Department of Transportation Right-of-Way Map Control 2552-1), from which a ½ inch rebar with cap marked "NM 5337 TX 5337" bears North 04°02'56" East a distance of 0.50 feet;

THENCE, along said right-of-way, the following 4 courses;

South 88°20'50" West, a distance of 554.74 feet, to a found TX-DOT concrete monument;

South 88°20'11" West, a distance of 415.05 feet, to a found TX-DOT concrete monument;

South 88°21'17" West, a distance of 415.50 feet, to a found 1-inch rebar;

South 70°03'49" West, a distance of 267.18 feet, to a found TX-DOT concrete monument, said point lies on the common boundary line of S.J. Larkin Survey 269 and Nellie D Mundy Survey 246, from which a found pinched pipe in concrete bears South 02°25'40" East, a distance of 2838.04 feet for the common corner of said Survey 246, Survey 269, S. J. Larkin Survey 267 and S. J. Larkin Survey 268;

THENCE, leaving right-of-way line, North 02°25'40" East, along said common survey line, a distance of 2436.19 feet, to a found pinched pipe and rock mound, for the common corner of said Survey 246 and Survey 269;

THENCE, South 87°15'40" East, along common boundary line of S.J. Larkin Survey 269 and Section 9, Block 82, Township 1, Texas and Pacific Railway Surveys, a distance of 1230.30 feet to the **POINT OF BEGINNING**, containing 68.251 acres (2,973,055 square feet) of land, more or less.

A Plat of even date accompanies this Metes & Bounds.

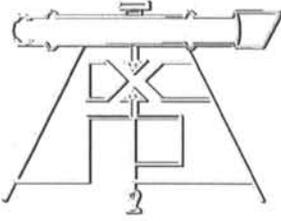
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Date: 11/15/10

"EXHIBIT A"



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METES AND BOUNDS DESCRIPTION

A 86.805 ACRE PARCEL OF LAND, BEING A PORTION OF SURVEY 269, S.J. LARKIN, PATENT TO THE CITY OF EL PASO DATED JANUARY 25, 1956, RECORDED IN BOOK 1272, PAGE 323, DEED RECORDS, EL PASO COUNTY, TEXAS.

COMMENCING at a found 2-inch pinched pipe in concrete for the northeast corner of S.J. Larkin Survey 269, the northwest corner of S.J. Larkin Survey 270 and the southerly boundary line of Section 8, Block 82, Township 1, Texas and Pacific Railway Surveys, **Thence**, North $86^{\circ}39'19''$ West, along the southerly boundary line of said Section 8, a distance of 2848.17 feet to a 2 inch pinched pipe in concrete for the southwest corner of section 8 and the southeast corner of section 9, Block 82, Township 1, Texas and Pacific Railway Surveys, same being the northeast corner of the Franklin Mountains State Park Property recorded in clerk's deed records document No. 20090028320, El Paso County, Texas, **Thence**, North $86^{\circ}44'45''$ West, along the northerly line of said Survey 269, a distance of 1196.36 feet to a $\frac{1}{2}$ rebar for the northwest corner of said Franklin Mountains State Park Property; **Thence**, North $87^{\circ}15'40''$ West, continuing along said Survey 269, a distance of 1230.30 feet to a found pinched pipe and rock mound for the northwest corner of said Survey 269 and the northeast corner of Nellie D Mundy Survey 246, said point lies on the southerly boundary line of said Section 9, **Thence**, South $02^{\circ}25'40''$ West, along common boundary line of said Survey 246 and Survey 269, a distance of 2731.35 feet to a found brass cap stamped "TEXAS HIGHWAY DEPARTMENT ROW NO. ELEV. STA.", said point being the **POINT OF BEGINNING** of this description;

THENCE, North $79^{\circ}10'48''$ East, along said right-of-way line, a distance of 1119.80 feet, to a found brass cap stamped "TEXAS HIGHWAY DEPARTMENT ROW NO. ELEV. STA.";

THENCE, North $88^{\circ}17'48''$ East, continuing along said right-of-way, a distance of 534.55 feet to a found $\frac{1}{2}$ inch rebar for the westerly boundary line of the Franklin Mountains State Park Property, recorded in clerk's deed records document No. 20090028320, El Paso County, Texas;

THENCE, along said westerly boundary line the following 4 courses:

South $04^{\circ}04'36''$ West, a distance of 433.54 feet, to a found $\frac{1}{2}$ inch rebar;

South $32^{\circ}20'41''$ West, a distance of 732.55 feet, to a found $\frac{1}{2}$ inch rebar with cap marked "NM 9254 TX 5337";

South $02^{\circ}05'27''$ East, a distance of 1612.16 feet, to a found $\frac{1}{2}$ inch rebar;

South 54°17'49" East, a distance of 339.54 feet, to a set 5/8 inch rebar with aluminum cap marked "FXS RPLS 2198", said point lies on the common boundary line of S.J. Larkin Survey 269 and S.J. Larkin Survey 268;

THENCE, North 86°45'01" West, along said common boundary line, a distance of 1656.39 feet, to a found pinched pipe in concrete for the common corner of said Survey 246, Survey 269, S.J. Larkin Survey 268 and S.J. Larkin Survey 267;

THENCE, North 02°25'40" East, along said common boundary line, a distance of 2542.85 feet, to the **POINT OF BEGINNING**, containing 86.805 acres (3,781,246 square feet) of land, more or less.

A Plat of even date accompanies this Metes & Bounds.

Frank X. Spencer & Associates, Inc.



Charles Gutierrez, RPLS
Texas License No. 5572

Date: 11/15/10



Date: December 9, 2010
To: Honorable Mayor and City Council
Joyce Wilson, City Manager
From: Kimberly Forsyth, Lead Planner
Subject: ZON10-00090

The City Plan Commission (CPC) on November 18, 2010, voted unanimously (8-0) to recommend **denial** of rezoning this property to NOS (Natural Open Space), and to recommend consideration of rezoning this property to Smart Code. This recommendation was in agreement with the staff and the Development Coordinating Committee (DCC), which also recommended consideration of Smart Code.

The CPC found that the rezoning request was not in conformance with The Plan for El Paso and that the proposed use for Natural Open Space was not in conformance with the 2025 Projected General Land Use Map for the Northwest Planning Area. The CPC also determined that the rezoning would not protect the best interest, health, safety, and welfare of the public in general; and would have potential adverse effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

The 2005 El Paso Water Utility (EPWU) Westside Master Plan was approved by City Council on May 24, 2005. The approval also amended the City's comprehensive plan and the General Land Use Map for the Northwest Planning Area. The EPWU does not object to rezoning the property to Smart Code, but their Westside Master Plan would need to be resubmitted for approval if a new Smart Code regulating plan was developed.

There were 71 emails and a resolution from Neighborhood Coalition of El Paso in support of rezoning to NOS, and a resolution from the Public Service Board of the EPWU in opposition to the request.

Attachment: Staff Report

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susannah M. Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson





City of El Paso –City Plan Commission Staff Report

Case No: ZON10-00090
Application Type: Rezoning
CPC Date: November 18, 2010
Staff Planner: Kimberly Forsyth, 915-541-4668, forsythkl@elpasotexas.gov

Location: North and South of Transmountain Road, west of Franklin Mountain State Park
Legal Description: Parcel 1: Nellie D. Mundy Survey 246, City of El Paso, El Paso County, Texas
Parcel 2: Portion of Tract 1, Abstract 10070, S.J. Larkin Survey 269, City of El Paso, El Paso County, Texas
Parcel 3: Portion of Tract 1-A, Abstract 10070, S.J. Larkin Survey 269, City of El Paso, El Paso County, Texas

Acreage: Approximately 792 acres
Rep District: 1
Existing Zoning: Parcel 1: R-3 (Residential) and PMD (Planned Mountain Development)
Parcel 2: PMD (Planned Mountain Development)
Parcel 3: PMD (Planned Mountain Development)

Existing Use: Vacant land
Request: Parcel 1: From R-3 (Residential) and PMD (Planned Mountain Development) to NOS (Natural Open Space)
Parcel 2: From PMD (Planned Mountain Development) to NOS (Natural Open Space)
Parcel 3: From PMD (Planned Mountain Development) to NOS (Natural Open Space)

Proposed Use: Open Space
Property Owner: City of El Paso
Representative: City of El Paso

SURROUNDING ZONING AND LAND USE

North: R-3 (Residential) / Vacant
South: R-3 (Residential) / Vacant
East: PMD (Planned Mountain Development) / Vacant
West: C-3/c (Commercial/conditions) and R-3A (Residential) / Vacant

Plan for El Paso Designation: Open Space, Commercial, Residential, and Mixed Use (EPWU Westside Master Plan Area)

Nearest Park: Westside Park (13,922 feet)

Nearest School: Canutillo Middle (12,013 feet)

NEIGHBORHOOD ASSOCIATIONS

Coronado Neighborhood Association
Mountain Arroyos Neighborhood Association
Save the Valley Neighborhood Association
Upper Mesa Hills Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on Oct. 21, 2010. The Planning Division has received emails from 71 residents and a resolution from the Neighborhood Coalition of El Paso in support of the rezoning request, and a resolution from the EPWU Public Service Board in opposition.

APPLICATION DESCRIPTION

This is a City-initiated rezoning for approximately 792 acres of property located north and south of Transmountain Road, and west of the Franklin Mountain State Park. On October 5, 2010, the City Council directed the City Manager and staff to submit and process this application. This property was included in the EPWU Westside Master Plan that was approved by City Council on May 24, 2005. The entire Master Plan area was 1,850 acres. The subject property is the northern portion of the master planned area. It includes three roadways that are designated as arterials in the city's Major Thoroughfare Plan; Paseo del Norte is a designated major arterial that is proposed to intersect with Transmountain Road, and is included in the Texas Department of Transportation design for road improvements on Transmountain.

The purpose for the rezoning is to conserve this area as natural open space and to preserve the Transmountain scenic corridor near the entrance to the state park. The Natural Open Space (NOS) zoning district was approved by City Council on April 6, 2010, and revisions are currently in process to amend the definition and supplemental standards and to expand the permitted uses.

PLANNING DIVISION RECOMMENDATION

Planning Division has the following recommendations concerning the rezoning request

- EPWU Master Plan - approved by City Council on May 24, 2005 - amended the City's Comprehensive Plan. The Master Plan included 1,850 acres, and the current rezoning request is for the northern portion of the plan area. The request to rezone to Natural Open Space does not conform to the comprehensive plan as amended by the approved EPWU Master Plan.
- The type of development and land uses that were approved in the 2005 Master Plan may not reflect current City objectives and policy direction. The uses are segregated, there is no consideration of pedestrian sheds as they should form distinct neighborhoods, and the density of the overall development is relatively low (average 4.7 dwelling units per acre). Even the lowest level of modern sustainable development standards, which would also value open space preservation, would require 7 units per acre. The EPWU Master Plan perpetuates the typical low-density suburban development pattern.
- Commercial land use and medium high density residential development (defined in the Plan as up to 6 units per acre) were approved at the future intersection of Transmountain and Paseo del Norte.
- Over 500 acres of open space were designated in the Master Plan, primarily on the eastern side of the plan area, to provide a buffer to the Franklin State Park. A portion of that property has since been sold to the state for inclusion in the state park. An extensive trail network, both developed and natural, and open space north and south of Transmountain Road, were key elements of the Plan.
- Portions of the property proposed for rezoning to NOS may be appropriate for development, if designed in accordance with more sustainable development such as Leed ND or Smart Code. The Planning Division recommends a holistic, sustainable approach to land planning for this property and recommends consideration of Smart Code zoning for the areas that were planned for development under the 2005 Master Plan.

- The NOS application ignores, in part, the impacts on the larger transportation network. An optimal solution would reconsider this and surrounding land uses and how a modification in the Master Plan could be made that is more sustainable while also ensuring connectivity and roadway capacity.

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

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

- a. Goal: preserve, protect, and enhance the integrity, economic vitality, and livability of the city's neighborhoods.
- b. Goal: provide a wide range of housing types that respond to the needs of all economic segments of the community.
- c. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.

Development Coordinating Committee Review

The DCC reviewed and discussed the application for rezoning. There were numerous comments from various departments:

El Paso Water Utilities

The Public Service Board/El Paso Water Utilities (PSB/EPWU) strongly objects to the proposed rezoning of approximately 900+ acres to NOS (Natural Open Space) located east of Interstate 10 and north and south of Trans-Mountain Road and contained within the approved PSB/EPWU Northwest Master Plan. PSB/EPWU's objections are based on the following areas of concern:

Northwest Master Plan:

The PSB/EPWU's Northwest Master Plan was adopted by City Council on May 24, 2005 subsequent to a unanimous approval by the City Plan Commission on February 25, 2005. Various stakeholders were involved in review and vetting of the document and included the following:

- Borderland Mountain Bike Association
- Arroyo Park Association
- Outer Limits Adventure Club Texas Parks and Wildlife
- Residents
- City of El Paso
- Texas Department of Transportation (TxDot)
- University of Texas at El Paso
- Mountain Development Committee

The Northwest Master Plan consists of approximately 1,850 acres with a proposed density of almost 6 units to the acre. The uniqueness of the Plan is that it incorporates a total of 530 acres of Open Space that is to be left in its natural state except for hike and bike trails. The proposed open space is the second largest land use classification shown on the Master Plan. In addition, a total of 114 acres of parkland are also designated in the Master Plan. The Plan also reserves land for schools and fire station site required by the City.

Area Proposed for NOS

The area proposed to be rezoned (900+ acres) does not take into consideration the various impacts on the City and PSB/EPWU. There is no rational basis for the proposed NOS boundaries other than providing a more expedient survey option. The proposed boundaries for the NOS rezoning include distances of 2,400 feet on the south and 3,027 on the north feet from Trans-Mountain Road.

Land Use Analysis of 900+ Acre Property

The PSB/EPWU Maser Plan for the 900+ acre property identified the following land use classifications.

- Open Space – 365 acres
- Park/Ponds – 58 acres
- Drainage – 15 acres
- Elementary School – 14 acres
- Medium High Density Residential – 267 acres
- Medium Density – 8 acres
- Apartment/Office – 44 acres
- Commercial-Office Space – 40 acres
- Commercial – 56 acres

Within the 900 acres proposed to be rezoned, approximately 126 acres have been sold to the State by the PSB/EPWU for inclusion into the Franklin Mountain State Park. A total of 1,626 dwelling units are projected for the 900+ acre property based on the proposed zoning that was shown on the Master Plan.

Economic Impact

The PSB/EPWU estimates that the total value of the 900+ acres to be approximately \$20 million. It is also estimated that the combined tax revenue to be lost for all taxing entities to be near \$12 million annually.

Infrastructure Impacts

The NOS zoning district currently does not allow the construction of planned water infrastructure (reservoirs and water transmission mains) to serve properties located east of Interstate 10. This restriction severely limits the proposed construction of future water, wastewater, reclaimed water and stormwater capital infrastructure projects in the area. The PSB/EPWU and Stormwater Utility currently have various infrastructure capital items shown on approved master plans and Impact Fee service areas.

