



**OPEN SPACE ADVISORY BOARD**  
Wednesday, December 22, 2010, 1:30 P.M.  
8<sup>th</sup> Floor Conference Room  
City Hall Building, 2 Civic Center Plaza

**AGENDA**

1. **Meeting Called to Order**
2. **Call to the Public** (items not listed on the agenda)
3. **Discussion and Action**
  - a. Approval of Minutes: December 8, 2010
  - b. Changes to the Agenda
  - c. Review and comment on current zoning applications, as indicated below:
    - (1) **ZON09-00090:**

|           |   |
|-----------|---|
| Parcel 1: | Portion of 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 |

LOCATION: North and South of Transmountain Road, West of Franklin Mountain State Park

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)                       |

PROPERTY OWNER: City of El Paso  
REPRESENTATIVE: City of El Paso  
DISTRICT: 1  
STAFF CONTACT: Kimberly Forsyth, (915) 541-4668,  
[forsythkl@elpasotexas.gov](mailto:forsythkl@elpasotexas.gov)

**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



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

- (1)        **SUB10-00278**                      Mesa Mountain – Being a portion of Tracts 2A3 and 2T2, A.F. Miller Survey No. 215, City of El Paso, El Paso County, Texas  
LOCATION:                                      East of Mesa and South of Mesa Hills  
PROPERTY OWNER:                          Mesa Mountain Inv. LLC  
REPRESENTATIVE:                          CAD Consultants  
DISTRICT:                                      1  
APPLICATION TYPE:                          Minor  
STAFF CONTACT:                              Eddie Garcia, (915) 541-4638, [garciaez2@elpasotexas.gov](mailto:garciaez2@elpasotexas.gov)
- (2)        **SUB10-00248**                      Cumbre Estates #1 Replat B - Being a replat of Lots 38-42 and a portion of 54, Block 2 and a portion of Stanton Street Right-of-way, Cumbre Estates Unit 1, Amending Subdivision, City of El Paso, El Paso County, Texas  
LOCATION:                                      South of Zenith and West of Castellano  
PROPERTY OWNER:                          Investment Builders Inc.  
REPRESENTATIVE:                          Brock & Bustillos  
DISTRICT:                                      1  
APPLICATION TYPE:                          Resubdivision Combination  
STAFF CONTACT:                              Raul Garcia, (915) 541-4935, [garcia1@elpasotexas.gov](mailto:garcia1@elpasotexas.gov)
- (3)        **SUB10-00303**                      Resler Ponding Area 5 - Being a portion of S. J. Larkin Survey No. 266, City of El Paso, El Paso County, Texas  
LOCATION:                                      West of Redd Road and North of Helen of Troy  
PROPERTY OWNER:                          Hunt Communities  
REPRESENTATIVE:                          Conde Inc.  
DISTRICT:                                      1  
APPLICATION TYPE:                          Extension request to record plat  
STAFF CONTACT:                              Raul Garcia, (915) 541-4935, [garcia1@elpasotexas.gov](mailto:garcia1@elpasotexas.gov)
- (4)        **SUB10-00301**                      Resler Ponding Area One – Being a portion of S. J. Larkin Survey No. 266, City of El Paso, El Paso County, Texas  
LOCATION:                                      East of Redd Road and South of Hermoso Del Sol Drive  
PROPERTY OWNER:                          Hunt Communities Holdings, LLC  
REPRESENTATIVE:                          Conde Inc.  
DISTRICT:                                      1  
APPLICATION TYPE:                          Extension request to record plat  
STAFF CONTACT:                              Justin Bass, (915) 541-4930, [bassjd@elpasotexas.gov](mailto:bassjd@elpasotexas.gov)



(5) SUB10-00302 Resler Ponding Area Four – Being a portion of Tracts 1B5, 1B5B, 1B5C and 1F5, save and except 0.755 acre portion for Stonegate Properties I LTD, S.J. Larkin Survey No. 266, City of El Paso, El Paso County, Texas  
LOCATION: East of Resler Drive and North of Helen of Troy Drive  
PROPERTY OWNER: Hunt Communities Holdings, LLC  
REPRESENTATIVE: Conde, Inc.  
DISTRICT: 1  
APPLICATION TYPE: Extension request to record plat  
STAFF CONTACT: Justin Bass, (915) 541-4930, [bassjd@elpasotexas.gov](mailto:bassjd@elpasotexas.gov)

4. **Discussion and Information** regarding the Mountain Development Vegetation Plan, the Native Plant Preservation Standard Plan, and the El Paso County Plant List for Re-vegetation on Restoration Projects.  
Contact: Lois Balin, Texas Parks and Wildlife, [Lois.Balin@tpwd.state.tx.us](mailto:Lois.Balin@tpwd.state.tx.us)
5. **Discussion and Action** for the Chair to appoint a subcommittee to review and add Hillside Development Area standards to the Subdivision Ordinance.  
Contact: Charlie Wakeem, OSAB Chair, [charliewak@sbcglobal.net](mailto:charliewak@sbcglobal.net)
6. **Discussion and Action:** Items for Future Agendas
7. **Adjournment**

#### EXECUTIVE SESSION

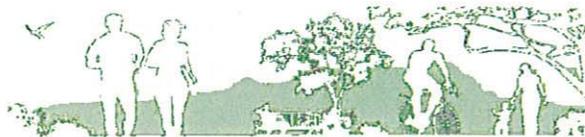
The Open Space Advisory Board of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the items on this agenda, consistent with the terms of the Open Meetings Act. The Open Space Advisory Board will return to open session to take any final action.

Section 551.071 CONSULTATION WITH ATTORNEY  
Section 551.072 DELIBERATION REGARDING REAL PROPERTY  
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS  
Section 551.074 PERSONNEL MATTERS  
Section 551.076 DELIBERATION REGARDING SECURITY DEVICES  
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Posted this \_\_\_\_\_ day of December, 2010 at \_\_\_\_\_ P.M.,  
Basement Bulletin Board, City Hall, 2 Civic Center Plaza, by Armida R. Martinez, Planning and Economic Development







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## ADVISORY BOARD MINUTES

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December 8, 2010  
City Hall – 1:30 P.M.  
8<sup>th</sup> Floor Conference Room  
2 Civic Center Plaza, El Paso, Texas

**Members Present: 7**

Bill G. Addington, Terry Bilderback, Richard L. Thomas, Charlie S. Wakeem, James H. Tolbert, Robert Ardivino and Kevin T. von Finger

**Members Absent: 2**

Lois Anne Balin and Luis Ruiz

**Member Vacancies: 0**

**Ex-Officio Members Present: 1**

Gonzalo Cedillos

**Planning and Economic Development Staff Present:**

Mathew McElroy, Deputy Director – Planning; Philip Etiwe, Development Review Manager; Fred Lopez, Comprehensive Plan Manager; Carlos Gallinar, Comprehensive Plan Manager; David Coronado, Lead Planner; Kim Forsyth, Lead Planner; Melissa Granado, Senior Planner; Raul Garcia, Planner; Justin Bass, Planner, and Donna Martinez, Senior Secretary

**Others Present:**

Lupe Cuellar, Assistant City Attorney; Legal Department; Justin Chapman, Hunt Companies; Nicholas Costanzo, Assistant General Manager, EPWU-PSB; Rudy Valdez, EPWU-PSB; Sarah Williamson, Kimley-Horn and Associates; Richard Garcia, Land Operations Manager, Parks and Recreation; Sal Alonzo, CSA Design Group, Inc.; Roman Bustillos, Brock & Bustillos Inc; Todd Jones, landscape architect, Wright & Dalbin Architects, Inc.; Roy Lopez, Investment Builders; Bradley Roe, Roe Engineering; Rick Cordova, Roe Engineering; Sal Masoud, Del Rio Engineering; and Judy Ackerman

1. **Meeting Called to Order**

*Chair Wakeem called the meeting to order.*

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

*None.*

3. Discussion and Action

- a. Approval of Minutes: November 10, 2010

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

**MOTION:**

*Motion made by Mr. von Finger, seconded by Mr. Thomas and UNANIMOUSLY CARRIED TO APPROVE THE MINUTES FOR NOVEMBER 10, 2010.*

*ABSTAIN: Mr. Ardovino*

- b. Changes to the Agenda

*Chair Wakeem requested the following:*

**MOVE TO THE FOREFRONT**

1. *3.e. – An Ordinance Amending Title 2 (Administration and Personnel) Chapter 2.22 (Open Space Advisory Board), of the El Paso City Code to allow ex-officio members to be counted for quorums, to allow subcommittees, and to amend staff support for the Board.*
2. *3.c. – Presentation by Hunt Companies to add open space (two arroyos in the Franklin Hills Subdivision totaling approximately 100 acres in size) on Hunt property to the Priority Projects list for acquisition with the 10% funding from Stormwater.*
3. *4. – Discussion and Information on the Saipan Park Pond Project.*
4. *3.d. – Status of stormwater funding for Open Space acquisition and restoration.*

**POSTPONE TWO WEEKS**

5. *Discussion and Information regarding the Mountain Development Vegetation Plan, the Native Plant Preservation Standard Plan, and the El Paso County Plant List for Re-vegetation on Restoration Projects.*

**MOTION:**

*Motion made by Mr. von Finger, seconded by Mr. Ardovino and UNANIMOUSLY CARRIED TO APPROVE THE CHANGES TO THE AGENDA.*

*The follow agenda item was moved to the forefront following the discussion on item 3.e. An Ordinance amending Title 2 (Administration and Personnel) Chapter 2.22 (Open Space Advisory Board), of the El Paso City Code to allow ex-officio members to be counted for quorums, to allow subcommittees, and to amend staff support for the Board.*

- c. Presentation by Hunt Companies to add open space (two arroyos in the Franklin Hills Subdivision totaling approximately 100 acres in size) on Hunt property to the Priority Projects list for acquisition with the 10% funding from Stormwater.

Contact: Justin Chapman, Hunt Companies, [Justin.chapman@huntcompanies.com](mailto:Justin.chapman@huntcompanies.com)

Mr. Chapman gave a PowerPoint presentation regarding two arroyos, located on Hunt property; Hunt Companies would like to include in the El Paso Water Utilities Public Service Board's Open Space Acquisition. (presentation on file) FEMA Arroyo 1 is 65.65 acres and FEMA Arroyo 1A 28.35 acres. Mr. Chapman explained it would be helpful if there could be some indication of support or non-support and perhaps prioritization regarding a timeframe.

**POINT OF INFORMATION**

Per a photo in the PowerPoint presentation, Mr. von Finger questioned what the white line was.

Mr. Chapman responded the white line is similar to a concrete barrier, it is designed to prevent the slope from eroding when water rushes down the arroyo.

Chair Wakeem listed the four criteria of Open Space Acquisition and felt the two arroyos meet the requirements. He requested the Board take action to include the two arroyos in the second round for consideration.

1. *property owners must be willing to sell their subdivision's royals;*
2. *must be left natural;*
3. *must serve a stormwater purpose; and*
4. *must be ecologically sensitive*

**MOTION:**

*Motion made by Mr. Thomas, seconded by Mr. von Finger and UNANIMOUSLY CARRIED TO ADVISE THE PSB TO ADD THESE TWO PROJECTS TO THE SECOND ROUND PRIORITY LIST.*

Mr. Addington encouraged Hunt Companies, and other developers, to create wildlife corridors to assist wildlife in reaching lower levels of the area.

**Item 3.d. was discussed immediately following item 3.c.**

- d. Status of stormwater funding for Open Space acquisition and restoration.  
Contact: Nicholas J. Costanzo, EPWU, [njcostanzo@epwu.org](mailto:njcostanzo@epwu.org)

Mr. Costanzo gave a PowerPoint presentation. (presentation on file)

**POINT OF INFORMATION**

Regarding Doniphan Ditch Improvements, Mr. von Finger wondered if the PSB would be digging into the water table or would it stay at the same elevation, no hydraulic connection to Keystone Heritage Park.

Mr. Cedillos responded the water table will remain, more or less, at the same elevation.

**OSAB STORMWATER PRIORITY LIST**

Planning Staff will forward the Board's recommendation to Parks & Recreation Staff.

Item 3.e. was moved to the forefront of the agenda

- e. An Ordinance Amending Title 2 (Administration and Personnel) Chapter 2.22 (Open Space Advisory Board), of the El Paso City Code to allow ex-officio members to be counted for quorums, to allow subcommittees, and to amend staff support for the Board. Contact: Lupe Cuellar, Assistant City Attorney, (915) 541-4550, [cityattorney@elpasotexas.gov](mailto:cityattorney@elpasotexas.gov)

Prior to the discussion, Ms. Cuellar distributed copies of the revised language prior to presentation to City Council; additionally, she noted the City Attorney would be making additional changes.

Section 1.

Regarding the Stormwater Engineer, Ms. Cuellar explained the language has been stricken. The City Manager controls all city employee duties and responsibilities, city employees cannot serve as ex-officio members nor can they serve on boards or committees. Mr. Cedillos' status will become Staff support for the Board.

Section 2.

The ordinance language is amended as follows:

*The City Manager shall designate a city department to provide an employee to serve as recording secretary and shall provide administrative and technical staff support to the Open Space Advisory Board.*

Section 3. Section 2.22.060 – Subcommittees

For City Council members to identify who would be serving on the subcommittee, Ms. Cuellar requested, Board Members specifically define the type of non-member(s) they would like to appoint, professionals with expertise in their fields. She emphasized subcommittee non-members will be voting on recommendations to present to the Board; however, they would not be voting on the final recommendation.

Board Members suggested individuals with expertise in the fields of academics, engineering, architecture, life sciences – hydrology, geology; also, individuals not affiliated with any organization that are top in their field.

Chair Wakeem would like to have the discretion in selecting the non-members.

Ms. Cuellar suggested revising the ordinance language whereby the subcommittee, selected by this Board as a whole, has a right to bring in an individual they believe has the expertise to present their evidence, documentation, etc. to assist the subcommittee in making recommendations.

**MOTION:**

*Motion made by Mr. Tolbert, seconded by Mr. von Finger and UNANIMOUSLY CARRIED TO DIRECT STAFF TO PROCEED AS DIRECTED BY THE BOARD.*

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

- (1) SUB10-00100 Northern Pass Pond 3 – Being a portion of Tracts 1, 1B4, 2 and 3B1, Nellie D. Mundy Survey 242, and Tracts 1B5C and 1B5B2, S.J. Larkin Survey 266, and Northern Pass Drive Extension Unit Two, City of El Paso, El Paso County, Texas
- LOCATION: East of Resler Drive and North of Northern Pass Drive  
PROPERTY OWNER: Hunt Communities Holding, LLC  
REPRESENTATIVE: CSA Design Group  
DISTRICT: 1  
APPLICATION TYPE: Resubdivision Combination  
STAFF CONTACT: Justin Bass, (915) 541-4930, [bassjd@elpasotexas.gov](mailto:bassjd@elpasotexas.gov)

Mr. Bass gave a PowerPoint presentation and explained the purpose of the plat is to dedicate the pond to the City for maintenance. Staff recommends approval. (presentation on file)

Mr. Sal Alonzo, CSA Design Group, Inc., distributed copies of existing and future ponds and flow paths and commented on the existing LOMR and CLOMR. Due to mitigation with the Army Corp of Engineers, part of the arroyo will be preserved.

Mr. Cedillos explained EPWU-PSB Stormwater Engineering will take over maintenance.

Chair Wakeem asked if Board Members or members of the audience wished to comment on the request. There were none.

**MOTION:**

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

*SUB10-00265 was discussed immediately following Item 3.d Status of stormwater funding for Open Space acquisition and restoration.*

- (2) SUB10-00265 Paseo Del Norte Blvd #1 – Being a Portion of Tracts 1, 1B1, and 1B4, Nellie D. Mundy Survey 242, City of El Paso, El Paso County, Texas
- LOCATION: East of Resler Drive and South of Northern Pass Road  
PROPERTY OWNER: Cimarron Hunt Communities, LLC  
REPRESENTATIVE: Kimley-Horn & Associates, Inc.  
DISTRICT: 1  
APPLICATION TYPE: Major Combination  
STAFF CONTACT: Justin Bass, (915) 541-4930, [bassjd@elpasotexas.gov](mailto:bassjd@elpasotexas.gov)

Mr. Bass gave a PowerPoint presentation and stated Staff recommends approval. (presentation on file)

Mr. Justin Chapman, Hunt Companies, explained the purpose of the request is to dedicate land, for right-of-way to be developed as a portion of Paseo Del Norte Boulevard from Resler Drive eastward, for a roadway that will serve the growing Cimarron community/neighborhood.