The proposed rezoning of the Northwest Master Plan to NOS will not only impact development of PSB/EPWU properties but will also affect private properties in the immediate area. The inability to construct the projected facilities within the subject property significantly reduces the serviceable area as water could not be provided with adequate pressure to properties at higher elevations and also will place a strain on the hydraulics of the existing system. Sixty percent of the remaining Northwest Master Plan (minus the 900 acres) may not be able to be developed as a result. The negative consequence to the City will be a loss of additional tax revenue.

The subject property is located within the limits of the Westside Impact Fee Service Area. In the Impact Fee facilities plan, water infrastructure facilities were identified and sized to include service to the subject property. The inability to develop the subject property will trigger an amendment to the Impact Fee Ordinance to incorporate new boundaries, facilities plan and associated update of the impact fees assessed for the entire Westside Service Area.

The PSB/EPWU has reservoirs and pipelines existing within the lower Northwest Master Plan area which are intended to pump up to a future reservoir located within the 900+ acres proposed to be rezoned to NOS. These capital items were sized to meet future demands and an NOS rezoning will prohibit future extensions and produce a negative impact on those existing facilities. The PSB/EPWU spent close to \$700,000 in developing the Northwest Master Plan and may have to completely redo the plan if the infrastructure impacts are not resolved.

Because the NOS rezoning will nor permit major desilting and retention structures, potential sediment and debris flows coming down the mountain may be pose a threat and hazard to the public. The City approved Stormwater Master Plan may have to be amended to move the required stormwater structures to private property which will require additional monies for purchase of land.

Transfer of Property to Franklin Mountain State Park

The PSB/EPWU has contributed huge amounts of land for inclusion into the Franklin Mountain State Park that will be left in its natural state. In 1989 it sold (at substantial below market value) approximately 6,384 acres to the State and in 2009 another 1,659 acres were sold. The Franklin Mountain State Park is approximately 25,567 acres in size. Approximately 32 percent of the total acres currently in the State Park were properties under the jurisdiction of the PSB/EPWU.

Recommendation

The PSB Board has recommended leaving the Master Plan intact the way it was originally adopted including the proposed extension of Paseo Del Norte.

Transportation Department

- The area proposed to be rezoned includes a TXDOT's right-of-way, Loop 375 and existing infrastructure and the proposed right-of-way contribution for the widening of Loop 375 and proposed overpass at Paseo del Norte.
- Also in the area, the Major Thoroughfare Plan (MTP) includes various proposed Major and Minor arterial and Collectors that will provide for the connectivity needed for the future development of the areas to both the south and north of the proposed area to be rezoned to NOS.
- The area has been Master Planned by the Public Service Board and the PSB Northwest Master Plan has been approved by City Council through an ordinance.
- Rezoning this area is contrary to the Master Plans in effect at this time.
- The NOS ordinance does not list street roadways or significant structures as a permitted uses, the only motorized activity allowed is for maintenance, emergency services, or legal access agreements.
- The areas to the north and south may be developed to high density uses thus the need for the roadway grid and network to provide the necessary connectivity.
- Recommend that if the area is rezoned to NOS that a condition be included that will allow the development of the required roadway network(s) and grid(s) for the needed connectivity and the proposed upgrade(s) of Transmountain Loop 375. This may require a change to the ordinance establishing NOS as a separate zoning designation. EPDOT recommends Paseo del Norte be the major arterial allowed to connect with Loop 375 and extend to the north as per the MTP.
- Additional recommendation is that the allowed roadways be developed to provide for hike and bike trails, landscaping, irrigation, sitting areas and other walk able user amenities as allowed by the Ordinance with minimum disturbance. The natural features of the terrain would be ideal to implement various recreational areas and trails with minimal disturbance to the surrounding area to complement the hike and bike trails within the roadways. Landscaping could be designed and installed in such a manner as to camouflage the roadway within the proposed NOS zoning. Further, trail heads should provide for parking areas.
- The major roadways within the NOS should be built in accordance with ITE recommended practices to provide circulation.
- Also the Zoning Ordinance could be modified (prior to the zoning change) to allow the street roadways as development within the area zoned NOS.
- By allowing the development of roadways within the NOS zoned areas connectivity is maintained, particularly in light of higher density developments in the southern portion of the EPWU Master Planned area and would also lend itself to the enjoyment and pleasure of many more people as they would be able to access the open space and experience the natural setting. While the proposed NOS zoning reduces the area that would be developed, existing and proposed land uses would still require an effective transportation network to address multi-modal mobility needs in the sector. DOT recommends that the planned network be preserved with appropriate landscaping requirements to meet the anticipated mobility needs.
- Changes in zoning to NOS within the NW Master plan should precipitate a re-evaluation of the land study area to incorporate new urbanism principles including guidelines for roadway grids, Greenfield sites and open space allowances.

Transportation Issues:

Which ordinance takes precedence, NOS or MTP?

What would be the timing for the re-evaluation of the NW Master Plan?

Would adoption of the NOS designation require an ordinance repealing the adoption of the NW Master Plan?

Would amendments to the MTP also have to occur simultaneously with the adoption of NOS designation?

Open Space Advisory Board

The OSAB heard this rezoning request on Oct. 27, 2010, and recommended unanimous approval (5-0), with one member abstaining.

Fire Department

The El Paso Fire Department has no objections to zoning change.

Engineering & Construction Management Services Department

No objection to rezoning.

General Comments:

- Coordination with TXDOT

- The Subdivision is within Flood Zone C - "Areas of minimal flooding (No shading)" and within Flood Zone A - "Areas of 100-year flood, base flood and flood hazard factors not determined," Panel # 480214 0017C, dated February 5, 1982.

EPPD

The department has no recommendation or concerns about the changes.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning 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 in the Plan by the CPC.

Attachments:

Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: EPWU Northwest Master Plan