Chair Wakeem asked if members of the audience were present to comment on the request. There were none.

**MOTION:**

*Motion made by Mr. Thomas, seconded by Mr. Tolbert and CARRIED TO APPROVE.*

*NAY: Mr. Addington*

- (3) SUB10-00247 Cumbre Estates #2 (Private) - Being a portion of Tract 1 and E.D. Strong Survey No. 217, City of El Paso, El Paso County, Texas
- LOCATION: South of Zenith and West of Castellano
- PROPERTY OWNER: Investment Builders Inc.
- REPRESENTATIVE: Brock & Bustillos
- DISTRICT: 1
- APPLICATION TYPE: Major Combination
- STAFF CONTACT: Raul Garcia, (915) 541-4935, [garcia1@elpasotexas.gov](mailto:garcia1@elpasotexas.gov)

Mr. Garcia gave a PowerPoint presentation and explained, as part of the Planned Mountain Development (PMD) requirements; the applicant is providing 10.0763 acres of common open space. The property is located within the Mountain Development Area (MDA).

Mr. Roman Bustillos, Brock & Bustillos Inc., explained the subdivision will be on located on top of the ridge; additionally, there is an existing hike/bike trail.

Mr. Todd Jones, Wright & Dalbin Architects Inc., reiterated the slopes will be preserved; furthermore, Mr. Gaglio, vegetation specialist, will be harvesting ocotillo, prickly pear and other vegetation for a future nursery.

Chair Wakeem asked if Board Members or members of the audience wished to comment on the request.

Mr. Addington explained he is opposed to development on top of hillsides and would vote in opposition to the request. Additionally, he thought the city should change the code and move away from developing on top of hills and mountains.

**MOTION:**

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

*NAY: Mr. Addington*

- (4) SUB10-00268                      Enchanted Hills #1 - Being a portion of Tracts 8 and 9C, Laura E. Mundy Survey No. 238, City of El Paso, El Paso County, Texas
- LOCATION:                                East of I10 and North of Transmountain  
PROPERTY OWNER:                    E.P. Transmountain Residential  
REPRESENTATIVE:                    Roe Engineering  
DISTRICT:                                1  
APPLICATION TYPE:                    Major Combination  
STAFF CONTACT:                      Raul Garcia, (915) 541-4935, [garciar1@elpasotexas.gov](mailto:garciar1@elpasotexas.gov)

Mr. Garcia gave a PowerPoint presentation and explained the applicant is increasing the ponding area from 1.75 areas to 2.61 acres and reducing the private open space from 3.25 to 2.54 acres.

Mr. Bradley Roe, Roe Engineering, explained the detention pond allows continuous water flow; however, slows the silt flow.

Mr. Cedillos explained the Floodplain Manager, Mr. Alan Shubert, City Engineer, wrote a letter clarifying it would not be necessary to preserve the arroyo. Mr. Cedillos emphasized EPWU-PSB's always gravitates toward preserving arroyos.

Chair Wakeem asked if members of the audience were present to comment on the request. There were none.

**MOTION:**

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

*NAY: Mr. Addington*

- (5) SUB10-00274                      Coronado Springs Replat A - Being a replat of Coronado Springs Subdivision, City of El Paso, El Paso County, Texas
- LOCATION:                                North of Silver Springs and East of Thunderbird  
PROPERTY OWNER:                    Issa Khlayel and Ahmed Ikhilail  
REPRESENTATIVE:                    Del Rio Engineering  
DISTRICT:                                1  
APPLICATION TYPE:                    Resubdivision Combination  
STAFF CONTACT:                      Raul Garcia, (915) 541-4935, [garciar1@elpasotexas.gov](mailto:garciar1@elpasotexas.gov)

Mr. Garcia gave a PowerPoint presentation and explained the applicant is proposing 52 apartments on 5.7 acres.

Mr. Sal Masoud, Del Rio Engineering, gave background information regarding the history of the application and noted the proposed construction meets city code.

Chair Wakeem asked if members of the audience were present to comment on the request. There were none.

**MOTION:**

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

Item was moved to the forefront following the discussion on item 3. f. (2) SUB10-00265

4. **Discussion and Information** on the Saipan Park Pond Project.

Contact: Richard Garcia, (915) 240-3312, [GarciaRG@elpasotexas.gov](mailto:GarciaRG@elpasotexas.gov)

Mr. Garcia gave a PowerPoint presentation and noted the projected completion date of the Saipan Park Pond Project as June 2011. Total cost of the project, with design, is approximately \$5.2 million; \$4.2 million City monies and \$100,000 from Stormwater monies.

(presentation on file)

Mr. Ardovino questioned the connectivity from Saipan to Modesto Park, five parks including the zoo.

Mr. Garcia responded there are no real hike/bike trails; however, people can walk or drive to get to the parks.

5. **Discussion and Information** regarding the Mountain Development Vegetation Plan, the Native Plant Preservation Standard Plan, and the El Paso County Plant List for Re-vegetation on Restoration Projects. Contact: Lois Balin, Texas Parks and Wildlife, [Lois.Balin@tpwd.state.tx.us](mailto:Lois.Balin@tpwd.state.tx.us)

POSTPONE TWO WEEKS

*Discussion and Information regarding the Mountain Development Vegetation Plan, the Native Plant Preservation Standard Plan, and the El Paso County Plant List for Re-vegetation on Restoration Projects.*

**MOTION:**

*Motion made by Mr. von Finger, seconded by Mr. Ardovino and UNANIMOUSLY CARRIED TO APPROVE THE CHANGES TO THE AGENDA.*

6. **Discussion and Action** for the Chair to appoint a subcommittee to review and add Hillside Development Area standards to the Subdivision Ordinance.

Contact: Charlie Wakeem, OSAB Chair, [charliewak@sbcglobal.net](mailto:charliewak@sbcglobal.net)

Chair Wakeem explained recommendations for the NOS and Grading ordinances are complete. Regarding the Hillside Development Area subcommittee, Chair Wakeem would like to have at least one expert, outside of this Board, to serve as the consultant. He then asked if someone from the Open Space Advisory Board would volunteer to serve on the committee, committee meetings will be held on Wednesday afternoons opposite OSAB meetings.

Mr. McElroy suggested Chair Wakeem ask City Council for engineering and design expertise to assist in the process. Mr. McElroy will meet with Engineering and Stormwater Staff to discuss the matter.

Ms. Cuellar explained the City Manager will want to research funding sources, whether or not City staff does or does not have the expertise, etc. Staff will research the matter and provide feedback at the next meeting.

**MOTION:**

*Motion made by Mr. Addington, seconded by Mr. Thomas and UANIMOUSLY CARRIED TO POSTPONE THE ITEM TO THE NEXT MEETING.*

7. **Discussion and Action** on the 2011 Open Space Advisory Board meeting schedule.  
Contact: David A. Coronado, (915) 541-4632, [CoronadoDA@elpasotexas.gov](mailto:CoronadoDA@elpasotexas.gov)

*Prior to the discussion, Staff distributed copies of 2011 Open Space Advisory Board meeting schedule. At the November 10<sup>th</sup> OSAB meeting, Mr. Coronado explained, Board Members approved deleting the November 24<sup>th</sup> meeting.*

**MOTION:**

*Motion made by Mr. von Finger, seconded by Mr. Addington and UANIMOUSLY CARRIED TO APPROVE THE 2011 OPEN SPACE ADVISORY BOARD MEETING SCHEDULE.*

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

Chair Wakeem requested the following items for the next agenda:

1. **Transmountain Project** compromise and alternative options, as suggested by the City Plan Commission.
2. **Discussion and Information** regarding the Mountain Development Vegetation Plan, the Native Plant Preservation Standard Plan, and the El Paso County Plant List for Re-vegetation on Restoration Projects.  
Contact: Lois Balin, Texas Parks and Wildlife, [Lois.Balin@tpwd.state.tx.us](mailto:Lois.Balin@tpwd.state.tx.us)
3. **Discussion and action** for the Chair to appoint a subcommittee to review and add Hillside Development Area standards to the Subdivision Ordinance.  
Contact: Charlie Wakeem, OSAB Chair, [charliewak@sbcglobal.net](mailto:charliewak@sbcglobal.net)

9. **Adjournment**

**MOTION:**

*Motion made by Mr. von Finger, seconded by Mr. Thomas and UNANIMOUSLY CARRIED TO ADJOURN THE MEETING AT 3:44 P.M.*