Attachment 4: Major Thoroughfare Plan

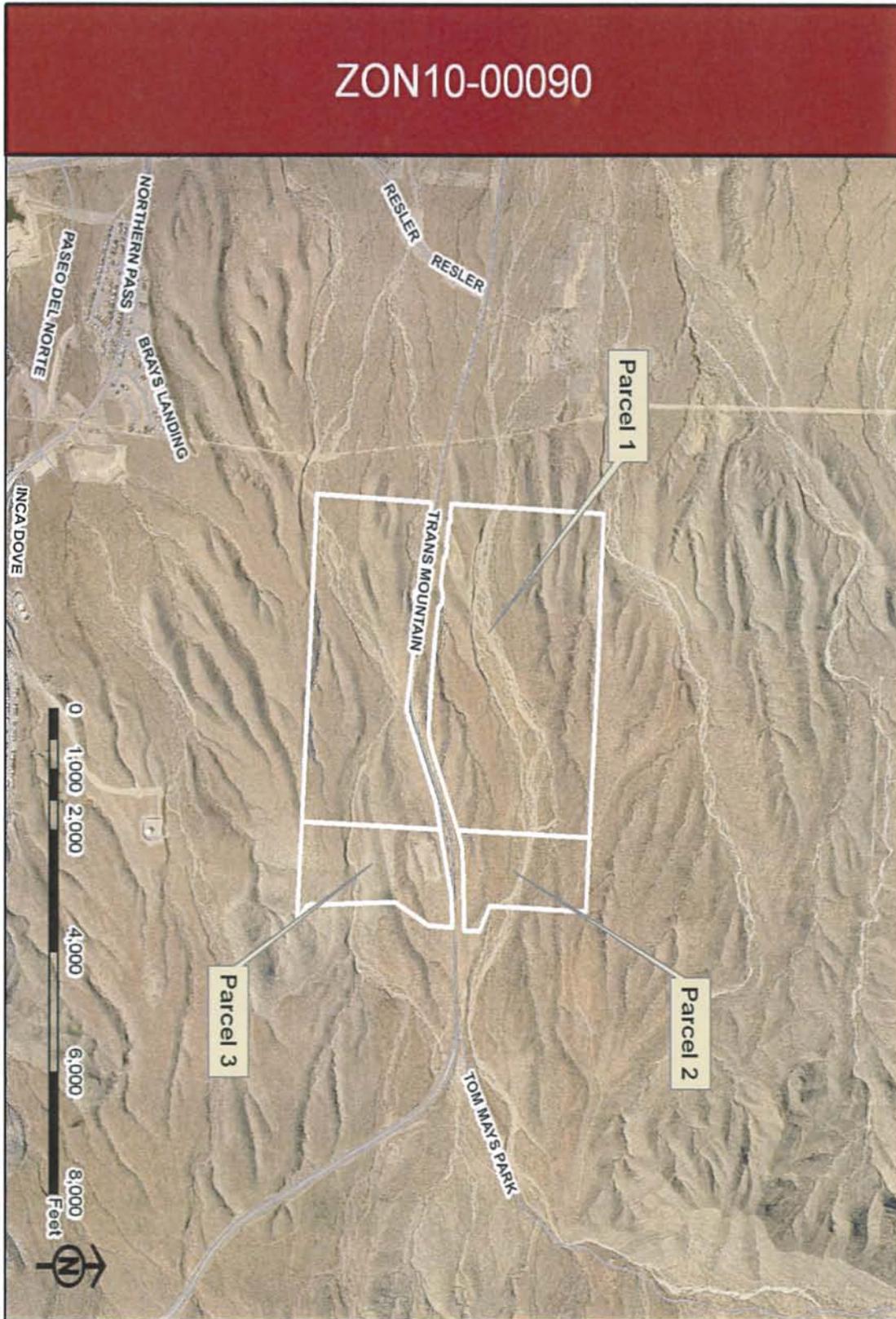
Attachment 5: Public comment in support

Attachment 6: PSB resolution in opposition

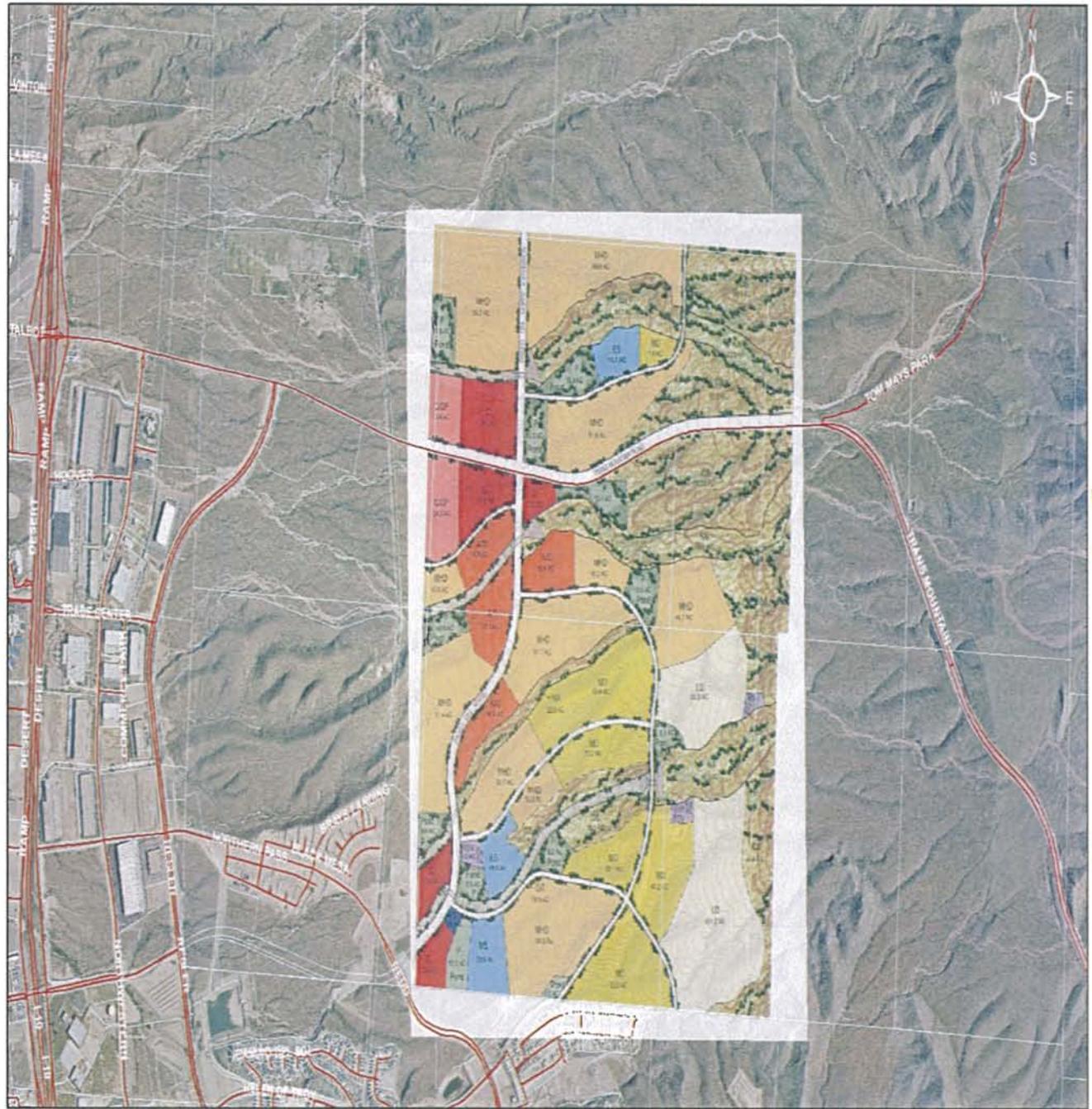
ATTACHMENT 1: ZONING MAP



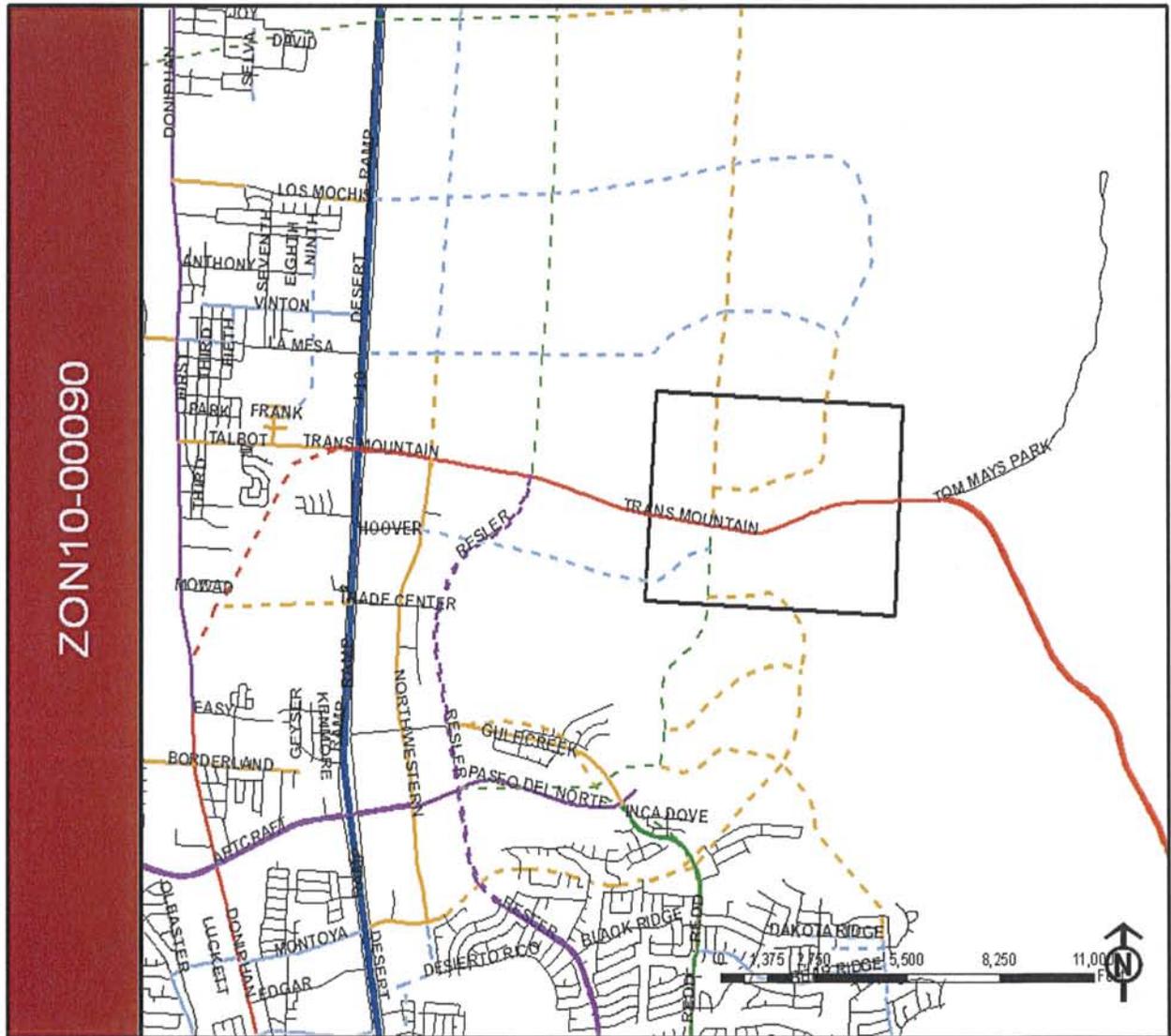
ATTACHMENT 2: AERIAL MAP



ATTACHMENT 3: Northwest Master Plan



ATTACHMENT 4: Major Thoroughfare Plan



Forsyth, Kimberly

From: Stephen Aley [stephen.aley@gmail.com]
Sent: Tuesday, October 19, 2010 10:00 PM
To: Forsyth, Kimberly
Subject: Support for rezoning proposal

Kim --

I just wanted to take a moment to express my support Representative Byrd's proposal to zone 900+ acres along Trans Mountain road. I also ask that as road improvements (in addition to the widening of TransMountain road) be done with an eye to preserving the treasure of open space and minimizing impact on the natural biology and scenic value of the area.

Sincerely
- Steve

Stephen B. Aley
752 Espolon Dr
El Paso, TX

Attachment 5

Forsyth, Kimberly

From: Flores, Luis U.
Sent: Wednesday, October 20, 2010 8:36 AM
To: Forsyth, Kimberly
Subject: FW: Scenic Corridor along Transmountain road

From: judy Ackerman [mailto:j.p.ackerman@sbcglobal.net]
Sent: Tuesday, October 19, 2010 5:29 PM
To: Flores, Luis U.
Subject: Scenic Corridor along Transmountain road

Dear Luis U. Flores,

Please do all you can to preserve the scenic corridor along Transmountain road! It is within the City's purview to rezone city owned land to Natural Open Space. It is certainly in the interest of all El Pasoans to preserve the natural beauty of our most precious natural resource – our Mountains.

The city land (managed by the Public Service Board) along the western edge of the Franklin Mountains State Park and bordering Transmountain Road, is much more valuable to El Paso when it is preserved as natural open space. Residential building costs taxpayers more than park or open space. See notes below on cost of community services (COCS) studies.

Please support Representative Byrd's proposal to rezone 900+ acres in Northwest El Paso as Natural Open Space. Additionally, this will eliminate the need to build a complex overpass at the proposed Paseo del Norte and save \$7 – 8 Million (estimated by TXDOT) taxpayer dollars.

Thank you for your consideration of this important issue.

judy Ackerman
 3344 Eileen, Dr El Paso, TX 79904
 915-755-7371

Cost of Community Services (COCS) studies research the costs of development VS open space.

“While it is true that an acre of land with a new house generates more total revenue than an acre of hay or corn, this tells us little about a community's bottom line. In areas where agriculture or forestry are major industries, it is especially important to consider the real property tax contribution of privately owned working lands. Working and other open lands may generate less revenue than residential, commercial or industrial properties, but they require little public infrastructure and few services. ... On average, because residential land uses do not cover their costs, they must be subsidized by other community land uses. Converting agricultural land to residential land use should not be seen as a way to balance local budgets.”

(http://extension.unh.edu/resources/representation/Resource000400_Rep422.pdf)

Extension of three towns in NH (Deerfield, Freemont, and Stratham), the average ratio of expenditures to revenues is 1.11 for the residential land uses; 0.45 for the commercial/industrial land uses; and 0.37

Acosta, Maria D

From: Raul Amaya [raulfamaya@yahoo.com]
Sent: Friday, October 29, 2010 2:08 PM
To: Acosta, Maria D
Subject: Preserve Trans Mountain scenic corridor

Dear Ms Acosta,

It will be a year this December that I moved to northeast El Paso. For some time I've wanted to move to this side of town because I love the hiking in the Franklin Mountains. I've lived on the east side of town for most of my life. And now that I have a radio program on Saturdays I drive over Trans Mountain drive to get to the station. While I agree that we need 2 more lanes on the west side of Tans Mountain drive that's all we need. So that is why I'm emailing you to let you know that I would like to see the Trans Mountain scenic corridor & the NW Master Plan preserved as Natural Open Space.

Thank you for your service to our community,

Raul F. Amaya

for the agriculture/open space land uses. These numbers are consistent with other Cost of Community Services (COCS) studies that find that agricultural/open space and commercial/industrial lands pay for themselves while residential lands do not. (<http://extension.unh.edu/CommDev/Pubs/CstComSv.pdf>)

SUMMARY OF COST OF COMMUNITY SERVICES STUDIES, REVENUE-TO-EXPENDITURE RATIOS IN DOLLARS

(http://www.farmlandinfo.org/documents/27757/FS_COCS_8-04.pdf)

Community	Residential including farm houses	Commercial & Industrial	Working & Open Land	Source
Bandera County, TX	1 : 1.10	1 : 0.26	1 : 0.26	American Farmland Trust, 2002
Bexar County, TX	1 : 1.15	1 : 0.20	1 : 0.18	American Farmland Trust, 2004
Hays County, TX	1 : 1.26	1 : 0.30	1 : 0.33	American Farmland Trust, 2000

Forsyth, Kimberly

From: lee archer [coach2154@yahoo.com]
Sent: Wednesday, October 20, 2010 8:28 AM
To: Kutz, Harold D.
Subject: Trans Mtn

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.
Thank you, Lee Archer

Forsyth, Kimberly

From: Sarala Arunagiri [sarala.arunagiri@gmail.com]
Sent: Tuesday, October 19, 2010 3:17 PM
To: Acosta, Maria D
Cc: McElroy, Mathew; Neligh, Michael P.; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; Smejkal, Nanette L.; Herrera, Michael O.; Kutz, Harold D.; Rodriguez-Hefner, Elda; rwilliam@elpasompo.org; Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.
Subject: Rezoning in El Paso

Dear Maria Acosta,

As a resident of El Paso, I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor.

Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Thank you.

Sincerely,
Sarala Arunagiri.

Acosta, Maria D

From: Joe Barbe [jbarbe@elp.rr.com]
Sent: Monday, November 01, 2010 10:37 AM
To: Acosta, Maria D
Subject: Transmountain Rezoning

City Plan Commission:

We favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. We support a conservation easement for that land which will preserve it as natural open space in perpetuity. We want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Joe and Yoli Barbe
2901 McKinley Ave
El Paso TX 79930
915-565-9301
jbarbe@elp.rr.com
yobarbe@elp.rr.com

Acosta, Maria D

From: Jennifer Barr [DE-Jennifer@elp.rr.com]
Sent: Tuesday, October 19, 2010 10:01 PM
To: Acosta, Maria D
Subject: Another Email for Conservation Easement

Hello,

My name is Jennifer Barr and I am a resident of Ann Morgan Lily's District I. I wanted to voice my opposition to development on the west side of Transmountain Drive. If this means designating this area as a conservation easement, losing money, and increasing my water bill, then so be it. (Water is too cheap in this desert, anyway.) As a landscape designer, I simply have to laugh at TxDOT and developers' stated intentions to "landscape" the right of way (however wide). What landscaping could replace the beauty of this drive? Which Jobe/Cemex quarry will generate the rock to "beautify" this area with "landscaping"? What other corridor brings commuters in touch with nature? The existing transmountain corridor is an urban anomaly; El Pasoans may not realize how special this is until it is gone. Please count me as being in support of Representative Byrd's proposition to rezone this area NOS, with a conservation easement. Developers have run this town for too long, and it's time the public responded.

Thank you,
Jennifer Barr
2201 N. St. Vrain
El Paso, Texas 79902

Acosta, Maria D

From: Kathryn Reynolds [agustusmc@sbcglobal.net]

Sent: Wednesday, October 20, 2010 12:35 PM

To: Acosta, Maria D

Dear Ms. Acosta: I understand that we cannot rezone all of the area in the Northwest Master Plan as Natural Open Space (NOS), but I would truly hope that Representative Byrd's proposal to zone just 900 or so acres north and south of Trans Mountain as NOS would be possible. I would hate to see the mountain covered in overpasses, homes, buildings and all other signs of "progress." I also disagree that by developing the area, we will save on our water rates. If we save a little, it isn't worth it.

Our mountains are the heart of our city. They are a form of beauty that not many other cities have. They dazzle us in the spring with cactus and poppy blooms, they are a backdrop for our incredible sunsets and they furnish habitat to many species of animals and plants. The Franklin Mountains are our legacy to future generations. We must preserve them.

I hope that you will guide our leaders to protect the mountains and keep them from the ravages of development. Please support Representative Byrd's plan to rezone the 900+ acres as NOS.

Sincerely, Kathy Barton

Forsyth, Kimberly

From: Don Baumgardt [donb@pinatapublishing.com]
Sent: Tuesday, October 19, 2010 2:43 PM
To: Forsyth, Kimberly
Subject: Transmountain zoning

Dear Ms. Forsyth,

Texas with an ALtitude (not ATitude), that's how El Paso should be known. We have mountains right in the middle of the city - no other Texas city does.

As a citizen, I enjoy those mountains everyday. The opportunity to look at them - especially in the morning and evening light - is truly special. Plus, as a hiker and mountain biker, spending time up close in the mountains is great recreation and relaxation.

As a business person my job is to promote the city - my company publishes the visitors guide for the El Paso CVB. Some visitors come to El Paso because of the mountains. Others, especially on a first visit, find them a pleasant surprise and reason to remember our city.

For personal and professional reasons I believe the change in zoning to protect the Transmountain Road corridor in the west side of El Paso is the right thing to do. Urban sprawl should be controlled as much as possible and it should be stopped on the face of OUR mountains.

Please work to protect the the mountains by changing the zoning to PMD and NOS.

Sincerely,

Don Baumgardt

Don Baumgardt
Piñata Publishing
444 E. Robinson Suite A
El Paso, TX 79902
915.533.4711 ex 15
fax 915-533-4722
donb@pinatapublishing.com

Acosta, Maria D

From: Courtney Brown [courtneygbrown@yahoo.com]
Sent: Tuesday, November 16, 2010 2:05 PM
To: Acosta, Maria D
Subject: please preserve open space

Dear Ms. Acosta,

I am writing you in support of preserving land in the NW master plan as natural open space. Our "scenic corridor" is a treasure that we must protect for ourselves and for future generations.

Sincerely,

Courtney Brown
6524 Camino Fuente
El Paso, TX 79912

Forsyth, Kimberly

From: David Brown [davidcafe@gmail.com]
Sent: Tuesday, October 19, 2010 2:43 PM
To: Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.; Mayor; District #1; District #2; District #3; District #4; District #5; District #6; District #7; District #8
Subject: Rezoning Initiative

I would like to express my strongest support for the following rezoning initiative.

The City of El Paso is submitting an application to rezone approximately 918 acres of City-owned property located north and south of Transmountain Road, near the entrance to Franklin Mountain State Park, from R-3 (Residential) and PMD (Planned Mountain Development) to NOS (Natural Open Space). The property is legally described as follows: Parcel 1 - Nellie D. Mundy Survey No. 246; and Parcel 2 - SJ Larkin Survey 269, Abstract 10070, Tract 1; and Parcel 3 - SJ Larkin Survey 269, Abstract 10070, Tract 1-A, all within El Paso, Texas.

Forsyth, Kimberly

From: Brown, Roy B PHD [rbbrown@utep.edu]
Sent: Friday, October 15, 2010 7:46 PM
To: Forsyth, Kimberly
Subject: NOS

Please do what you can to protect the Franklin Mountains and work to strengthen the protection for the open spaces. Thank you, Dr. R. B. Brown, 748 C, Espada, El Paso, TX 79912

Forsyth, Kimberly

From: Brunk, Samuel [sbrunk@utep.edu]
Sent: Tuesday, October 19, 2010 8:32 PM
To: McElroy, Mathew; Neligh, Michael P.; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; Smejkal, Nanette L.; Herrera, Michael O.; kutzhd@alpasotexas.gov; Rodriguez-Hefner, Elda; rwilliam@elpasompo.org; Forsyth, Kimberly; castelj@elpasotexas.gov; Rubio, Arturo; guerrereoex@elpasotexas.gov; sallounam@elpasotexas.gov; Acosta, Maria D
Subject: preserve the scenic corridor

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Sam Brunk

Forsyth, Kimberly

From: Nora Butler [nbutler@elp.rr.com]
Sent: Tuesday, October 19, 2010 3:20 PM
To: Forsyth, Kimberly
Subject: DCC meeting tomorrow

Greetings,

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Thank you for taking the time to read this,
Nora Butler

10/19/2010

Forsyth, Kimberly

From: Carol Camacho [zcamacho@elp.rr.com]
Sent: Wednesday, October 20, 2010 10:06 AM
To: McElroy, Mathew; Neligh, Michael P.; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; Smejkal, Nanette L.; Herrera, Michael O.; Kutz, Harold D.; Rodriguez-Hefner, Elda; rwilliam@elpasompo.org; Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.; Acosta, Maria D
Subject: Natural Open Space

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Thank you, Ellen Camacho
El Paso, TX 79928-5669

Forsyth, Kimberly

From: zahnc@yahoo.com
Sent: Tuesday, October 19, 2010 11:10 PM
To: McElroy, Mathew; Neligh, Michael P.; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; Smejkal, Nanette L.; Herrera, Michael O.; Kutz, Harold D.; Rodriguez-Hefner, Elda; rwilliam@elpasompo.org; Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.; Acosta, Maria D
Subject: Support Natural Open Space (NOS) zoning along Transmountain Road

We favor preserving the natural beauty of the scenic corridor of Transmountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Transmountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor.

Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor.

Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Sincerely,

Zahn Camacho and Family
12429 Paseo de Arco
El Paso, TX 79928-5669

Forsyth, Kimberly

From: Flores, Luis U.
Sent: Wednesday, October 20, 2010 8:36 AM
To: Forsyth, Kimberly
Subject: FW:

From: Cooper, Clarence [mailto:ccooper@utep.edu]
Sent: Tuesday, October 19, 2010 5:01 PM
To: Neligh, Michael P.; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; Smejkal, Nanette L.; Herrera, Michael O.; Kutz, Harold D.; Rodriguez-Hefner, Elda; rwilliam@elpasompo.org
Subject:

I'm in favor of rezoning all of the land in the Northwest Master Pan as Natural Open Space. Our Mountains are our most precious asset. Let's save as much as we can for the future. Representative Byrd's proposal is a compromise that is minimal action for the Trans- Mountain area. I support it.

C. Cooper
305 Camille
El Paso 79912

Forsyth, Kimberly

From: Cordero Rios, Mayra P. [mcorde30@epcc.edu]
Sent: Saturday, October 23, 2010 5:42 PM
To: McElroy, Mathew; Neligh, Michael P.; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; Smejkal, Nanette L.; Herrera, Michael O.; Kutz, Harold D.; Rodriguez-Hefner, Elda; Castle, Linda; rwilliam@elpasompo.org; Forsyth, Kimberly; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.
Subject: YES Natural Open Space!

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Mayra Cordero

*Recycling Coordinator
El Paso Community College
Valle Verde Campus M109G
mcorde30@epcc.edu
(915)831-3325 Office
(915)727-8200 Cell*

 *Please don't print this e-mail unless you really need to. GO GREEN!*

Forsyth, Kimberly

From: Sue DiCara [sdbookgal@mac.com]
Sent: Tuesday, October 19, 2010 6:27 PM
To: Forsyth, Kimberly
Subject: Preserve Scenic Corridor

Kim Forsyth

Dear Ms. Forsyth:

I want you to know that I am very much concerned that City Council take Earth-friendly action to preserve the scenic corridor along Transmountain Road as the western portion of it is upgraded to freeway. Often I have hiked in the Franklins; frequently my husband and I marvel at the unobstructed view of our marvelous mountain as we leave Resler and head uphill on 375 -Transmountain toward Tom Mays Park. We hope and pray that the magnificent view can be preserved. We're counting on your conscientious consideration!

Here are our requests:

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.

Sincerely,

Sue DiCara
Northeast El Paso 79924
751-5270

10/19/2010

Forsyth, Kimberly

From: Lennie Enzel [lennie52@juno.com]

Sent: Tuesday, October 19, 2010 7:39 PM

To: Acosta, Maria D; McElroy, Mathew; Neligh, Michael P.; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; Smejkal, Nanette L.; Herrera, Michael O.; Kutz, Harold D.; Rodriguez-Hefner, Elda; rwilliam@elpasompo.org; Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.

Subject: Save Transmountain Open Spaces

favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Lennie Enzel

"It is not easy to find happiness in ourselves, and it is not possible to find it elsewhere." -- Agnes Repplier

Forsyth, Kimberly

From: Esposito, Ellen L [edesposito@utep.edu]
Sent: Wednesday, October 20, 2010 8:00 AM
To: McElroy, Mathew; Neligh, Michael P.; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; Smejkal, Nanette L.; Herrera, Michael O.; Kutz, Harold D.; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.
Subject: Transmountain development plans

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Ellen Esposito

Asst. Director, CenMaSTER
The University of Texas at El Paso
Geology 227A
(915) 747-8468
fax: 747-5073

Forsyth, Kimberly

From: D Flitman [dfleitma1@elp.rr.com]
Sent: Monday, October 18, 2010 5:10 PM
To: Forsyth, Kimberly
Subject: rezoning Transmountain

Dear Ms Forsyth

I understand the rezoning of Transmountainis coming before the DCC this week. I ardently support returing this land to NOS as this is the only truly scenic passage currently in El Paso. The recent Council vote to rezone this from PMD residential will only lead to commercialization of this beautiful area. El Paso does not need this there is plenty of open space for development now and in the future...adding the Golden Arches and a new auto dealership will not add to this beutiful and park like retreat for El Pasoeans so I ask for your support to rezone to NOS

Regards

David Flitman
5558 Buckley Dr
El Paso, TX 79912
584-5347

10/19/2010

Forsyth, Kimberly

From: Freeman, Edward [freeman@utep.edu]
Sent: Wednesday, October 20, 2010 10:37 AM
To: Forsyth, Kimberly
Subject: Natural Open Space ordinance

Dear Mr. Forsyth;

I am writing you in support of the rezoning proposal concerning the 900 acres adjacent to Franklin Mountains State Park. I find it hard to believe that the political leaders of this city would be so foolish and short-sighted as to destroy this beautiful area which is a tourist attraction. We take visitors to our home, especially the Europeans, to see this area during their visits. They are amazed by the beauty they see and take pictures to take back to Europe of our open spaces. After all, they have destroyed virtually all of theirs. Once this area is despoiled, it cannot be recovered since it took tens of thousands of years to develop. I am more than happy to pay a surcharge from EPWU to make up for any financial losses. Please support the Natural Open Spaces ordinance and keep the slope of the Franklins as it is.

C. Edward Freeman
Professor Emeritas of Biology, UTEP
312 Granada Ave.
El Paso 79912-5222

Acosta, Maria D

From: Tami [kamalag@elp.rr.com]
Sent: Tuesday, November 16, 2010 12:52 PM
To: Acosta, Maria D
Subject: open space

Dear Ms. Acosta,
I support support preserving land in the NW Master Plan as Natural Open Space.
Thank you for your time,
Tami Gandt
Upper Valley Resident

Forsyth, Kimberly

From: Manuel Guterres [manuel_guterres@hotmail.com]
Sent: Monday, October 18, 2010 5:54 PM
To: Forsyth, Kimberly
Subject: Rezoning City Land

Please be advised that I strongly support the rezoning of the 918 acres of city land near Franklin Mountain to NOS.

Thanks for your efforts on this.

Manuel Guterres
5624 Buckley Dr
El Paso, TX 79912
manuel_guterres@hotmail.com
915.584.2506

Forsyth, Kimberly

From: madhadd@aol.com
Sent: Tuesday, October 19, 2010 8:09 AM
To: Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.; Mayor; District #1; District #2; District #3; District #4; District #5; District #6; District #7; District #8
Subject: Rezoning-Trans Mountain

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support an easement for that land which will preserve it as natural open space in perpetuity. Furthermore, any road improvements east of the gas line road should be at grade only. The proposed intersection of Paseo del Norte with Trans Mountain should be moved west to the contemplated Plexxar interchange. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Madeleine Haddox

Acosta, Maria D

From: Michael Hall [micandcj@msn.com]
Sent: Friday, November 05, 2010 10:17 PM
To: Acosta, Maria D
Subject: FW: Mistakes in Case Against NOS

I want to put my support in for open space and the protection of the public land, state park and all open space. We need to protect El Paso's greatest asset....Franklin Mountain.

Michael Hall
 El Pasoen.

From: bmbaelpaso@hotmail.com
Subject: FW: Mistakes in Case Against NOS
Date: Wed, 3 Nov 2010 18:27:53 -0600

For those of you who care about open space, less sprawl, and potentially more trails, this is an informative read. Mr. Tolbert is working exceptionally hard to find the FACTS so we won't be fooled by the political doublespeak from the PSB and Mayor Cook.

Your support could make a huge difference.

Dave Wilson
 BMBA President

The BMBA web blog

From: jimhtolbert@elp.rr.com
To: jimhtolbert@elp.rr.com
Subject: Mistakes in Case Against NOS
Date: Wed, 3 Nov 2010 16:50:14 -0600

In case you have not gotten the news, the rezoning issue will not go before the CPC tomorrow. It has been moved to its Thursday, November 18th, meeting rather than the November 4th meeting. The CPC meets in the Council chambers of City Hall at 1:30 p.m. Please send your comments now to Maria Acosta - AcostaMD@elpasotexas.gov and let the CPC know that you support preserving land in the NW Master Plan as Natural Open Space. If you can, please plan to go to the meeting on the 18th. It is important that we have as many people as possible attend this meeting.

Please email the Mayor and City Council Representatives – especially the Mayor and your City Council Representative.

Just so you know – Council voted on October 6, 2010 to direct staff to rezone land along Trans Mountain as Natural Open Space (NOS). The City Council Plan has undergone staff review and next goes to the CPC on November 18th for its recommendation. It then goes back to Council for a final decision. The date it will be

Acosta, Maria D

From: Skibowe@aol.com
Sent: Saturday, October 30, 2010 7:03 AM
To: Acosta, Maria D
Subject: Scenic Corridor

Marie,

I am very disappointed with your stance on the scenic corridor issue and ask that you reconsider your position. My wife and I are both native El Pasoans and she drives this beautiful road twice each day to work. We live next to Castner Range and understand the importance of the few magnificent open spaces still intact. I urge you to please keep the scenic corridor open space for all El Paso folks, like us, and do the right thing!

Regards,

Curtis Hammock

Forsyth, Kimberly

From: Mary Beth Harper [mbharper@att.net]
Sent: Monday, October 18, 2010 8:36 AM
To: Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.
Subject: NW Trans-Mountain Corridor rezoning

Good morning,

I am a West side resident who has spent years enjoying the drive over Trans Mountain Road partly because of the lack of development along the route. I was dismayed to hear that there may be plans afoot to keep the residential and Planned Mountain Development zoning in place for over 900 acres of land near the entrance to Franklin Mountains State Park. I can only imagine the traffic mess that such development would bring to that stretch of road. In addition, development would block out some of the scenic beauty of the drive up the mountain. We have precious few scenic sights of natural beauty in El Paso, with the Franklin Mountains being the focal point. To develop housing, apartments, or other businesses here would take away a part of something special that exists nowhere else in our city.

I fully support your application to rezone the land for Natural Open Space. This scenic and native vegetation/wildlife area should remain so. Development can occur along the I-10 corridor or closer to Resler and Trans Mountain if it is indeed warranted.

Please continue to fight to keep this beautiful section of the Chihuahuan Desert free of construction.

Thank you,

Mary Beth Harper
1212 Galloway Dr.
El Paso, TX 79902

Acosta, Maria D

From: Carrolep@aol.com
Sent: Saturday, October 30, 2010 11:05 AM
To: Acosta, Maria D
Subject: Scenic corridor

Ms. Maria Acosta,

Please do everything you can to convince the CPC that El Paso needs to preserve the scenic corridor on the west side of the Franklin Mountains. It is a beautiful open space that contributes to our city's uniqueness.

I recently returned from a trip to Tulsa, OK, Eureka Springs, AR, and the scenic vistas of the Ouichita Mtns. in AR. It was an eye opener to see how those areas have preserved open spaces and enhanced them for the benefit of the public. More than once I thought to myself, "El Paso could learn a lot from about quality of life and tourism from these places."

Thank you for supporting the scenic corridor.

*Ms. Carrol Hedrick
9576 Pistachio St.
El Paso, TX 79924*

Forsyth, Kimberly

From: elizabeth Heide [heidejb@yahoo.com]

Sent: Wednesday, October 20, 2010 1:18 PM

To: McElroy, Mathew; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; Smejkal, Nanette L.; Herrera, Michael O.; Kutz, Harold D.; Elda Rodriguez-Hefner; Roger William; Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.

Subject: Natural Open Space (NOS)/ Representaative Byrd's proposal

I favor preserving the natural beauty on the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (Nos). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support rezoning those 900+ acres as Natural Open Space. Thank you for your attention in this matter.
John and Elizabeth Heide (751-5648).

Forsyth, Kimberly

From: Mikechenry@aol.com
Sent: Tuesday, October 19, 2010 8:40 AM
To: Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.
Subject: Rezoning to Natural Open Space

Ladies and Gentlemen:

Every advertisement of El Paso and the El Paso area touts the beauty of our mountains. Our mountain vistas are synonymous with El Paso's natural beauty and our desert climate. Any visitor to El Paso leaves with an impression of the El Paso area and mountains that is lasting. While our community is growing and every developer, both commercial and residential, wants a piece of the mountain, there comes a time to say "no more." I believe our community leaders are smart enough and imaginative enough to find ways to develop El Paso without building more on the mountains.

Therefore, I am fully in support of the rezoning of the approximately 918 acres of City-owned property located north and south of Transmountain Road, near the entrance to Franklin Mountain State Park, **from R-3 Residential) and PMD (Planned Mountain Development) to NOS (Natural Open Space)**. The property is legally described as follows: Parcel 1 - Nellie D. Mundy Survey No. 246; and Parcel 2 - SJ Larkin Survey 269, Abstract 10070, Tract 1; and Parcel 3 - SJ Larkin Survey 269, Abstract 10070, Tract 1-A, all within El Paso, Texas.

Thank you for hearing my thoughts and I hope you will agree with me and the many others on this rezoning issue.

Sincerely,

Michael Henry
5600 Buckley
El Paso, TX 79912

Acosta, Maria D

From: Margaret Jackson [mmsjackson@yahoo.com]
Sent: Sunday, November 14, 2010 4:31 PM
To: Acosta, Maria D
Cc: johnfcook@sbc.global.net
Subject: City Planning Commission/ Natural Open Spaces

Please address my concerns to the City Planning Commission.

I am writing to urge strongly that the City Planning Commission recommend that the Transmountain corridor leading to the Franklin Mountain State Park be zoned to Natural Open Space as recently approved by the City Council.

For far too long, the City Planning Commission has approved development after development and called such constructions "progress." But, deciding not to develop can also be called progress when it takes into account a modern view of the city's future. Concern for the environment, open spaces, and quality of life is truly progressive and reflects a city looking forward to new societal needs. Franklin Mountain State Park is unique in its size and beauty, in its recreational benefits, and its usable location. Does the City Planning Commission really want to turn the corridor of such a treasure into a commercial/ residential zone? Like species of plants and animals which go extinct, once the land is destroyed (and there are many examples of this in El Paso), it is gone forever. Is this the legacy that we wish to leave our children? Do we care so little for what we have been given?

Unlike many instances, the PBS land is not privately owned and thus not subject to Texas ownership laws. That land is public and as such should be zoned for the public good. It should be zoned Natural Open Spaces.