Minutes prepared by Donna Martinez





*City of El Paso –City Plan Commission Staff Report*  
**(Revised)**

**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 not 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

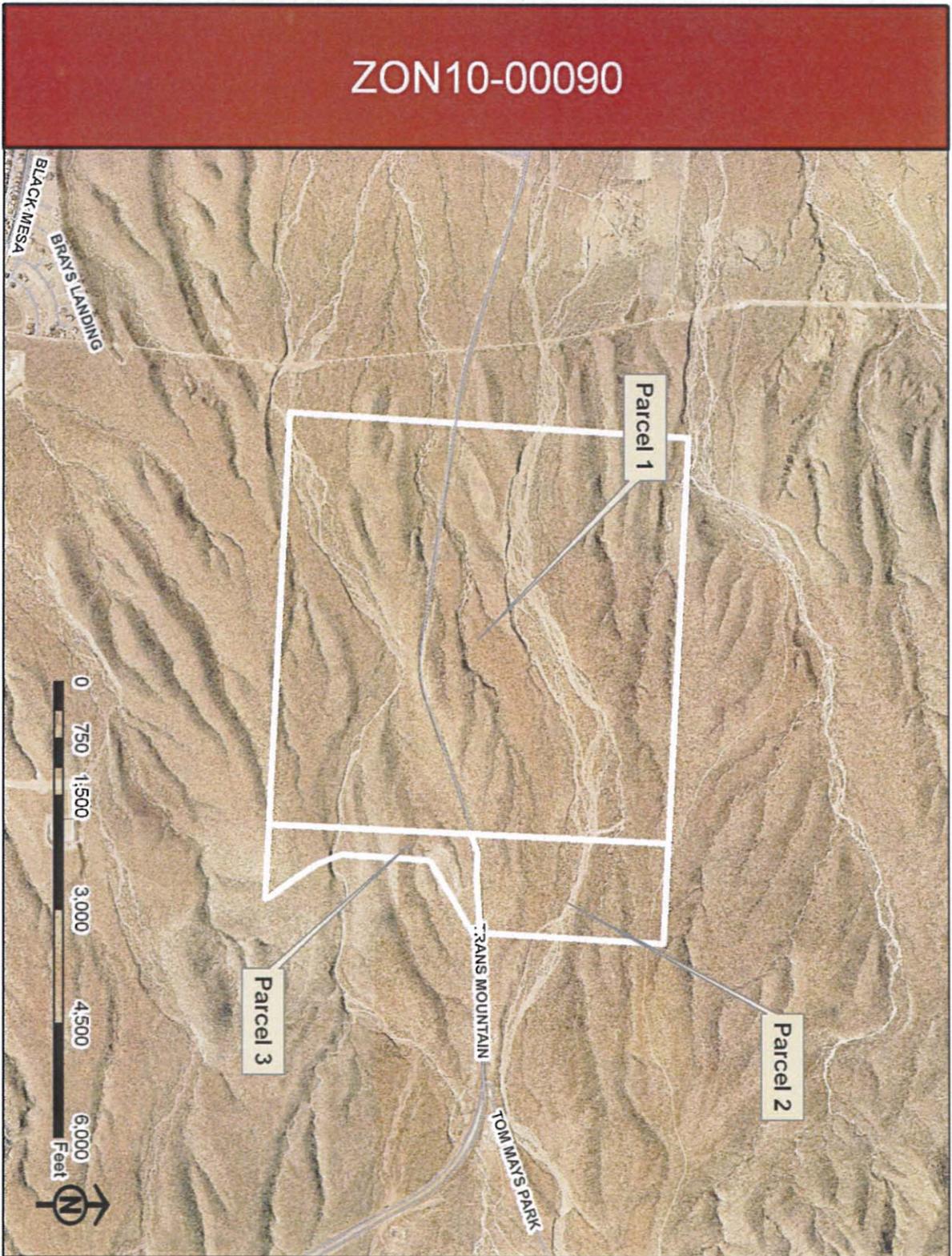
Attachment 5: Public comment in support

Attachment 6: PSB resolution in opposition

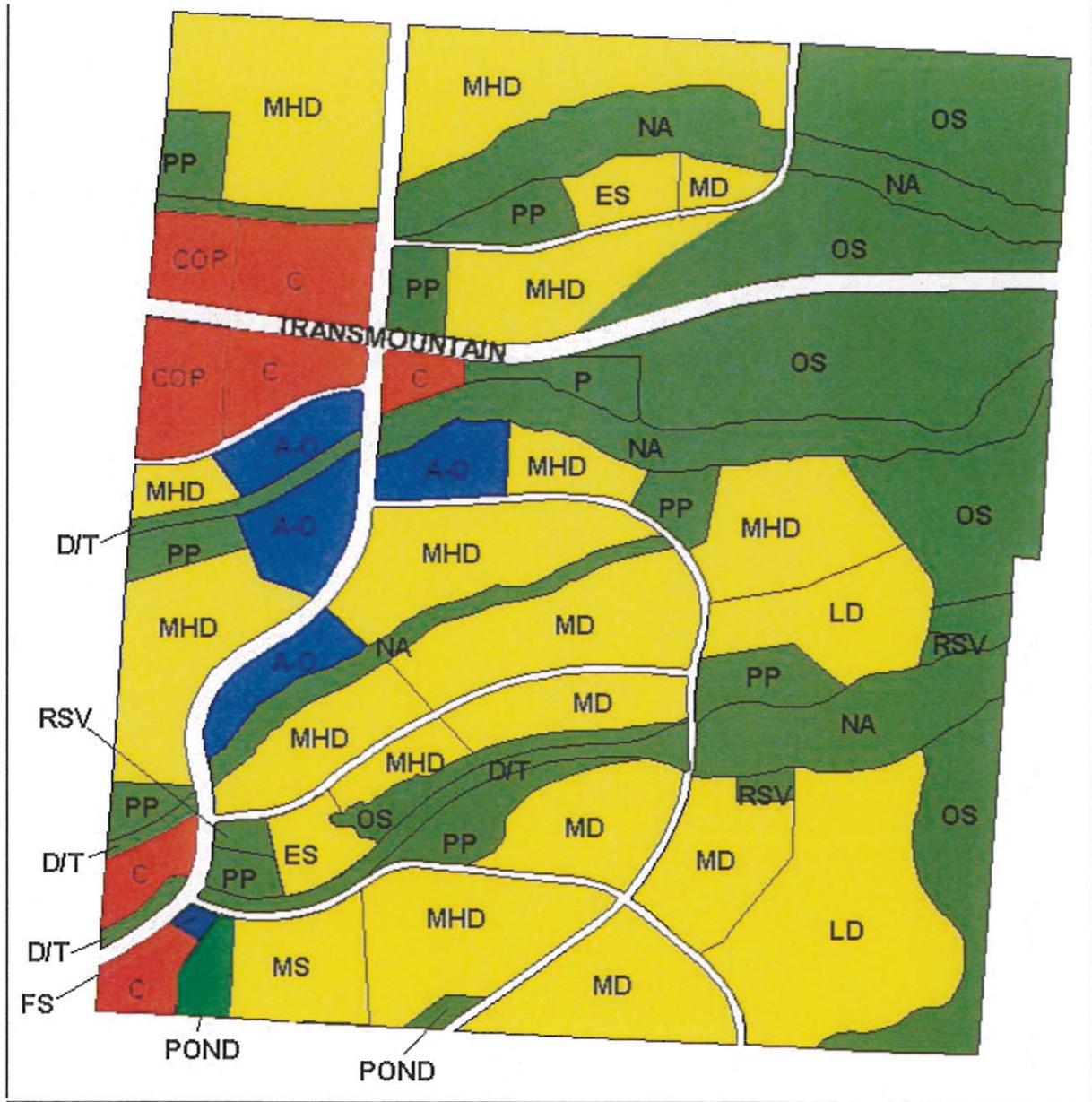
ATTACHMENT 1: ZONING MAP



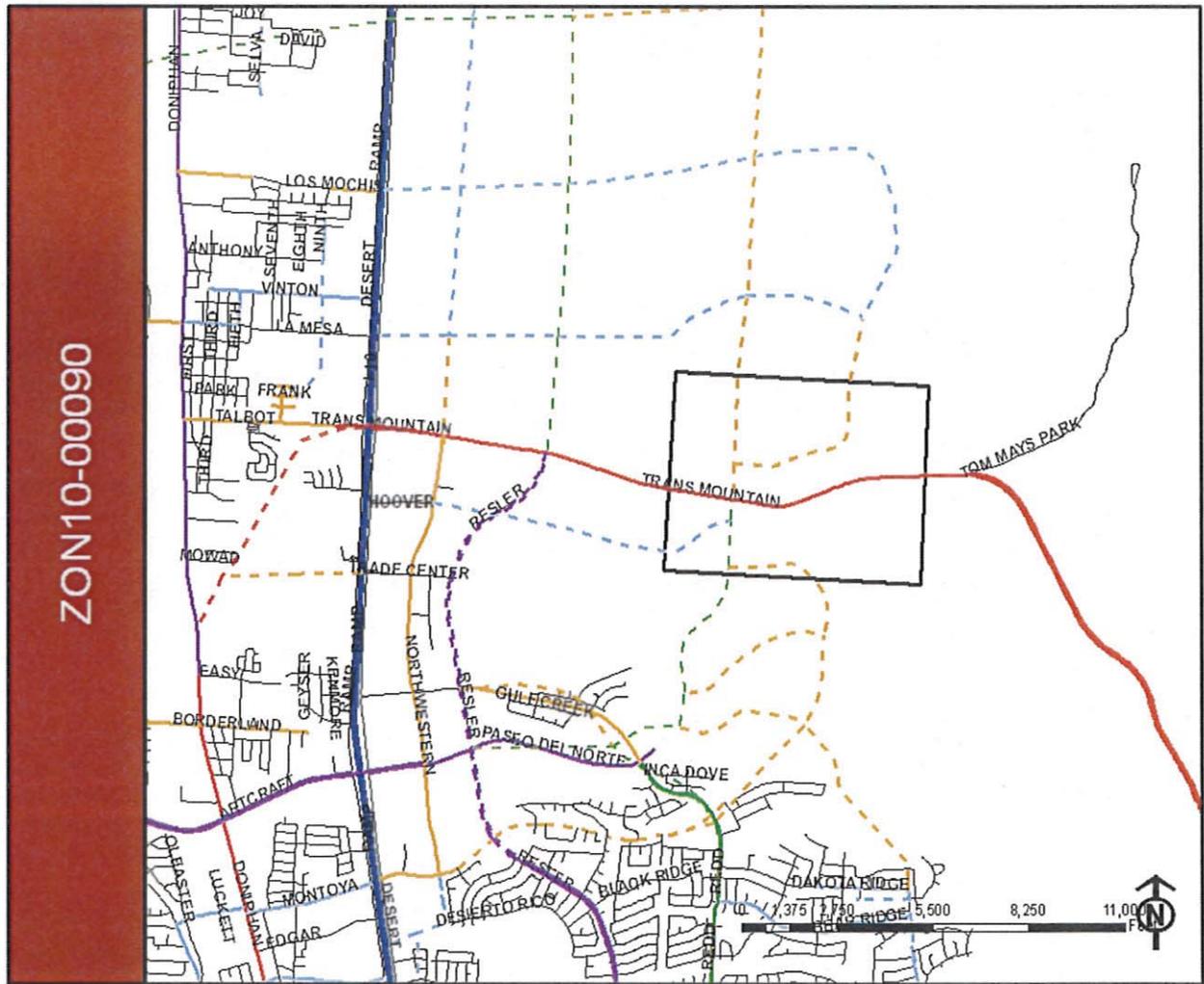
ATTACHMENT 2: AERIAL MAP



ATTACHMENT 3: Northwest Master Plan



ATTACHMENT 4: Major Thoroughfare Plan



Forsyth, Kimberly

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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**

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

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**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](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

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**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](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

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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

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**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

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From: Joe Barbe [ibarbe@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  
ibarbe@elp.rr.com  
yobarbe@elp.rr.com

**Acosta, Maria D**

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**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

11/16/2010

**Acosta, Maria D**

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**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

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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**

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**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

11/16/2010

Forsyth, Kimberly

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**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

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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

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**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; guerrereox@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

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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

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**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

10/20/2010

Forsyth, Kimberly

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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**

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

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**From:** Cooper, Clarence [mailto:[ccooper@utep.edu](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](mailto: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**

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**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; william@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

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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

**Forsyth, Kimberly**

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**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

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.

Lennie Enzel

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

Forsyth, Kimberly

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**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

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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 Transmountain is coming before the DCC this week. I ardently support returning 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 beautiful and park like retreat for El Pasoans 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

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**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**

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**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

11/16/2010

Forsyth, Kimberly

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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](mailto:manuel_guterres@hotmail.com)  
915.584.2506

10/19/2010

Forsyth, Kimberly

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**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

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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.

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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

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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 18<sup>th</sup>, meeting rather than the November 4<sup>th</sup> 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](mailto: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 18<sup>th</sup>. 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 18<sup>th</sup> for its recommendation. It then goes back to Council for a final decision. The date it will be

11/16/2010

**Acosta, Maria D**

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**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

11/16/2010

Forsyth, Kimberly

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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 no where 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

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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

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**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

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**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

10/19/2010

**Acosta, Maria D**

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**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 rezoned 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

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**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; mejkalnl@elpasotexas.gov; Herrera, Michael O.; Kutz, Harold D.; Rodriguez-Hefner, Elda; rwilliam@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.

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Ann Jesse

10/21/2010

Acosta, Maria D

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**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

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Life is a beautiful struggle.

- Kweli

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

- I.T.

## Forsyth, Kimberly

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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

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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

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From: R LoBello [rickllobello@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

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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

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**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; william@elpasompo.org; Salloun, 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

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**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

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**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

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**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

10/21/2010

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.*

*Many of you belong to groups or organizations whose members will want to read this letter. Please forward it to others. Anyone may subscribe or unsubscribe at anytime by emailing me. To subscribe or unsubscribe, just reply to this letter or email [jimhtolbert@elp.rr.com](mailto:jimhtolbert@elp.rr.com). Your email address will not be shared or sold.*

*Please visit and bookmark [www.elpasonaturally.blogspot.com](http://www.elpasonaturally.blogspot.com).*

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

Forsyth, Kimberly

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**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

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**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

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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

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**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 18<sup>th</sup> 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 6<sup>th</sup>, 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 recommends that Paseo del Norte be re-directed to Plexar 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 former 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.

Acosta, Maria D

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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

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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

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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**

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**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

11/16/2010

Forsyth, Kimberly

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From: Valice Raffi [lcvalice@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

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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

10/19/2010

**Forsyth, Kimberly**

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

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**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

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**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.

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**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](http://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     | <a href="mailto:forsythkl@elpasotexas.gov">forsythkl@elpasotexas.gov</a>   |
| Linda Castle    | <a href="mailto:castlelj@elpasotexas.gov">castlelj@elpasotexas.gov</a>     |
| Art Rubio       | <a href="mailto:rubioax@elpasotexas.gov">rubioax@elpasotexas.gov</a>       |
| Esther Guerrero | <a href="mailto:guerreroex@elpasotexas.gov">guerreroex@elpasotexas.gov</a> |
| Andrew Salloum  | <a href="mailto:salloumam@elpasotexas.gov">salloumam@elpasotexas.gov</a>   |

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

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

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**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

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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**

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**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

10/18/2010

**Acosta, Maria D**

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**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

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**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

10/19/2010

Forsyth, Kimberly

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**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

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**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](mailto:jimhtolbert@elp.rr.com)  
[www.newmanpark.blogspot.com](http://www.newmanpark.blogspot.com)

10/19/2010

## Forsyth, Kimberly

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**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

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**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 18<sup>th</sup>, meeting rather than the November 4<sup>th</sup> 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 18<sup>th</sup>. 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 18<sup>th</sup> 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 6<sup>th</sup>, 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](http://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

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**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](mailto:salloumam@elpasotexas.gov)

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**From:** [kayct13@aol.com](mailto:kayct13@aol.com) [mailto:[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

10/19/2010

Forsyth, Kimberly

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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

Forsyth, Kimberly

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

FYI

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**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.

10/19/2010

Forsyth, Kimberly

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**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

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](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

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

10/20/2010

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

10/19/2010

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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For Email Marketing you can trust

**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

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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

## **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.

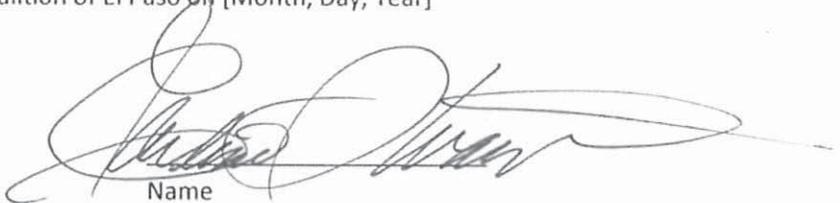
**RESOLVED:** The Neighborhood Coalition of El Paso asks City Council to direct City staff and the PSB to modify the Westside Master Plan in light of newer ways to protect natural open space while maximizing the use of developable land;

**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.

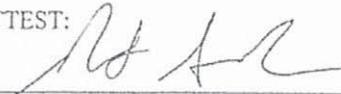
Section 12. The Public Service Board strongly urges the Mayor to veto any City Council action which disrupts, impairs or encumbers assets of the Public Service Board.

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 22<sup>nd</sup> 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.

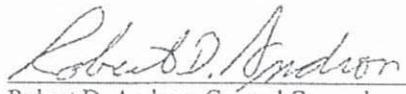
ATTEST:

  
\_\_\_\_\_  
Secretary/Treasurer

EL PASO WATER UTILITIES  
PUBLIC SERVICE BOARD

  
\_\_\_\_\_  
Chair

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Robert D. Andron, General Counsel





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

**Case No:** SUB10-00278  
**Application Type:** Minor Subdivision  
**OSAB Hearing Date:** December 22, 2010  
**Staff Planner:** Eddie Garcia, 915-541-4938, [garciaez2@elpasotexas.gov](mailto:garciaez2@elpasotexas.gov)  
**Location:** East of Mesa Street and South of Mesa Hills Drive  
**Acreage:** 2.34 Acres  
**Rep District:** 1  
**Existing Use:** Commercial  
**Existing Zoning:** C-1/SC  
**Proposed Zoning:** C-1/SC  
**Nearest School:** Morehead Middle school  
**Nearest Park:** Galatzan Park  
**Park Fees:** \$2,300  
**Impact Fee Area:** Not in Impact Fee Area  
**Property Owner:** Mesa Mountain Inv. LLC  
**Applicant:** Susana Vivar  
**Representative:** CAD Consulting Co.

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

**North:** C-1/SC(Commercial/Special Contract)/ multi-family development

**South:** C-1/SC (Commercial/Special Contract)/ commercial development

**East:** PR-II (Planned Residential)/ single-family development

**West:** R-3 (Residential)/ School

**THE PLAN FOR EL PASO DESIGNATION:** Mixed Use

### **APPLICATION DESCRIPTION**

The applicant is proposing one commercial lot measuring 2.30 acres. Primary access will be from Mesa Drive. The property is located in the Hillside Development Area (HDA).

The subdivision is subject to the current subdivision ordinance.

### **Planning Division Recommendation:**

The planning division recommends approval of Mountain Hills Estates on a Minor basis subject to the following conditions:

### **Land Development:**

1. Applicant shall coordinate with TxDOT for access and drainage on Mesa Street.
2. Provide "Private drainage easement" to convey drainage run-off from Lot 1, Block 1, Cactus Pointe and Lot 1, Block 34, Mesa Hills Unit 17.
3. Provide print-out of the mathematical closure of the exterior boundary of the subdivision indicating the error of closure.

**Dept. of Transportation:**

- Vehicular access shall be restricted from the vacated portion of Double Tree Lane. Include a release of access statement in the subdivision plat notes.

- Sidewalks shall be required along Mesa Street.

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

**Engineering Department-Floodplain:**

No comments received.

**Parks and Recreation Department:**

We have reviewed Mesa Mountain Subdivision, a minor plat map and offer Developer / Engineer the following comments:

Please note that this subdivision is zoned "C-1/c" thus meeting the requirements for multi-family dwellings use restricted to a maximum of 29 dwelling units per acre; Park fees will be assessed based on this requirement unless, gross density waiver is granted by the Planning Department or designee.

Failure of the subdivider to provide proof of gross density waiver with the filling of the final plat shall result in the gross density rates hereby calculated being applied to this subdivision application.

Based on the following calculations, Applicant shall be required to pay "park fees" in the amount of \$44,880.00 if gross density waiver **is not** granted by the Planning Department or designee.

Please allocate funds under Park zone: **NW-3**

Nearest parks within adjacent Park zone **NW-2: Galatzan & Crestmont**

Fees calculated as follows:

Subdivision acreage 2.3049 @ maximum 29 units per acre = 66.84 dwellings  
66 dwellings @ \$680.00 per dwelling = **\$44,880.00**

If gross density waiver is granted by the Planning Department or designee and covenants are provided restricting any residential dwelling use, then applicant shall be required to pay "park fees" in the amount of **\$2,300.00**

Fees calculated as follows:

Subdivision acreage 2.30 (rounded to two decimals) @ \$1,000.00 per acre = \$2,300.00

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

**El Paso Water Utilities:**

1. EPWU does not object to this request.

**Water:**

2. Within the subject property, there is an existing 12-inch diameter water main along the existing 25-foot wide Utility Easement located east of and parallel to Mesa Street.

3. There is an existing 8-inch water main along Double Tree Lane. This water main dead-ends approximately 155 feet northeast of Tablerock Drive.

4. Previous water pressure readings taken from fire hydrant #4682 located at the intersection of Mesa Street and Double Tree Lane have yielded a static pressure of 142 pounds per square inch (psi), a residual pressure of 136 psi and a discharge of 1,404 gallons per minute (GPM).

5. Private pressure regulating devices are required at the discharge side of each water meter within the subject property. Private backflow prevention devices are also required at the discharge side of each water meter within the subject property. The property Owner shall be responsible for the operation and maintenance of the above-described backflow prevention and pressure regulating devices.

**Sanitary Sewer:**

6. Within the subject property, there is an existing 12-inch diameter sanitary sewer main. This sewer main is located along the above mentioned 25-foot wide Utility Easement.

7. There is an existing 8-inch diameter sanitary sewer main along a 30-foot wide PSB easement that follows the alignment of Double Tree Lane, east of Tablerock Drive.

**General:**

8. EPWU records indicate that the subject property has one (1) active water service connection (2" domestic meter) and existing sewer service connections.

9. All Easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy. No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced Utility Easement without the written consent of EPWU-PSB.

10. EPWU-PSB requires access to the water, sanitary sewer facilities, appurtenances, and meters within the Utility Easement 24 hours a day, seven (7) days a week.

11. The Owner/Developer shall refrain from constructing rock walls, signs, or any structure that will interfere with the access to the Easements.

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

**Stormwater:**

**EPWU STORMWATER COMMENTS**

1. Show direction of existing and proposed drainage flow patterns within the subdivision and identify the discharge location for all stormwater runoff. Show all existing and proposed storm sewer and drainage structure locations.
2. EPWU recommends using recessed landscaping, water harvesting, and “green-building” design elements to reduce the amount of stormwater runoff.

**El Paso Fire Department:**

El Paso Fire Department has no objections.

**911**

No comments received.

**Sun Metro:**

No comments received.

**El Paso Electric Company:**

No comments received.

**Texas Gas Company:**

No comments received.