Thank you,

Margaret Jackson
1305 Madeline Drive
El Paso, Texas 79902

Margaret Jackson
mmsjackson@yahoo.com

Forsyth, Kimberly

From: Ann Jesse [amjesse@gmail.com]
Sent: Wednesday, October 20, 2010 5:24 PM
To: Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.; McElroy, Mathew; Neligh, Michael P.; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; mejkalni@elpasotexas.gov; Herrera, Michael O.; Kutz, Harold D.; Rodriguez-Hefner, Eida; william@elpasompo.org
Subject: petition to save the Franklin Mts

To Whom it May Concern:

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

--
Ann Jesse

Acosta, Maria D

From: Jesse Kapenga [jesse.kapenga@gmail.com]

Sent: Thursday, November 04, 2010 10:08 AM

To: Acosta, Maria D

Subject: Open Space in the NW Master Plan

Maria Acosta,

I am writing to let you know that I support preserving land in the NW Master Plan as Natural Open Space. I am writing as a tax-paying, land-owning, voting member of the El Paso Community. The Franklin Mountains are the jewel of El Paso, a haven from the busy life of a border city, and a place for citizens from an overweight and diabetes prone area of the United States can go outside and exercise. Recently hundreds of outsiders have been visiting the city for its mild winters and its world-class mountain biking and rock climbing. I support open space, more city parks, more walking and biking paths that are safe (not simply an extra line drawn on a busy highway) and preserving the nature that exists today. I also support the groups that work hard to keep this El Paso beautiful such as the Borderland Mountain Biking Association, the Franklin Mountains Wilderness Coalition, and Texas State Parks. Thanks for your time, Jesse Kapenga

--

Life is a beautiful struggle.

- Kweli

The mind of a child is where the revolution begins...

- I.T.

Forsyth, Kimberly

From: Flores, Luis U.
Sent: Wednesday, October 20, 2010 8:33 AM
To: Forsyth, Kimberly
Subject: FW: Trans Mountain Scenic Corridor

-----Original Message-----

From: Bart Kennedy [mailto:pianomaker@zianet.com]
Sent: Wednesday, October 20, 2010 8:23 AM
To: McElroy, Mathew; Neligh, Michael P.; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; Smejkal, Nanette L.; Herrera, Michael O.; Kutz, Harold D.; Rodriguez-Hefner, Elda; rwilliam@elpasompo.org; Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.; Acosta, Maria D; Mayor; District #1; District #2; District #3; District #4; District #5; District #6; District #7; District #8; MARK BENITEZ
Subject: Trans Mountain Scenic Corridor

Hello,

My wife and I are requesting that each of you do everything possible to preserve as much as possible of the Trans Mountain Scenic Corridor for the natural beauty that everyone enjoys today. If this area is destroyed, as other mountain areas have been, the beauty of the area can never be returned to its natural state.

Thank you,
Ellen Kennedy

Bart Kennedy
2nd Vice President
Cielo Vista Neighborhood Association

Forsyth, Kimberly

From: kkiseda@elp.rr.com
Sent: Monday, October 18, 2010 2:23 PM
To: Forsyth, Kimberly

I very strongly urge you to support the zoning change from R-3 Residential and PMD Planned Mountain Development to NOS - Natural Open Space.

Kathy Kiseda
404 Kenyon Joyce Lane
El Paso, TX 79902

Forsyth, Kimberly

From: R LoBello [ricklobello@cs.com]
Sent: Tuesday, October 19, 2010 11:58 PM
To: Forsyth, Kimberly
Subject: Proposed City Sponsored Awareness Campaign and Support for Representative Byrd's Proposal on Open Space

Proposed City Sponsored Awareness Campaign and Support for Representative Byrd's Proposal on Open Space

October 19, 2010

Dear Kim,

I am writing you to express my support in favor of grassroots efforts and Representative Byrd's proposal to zone over 900 acres north and south of Trans Mountain as Natural Open Space. I hope that you will support this effort and also consider rezoning all the land in the Northwest Master Plan as Natural Open Space. I support a conservation easement for that land which will preserve it as natural open space and request that such rezoning require that any road improvements east of the gas line road be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which I believe has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

I make this request as a private citizen and want you to know that I believe that thousands of citizens also support this request and that many more are not aware of the issue. To help more people understand the full implications of the development I also encourage you to put together a comprehensive education campaign designed to increase awareness of the vision for the Northwest Master Plan. I believe that such a campaign is very important to our City in light of the overall attitude that many citizens have that the City is not adequately seeking their input using the awareness processes currently in place. If a campaign is not launched soon I fear that we are going to have thousands of citizens who currently enjoy the Trans Mountain Scenic Corridor very upset at the City and government officials when the bulldozers start destroying what nature has spent thousands of years creating. When you think about this Scenic Corridor and how many people appreciate it, you could compare plans to destroy it to building a dam on a wild and scenic river, tearing down the Eiffel Tower in Paris or the Washington Monument in the Capital. This part of our city is irreplaceable and an important part of our natural heritage.

I believe that the awareness campaign I propose should include before and after graphics showing projected housing areas, shopping centers, schools, and bridges and interchanges. I also would like the campaign to review all the impacts to the current wilderness experience at Tom May's Park which is an important part of our Quality of Life. For example, how will the wildlife habitat and wildlife corridors be affected by the Northwest Master Plan, will the development encourage citizens to create unauthorized trails into the park that park staff to not have the resources to adequately manage. How will the night sky opportunities at Tom Mays Park will be impacted by all the light pollution that will result from the developments? Nearly 90% of the local citizens I have spoken to on the subject are not aware of the true implications of the project and how the vision for the plan will dramatically destroy a huge part of El Paso's last scenic corridor on the west side.

10/20/2010

Thank you for your consideration of this request.

Sincerely,

Rick LoBello
913 Totonaca Lane
El Paso, Texas 79912

10/20/2010

Forsyth, Kimberly

From: Krystal.Martinez@hcahealthcare.com
Sent: Friday, October 15, 2010 3:40 PM
To: Krystal.Martinez@hcahealthcare.com; District #2; District #3; District #5; District #6; District #7; District #8; Forsyth, Kimberly; District #1; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.
Cc: jimhtolbert@elp.rr.com
Subject: RE: Request for Preservation***

From: Martinez Krystal
Sent: Friday, October 15, 2010 3:37 PM
To: 'mailto:mayor@elpasotexas.gov'; 'mailto:district1@elpasotexas.gov'; 'mailto:district2@elpasotexas.gov'; 'mailto:district3@elpasotexas.gov'; 'mailto:district5@elpasotexas.gov'; 'mailto:district6@elpasotexas.gov'; 'mailto:district7@elpasotexas.gov'; 'mailto:district8@elpasotexas.gov'; 'mailto:forsythkl@elpasotexas.gov'; 'mailto:castlelj@elpasotexas.gov'; 'mailto:rubioax@elpasotexas.gov'; 'mailto:guerreroex@elpasotexas.gov'; 'mailto:salloumam@elpasotexas.gov'
Cc: jimhtolbert@elp.rr.com
Subject: Request for Preservation***
Importance: High

MEMORANDUM

Date: October 15, 2010

To: City Representatives and Mayor Cook

From: Krystal Martinez, Native El Pasoan

Subject: Preservation of Transmountain Scenic Corridor

My name is Krystal Martinez and I have been an El Pasoan all of my life. I am writing to you to petition that we preserve the Transmountain Scenic Corridor. As a true El Pasoan I can tell you that one of the most beautiful attributes of this city is the mountainous landscaping. I can remember hiking with my father since I was ten in the northeast early in the morning just so that we could enjoy breakfast at the top of mountain and I feel distressed that these areas may be in jeopardy due to commercial development. I would like to urge that we instead learn to use these areas for exercise and recreational activities. As a nurse, a diabetes educator and a cyclist I can tell you that there is a great need to get our community outside and exercising. If anything we should be investing in the health of our community and this would be a wonderful resource to be able to increase the use of hiking trails and areas for cycling and climbing. Just last weekend the Chupacabras mountain bike event took place in Juarez with over 2,000 registered, even with all of the violence that is occurring at this time which means that people do want to enjoy the outdoors, even with the increased risk of harm. We have such an interesting geological setting here in El Paso and we have yet to exploit these areas for the health of the community in a positive manner. Instead of tearing into these areas let's see if we can create ways that people might get better use so that they can spend some time with their families outside doing activities that will improve their health. If we do this right, you could have people coming to El Paso to enjoy these

areas, like Waco tanks, instead of individuals leaving to go elsewhere.

I feel this is what we really need and I think this would be an investment in the health of our community and an investment in our beautiful city.

Thank you for your time.

Krystal Martinez RN

Forsyth, Kimberly

From: Lyn McKinley [lyn.mckinley@gmail.com]
Sent: Tuesday, October 19, 2010 8:13 PM
To: Forsyth, Kimberly
Subject: Transmountain Road

Dear Ms. Forsyth,

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Lyn McKinley

Forsyth, Kimberly

From: Cindy Milazzo [cindymilazzo@elp.rr.com]
Sent: Tuesday, October 19, 2010 10:07 PM
To: Castle, Linda; Flores, Luis U.; Forsyth, Kimberly; Guerrero, Esther; Herrera, Michael O.; Kutz, Harold D.; Marquez, Ted; McElroy, Mathew; Neligh, Michael P.; Rodriguez-Hefner, Elda; Rubio, Arturo; rwilliam@elpasompo.org; Salloum, Andrew M.; Smejkal, Nanette L.; Castillo, Adriana
Cc: Jim H. Tolbert
Subject: Rezone Land in NW Mater Plan as NOS

Dear Development Coordinating Committee and City Planners:

I recently spoke with a graduate student and soon-to-be city planner (who is from El Paso) about the planned expansion of the Transmountain road. He told me some things that you may have heard but bear repeating.

1) A law of traffic engineering states that loops and highways do not alleviate traffic problems; they cause them. My friend says, "This is because 'if you build it they will come.' Building a highway increases the value of the land around it, which promotes growth. Now, this growth is not necessarily good, because it grows more like a cancer than a tree. In between the strip malls on this new road, and the last development in town, there is a large swath of open land. That land will be filled in with sprawl in no time because of the potential that the highway has created. Therefore, while the highway does increase growth, it is not the kind that we want in El Paso because it will be incredibly low density, automobile dependent development." It is a fact that the Urban Land Institute visited El Paso a few years ago and told us that we are building ghettos through our planning practices.

2) El Paso does not have a loop because El Paso has not made the mistakes that other cities have made -- yet.

Do we really want to make this mistake in El Paso and in its most beautiful area -- the very spot that people travel from all over the country and world to visit? That, I believe, would be throwing away one of El Paso's greatest treasures in order to fit El Paso into an outdated model that many city planners today believe is harmful to communities.

If the construction does not take place and state funding is lost, so be it. The natural beauty and preservation of this Natural Open Space for future generations are more important than any temporary gain.

I urge you to recommend rezoning all of the land in the Northwest Master Plan as Natural Open Space. My second choice is for the compromise presented by Representative Byrd which would zone as NOS just 900 acres north and south of Trans Mountain and to keep this land as NOS in perpetuity through a conservation easement. Road improvements east of the gas line road should be at grade only and Paseo del Norte should be deleted from the Master Thoroughfare Plan.

I also urge you to recommend reviewing the Northwest Master Plan thoroughly and open this up to public discussion again.

Thank you for your time and the opportunity to present my opinion. As you consider this important issue, please take into account the opinions of El Pasoans.

Cindy Milazzo
 District 2

10/20/2010

Acosta, Maria D

From: Acosta, Maria D
Sent: Tuesday, October 19, 2010 4:22 PM
To: DSD-Planning
Subject: FW: Rezoning 900+ acres as Natural Open Space

FYI

From: Christine Montgomery [mailto:cmontgomery17@yahoo.com]
Sent: Tuesday, October 19, 2010 3:58 PM
To: cmontgomery17@yahoo.com
Subject: Rezoning 900+ acres as Natural Open Space

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise!

I support a conservation easement for that land which will preserve it as natural open space in perpetuity. **I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor.**

Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning.

Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor.

Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Best Regards,

Christine Montgomery
District 16 "GOOOH" Coordinator
<http://goooh.com>

<http://www.meetup.com/GOOOH-El-Paso-MeetUp-A-New-Non-Partisan-Political-Party/>

Forsyth, Kimberly

From: Christine Montgomery [cmontgomery17@yahoo.com]
Sent: Thursday, October 21, 2010 1:12 PM
Subject: Fw: PSB Land Sales Produce Negligible Results

Subject: PSB Land Sales Produce Negligible Results

Mr. Archuleta and the PSB continue to contend that their policy of selling land for development is saving the rate payers money. In fact, when associated expenses are considered, math errors corrected, and the "spin" debunked, we can make an apples to apples comparison and show that those savings are negligible.

In his most recent presentation to City Council, Mr. Archuleta estimated the cost of Representative Byrd's plan to set aside 868 acres for a scenic corridor on Trans Mountain at \$28 million. That works out to over \$32,000 per acre! This number is quite an exaggeration when you realize that land at the Palisades was purchased for \$12,250/acre and at Resler and Thunder Canyons for \$20-21,000/acre. Hunt backed out of a deal in the Northeast because the price of \$26,000/acre was deemed to be too high.

A price based on a sales of a comparable place is \$17,500/acre and not Mr. Archuleta's \$32,000/acre. When you realize that only 415 of the 868 acres are developable anyway, the math really begins to change.

PSB's costs associated with providing infrastructure are about \$7,500 per acre. The real cost of Representative Byrd's plan is \$17,500/acre less of costs of \$7,500 X 415 acres comes out to be \$4.2 million – not \$28 million.

Now consider that there are currently 177,000 rate payers and on average 3,000 new rate payers are added each year. Take that \$4.2 million over a 10 year amortization period (number of rate payers equals 207,000) and you get a one-time savings by all rate payers of 17 cents per month!

17 cents!

One last little detail: When Mr. Archuleta totaled land use in the 868 acres to get \$28,000,000, he estimated 66 acres of drainage/trails at 10,000/acre or \$6,600,000 according to the total in his presentation. Do the math. \$10,000/acre X 66 = \$660,000 not \$6 million dollars. That \$28,000,000 shrinks to less than \$23,000,000.

Archuleta knows this, and so does his top brass. When will members of the Public Service Board stop being "yes" people and begin exercising some proper oversight?

As for us rate payers: Ask yourself, when did you ever see your water bill go down? If we are saving all these millions of dollars, when do we see an actual reduction in the bill?

Would you pay 17 cents per month to save the scenic corridor of Trans Mountain? Are you going to keep sacrificing your children's and grand children's quality of life because Mr. Archuleta says you can't afford 17 cents a month.

PSB's land policy seems arbitrarily determined and designed to benefit a select few. So why do we do it? It may very well be that this is one way that Mr. Archuleta maintains power. He says what we buy

and sell. He dictates what land can be preserved and what land must be bulldozed. The reason for the policy seems to be one big power trip. For that egoism, we could lose the natural beauty of the Trans Mountain Corridor!