**Additional Requirements and General Comments:**

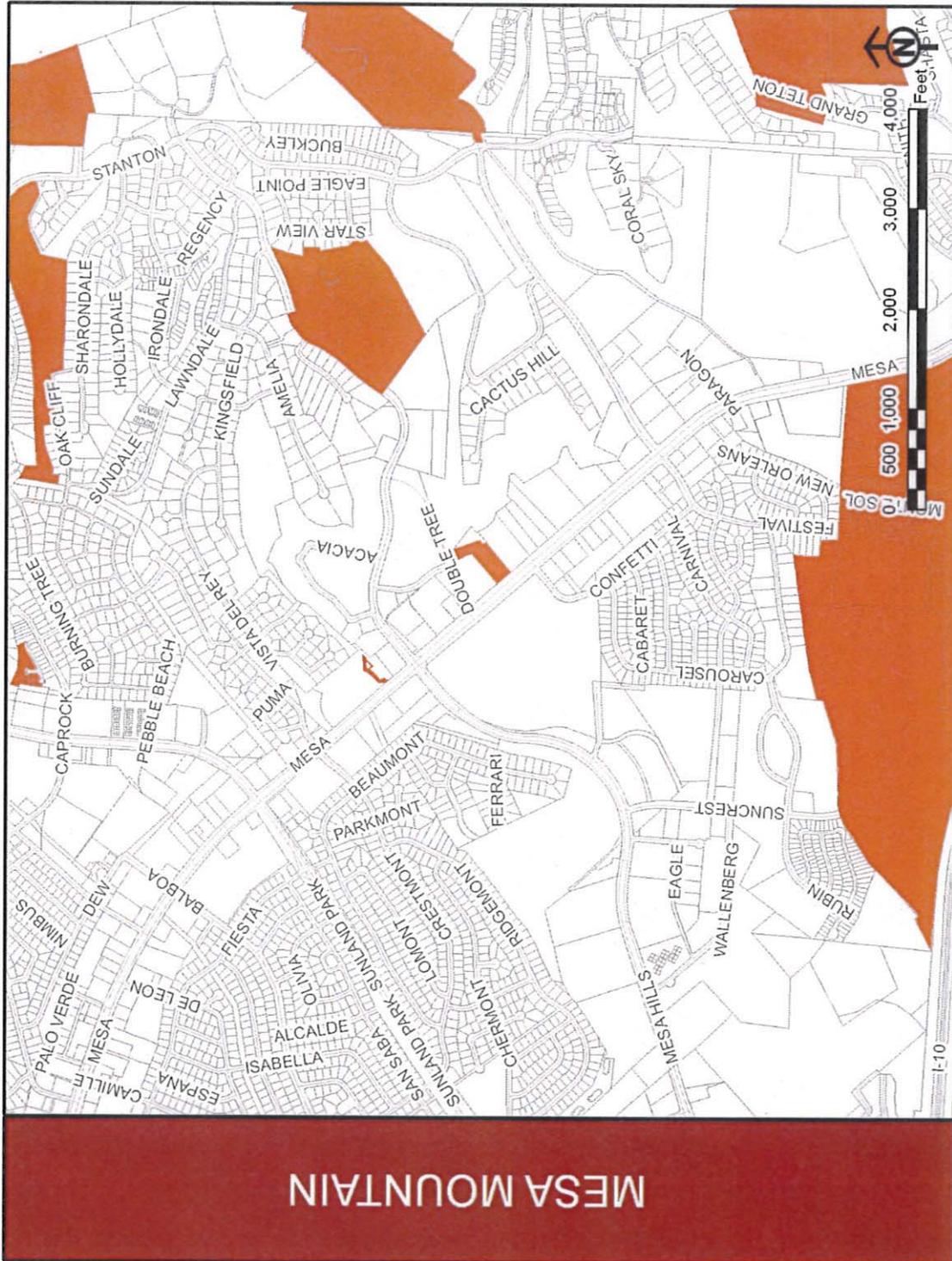
1. Submit to the Development Services Department – Planning Division the following prior to recording of the subdivision.
  - a. Current certified tax certificate(s)
  - b. Current proof of ownership
  - c. Release of access document, if applicable
  - d. Set of restrictive covenants, if applicable
  - e. Deed for property to be dedicated as parkland.
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

## Attachments

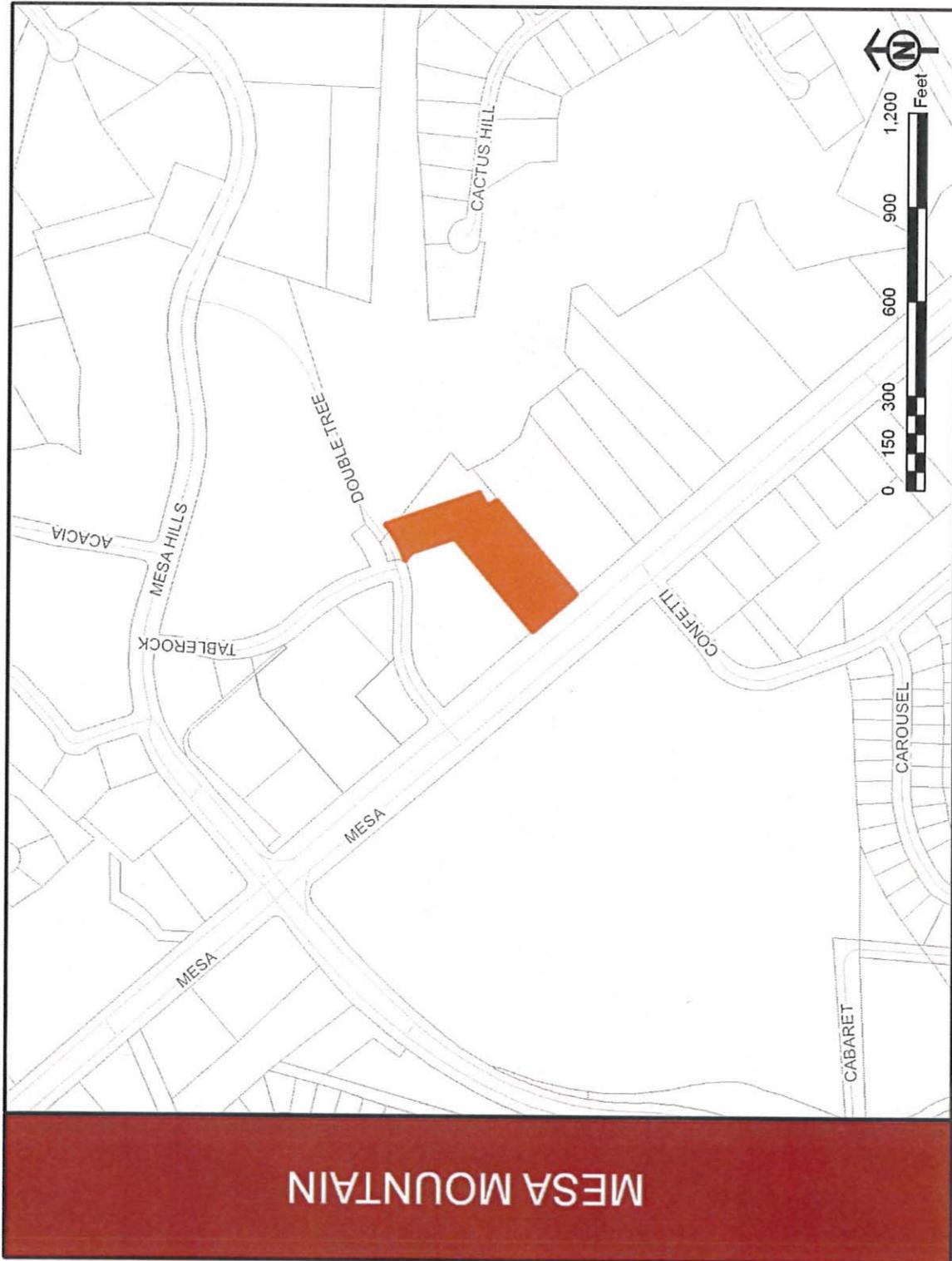
1. Location map zoomed out
2. Location map
3. Aerial map zoomed out
4. Aerial map
5. Arroyos map
6. Preliminary Plat
7. Final Plat
8. Application

DRAFT

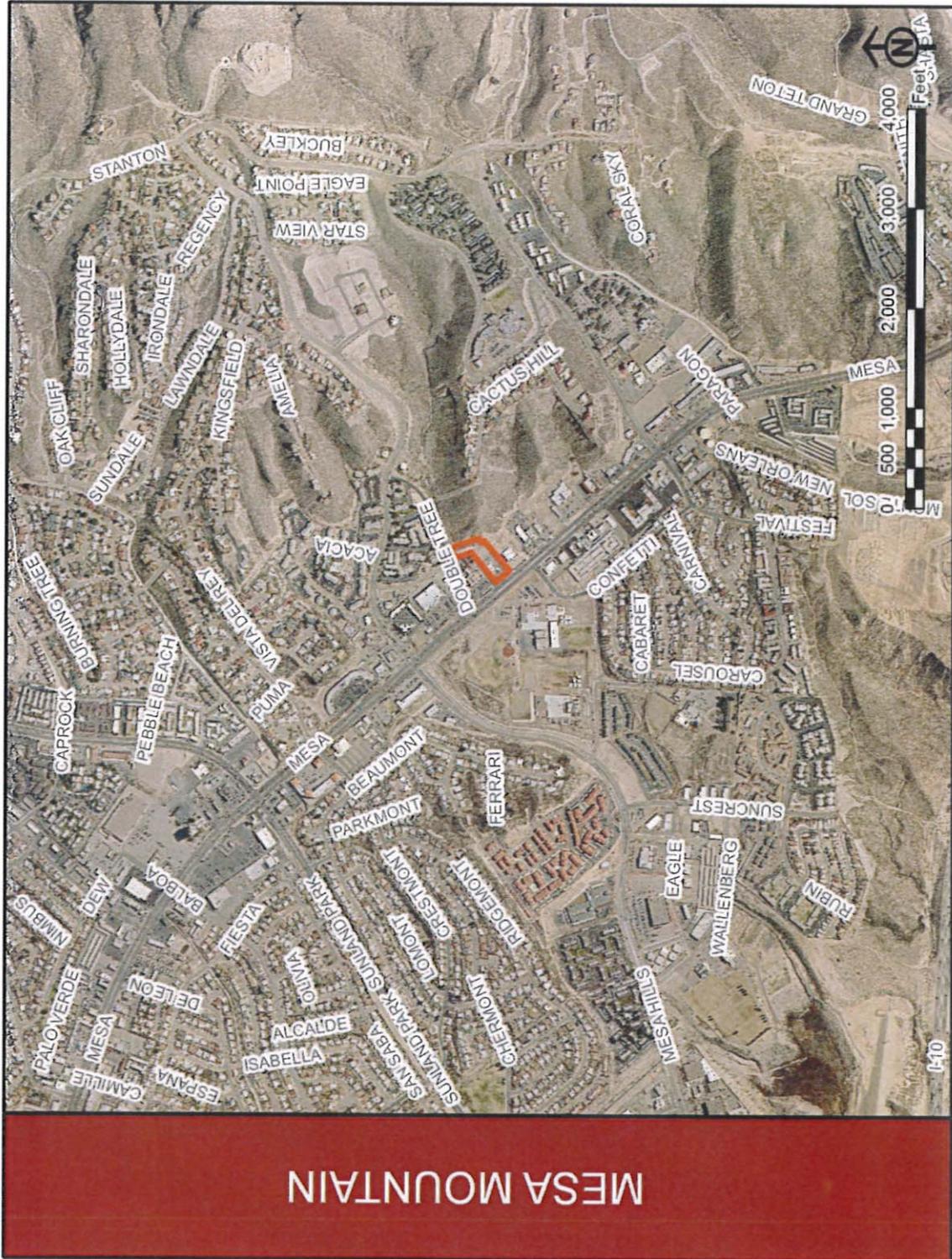
ATTACHMENT 1



ATTACHMENT 2



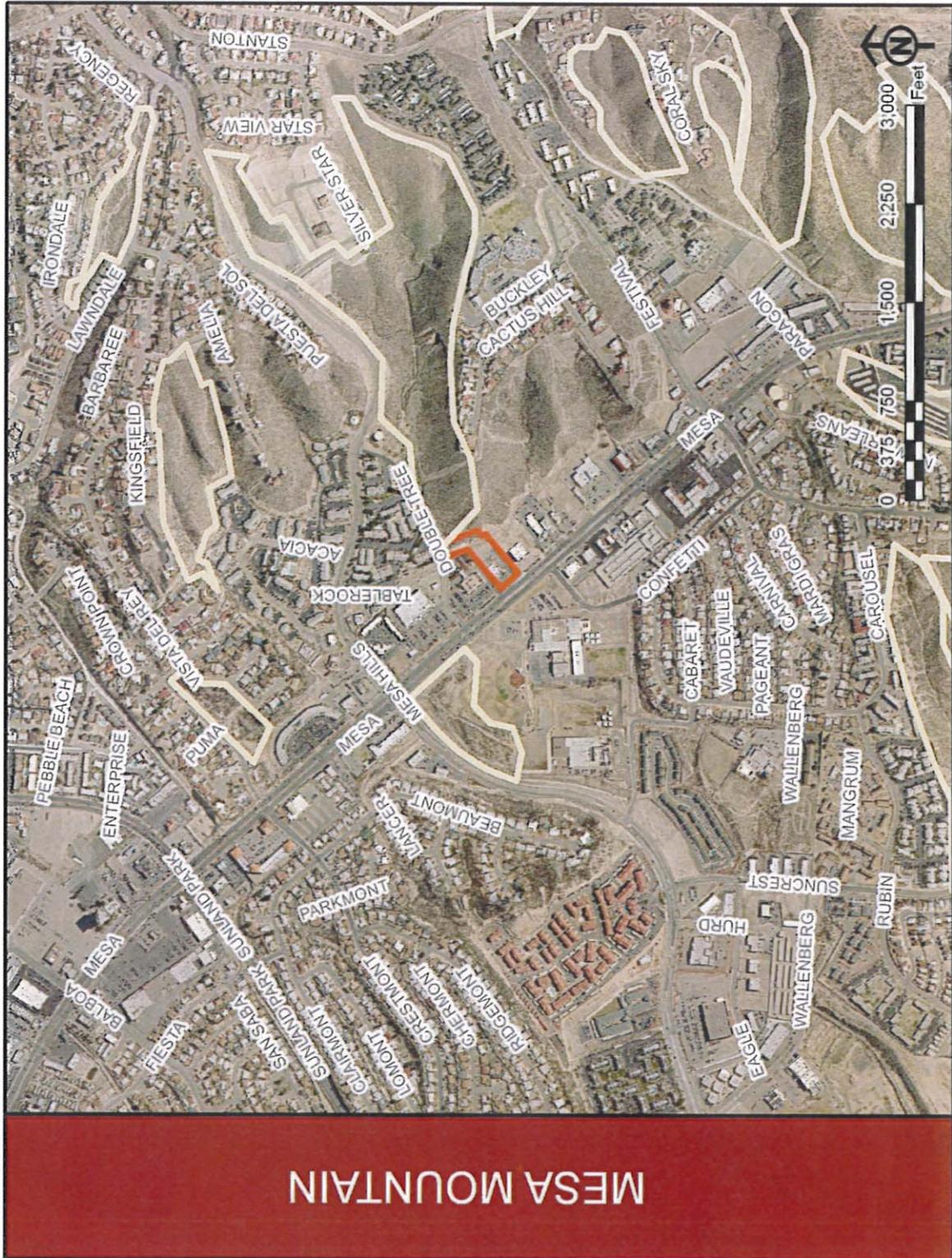
ATTACHMENT 3



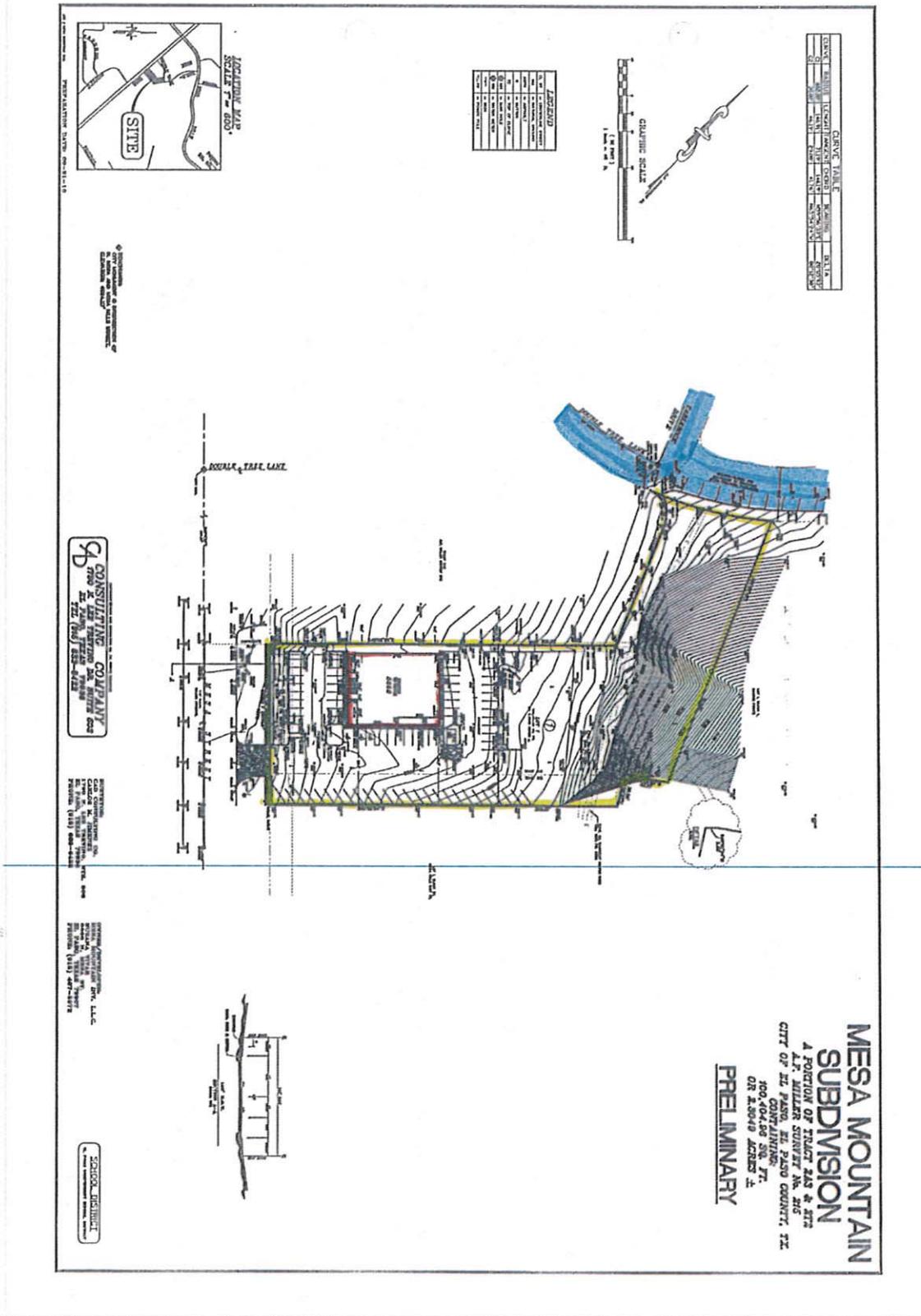
ATTACHMENT 4



ATTACHMENT 5

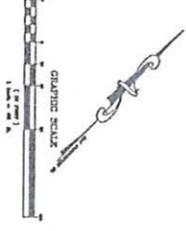


**ATTACHMENT 6**



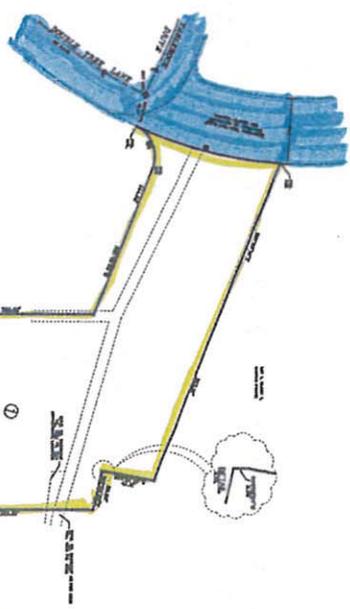
# ATTACHMENT 7

| CURVE TABLE |        |       |         |
|-------------|--------|-------|---------|
| CHORD       | LENGTH | ANGLE | AREA    |
| 100.00      | 100.00 | 90.00 | 7853.98 |
| 100.00      | 100.00 | 90.00 | 7853.98 |
| 100.00      | 100.00 | 90.00 | 7853.98 |
| 100.00      | 100.00 | 90.00 | 7853.98 |
| 100.00      | 100.00 | 90.00 | 7853.98 |
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| 100.00      | 100.00 | 90.00 | 7853.98 |
| 100.00      | 100.00 | 90.00 | 7853.98 |
| 100.00      | 100.00 | 90.00 | 7853.98 |
| 100.00      | 100.00 | 90.00 | 7853.98 |



**NOTES:**

1. This plan shows the proposed and shall be the basis of the permit.
2. The owner of the subject property shall be responsible for the cost of the permit.
3. The owner of the subject property shall be responsible for the cost of the permit.
4. The owner of the subject property shall be responsible for the cost of the permit.
5. The owner of the subject property shall be responsible for the cost of the permit.
6. The owner of the subject property shall be responsible for the cost of the permit.
7. The owner of the subject property shall be responsible for the cost of the permit.
8. The owner of the subject property shall be responsible for the cost of the permit.
9. The owner of the subject property shall be responsible for the cost of the permit.
10. The owner of the subject property shall be responsible for the cost of the permit.



**PREPARED BY:**  
 CONSULTING ENGINEER  
 CIVIL ENGINEER  
 11111 N. CENTRAL EXPRESSWAY, SUITE 100  
 DALLAS, TEXAS 75243  
 PHONE: (214) 828-4222

**ENGINEER/ARCHITECT:**  
 CONSULTING ENGINEER  
 CIVIL ENGINEER  
 11111 N. CENTRAL EXPRESSWAY, SUITE 100  
 DALLAS, TEXAS 75243  
 PHONE: (214) 828-4222



**MESA MOUNTAIN  
 SUBDIVISION**  
 A PORTION OF TRACTS 8AS & 8TS  
 A.P. 81684N, SOUTHERLY CO. 12E  
 CITY OF EL PASO, EL PASO COUNTY, TEX  
 100,004.98 SQ. FT.  
 OR 2.3049 ACRES ±

**DELEGATION**  
 JOHN WATKINS ENGINEERING, L.L.C. is hereby granted  
 the right to execute this \_\_\_\_\_ day of \_\_\_\_\_ 2010.  
 JOHN WATKINS ENGINEERING, L.L.C.  
 JOHN WATKINS, Representative

**ATTORNEY AT LAW**  
 JOHN WATKINS ENGINEERING, L.L.C.  
 JOHN WATKINS, Representative

**APPROVED BY:** \_\_\_\_\_ day of \_\_\_\_\_ 2010.  
 JOHN WATKINS ENGINEERING, L.L.C.

**RIGHTS SUBDIVISION APPROVAL STATEMENT**  
 This subdivision is hereby approved by resolution of the Board of Commissioners of the City of El Paso, Texas, on this \_\_\_\_\_ day of \_\_\_\_\_ 2010.  
 Approved by the Board of Commissioners of the City of El Paso, Texas, on this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

**APPROVED BY:** \_\_\_\_\_ day of \_\_\_\_\_ 2010.  
 City Engineer  
 \_\_\_\_\_ day of \_\_\_\_\_ 2010.  
 City Clerk

**FILED**  
 This plan was filed in the office of the County Clerk of El Paso County, Texas, on this \_\_\_\_\_ day of \_\_\_\_\_ 2010, A.M. at \_\_\_\_\_ o'clock.

## ATTACHMENT 8



### CITY PLAN COMMISSION APPLICATION FOR MINOR SUBDIVISION APPROVAL

DATE: \_\_\_\_\_ FILE NO. SUB10-00278  
 SUBDIVISION NAME: MESA MOUNTAIN VILLA DEC 1941 SUBDIVISION

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)  
A PORTION OF TRACTS 2A3 AND 2T2  
A.F. MILLER SURVEY NO. 215

2. Property Land Uses:

|               | ACRES         | SITES    |                       | ACRES         | SITES    |
|---------------|---------------|----------|-----------------------|---------------|----------|
| Single-family | _____         | _____    | Office                | _____         | _____    |
| Duplex        | _____         | _____    | Street & Alley        | _____         | _____    |
| Apartment     | _____         | _____    | Ponding & Drainage    | _____         | _____    |
| Mobile Home   | _____         | _____    | Institutional         | _____         | _____    |
| P.U.D.        | _____         | _____    | Other (specify below) | _____         | _____    |
| Park          | _____         | _____    |                       | _____         | _____    |
| School        | _____         | _____    |                       | _____         | _____    |
| Commercial    | <u>2.3049</u> | <u>2</u> | Total No. Sites       | _____         | <u>2</u> |
| Industrial    | _____         | _____    | Total (Gross) Acreage | <u>2.3049</u> | _____    |

3. What is existing zoning of the above described property? C1 Proposed zoning? \_\_\_\_\_
4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes  No \_\_\_\_\_
5. What type of utility easements are proposed: Underground \_\_\_\_\_ Overhead \_\_\_\_\_ Combination of Both \_\_\_\_\_
6. What type of drainage is proposed? (If applicable, list more than one)  
 \_\_\_\_\_  
 \_\_\_\_\_
7. Are special public improvements proposed in connection with development? Yes \_\_\_\_\_ No
8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes \_\_\_\_\_ No   
 If answer is "Yes", please explain the nature of the modification or exception \_\_\_\_\_  
 \_\_\_\_\_
9. Remarks and/or explanation of special circumstances:  
 \_\_\_\_\_  
 \_\_\_\_\_
10. Improvement Plans submitted? Yes \_\_\_\_\_ No
11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes \_\_\_\_\_ No   
 If yes, please submit a vested \_\_\_\_\_ rights petition in accordance with Section 19.47- Vested Rights (See Attached).

vivarsvilladelmar@sbcglobal.net

12. Owner of record SUSANA VIVAR 7928 GATEWAY EAST 79909 (915) 591-1446  
(Name & Address) (Zip) (Phone)
13. Developer JORGE VILLEGAS 3800 MONTANA 79903 (915) 239-3126  
(Name & Address) (Zip) (Phone)
14. Engineer \_\_\_\_\_  
(Name & Address) (Zip) (Phone)

CASHIER'S VALIDATION  
FEE: \$651.00

OWNER SIGNATURE: \_\_\_\_\_

REPRESENTATIVE: \_\_\_\_\_



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





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

**Case No:** SUB10-00248 Cumbre Estates Unit One Replat B  
**Application Type:** Resubdivision Combination  
**CPC Hearing Date:** January 6, 2011  
**Staff Planner:** Raul Garcia, 915-541-4935, [garcia1@elpasotexas.gov](mailto:garcia1@elpasotexas.gov)  
**Location:** South of Zenith Drive and West of Castellano Drive  
**Legal Description Acreage:** 4.29 acres  
**Rep District:** 1  
**Existing Use:** Vacant  
**Existing Zoning:** PMD  
**Proposed Zoning:** PMD  
**Nearest School:** Morehead Middle School (2.03 miles)  
**Nearest Park:** Galatzan Park (2.42 miles)  
**Park Fees:** Subdivision is not subject to any parkland requirements  
**Impact Fee Area:** Not in Impact Fee Area  
**Property Owner:** Investment Builders Inc.  
**Applicant:** Investment Builders Inc.  
**Representative:** Brock & Bustillos Inc.

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

**North:** PMD (Planned Mountain Development)/ Vacant  
**South:** PMD (Planned Mountain Development)/ Vacant  
**East:** PMD (Planned Mountain Development)/ Vacant  
**West:** PMD (Planned Mountain Development)/ Vacant

**THE PLAN FOR EL PASO DESIGNATION:** Residential

### **APPLICATION DESCRIPTION**

The applicant is proposing 7 single family lots with the smallest lot measuring 4,839 square feet in size and the largest lot measuring 12,342 square feet in size. Primary access will be from Everest Drive. The applicant is proposing 2.43 acres of public open space and a 20-foot wide alley for access to the rear of the lots. The applicant is replatting to re-design the layout of the subdivision reflecting an increase in the number of lots from 5 to 7.

This subdivision is located within the Mountain Development Area (MDA) and the applicant has submitted all required reports under Title 19.24.040 of the Subdivision Ordinance.

As part of the PMD open space requirements, the applicant is required to provide a minimum of 50% open space. The applicant is providing 2.43 acres of public open space, which translates to

56.6% of the subdivision remaining public open space.

**DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee recommends **pending** of Cumbre Estates Unit One Replat B on a **Resubdivision Combination** basis subject to the following conditions and requirements:

- **That Cumbre Estates Unit 1 Replat B be recorded concurrently with Cumbre Estates Unit 2 to ensure the improvements to the hammerhead and alley are constructed at the same time.**

**Planning Division Recommendation:**

Pending.

**Land Development:**

We have reviewed subject plat and recommend **Denial**.

1. The Subdivision Improvement Plans along with appropriate application shall be submitted, reviewed and approved prior to the plat being recorded.
2. Clarify property lines for the lots and City R.O.W. limits.
3. Clarify how drainage flow will be address; private drainage easements will be required?
4. Provide PMD requirements table.
5. Clarify whether the "Public Open Space" requirements are satisfied with the changes along with this plat; if due to the subdivision plat it is proposed to reduce the previously approved open space; Developer/ Engineer need to comply with the El Paso Municipal Code, Chapter 19.24.040 - Mountain Development Area (MDA) Standards.
6. Provide classification and cross-section of adjacent streets to the subdivision, include paving width and R.O.W. width to reflect location and dimensions of existing and/or **proposed** improvements, such as walkways, parkways, sidewalks, bike trails, acceleration lane(s), flumes, medians, and other related improvements.

**Dept. of Transportation:**

Transportation requires **revised** drawings reflecting the following:

1. Show cross section of the proposed 22 ft. alley. Alley cross section shall comply with Subdivision Design Standards Locas Streets 3-5 & 3-6.
2. Provide an exhibit showing how the remaining portion of the hammerhead and the 22ft. alley will be constructed.
3. A subdivision plat note detailing that the hammerhead and alley improvements for Cumbre Estates Unit 1 Replats A & B shall be done concurrently.
4. The alley shall be included in the dedication statement.
5. Cumbre Estates Unit 1 Replat A & B shall be recorded concurrently to ensure the improvements to the alley and the hammerhead are constructed at one time.

Notes for the applicant:

1. No on-street parking shall be permitted on Shasta and Everest per Section 19.16.020 e (Mountain Residential Street) and 19.16.020 f (Divided Mountain Residential Street) signage and markings shall be provided.
2. Shasta and Everest shall be designed to meet the design speeds as specified in Section 19.20.030 E (Streets).

3. Landscaping, vegetation, and irrigation systems shall be provided within the proposed median on Shasta.
4. All existing/proposed paths of travel (sidewalks, wheel chair access curb ramps, and driveways) shall be in compliance with the current ADA/TAS rules and regulations and City Design Standards for construction.

**Engineering Department-Floodplain:**

No comments received.

**Parks and Recreation Department:**

We have reviewed **Cumbre Estates #1 Replat "B"** a revised resubdivision combination plat map and offer a **denial** recommendation due to Applicant/Developer not addressing the Open Space, Trails and Parks Coordinator Comments below mentioned.

Please note that this Subdivision is being excluded from the calculation for parkland dedication ordinance as per ordinance **Title 19 - Subdivision Regulations, Section 19.20 - Parks & Open Space** as noted below.

**19.20.060 - Exclusions from dedication requirement.**

Exclusions. The following shall be excluded from the calculation for parkland dedication. In all instances, the burden of proof shall be on the subdivider to demonstrate that the plat meets the requirements of this chapter:

- F. All property within a subdivision which is zoned planned mountain development district (PMD) whether for residential or nonresidential uses, as evidenced by the official zoning map.

**El Paso Water Utilities:**

1. EPWU-PSB cannot approve the request at this time.
2. The original sanitary sewer facility plans for the entire Cumbre Estates Subdivision were designed by an Engineering firm (the Engineer) retained by the Owner/Developer, and not by the El Paso Water Utilities – Public Service Board (EPWU-PSB). EPWU-PSB requests the Owner/Developer to have his Engineer certify in writing that the design of the existing low pressure sanitary sewer system possesses the capacity to handle the flows of additional lots in excess of the original platted lots in terms of capacity and hydraulically.
3. Due to the increase in the number of lots, the existing water and sewer services may require to be removed or relocated. EPWU-PSB requires a formal written request from the Developer specifying the location of the services required to be removed/relocated. The individual records for each lot will be updated to reflect the new lot configuration and addresses. All costs associated with this work, including repaving, are the responsibility of the Owner/Developer. EPWU will repair only the pavement cuts required for removal of the water and sewer services; EPWU will not repave the entire width of the street.