We actually should rezone all of the NW Master Plan as Natural Open Space. Short of that is the Byrd plan which also includes eliminating one additional overpass (Paseo del Norte) which would seem to be pretty easy to do without losing \$80,000,000 for a highway project. We should question how another intersection (Plexxar) which was never a part of the Master Thoroughfare Plan even got to be included in the TxDOT freeway plan; and we should, at the very least, insist on a new Northwest Master Plan failing rezoning all of that land as NOS.

***Elpasonaturally**© is written and published by Jim Tolbert who takes sole responsibility for the content of the letter.*

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Please visit and bookmark www.elpasonaturally.blogspot.com.

This is Volume 1 and Number 27 published on October 21, 2010

Forsyth, Kimberly

From: Christine Montgomery [cmontgomery17@yahoo.com]

Sent: Monday, November 08, 2010 1:50 AM

To: John Cook

Subject: Re: I support Natural Open Space

Dear Mayor Cook,

The PSB already transferred right-of-way for the highway in exchange for conduit under the road in 4 locations. So widening the road to 4 lanes is perfectly okay. We prefer at grade.

BTW, I for one am all for the freeway concept in the area privately owned from I-10 to Gas Line Road. Developments there will need frontage roads, and there has been much talk about extra space between hike / bike trails (like the Pat O'Rourke Trail along Redd Road) and those roads.

A real problem has been the fact that developers want lots of concessions should Council lift the MDA along the proposed freeway / frontage system in exchange for right-of-way. They can't seem to give up big signs for example in return for the right-of-way that would be good for the residential and commercial developments!

In effect, their intransigence along with PSB's intransigence over Council's plan to rezone ~900 acres as NOS is **what is killing the freeway / loop plan** – not the rezoning itself. **As I said, the PSB already transferred right-of-way in the area that we would preserve through rezoning.**

To reiterate my previous reply in regards to the loop, El Paso is way behind. Nearly every city that constructed a loop has since decided it was a bad idea and either got rid of it or is in the process of doing so. El Paso needs to look at why they didn't work, and not invest more money after a bad idea. Thank you for listening!

Warmest Regards,

Christine Montgomery

11/9/2010

Forsyth, Kimberly

From: Parker, Robert M [rmparker@utep.edu]
Sent: Wednesday, October 20, 2010 8:39 AM
To: Acosta, Maria D; McElroy, Mathew; Neligh, Michael P.; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; Smejkal, Nanette L.; Herrera, Michael O.; Kutz, Harold D.; Rodriguez-Hefner, Elda; rwilliam@elpasompo.org; Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.
Subject: Transmountain Road preserved as natural open space

As a native El Pasoan, Resident of the Westside, and Architect, I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise.

I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I believe that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor.

Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Robert M. Parker, AIA

Forsyth, Kimberly

From: McElroy, Mathew
Sent: Friday, October 29, 2010 11:50 AM
To: Forsyth, Kimberly
Subject: Fw: open space

Mathew S. McElroy, AICP, CNU-A
Deputy Director - Planning
Planning and Economic Development Department
2 Civic Center Plaza
El Paso, Texas 79901
Office: (915) 541-4193
Mobile: (915) 873-6310
McElroyMX@elpasotexas.gov

-----Original Message-----

From: Russell Parker <rparker2@elp.rr.com>
To: McElroy, Mathew <McelroyMX@elpasotexas.gov>
Sent: Fri Oct 29 11:40:54 2010
Subject: open space

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.
Russ Parker

Forsyth, Kimberly

From: Russell Parker [rparker2@elp.rr.com]
Sent: Thursday, November 04, 2010 9:17 AM
To: Forsyth, Kimberly
Subject: NOS

I am fully in support of the NW NOS. Here is some additional information. Please support this effort. Thank you. Russ Parker

Just so you know – Council voted on October 6, 2010 to direct staff to rezone land along Trans Mountain as Natural Open Space (NOS). The City Council Plan has undergone staff review and next goes to the CPC on November 18th for its recommendation. It then goes back to Council for a final decision. The date it will be included on Council agenda has not yet been set as far as I know. On October 6th, 5 representatives voted for it: Lilly, Byrd, Holguin, Ortega and O'Rourke. 2 voted "no": Emma Acosta and Carl Robinson. Rachel Quintana was absent. The Mayor has said he will veto the Council Plan to rezone although he may be operating under some mistaken notions. 6 votes are needed to make it veto-proof or override a veto.

In his reply to emails, the Mayor has said some things that are mistaken:

First, he has said that there can be no construction in the Natural Open Space zoning. He contends that Trans Mountain can't be widened under that zoning – so the TxDOT project will be killed. The fact is this: **The PSB already transferred right-of-way** for the highway to TxDOT in exchange for conduit under the road in 4 locations. **So widening the road to 4 lanes is perfectly okay.** We prefer at grade. The Open Space Advisory Board recommend that Paseo del Norte be re-directed to Plexxar near Gas Line Road and a road from there be built to the State Park entrance. This will make accessing the park much safer.

In a form response, he wrote:

Actually, we are dealing with two issues. The first involves pending residential and commercial development between I-10 and the State Park. Developers already own the land and under Texas law have the right to develop it. We are working with them to assure that any development protects the scenic corridor into the Franklins. We have negotiated successfully to limit the height of signs and to receive many acres of land for hike and bike trails and other amenities.

Yes, private land can be developed in accordance with zoning requirements and building codes. However, he insinuates that all of the land from I-10 to the State Park is private and so we can't do anything. The fact is that only a portion of the land from I-10 to roughly the Gas Line Road is privately owned. From the Gas Line Road to

the State Park the land is owned by the City of El Paso and managed by the PSB. It's our land, folks and we sure can rezone it as NOS. Go [here](#) for maps showing distances between private and public lands along Trans Mountain from Interstate 10 to the Franklin Mountains State Park.

John Cook goes on to say:

"The second issue is a highway project that will widen transmountain[sic] road to four lanes and provide limited access from the adjoining properties. It is important to note that property owners currently have the right to access transmountain[sic]. Could you imagine dozens of private driveways feeding into the highway and what that would do to safety? The current plan would limit their rights and build overpasses."

Actually the Mayor's sentence, "We have negotiated successfully to limit the height of signs and to receive many acres of land for hike and bike trails and other amenities", belongs with his second issue. Lifting MDA requirements (e.g., signage) along the privately owned portion of Trans Mountain is a carrot stick (not yet agreed to) so that developers will give up right-of-way to TxDOT so that there won't be "dozens of private driveways feeding into the highway". What this really means is that developers and not the City (or NOS advocates) seem to be holding up the project because they want some concessions from the City!

His reference to "hike and bike" trails is the proposal to continue the pattern of the Pat O'Rourke Trail along Resler parallel to the frontage roads in the TxDOT proposal from I-10 to Plexar. It has nothing to do with the City Council's plan to rezone land nearer to the State Park as NOS. By the way, the Open Space Advisory Board agrees with the hike and bike trails and has advised that there be extra space in the buffer zone between bikers and pedestrians and the roadway.

Along with his message, some of you have received a copy of the PSB "Fact" Sheet. [Here is a copy of the text on the sheet along with rebuttals.](#)

Acosta, Maria D

From: Karen Peissinger [kpv314@gmail.com]
Sent: Wednesday, October 20, 2010 1:51 PM
To: Acosta, Maria D
Subject: Trans Mountain scenic corridor preservation

Dear Maria Acosta,

I wish to make it known to the City Plan Commission that I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just

900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity.

I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than adding visually stressful clutter with overpasses within the scenic corridor.

Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

I appreciate consideration of this request by the City Plan Commission at its November 4th Meeting, and wish to be advised of its decision when it is made.

With best regards,
Karen

--
Karen Peissinger
kpv314@gmail.com
+ 1 915 820 9981
advpei.blogspot.com

Forsyth, Kimberly

From: Flores, Luis U.
Sent: Wednesday, October 20, 2010 8:35 AM
To: Forsyth, Kimberly
Subject: FW: Please Protect the Scenic Corridor

-----Original Message-----

From: Poss, Jane [mailto:jeposs@utep.edu]
Sent: Tuesday, October 19, 2010 7:40 PM
To: McElroy, Mathew; Neligh, Michael P.; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; Smejkal, Nanette L.; Herrera, Michael O.; Kutz, Harold D.; Rodriguez-Hefner, Elda; rwilliam@elpasompo.org
Subject: Please Protect the Scenic Corridor

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Thank you.

Jane Poss,
Westside
El Paso, TX

Forsyth, Kimberly

From: Etiwe, Philip F.
Sent: Tuesday, October 26, 2010 3:55 PM
To: Forsyth, Kimberly
Subject: FW: Trans Mountain

Philip F. Etiwe, AICP
Development Review Manager
City of El Paso
Phone (915) 541-4635

-----Original Message-----

From: Mayor
Sent: Tuesday, October 26, 2010 3:51 PM
To: Etiwe, Philip F.
Subject: FW: Trans Mountain

fyi

Norma A. Castillo
Office of the Mayor
2 Civic Center Plaza
El Paso, TX 79901
(915) 541-4145
Fax 541-4501
castillona@elpasotexas.gov

-----Original Message-----

From: Teresa.Provencio@townsquaremedia.com [mailto:Teresa.Provencio@townsquaremedia.com]
Sent: Friday, October 22, 2010 7:25 AM
To: Mayor
Subject: Trans Mountain

Mayor Cook:

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Thank you,
Teresa Provencio

Acosta, Maria D

From: kirkpul @yahoo.com [kirkpul@yahoo.com]
Sent: Friday, November 12, 2010 2:52 PM
To: Acosta, Maria D
Cc: Jim Tolbert
Subject: Please preserve the Transmountain corridor as NOS

Hello Maria,

Thank you for your service on the PSB. Service by objective public service board members is very important.

Please support zoning the Transmountain corridor as Natural Open Space. The issue seems to come down to selling public land for private development. This land is scenic and shouldn't be sold but remain as scenic land for public, not private enjoyment and use.

Thank you again for your service.

Sincerely,

Karl Putnam
405 Valplano
El Paso, TX 79912-2706

Forsyth, Kimberly

From: Valice Raffi [lvalice@earthlink.net]
Sent: Tuesday, October 19, 2010 3:34 PM
To: Forsyth, Kimberly
Subject: Trans Mountain

Dear Kim Forsyth;

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Thank You,

Ms. Valice Raffi

Forsyth, Kimberly

From: Noel Rosenbaum [noelrosenbaum@yahoo.com]
Sent: Sunday, October 17, 2010 12:57 PM
To: Forsyth, Kimberly
Subject: Rezoning

I fully support the effort to rezone the land near the entrance to the Franklin State Park to leave it open and scenic...not to have it commercially developed or allow housing there.

Noel R. Rosenbaum

Forsyth, Kimberly

From: Flores, Luis U.
Sent: Wednesday, October 20, 2010 8:36 AM
To: Forsyth, Kimberly
Subject: FW: Preserving Our Natural Open Space!

From: Ruley, Lisa [mailto:Lisa.Ruley@ttuhsc.edu]
Sent: Tuesday, October 19, 2010 5:36 PM
To: mcelroymx@elpasotex.gov; Neligh, Michael P.; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; Smejkal, Nanette L.; Herrera, Michael O.; Rodriguez-Hefner, Elda; rwilliam@elpasotexas.gov; Forsyth, Kimberly; Castle, Linda; Guerrero, Esther; Salloum, Andrew M.
Subject: Preserving Our Natural Open Space!

Dear Sir/Madam,

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Proud Northeast Resident

Lisa M. Ruley
5600 Dearborne Dr.
El Paso, Texas 79924

Forsyth, Kimberly

From: IKMG Rybak [ikmg@improbabletruth.com]

Sent: Tuesday, October 19, 2010 6:30 PM

To: Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.; McElroy, Mathew; Neligh, Michael P.; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; Smejkal, Nanette L.; Herrera, Michael O.; Kutz, Harold D.; Rodriguez-Hefner, Elda; rwilliam@elpasompo.org

Subject: Trans Mountain

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning *all* of the land in the Northwest Master Plan as Natural Open Space (NOS). However,

Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land

which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be

at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master

Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife

corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support

Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Thank you for your time and consideration,

Michelle Rybak

Forsyth, Kimberly

From: W Sander [wsander1@elp.rr.com]
Sent: Saturday, October 16, 2010 7:35 AM
To: Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.; Mayor; District #1; District #2; District #3; District #4; District #5; District #6; District #7; District #8
Subject: FW: {FMWC} Your Urgent Action Is Needed

We strongly "support the zoning change from R-3 Residential and PMD Planned Mountain Development to NOS – Natural Open Space."

Please work to preserve some of our most beautiful and scenic views in El Paso. We understand developers need space to develop but the citizens deserve to be able to enjoy their city with more than just areas of homes and shopping centers.

Such an open space will benefit all as it will make the city so much more attractive.

From: judy Ackerman [mailto:j.p.ackerman@sbcglobal.net]
Sent: Friday, October 15, 2010 2:58 PM
To: judy Ackerman
Subject: {FMWC} Your Urgent Action Is Needed

From: Jim H. Tolbert [mailto:jimhtolbert@elp.rr.com]
Sent: Friday, October 15, 2010 2:42 PM

This is a long letter but ***please read it through***. To preserve the beautiful scenic corridor along Trans Mountain, please do two things:

1. Email the contacts below.
2. Please sign the petition and gather more signatures. Go to www.franklinmountains.org to download the hard copy of the petition or ask others to sign online at <http://www.thepetitionsite.com/1/save-el-pasos-franklin-mountains/>.

Understand what Council voted for on Tuesday, October 5. They voted to apply for the rezoning of 900+ acres in Representative Byrd's plan. The process will be vetted through the City Plan Commission on November 4 before returning to City Council probably on November 8. City Council will make its final decision then. The vote to apply only passed 5-2 with the Mayor threatening a veto.

Prior to going to the CPC, it will be an issue raised at the Development Coordinating Committee (DCC) next Wednesday, October 20. Know that Ed Archuleta and the PSB are already targeting DCC and CPC.

Kimberly Forsyth, Lead Planner in the City's Planning and Economic Development Department, wrote in a letter to Neighborhood Association Presidents:

The City of El Paso is submitting an application to rezone approximately 918 acres of City-owned property located north and south of Transmountain Road, near the entrance to Franklin Mountain State Park, from R-3 (Residential) and PMD (Planned Mountain Development) to NOS (Natural Open Space). The property is legally described as follows: Parcel 1 - Nellie D. Mundy Survey No. 246; and Parcel 2 - SJ Larkin Survey 269, Abstract 10070, Tract 1; and Parcel 3 - SJ Larkin Survey 269, Abstract 10070, Tract 1-A, all within El

Paso, Texas.

The purpose of the rezoning is to preserve this land in its natural state and to maintain the scenic corridor at the entrance to the state park. Please feel free to contact me at 541-4668 if you have any questions or need further information concerning this application.

Once again, the reason for the proposed zoning change on city-owned land managed by the PSB east of the Gas Line Road on Trans Mountain Road to Natural Open Space (NOS) is **to preserve El Paso's only scenic corridor**. The current Northwest Master Plan calls for zoning the land for commercial and residential. This will destroy the beautiful scenic corridor's natural beauty. As I've said, that Master Plan never really was a consensus by stakeholders; and, the fact that so many of you have spoken out through your petition signatures, shows that **the Plan has no strong agreement**. Moreover, the Open Space Advisory Board of the City of El Paso voted to rezone the area as NOS and asked Council to review the Master Plan.