**EPWU-PSB Comments**

**Water:**

4. There is an existing 8-inch diameter water main that extends along Everest Drive. Also, there is an existing 8-inch diameter water main that extends along Shasta Drive. This main dead-ends approximately 90 feet north of the intersection of Everest Drive and Shasta Drive.

5. EPWU records indicate there are inactive ¾-inch water meters serving the subject subdivision. The service addresses for these meters are 296 Everest Drive, 300 Everest Drive, 304 Everest Drive and 308 Everest Drive, respectively.

**Sewer:**

6. The subject subdivision is being served by private, on-site grinder pumps and a low pressure sanitary sewer system. For lots not already sold, the Developer shall include in the sale of contract documents that the lot/home buyer shall acquire ownership of the above-described grinder pump system. The lot/home buyer is responsible for the operation and maintenance of the private grinder pump system and the discharge pipeline up to the isolation valve located behind the curb adjacent to each lot. EPWU owns, operates and maintains the low pressure sanitary sewer system within the street right-of-way, including the discharge pipe from the isolation valve to the force main within the street right-of-way

**General:**

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

**Stormwater:**

The EPWU Stormwater Utility will not maintain the areas labeled as “Common Open Space” on the subdivision plat.

**El Paso Fire Department:**

El Paso Fire Department has no objections.

**911**

No comments received.

**Sun Metro:**

No comments received.

**El Paso Electric Company:**

No comments received.

**Texas Gas Company:**

No comments received.

**El Paso Independent School District:**

No comments received.

**Additional Requirements and General Comments:**

1. Submit to the Development Services Department – Planning Division the following prior to recording of the subdivision.
  - a. Current certified tax certificate(s)
  - b. Current proof of ownership
  - c. Release of access document, if applicable
  - d. Set of restrictive covenants, if applicable

- e. Deed for property to be dedicated as parkland.
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

#### **Attachments**

1. Location map
2. Subs in process
3. Aerial map
4. Aerial map zoomed out
5. Arroyos aerial
6. Arroyos zoomed out Preliminary Plat
7. Final Plat
8. Application

ATTACHMENT 1





ATTACHMENT 3





ATTACHMENT 5



ATTACHMENT 6







**ATTACHMENT 9**



**CITY PLAN COMMISSION APPLICATION FOR  
RESUBDIVISION COMBINATION APPROVAL**

DATE: October 12, 2010

FILE NO. SUB10-00248

SUBDIVISION NAME: Cumbre Estates Unit 1 Amending Subdivision Replat B

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)  
Being all of Lots 38, 39, 40, 41, 42, all of the 60' Stanton Street R.O.W., Block 2, a portion of Shasta Drive and a portion of Lot 54 (open space), Block 2, Cumbre Estates Unit 1 Amending Subdivision, City of El Paso, El Paso County, Texas.

2. Property Land Uses:

|               | <u>ACRES</u> | <u>SITES</u> |                       | <u>ACRES</u>  | <u>SITES</u>                |
|---------------|--------------|--------------|-----------------------|---------------|-----------------------------|
| Single-family | <u>1.886</u> | <u>7</u>     | Office                |               |                             |
| Duplex        | _____        | _____        | Street & Alley        | <u>0.4946</u> | <u>1</u> (Shasta Extension) |
| Apartment     | _____        | _____        | Ponding & Drainage    | _____         | _____                       |
| Mobile Home   | _____        | _____        | Institutional         | _____         | _____                       |
| P.U.D.        | _____        | _____        | Other (specify below) | _____         | _____                       |
| Park          | _____        | _____        | <u>Open Space</u>     | _____         | <u>2</u>                    |
| School        | _____        | _____        | Total No. Sites       | _____         | <u>10</u>                   |
| Commercial    | _____        | _____        | Total (Gross) Acreage | <u>4.2906</u> | <u>acre</u>                 |
| Industrial    | _____        | _____        |                       |               |                             |



3. What is existing zoning of the above described property? PMD Proposed zoning? Same

4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes X No \_\_\_\_\_

5. What type of utility easements are proposed: Underground \_\_\_\_\_ Overhead \_\_\_\_\_ Combination of Both X

6. What type of drainage is proposed? (If applicable, list more than one)  
Surface-sheet flow

7. Are special public improvements proposed in connection with development? Yes \_\_\_\_\_ No X

8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes X No \_\_\_\_\_  
If answer is "Yes", please explain the nature of the modification or exception

9. Remarks and/or explanation of special circumstances: Fronting street (Everest Dr) and access street (Shasta Dr) are built and accepted by the City of El Paso for maintenance.

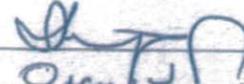
10. Improvement Plans submitted? Yes X No \_\_\_\_\_

11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes \_\_\_\_\_ No X

If yes, please submit a vested \_\_\_\_\_ rights petition in accordance with Section 19.47- Vested Rights (See Attached).

12. Owner of record Investment Builders Inc. 8800 Yermoland, El Paso, Texas 79907 (915) 599-1245  
(Name & Address) (Zip) (Phone)
13. Developer Investment Builders Inc. 8800 Yermoland, El Paso, Texas 79907 (915) 599-1245  
(Name & Address) (Zip) (Phone)
14. Engineer Brock & Bustillos Inc. 417 Executive Center Blvd., El Paso, Texas 79902 (915) 542-4900  
(Name & Address) (Zip) (Phone)

CASHIER'S VALIDATION  
FEE: \$1,083.00

OWNER SIGNATURE: 

REPRESENTATIVE: 

**OSCAR V. PEREZ**  
**BROCK & BUSTILLOS INC.**

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





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

**Case No:** SUB10-00303 Resler Ponding Area Five  
**Application Type:** Extension Request to Submit Recording Maps  
**CPC Hearing Date:** January 6, 2011

**Staff Planner:** Raul Garcia, (915)541-4935, [garcia1@elpasotexas.gov](mailto:garcia1@elpasotexas.gov)  
**Location:** West of Redd Road and North of Helen of Troy Drive  
**Acreage:** 7.13 acres  
**Rep District:** 1  
**Existing Use:** Pond  
**Existing Zoning:** R-3A  
**Proposed Zoning:** R-3A

**Nearest Park:** South Dakota Park (0.42 mile)  
**Nearest School:** Kohlberg Elementary (0.55 mile)  
**Park Fees Required:** N/A  
**Impact Fee Area:** This property is not in impact fee area and is not subject to impact fees.

**Property Owner:** Hunt Communities Holdings, LLC  
**Applicant:** Conde Inc.  
**Representative:** Conde Inc.

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

**North:** R-3A (Residential)/ Vacant  
**South:** C-2 (Commercial)/ Vacant  
**East:** C-3 (Commercial)/ Vacant  
**West:** R-3A (Residential)/ Vacant

**THE PLAN FOR EL PASO DESIGNATION:** Commercial

### **CASE HISTORY**

On July 1, 2010, the City Plan Commission approved the Resler Ponding Area Five subdivision on a Major Combination basis.

### **APPLICATION DESCRIPTION**

The applicant is requesting a six-month extension to submit recording maps for Resler Ponding Area 5 subdivision to allow for continued coordination with Land Development and El Paso Water Utilities Stormwater Division on pond improvements, rockwalls, storm sewer infrastructure and slope stabilization.

The subdivision is vested under the subdivision standards in effect prior to June 1, 2008 and the extension request was submitted in accordance with Section 19.08.060.H. of the previous subdivision code.

**DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee recommends *approval* of the six-month extension to submit recording maps requested for Resler Ponding Area Five subdivision.

If approved, the extension will be valid until July 1, 2011. Failure to submit the recording maps by the expiration date of the extension will necessitate the resubmittal of the subdivision plat.

**Planning Division Recommendation:**

Approval.

**Land Development:**

Engineering and Construction Management Department (Land Development) has been coordinating with the Owner/Developer of Resler Ponding Area # 1 regarding with the City's Design Standards for Construction and the Drainage Design Manual requirements. Therefore; we recommend the time extension.

**EPWU Stormwater Division**

No comments received.

**Attachments**

1. Location map
2. Location map zoomed out
3. Aerial map
4. Aerial zoomed out
5. Arroyos aerial
6. Arroyos zoomed out
7. Final plat
8. Extension Request
9. Application

ATTACHMENT 1





ATTACHMENT 3





ATTACHMENT 5



**ATTACHMENT 6**





**ATTACHEMENT 8**



**CONDE INC**

SUB10-00303

December 06, 2010

Eddie Garcia  
City of El Paso  
Planning Department  
Two Civic Center Plaza  
El Paso, Texas 79901

**RE: Resler Pond 5 – Submission of Recording Plat Extension Request**

Dear Eddie,

On behalf of Hunt Communities Holdings, LLC, we want to thank you for all of your assistance regarding the processing of the above referenced project. As per Section 19.08.060.H of the former code, we hereby request the City to grant a six-month extension of plat recording due to more coordination needed with Land Development, and El Paso Water Utilities Stormwater Division for pond improvements, rockwalls, storm sewer infrastructure, and slope stabilization measures.

If you have any questions or need additional information, please feel free to contact us.

Sincerely,

**CONDE, INC.**

  
Conrad Conde

ENGINEERING/PLANNING/SURVEYING

6080 SURETY DR., SUITE 100 / EL PASO, TEXAS 79905 / (915) 592-0283 / FAX (915) 592-0288

**ATTACHMENT 9**



**CITY PLAN COMMISSION APPLICATION FOR  
MAJOR SUBDIVISION COMBINATION APPROVAL**

DATE: May 20, 2010

File No. SUB10-00114

SUBDIVISION NAME: RESLER PONDING AREA FIVE

1. Legal Description for the area included on this plat (Tract, Block, Grant, etc.)  
Being a Portion of S. J. Larkin Survey No. 266, City of El Paso, El Paso County, Texas

2. Proposed Land Uses:

|               | ACRES | SITES |                             | ACRES        | SITES    |
|---------------|-------|-------|-----------------------------|--------------|----------|
| Single-family | _____ | _____ | Office                      | _____        | _____    |
| Duplex        | _____ | _____ | Street & Alley              | _____        | _____    |
| Apartment     | _____ | _____ | Ponding & Drainage          | <u>7.132</u> | <u>1</u> |
| Mobile Home   | _____ | _____ | Institutional               | _____        | _____    |
| P.U.D.        | _____ | _____ | Other (specify below)       | _____        | _____    |
| Park          | _____ | _____ | _____                       | _____        | _____    |
| School        | _____ | _____ | Total No. Sites             | <u>1</u>     | _____    |
| Commercial    | _____ | _____ | Total Acres (Gross) & Sites | <u>7.132</u> | _____    |
| Industrial    | _____ | _____ |                             |              |          |

3. What is existing zoning of the above described property? n/a Proposed zoning? n/a

4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes \_\_\_\_\_ No \_\_\_\_\_ n/a

5. What type of utility easements are proposed? Underground \_\_\_\_\_ Overhead \_\_\_\_\_ Combination of Both X

6. What type of drainage is proposed? (If applicable, list more than one)  
\_\_\_\_\_

7. Are special public improvements proposed in connection with the development? Yes \_\_\_\_\_ No X

8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes \_\_\_\_\_ No X  
If answer to is "Yes", please explain the nature of the modification or exception \_\_\_\_\_

9. Remarks and/or explanation of special circumstances: \_\_\_\_\_

10. Improvement Plans submitted? Yes X No \_\_\_\_\_

11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes X No \_\_\_\_\_

If yes, please submit a vested rights petition in accordance with Section 19.47-Vested Rights (See Attached)



- |     |                 |                                       |                                   |                    |              |                     |
|-----|-----------------|---------------------------------------|-----------------------------------|--------------------|--------------|---------------------|
| 12. | Owner of record | <u>Hunt Communities Holdings, LLC</u> | <u>4487 N. Mesa, Suite 201</u>    | <u>El Paso, TX</u> | <u>79902</u> | <u>915-533-7900</u> |
|     |                 | (Name & Address)                      |                                   |                    | (Zip)        | (Phone)             |
| 13. | Developer       | _____                                 |                                   |                    |              |                     |
|     |                 | (Name & Address)                      |                                   |                    | (Zip)        | (Phone)             |
| 14. | Engineer        | <u>CONDE INC.</u>                     | <u>6080 Surety Dr., Suite 100</u> |                    | <u>79905</u> | <u>915-592-0283</u> |
|     |                 | (Name & Address)                      |                                   |                    | (Zip)        | (Phone)             |

CASHIER'S VALIDATION  
 FEE: \$ 2,088.00

Hunt Communities Holdings, LLC  
 Its General Partner  
 Hunt Communities GP, LLC

OWNER SIGNATURE:   
 Resident

REPRESENTATIVE:   
 P.E.

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





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

**Case No:** SUB10-00301 Resler Ponding Area One  
**Application Type:** Extension Request to Submit Recording Maps  
**CPC Hearing Date:** January 6, 2011  
**Staff Planner:** Justin Bass, 915-541-4930, [bassjd@elpasotexas.gov](mailto:bassjd@elpasotexas.gov)  
**Location:** East of Redd Road and South of Hermosa Del Sol Drive  
**Legal Description Acreage:** 6.8 acre  
**Rep District:** 1  
**Existing Use:** Ponding Facility  
**Existing Zoning:** R-3A/c (Residential/ conditions)  
**Proposed Zoning:** R-3A/c (Residential/ conditions)  
**Nearest School:** Tippin Elementary School (1.39 miles)  
**Nearest Park:** Unnamed Park (adjacent to southwest)  
**Impact Fee Area:** Not in Impact Fee Area  
**Property Owner:** Hunt Communities Holdings, LLC  
**Applicant:** Conde, Inc.  
**Representative:** Conde, Inc.

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

**North:** R-3A/c (Residential/ conditions)/ Single-Family Residential Development  
**South:** R-3 (Residential)/ Vacant  
**East:** R-3A/c (Residential/ conditions)/ Vacant  
**West:** R-3A/c (Residential/ conditions)/ Vacant

**THE PLAN FOR EL PASO DESIGNATION:** Residential

### **APPLICATION DESCRIPTION**

The applicant is requesting a six-month extension to file the recording maps for a 6.8-acre ponding facility to be dedicated to the City of El Paso for maintenance. This case has been vested under the previous subdivision code.

This subdivision is located within the Hillside Development Area (HDA).

### **CASE HISTORY**

On June 17, 2010, the CPC approved Resler Ponding Area One on a Major Combination basis.

## **DEVELOPMENT COORDINATING COMMITTEE COMMENTS**

The Development Coordinating Committee recommends *approval* of the six-month extension requested for Resler Ponding Area One subdivision to submit recording maps per Section 19.08.060.H – *Submission for Recording* - as the delay is being caused by continued coordination between the developer and the City and Public Service Board, governmental entities.

If approved, the extension will expire on June 17, 2011 and failure to submit the recording maps by the expiration date will necessitate the resubmission of the subdivision application which shall be subject to the subdivision regulations in effect at the time of resubmission.

### **Planning Division Recommendation:**

Approval.

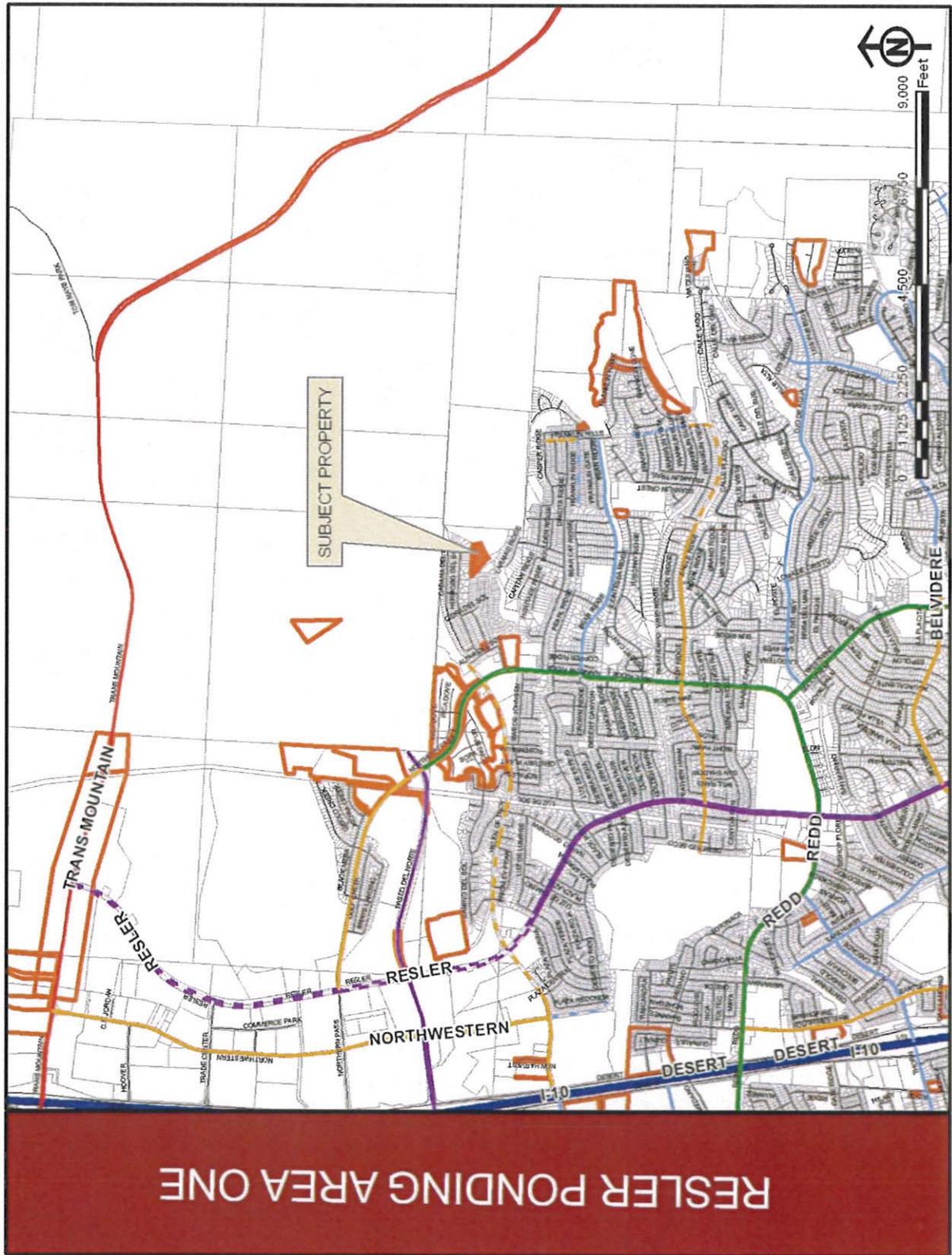
### **Engineering & Construction Management – Land Development:**

Engineering and Construction Management Department (Land Development) has been coordinating with the Owner/Developer of Resler Ponding Area # 1 regarding with the City's Design Standards for Construction and the Drainage Design Manual requirements. Therefore; we recommend the time extension.

### **Attachments**

1. Location map zoomed out
2. Location map
3. Aerial map zoomed out
4. Aerial map
5. Arroyos map zoomed out
6. Arroyos map
7. Preliminary Plat
8. Final Plat
9. Extension Request
10. Application

ATTACHMENT 1



ATTACHMENT 2



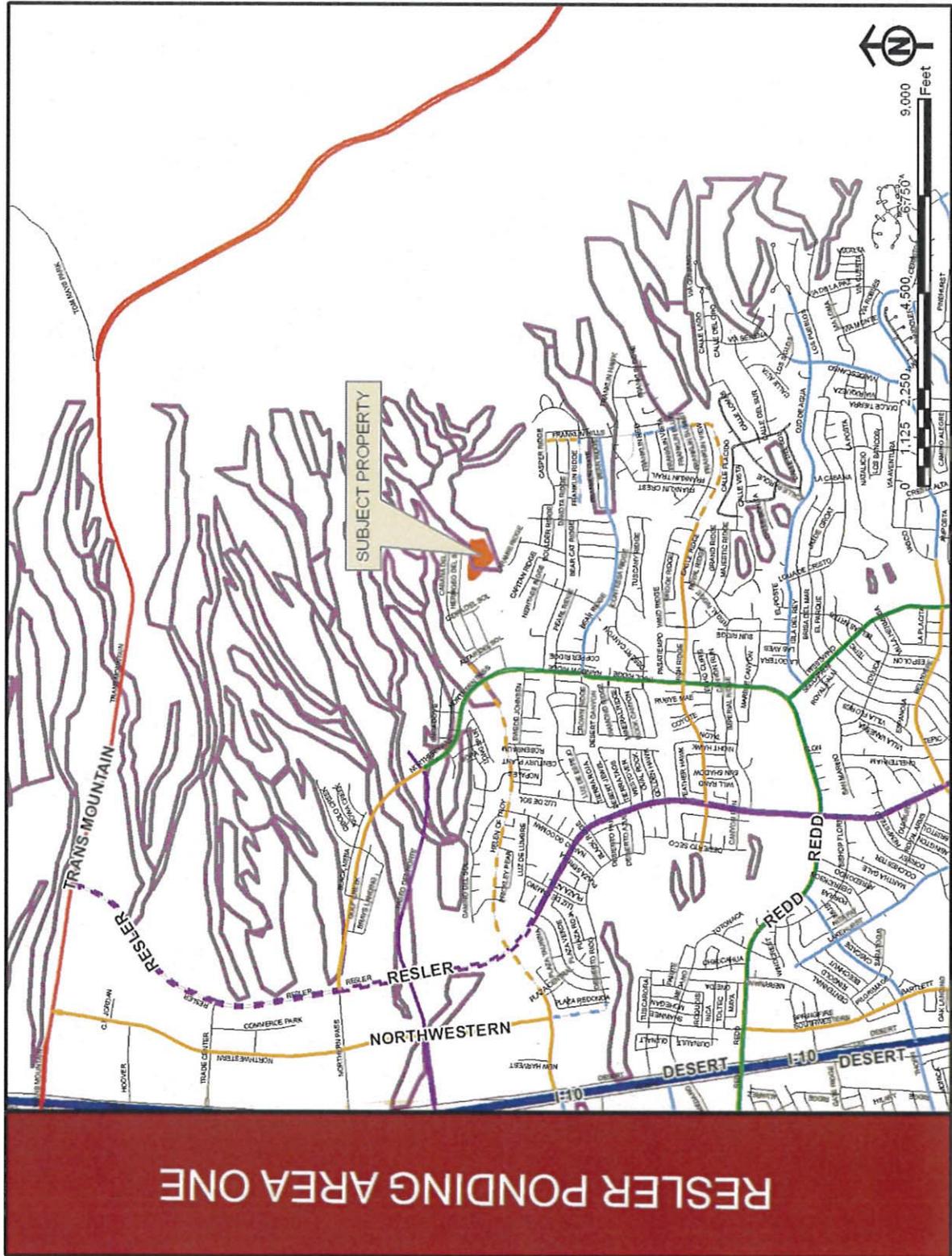
ATTACHMENT 3



ATTACHMENT 4



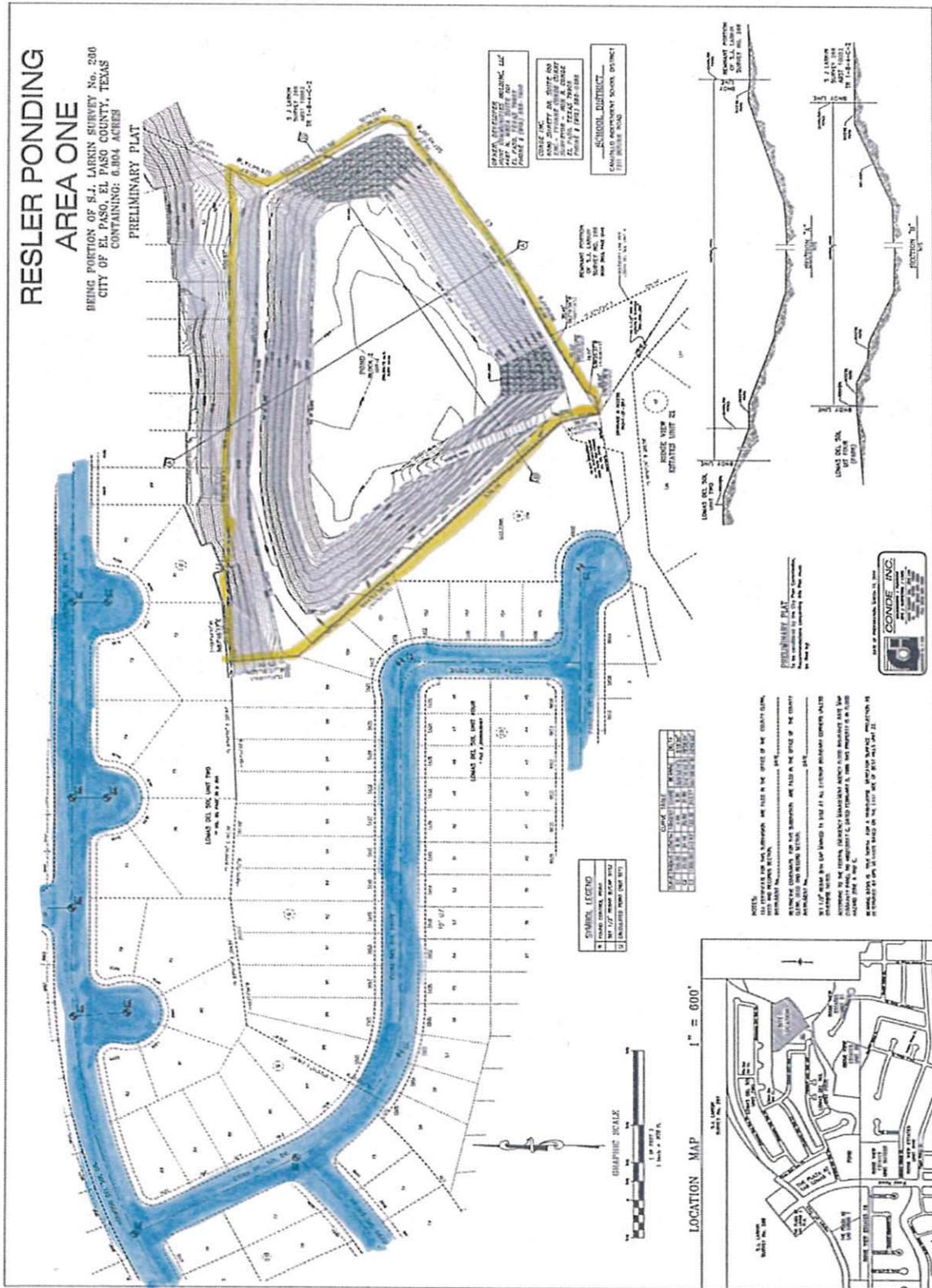
ATTACHMENT 5



ATTACHMENT 6



# ATTACHMENT 7





ATTACHMENT 9



CONDE INC

SUB10-00301

December 06, 2010

Eddie Garcia  
City of El Paso  
Planning Department  
Two Civic Center Plaza  
El Paso, Texas 79901

**RE: Resler Pond 1 – Submission of Recording Plat Extension Request**

Dear Eddie,

On behalf of Hunt Communities Holdings, LLC, we want to thank you for all of your assistance regarding the processing of the above referenced project. As per Section 19.08.060.H of the former code, we hereby request the City to grant a six-month extension of plat recording due to more coordination needed with Land Development, and El Paso Water Utilities Stormwater Division for pond improvements, rockwalls, storm sewer infrastructure, and slope stabilization measures.

If you have any questions or need additional information, please feel free to contact us.

Sincerely,

CONDE, INC.

  
Conrad Conde

ENGINEERING/PLANNING/SURVEYING

5050 SURETY DR., SUITE 100 / EL PASO, TEXAS 79905 / (915) 592-0283 / FAX (915) 502-0286

**ATTACHMENT 10**



**CITY PLAN COMMISSION APPLICATION FOR  
MAJOR SUBDIVISION COMBINATION APPROVAL**

DATE: April 7, 2010

File No. SUB10-00112

SUBDIVISION NAME: RESLER PONDING AREA ONE

1. Legal Description for the area included on this plat (Tract, Block, Grant, etc.)  
Being a portion of S. J. Larkin Survey No. 266, City of El Paso, El Paso County, Texas

2. Proposed Land Uses:

|               | ACRES | SITES |                             | ACRES        | SITES    |
|---------------|-------|-------|-----------------------------|--------------|----------|
| Single-family | _____ | _____ | Office                      | _____        | _____    |
| Duplex        | _____ | _____ | Street & Alley              | _____        | _____    |
| Apartment     | _____ | _____ | Ponding & Drainage          | <u>6.804</u> | <u>1</u> |
| Mobile Home   | _____ | _____ | Institutional               | _____        | _____    |
| P.U.D.        | _____ | _____ | Other (specify below)       | _____        | _____    |
| Park          | _____ | _____ | _____                       | _____        | _____    |
| School        | _____ | _____ | _____                       | _____        | _____    |
| Commercial    | _____ | _____ | Total No. Sites             | <u>1</u>     | _____    |
| Industrial    | _____ | _____ | Total Acres (Gross) & Sites | <u>6.804</u> | _____    |

3. What is existing zoning of the above described property? n/a Proposed zoning? n/a

4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes \_\_\_\_\_ No \_\_\_\_\_ n/a \_\_\_\_\_

5. What type of utility easements are proposed? Underground \_\_\_\_\_ Overhead \_\_\_\_\_ Combination of Both X

6. What type of drainage is proposed? (If applicable, list more than one)  
\_\_\_\_\_

7. Are special public improvements proposed in connection with the development? Yes \_\_\_\_\_ No X

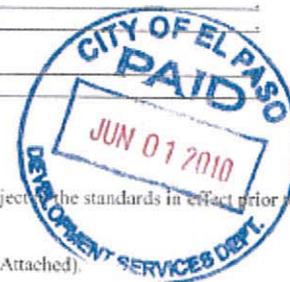
8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes \_\_\_\_\_ No X  
If answer to "Yes", please explain the nature of the modification or exception \_\_\_\_\_

9. Remarks and/or explanation of special circumstances: \_\_\_\_\_

10. Improvement Plans submitted? Yes X No \_\_\_\_\_

11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes X No \_\_\_\_\_

If yes, please submit a vested rights petition in accordance with Section 19.47-Vested Rights (See Attached).



12. Owner of record Hunt Communities Holdings, LLC 4487 N. Mesa, Suite 201 El Paso, TX 79902 915-533-7900  
 (Name & Address) (Zip) (Phone)
13. Developer \_\_\_\_\_  
 (Name & Address) (Zip) (Phone)
14. Engineer CONDE INC. 6080 Surety Dr., Suite 100 79905 915-592-0283  
 (Name & Address) (Zip) (Phone)

CASHIER'S VALIDATION  
 FEE: \$ 2088.00

Hunt Communities Holdings, LLC  
 Its General Partner  
 Hunt Communities OP, LLC

OWNER SIGNATURE:   
 President

REPRESENTATIVE: 

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





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

**Case No:** SUB10-00302 Resler Ponding Area Four  
**Application Type:** Extension Request to Submit Recording Maps  
**CPC Hearing Date:** January 6, 2011  
**Staff Planner:** Justin Bass, 915-541-4930, [bassjd@elpasotexas.gov](mailto:bassjd@elpasotexas.gov)  
**Location:** East of Resler Drive and North of Helen of Troy Drive  
**Legal Description Acreage:** 17.14 acre  
**Rep District:** 1  
**Existing Use:** Ponding Facility  
**Existing Zoning:** R-3A (Residential) & C-3/c (Commercial/ conditions)  
**Proposed Zoning:** R-3A (Residential) & C-3/c (Commercial/ conditions)  
**Nearest School:** Hut Brown Middle School (0.63 mile)  
**Nearest Park:** Cimarron Park (0.62 mile)  
**Impact Fee Area:** Not in Impact Fee Area  
**Property Owner:** Hunt Communities Holdings, LLC  
**Applicant:** Conde, Inc.  
**Representative:** Conde, Inc.

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

**North:** C-3/c (Commercial/ conditions)/ Vacant  
**South:** R-3A (Residential)/ Single Family Residential Development  
**East:** R-3A (Residential)/ Vacant  
**West:** C-1 (Commercial)/ Vacant

**THE PLAN FOR EL PASO DESIGNATION:** Residential & Industrial

### **APPLICATION DESCRIPTION**

The applicant is requesting a six-month extension to file the recording maps for a 17.14-acre ponding facility to be dedicated to the City of El Paso for maintenance. This subdivision has been vested under the previous subdivision ordinance.

This subdivision is located within the Hillside Development Area (HDA).