I very strongly urge everyone to write the Mayor and City Representatives to support the zoning change from R-3 Residential and PMD Planned Mountain Development to NOS – Natural Open Space. The PSB is opposed to this zoning change. Go [here](#) for map information.

Email the following **now** before the DCC meeting on Wednesday:

Kim Forsyth	forsythkl@elpasotexas.gov
Linda Castle	castlelj@elpasotexas.gov
Art Rubio	rubioax@elpasotexas.gov
Esther Guerrero	guerreroex@elpasotexas.gov
Andrew Salloum	salloumam@elpasotexas.gov

Email the Mayor and Council members as soon as you can:

Mayor John Cook - mayor@elpasotexas.gov
 District #1 Rep. Ann Morgan-Lilly - district1@elpasotexas.gov
 District #2 Rep. Susie Byrd - district2@elpasotexas.gov
 District #3 Rep. Emma Acosta - district3@elpasotexas.gov
 District #4 Rep. Carl Robinson - district4@elpasotexas.gov
 District #5 Rep. Rachael Quintana - district5@elpasotexas.gov
 District #6 Rep. Eddie Holquin - district6@elpasotexas.gov
 District #7 Rep. Steve Ortega - district7@elpasotexas.gov
 District #8 Rep. Beto O'Rourke - district8@elpasotexas.gov

Mark these dates:

October 20 – DCC (Development Coordinating Committee) Meeting (closed to public)
 October 22 – PSB Strategic Planning Meeting
 October 27 – Regular PSB Meeting
 November 4 – CPC (City Plan Commission) Meeting (public)

As I get more information, I will share it with you.

By the way, Mr. Archuleta and others also get this email. I do not exclude nor attempt to hide or do things behind closed doors.

YOU are leading the way for sustainable living in the El Paso Southwest. Please forward this letter to your friends.

Acosta, Maria D

From: Omar Silva [omar.brenda@gmail.com]
Sent: Friday, October 29, 2010 3:02 PM
To: Mayor; Acosta, Maria D
Cc: johnfcook@sbcglobal.net
Subject: save the scenic corridor

Mr. Mayor & Ms. Acosta,
Please preserve the natural beauty of the scenic corridor of Trans Mountain by supporting Representative Byrd's proposal to zone 900+ acres in the Northwest Master Plan as Natural Open Space (NOS). I support a conservation easement for this land which will preserve it as natural open space in perpetuity. Such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of taxpayer money than erecting an unsightly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space. Thank you for your time.

Regards,
Omar F. Silva

Forsyth, Kimberly

From: Eric Smith [eric senator@gmail.com]
Sent: Tuesday, October 19, 2010 3:00 PM
To: eric senator@gmail.com
Subject: Natural Open Space

Development Coordinating Committee,

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS).

Wildlife Corridors are appreciated as testaments to Humankind's balanced respect for nature.

Thank you for your attention,
Eric Smith

10/19/2010

Rubio, Arturo

From: Eric Smith [eric senator@gmail.com]

Sent: Saturday, October 16, 2010 7:05 PM

To: Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.; Mayor; District #1; District #2; District #3; District #4; District #5; District #6; District #7; District #8

Subject: Natural Open Space

Council of the City of El Paso,

Natural Open Space is our preference for the entire Trans-Mountain corridor.

Please vote to correct the lack of park space within El Paso.

Thank You!
Eric D. Smith

Acosta, Maria D

From: rosemary staley [rstaley1@elp.rr.com]
Sent: Monday, November 08, 2010 10:59 AM
To: Acosta, Maria D
Subject: Northwest

Preserve land as open space in Northwest El Paso.

Forsyth, Kimberly

From: Ron Stewart [rstewart@elp.rr.com]
Sent: Tuesday, October 19, 2010 6:23 PM
To: Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.
Subject: Transmountain Road Open Space

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Ron Stewart
501 Cincinnati Ave.
El Paso, Texas 79902
915-544-9664

Forsyth, Kimberly

From: Teschner, Richard [teschner@utep.edu]
Sent: Friday, October 15, 2010 11:45 AM
To: District #1; District #2; District #3; District #4; District #5; District #6; District #7; District #8; Forsyth, Kimberly
Subject: In support of proposed zoning change on Trans Mountain land east of Gas Line Road to Natural Open Space

Dear Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguín, Ortega and O'Rourke, and Lead Planner Forsyth:

I am writing to thank you for your vote this past Tuesday, October 5 in favor of changing, from R-3 and PMB to Natural Open Space, the zoning of the 918 (actually 778) acres of City-owned/PSB-managed land located north and south of Trans Mountain Road between Gas Line Road and the western boundaries of the Franklin Mountains State Park, and to encourage you to vote once again in favor of said rezoning this coming Tuesday or whenever the matter is brought before Council. I myself (and over two thousand others) have signed the petition that favors rezoning **all** City-owned/PSB-managed land on the west side of the Franklins to Natural Open Space, but I myself am perfectly willing to accept the compromise whereby the stipulated 778 acres are the only acres to be rezoned. Please, then, vote in favor of the rezoning proposal.

Sincerely,

Richard V. Teschner
1800 N. Stanton St., Unit 302
El Paso, TX 79902-3541
915.533.1279 home
915.747.7032 office
915.538.8295 cell

Forsyth, Kimberly

From: Jim H. Tolbert [jimhtolbert@elp.rr.com]
Sent: Tuesday, October 19, 2010 2:50 PM
To: Forsyth, Kimberly
Subject: Please Save the Scenic Trans Mountain Corridor

Ms. Forsyth,

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Jim H. Tolbert
President
Newman Park Neighborhood Association
915-525-7364
jimhtolbert@elp.rr.com
www.newmanpark.blogspot.com

Forsyth, Kimberly

From: Etiwe, Philip F.
Sent: Wednesday, November 03, 2010 4:53 PM
To: Forsyth, Kimberly
Subject: FW: Mistakes in Case Against NOS

Philip F. Etiwe, AICP

Development Review Manager
 City of El Paso
 Phone (915) 541-4635

From: Jim H. Tolbert [mailto:jimhtolbert@elp.rr.com]
Sent: Wednesday, November 03, 2010 4:55 PM
To: jimhtolbert@elp.rr.com
Subject: Mistakes in Case Against NOS

In case you have not gotten the news, the rezoning issue will not go before the CPC tomorrow. It has been moved to its Thursday, November 18th, meeting rather than the November 4th meeting. The CPC meets in the Council chambers of City Hall at 1:30 p.m. Please send your comments now to Maria Acosta - AcostaMD@elpasotexas.gov and let the CPC know that you support preserving land in the NW Master Plan as Natural Open Space. If you can, please plan to go to the meeting on the 18th. It is important that we have as many people as possible attend this meeting.

Please email the Mayor and City Council Representatives – especially the Mayor and your City Council Representative.

Just so you know – Council voted on October 6, 2010 to direct staff to rezone land along Trans Mountain as Natural Open Space (NOS). The City Council Plan has undergone staff review and next goes to the CPC on November 18th for its recommendation. It then goes back to Council for a final decision. The date it will be included on Council agenda has not yet been set as far as I know. On October 6th, 5 representatives voted for it: Lilly, Byrd, Holguin, Ortega and O'Rourke. 2 voted "no": Emma Acosta and Carl Robinson. Rachel Quintana was absent. The Mayor has said he will veto the Council Plan to rezone although he may be operating under some mistaken notions. 6 votes are needed to make it veto-proof or override a veto.

In his reply to emails, the Mayor has said some things that are mistaken:

First, he has said that there can be no construction in the Natural Open Space zoning. He contends that Trans Mountain can't be widened under that zoning – so the TxDOT project will be killed. The fact is this: **The PSB already transferred right-of-way** for the highway to TxDOT in exchange for conduit under the road in 4 locations. **So widening the road to 4 lanes is perfectly okay.** We prefer at grade. The Open Space Advisory Board recommend that Paseo del Norte be re-directed to Plexxar near Gas Line Road and a road from there be built to the State Park entrance. This will make accessing the park much safer.

In a form response, he wrote:

Actually, we are dealing with two issues. The first involves pending residential and commercial development between I-10 and the State Park. Developers already own the land and under Texas law have the right to develop it. We are working with them to assure that any development protects the scenic corridor into the Franklins. We have negotiated successfully to limit the height of signs and to receive many acres of land for hike and bike trails and other amenities.

Yes, private land can be developed in accordance with zoning requirements and building codes. However, he insinuates that all of the land from I-10 to the State Park is private and so we can't do anything. The fact is that only a portion of the land from I-10 to roughly the Gas Line Road is privately owned. From the Gas Line Road to the State Park the land is owned by the City of El Paso and managed by the PSB. It's our land, folks and we sure can rezone it as NOS. Go [here](#) for maps showing distances between private and public lands along Trans Mountain from Interstate 10 to the Franklin Mountains State Park.

John Cook goes on to say:

"The second issue is a highway project that will widen transmountain[sic] road to four lanes and provide limited access from the adjoining properties. It is important to note that property owners currently have the right to access transmountain[sic]. Could you imagine dozens of private driveways feeding into the highway and what that would do to safety? The current plan would limit their rights and build overpasses."

Actually the Mayor's sentence, "We have negotiated successfully to limit the height of signs and to receive many acres of land for hike and bike trails and other amenities", belongs with his second issue. Lifting MDA requirements (e.g., signage) along the privately owned portion of Trans Mountain is a carrot stick (not yet agreed to) so that developers will give up right-of-way to TxDOT so that there won't be "dozens of private driveways feeding into the highway". What this really means is that developers and not the City (or NOS advocates) seem to be holding up the project because they want some concessions from the City!

His reference to "hike and bike" trails is the proposal to continue the pattern of the Pat O'Rourke Trail along Resler parallel to the frontage roads in the TxDOT proposal from I-10 to Plexxar. It has nothing to do with the City Council's plan to rezone land nearer to the State Park as NOS. By the way, the Open Space Advisory Board agrees with the hike and bike trails and has advised that there be extra space in the buffer zone between bikers and pedestrians and the roadway.

Along with his message, some of you have received a copy of the PSB "Fact" Sheet. [Here is a copy of the text on the sheet along with rebuttals.](#)

Finally, there is still time to sign the petition and gather more signatures. Go to www.franklinmountains.org to download the hard copy of the petition or ask others to sign online at <http://www.thepetitionsite.com/1/save-el-pasos-franklin-mountains/>. There are now 1,050 responses online and over 1400 signed petitions. The Montoya Gardens Neighborhood Association turned in over 120 petitions just today!

Elpasonaturally@ is leading the way for sustainable living in the El Paso Southwest. Please forward this letter to your friends, family and neighbors.

Forsyth, Kimberly

From: Salloum, Andrew M.
Sent: Monday, October 18, 2010 9:38 AM
To: Forsyth, Kimberly; Rubio, Arturo
Subject: FW: El Paso Transmountain Road as NOS

FYI

Andrew Salloum, Planner
Planning & Economic Development- Planning Division
2 Civic Center Plaza, 5th Floor
El Paso, TX 79901
Phone: 915-541-4633
Fax: 915-541-4725
E-Mail: salloumam@elpasotexas.gov

From: kayct13@aol.com [mailto:kayct13@aol.com]
Sent: Friday, October 15, 2010 9:55 PM
To: Salloum, Andrew M.
Subject: El Paso Transmountain Road as NOS

Dear Sir, I am a native of El Paso and have taught school in the area for over 30 years. As a science teacher, I often took the students to the transmountain area to observe the plant and animal life of the Chihuahuan desert. It is so important we honor our mountain and designate it as NOS. The 918 acres the city owns are an important part of El Paso's only scenic corridor.

I visit my daughter in Albuquerque frequently and I'm amazed at the amount of designated open space and green area the city protects. Please help El Paso preserve our special transmountain area.

Yours truly,
Carolyn Thurman

Forsyth, Kimberly

From: Marcia Turner [marciaturner@elp.rr.com]
Sent: Monday, October 18, 2010 12:49 PM
To: Forsyth, Kimberly
Subject: Transmountain zoning

Dear Kim Forsyth -

You can feel it.....as soon as you turn east off I-10 onto Transmountain. It starts, then continues as you travel east.....it's peace and tranquility, it's appreciation. It's similar to the feeling you get when you go to the mountains in the middle of our hot summers.....the temperature drops slowly, and the body is relieved from the heat, welcoming the cooler air. It's the same relief you feel driving east on Transmountain - a relaxation, a calming of the spirit as you drive towards our beautiful mountains. Who would believe we have such incredible, forceful scenery right here in El Paso!
This is a gift. This is priceless.

We are for zoning this land NOS. That's what it is.....and should remain. To take this away from us would be unconscionable.

Marci Turner

10/19/2010

Forsyth, Kimberly

From: Acosta, Maria D
Sent: Tuesday, October 19, 2010 4:23 PM
To: DSD-Planning
Subject: FW: Rezone 900+ acres as NOS

FYI

From: usherrill@miners.utep.edu [mailto:usherrill@miners.utep.edu]
Sent: Tuesday, October 19, 2010 2:42 PM
To: Acosta, Maria D
Subject: Rezone 900+ acres as NOS

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Forsyth, Kimberly

From: Juliette Vallender [juliette2306@sbcglobal.net]
Sent: Monday, October 18, 2010 8:07 AM
To: Forsyth, Kimberly
Subject: Rezoning of Transmountain

18 October 2010

Ms. Forsythe,

This is to let you know that I support the application to rezone approximately 918 acres of City-owned property located north and south of Transmountain Road , near the entrance to Franklin Mountain State Park , **from R-3 (Residential) and PMD (Planned Mountain Development) to NOS (Natural Open Space)** and that I encourage you to support it as well. It is beyond important to preserve our wild spaces—these are limited resources that can never be recaptured. Build the malls and gas stations elsewhere and please leave the true beauty of our world to our children and to ourselves so that we still have places in which our spirits can wander!

Sincerely,

Juliette Vallender

10/19/2010

Forsyth, Kimberly

From: Melanie Wayne [melwayne@elp.rr.com]
Sent: Wednesday, October 20, 2010 6:08 AM
To: Forsyth, Kimberly
Subject: Transmountain Road

Dear Ms. Forsyth:

I am writing in regards to the widening of Transmountain Road and the 900+ acres which surround the drive which is Public Service Land.

Anyone who makes this drive can see that it one of the most beautiful areas of El Paso. I **strongly favor** preserving the natural beauty of the scenic corridor of Trans Mountain by **rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS)**. I support a conservation easement for that land which **will preserve it as natural open space in perpetuity**. Such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor.

The Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would make much better use of our money than erecting an ugly overpass within the scenic corridor.

Thank you,
Melanie Wayne
5595 Westside Drive
El Paso, Texas 79932

10/20/2010

Forsyth, Kimberly

From: Acosta, Maria D
Sent: Tuesday, November 16, 2010 5:56 PM
To: Forsyth, Kimberly
Subject: FW: mountains

From: Lupe Weaver [mailto:littleeagle03@gmail.com]
Sent: Tuesday, November 16, 2010 4:45 PM
To: Acosta, Maria D
Subject: mountains

11/16/10

Why is it that no one gets an honest person that knows about our geology here in El Paso, TX. Our land is mostly shale and caliche.

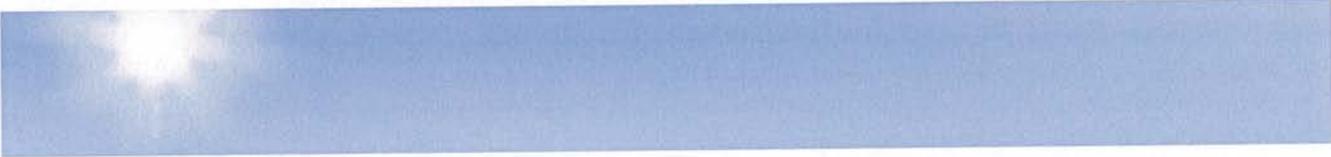
These people that want that corridor on Transmountain are asking for a future disaster. Please do everything you can to save the mountains. Especially McKelligon Canyon, that is really being blasted away everyday.

lweaver

11/17/2010

Acosta, Maria D

From: ANITA WEBER [hweber589@att.net]
Sent: Tuesday, November 16, 2010 8:47 AM
To: Acosta, Maria D
Subject: Preserving Transmountain Open Space



I am unable to attend the meeting on Thursday, November 18. I am writing to you in support of preserving land on the NW Master Plan as Natural Open Space along Transmountain Road.

Anita Weber
7521 Umbria Dr
El Paso, TX 79904

11/16/2010

Forsyth, Kimberly

From: Pat White [pat_white@hotmail.com]
Sent: Tuesday, October 19, 2010 11:58 PM
To: McElroy, Mathew; Neligh, Michael P.; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; Smejkal, Nanette L.; Herrera, Michael O.; Kutz, Harold D.; Rodriguez-Hefner, Elda; rwilliam@elpasompo.org; Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.
Subject: Natural Open Space

To the members of the Development Coordinating Committee and City Planners:

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Pat White

Patricia E. White 915-591-3562 home pat_white@hotmail.com

Forsyth, Kimberly

From: David Wilson [fastmtnbiker@hotmail.com]

Sent: Tuesday, October 19, 2010 3:36 PM

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Continued sprawl, both commercial and residential, will begin to bite El Paso. Preserving open space helps provide an environment that our children will be able to enjoy without having to fix, maintain, or upgrade products of rampant and rapid development.

David Wilson

School teacher

Borderland Mtn. Bike Association President

Forsyth, Kimberly

From: McElroy, Mathew
Sent: Tuesday, October 19, 2010 4:26 PM
To: Forsyth, Kimberly
Subject: FW: Trans Mountain

Mathew S. McElroy, AICP, CNU-A
Deputy Director
Planning and Economic Development
City of El Paso
(915) 541-4193 (office)
(915) 873-6310 (mobile)

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From: Tommy Young [mailto:youngtry@gmail.com]
Sent: Tuesday, October 19, 2010 4:17 PM
To: McElroy, Mathew
Subject: Trans Mountain

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Tommy Young - voter

Forsyth, Kimberly

From: vivian zavala [vivzav@yahoo.com]

Sent: Tuesday, October 19, 2010 8:00 PM

To: McElroy, Mathew; Neligh, Michael P.; Castillo, Adriana; Flores, Luis U.; Marquez, Ted; Smejkal, Nanette L.; Herrera, Michael O.; Kutz, Harold D.; Rodriguez-Hefner, Elda; rwilliam@elpasompo.org; Forsyth, Kimberly; Castle, Linda; Rubio, Arturo; Guerrero, Esther; Salloum, Andrew M.

Subject: Save The Beauty of El Paso

Dear El Paso Officials,

I favor preserving the natural beauty of the scenic corridor of Trans Mountain by rezoning all of the land in the Northwest Master Plan as Natural Open Space (NOS). However, Representative Byrd's proposal to zone just 900+ acres north and south of Trans Mountain as NOS is a reasonable compromise. I support a conservation easement for that land which will preserve it as natural open space in perpetuity. I want to make it clear that such rezoning should mean that any road improvements east of the gas line road should be at grade only and that Paseo del Norte will be deleted from the Master Thoroughfare Plan in order to preserve and extend the scenic corridor. Additionally, the Northwest Master Plan, which really has no consensus among El Pasoans, should be thoroughly reviewed especially in light of the new smart growth/development planning. Creating a wildlife corridor and building a safer road to Tom Mays Park would be much better uses of our money than erecting an ugly overpass within the scenic corridor. Please support Representative Byrd's plan and support rezoning those 900+ acres as Natural Open Space.

Sincerely,
Viviana Zavala
915-539-8041
vivzav@yahoo.com

10/20/2010

Resolution Supporting Re-Zoning Land in the Transmountain Scenic Corridor as Natural Open Space

WHEREAS: the Transmountain Scenic Corridor in northwest El Paso is the only scenic corridor and can be preserved by rezoning it as Natural Open Space and by creating a conservation easement which will keep the land as Natural Open Space in perpetuity;

WHEREAS: the City Council of El Paso, Texas directed City staff to initiate the process for rezoning at its regular meeting on October 12, 2010;

WHEREAS: amenities such as open space, parks, additional outdoor recreational opportunities and scenic beauty will attract quality businesses and industries to re-locate to El Paso and offer higher-paying, quality jobs;

WHEREAS: the PSB's selling land for the Westside Master Plan will not significantly affect or reduce our water rates and, in fact, additional infrastructure costs associated with land sales, result in a net loss to rate payers;

WHEREAS: more development especially on the mountain side requires more additional City services in the way of fire, police, schools, roads and more and those services become a heavier burden on us as tax payers;

WHEREAS: all of our neighborhoods and all of us benefit from natural open space and scenic beauty;

WHEREAS: preserving the Transmountain scenic corridor by rezoning approximately 800 acres as Natural Open Space will not hold up the TxDOT proposal for improvements to Transmountain from I-10 to the entrance to the Tom Mays Unit of the Franklin Mountains State Park nor jeopardize the \$80 million for the project as some have misrepresented;

WHEREAS: the Open Space Advisory Board of the City of El Paso has recommended moving the proposed Paseo del Norte interchange west toward Gas Line Road and expanding the current two lanes to four at grade only from Gas Line to the State Park entrance as a further means of preserving the scenic corridor;

WHEREAS: that expansion can be done because of right of ways given to TxDOT by the Public Service Board in exchange for conduits under Transmountain;

WHEREAS: necessary major and minor water utility infrastructures can be built on land zoned as Natural Open Space so that our fellow El Pasoans in adjacent areas can be provided with water and sewer services;

WHEREAS: the Westside Master Plan was created one year before the 2006 floods and needs major revision;

WHEREAS: the City, since 2006, has adopted Smart Growth policies and made other major changes to land planning that were not available when the Westside Master Plan was created and which are beneficial to all El Pasoans;

WHEREAS: Transmountain Road and the Westside Master Plan will impact our family's and neighborhood's quality of life for decades to come and those plans should be modified to protect the scenic corridor of Transmountain Road and reflect principles of Smart Growth, Green Infrastructure and Low Impact Development which are better for the environment and for protecting the cherished beauty of our mountains;

THEREFORE, BE IT HEREBY:

RESOLVED: The Neighborhood Coalition of El Paso strongly supports the City Council's direction to staff on October 12, 2010 to rezone land in the Transmountain Scenic Corridor as Natural Open Space and to seek a conservation easement which will keep the land as Natural Open Space in perpetuity;

RESOLVED: The Neighborhood Coalition of El Paso supports moving the Paseo del Norte interchange to a location closer to Gas Line Road and expanding lanes east of Gas Line Road at grade only.

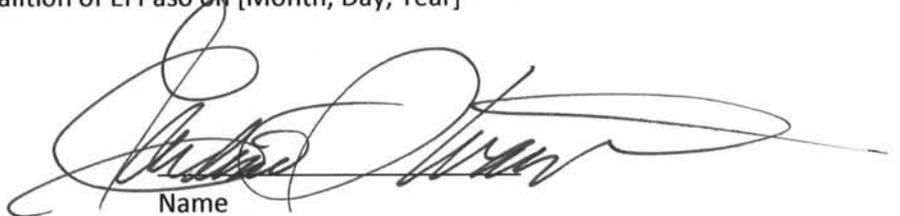
RESOLVED: The Neighborhood Coalition of El Paso asks City Council to direct City staff and the PSB to modify the Westside Master Plan in light of newer ways to protect natural open space while maximizing the use of developable land;

RESOLVED: The Neighborhood Coalition of El Paso requests that TxDOT modify their plans for improvements along Transmountain from I-10 to the entrance to Tom Mays Park to comply with the conditions of this resolution and do so immediately so that money for the project will not be lost.

Approved by the Neighborhood Coalition of El Paso on [Month, Day, Year]



Name
Chairman
Neighborhood Coalition of El Paso



Name
Secretary

Nov. 15, 2010

RESOLUTION

Whereas, the Public Service Board is the Trustee for the Water, Wastewater and Drainage Municipal Utilities for the City of El Paso; and

Whereas, the Public Service Board is charged with complete management and control of these Utilities including all its infrastructure and land assets as set forth in the original 1952 Bond Ordinance and subsequent Bond Ordinances; and

Whereas, the Public Service Board carefully manages its assets for the benefit of its ratepayers to maximize water, wastewater service and stormwater control and safety; and

Whereas, the Public Service Board as Trustees are charged with a fiduciary responsibility to its customers and bond holders to safeguard the assets of the Utility; and

Whereas, the Public Service Board through proper planning and foresight, identifies and reserves required Utility infrastructure on its land, and may from time to time sell land for contiguous and planned development; and

Whereas, the Public Service Board has masterplanned lands for sale including the Northeast Masterplan and the Westside Masterplan which were developed in cooperation with City Staff, school districts, TxDOT and other agencies, the public, environmental groups, and other stakeholders; and

Whereas, the Northeast and Westside Masterplans, also incorporate substantial open/green spaces, preserve arroyos, identifies and plans for miles of connecting hike and bike trails that lead into the Texas Franklin Mountain state park, incorporating park/ponds and other amenities; and

Whereas, the Northeast and Westside Masterplans additionally reserve sites for future city facilities including police stations, libraries, parks, Sun Metro and sites for schools, and

Whereas, the Westside Masterplan incorporates the Paseo Del Norte Interchange and Arterial as an integral part of the plan; and

Whereas the Public Service Board has spent over \$700,000 masterplanning this Westside property in coordination with the city; and

Whereas, the Public Service Board, in conjunction with the City, is currently developing the Painted Dunes Masterplan, a 1,500 acre plan in northeast El Paso; and

Whereas, the Public Service Board, is a good steward of the environment as exemplified by its transfer of over 8,000 acres of land, to include arroyos, to the Franklin Mountain State Park, developing a sustainable water plan for the region, incorporating and promoting natural landscapes, conservation and the use of reclaimed water; and

Whereas, an item was placed on City Council agenda on October 5, 2010 to direct staff to rezone 900 acres of previously masterplanned PSB land to Natural Open Space.

NOW THEREFORE, BE IT RESOLVED BY THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD THAT:

Section 1. The Public Service Board believes this action, significantly impairs, encumbers and disrupts the development of the Westside Masterplan and Land Study that was adopted by ordinance by City Council in 2005 and further adversely impacts the planned transportation connectivity elements as identified in the City's Master Thorough Fare plan.

Section 2. The Public Service Board entered into a Resolution with the City of El Paso, in May, 2010 to cooperatively work together to Masterplan land for all land sales over 25 acres, and the City agreed not to encumber any PSB lands.

Section 3. This City Council action negatively impacts the ratepayers of El Paso and the bondholders of City of El Paso Revenue Bonds by stopping the conversion of such property from a land asset to a cash asset to be used for required Utility infrastructure, estimated at a value of over \$20,000,000.

Section 4. This City Council action represents a loss in property tax revenues potentially derived from this property of over \$12,000,000 annually.

Section 5. The Public Service Board has not declared this land inexpedient to the System.

Section 6. This City Council action negatively impacts development of PSB lands north of this property by disrupting plans for contiguous development and growth.

Section 7. This City Council action will not allow the Public Service Board to construct water and wastewater utilities on this land required to serve adjoining land.

Section 8. This City Council action impacts the planned balanced growth of El Paso by limiting development of land on the Westside inside the city limits and will distort accelerated growth to the east side of El Paso causing increased metropolitan traffic problems in that area.

Section 9. This City Council action is promoting urban sprawl by pushing population growth into the Upper Valley, Santa Teresa, New Mexico and the far east side outside the city limits.

Section 10. This City Council action sends the wrong message to developers who have been encouraged to masterplan their properties, by overturning a masterplan approved by City Council itself.

Section 11. The Public Service Board vehemently opposes such action by the City Council and hereby authorizes the President/CEO to pursue all available remedies at law or in equity to fulfill its duty as Trustees of the water and wastewater system to protect the ratepayers of El Paso and the bondholders of City of El Paso Water and Sewer Revenue Bonds.

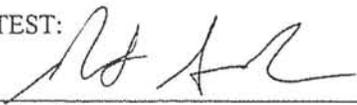
Section 12. The Public Service Board strongly urges the Mayor to veto any City Council action which disrupts, impairs or encumbers assets of the Public Service Board.

Section 13. The Public Service Board finds that the City Council, by action attempting to rezone approximately 900 acres of PSB lands, is not acting in the best interest of the citizens of El Paso and is negatively impacting the economic development of El Paso, placing a greater burden of taxes on existing taxpayers and ratepayers, is undermining the long term transportation infrastructure plan for El Paso, reducing connectivity and endangering the public.

Section 14. The Public Service Board hereby directs the President/CEO to deliver an original of this Resolution to the Mayor and City Council of the City of El Paso upon its passage and adoption and to other taxing entities affected and to TxDOT, Fort Bliss, El Paso Chamber of Commerce, REDCO and other stakeholders.

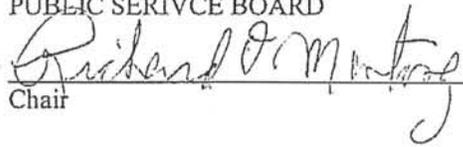
PASSED and ADOPTED this 22nd Day of October, 2010, by action of the El Paso Water Utilities Public Service Board meeting in specially called Strategic Planning Meeting with notice to the public as required under the Texas Open Meetings Act and with a quorum present as required under the Act.

ATTEST:



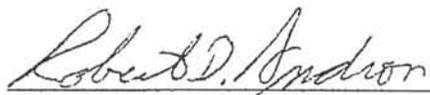
Secretary/Treasurer

EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD



Chair

APPROVED AS TO FORM:



Robert D. Andron, General Counsel