### **CASE HISTORY**

On July 29, 2010, the CPC approved Resler Ponding Area Four on a Major Combination basis.

**DEVELOPMENT COORDINATING COMMITTEE COMMENTS**

The Development Coordinating Committee recommends *approval* of the six-month extension requested for Resler Ponding Area Four subdivision to submit recording maps per Section 19.08.060.H – *Submission for Recording* - as the delay is being caused by continued coordination between the developer and the City and Public Service Board, governmental entities.

If approved, the extension will expire on July 29, 2011 and failure to submit the recording maps by the expiration date will necessitate the resubmission of the subdivision application which shall be subject to the subdivision regulations in effect at the time of resubmission.

**Planning Division Recommendation:**

Approval.

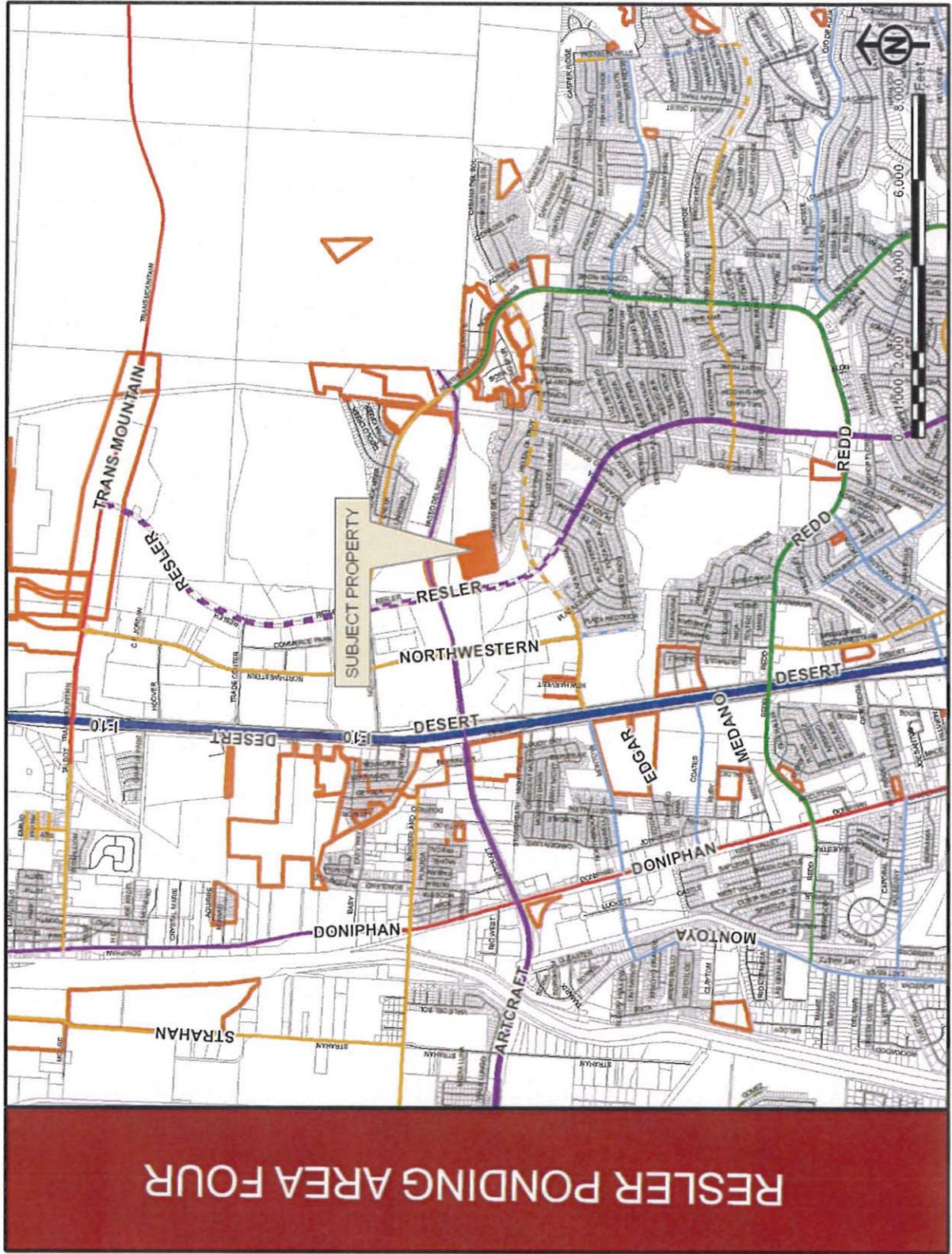
**Engineering & Construction Management – Land Development:**

Engineering and Construction Management Department (Land Development) has been coordinating with the Owner/Developer of Resler Ponding Area # 4 regarding with the City’s Design Standards for Construction and the Drainage Design Manual requirements. Therefore; we recommend the time extension.

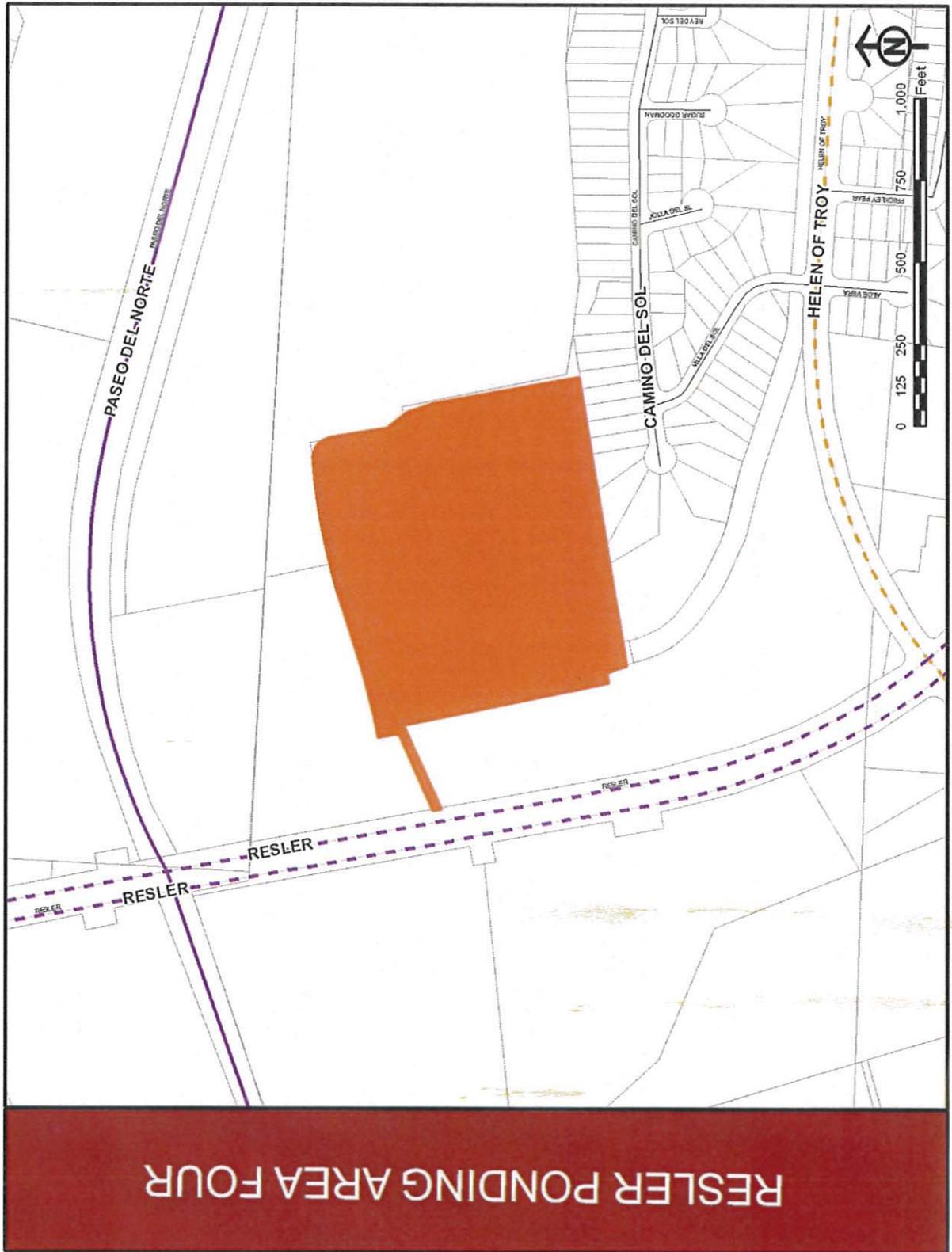
**Attachments**

1. Location map zoomed out
2. Location map
3. Aerial map zoomed out
4. Aerial map
5. Arroyos map zoomed out
6. Arroyos map
7. Preliminary Plat
8. Final Plat
9. Extension Request
10. Application

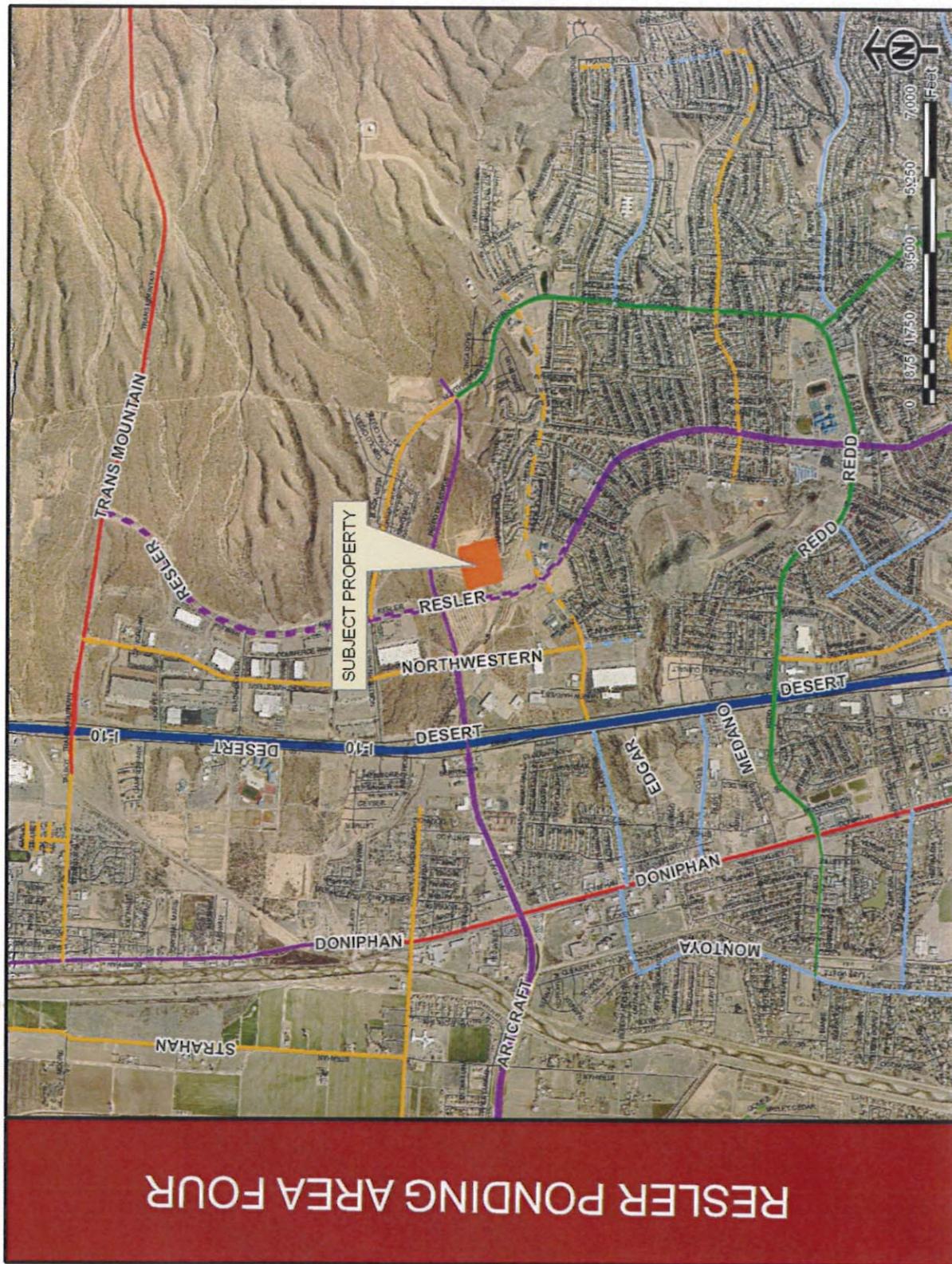
ATTACHMENT 1



ATTACHMENT 2



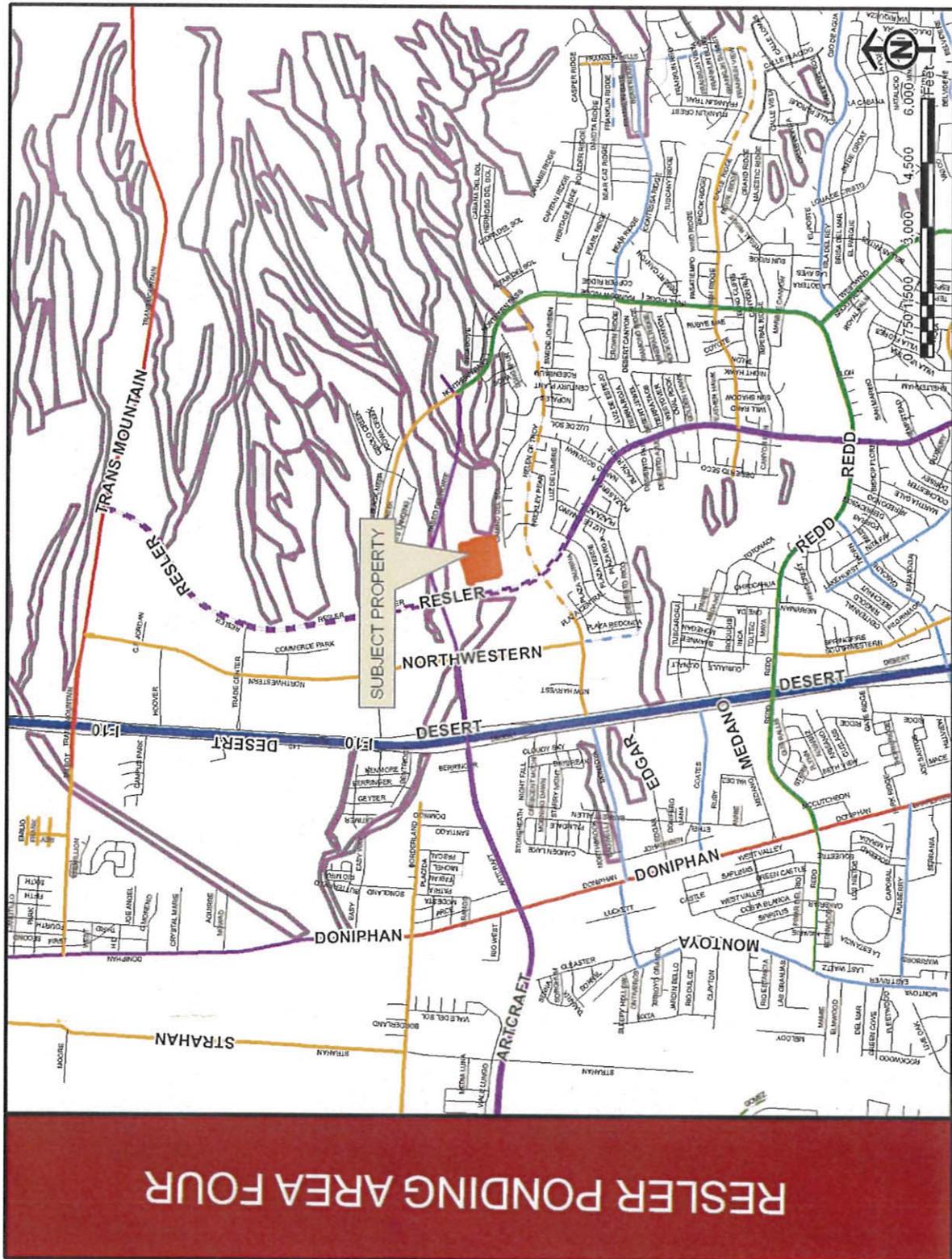
ATTACHMENT 3



ATTACHMENT 4



ATTACHMENT 5

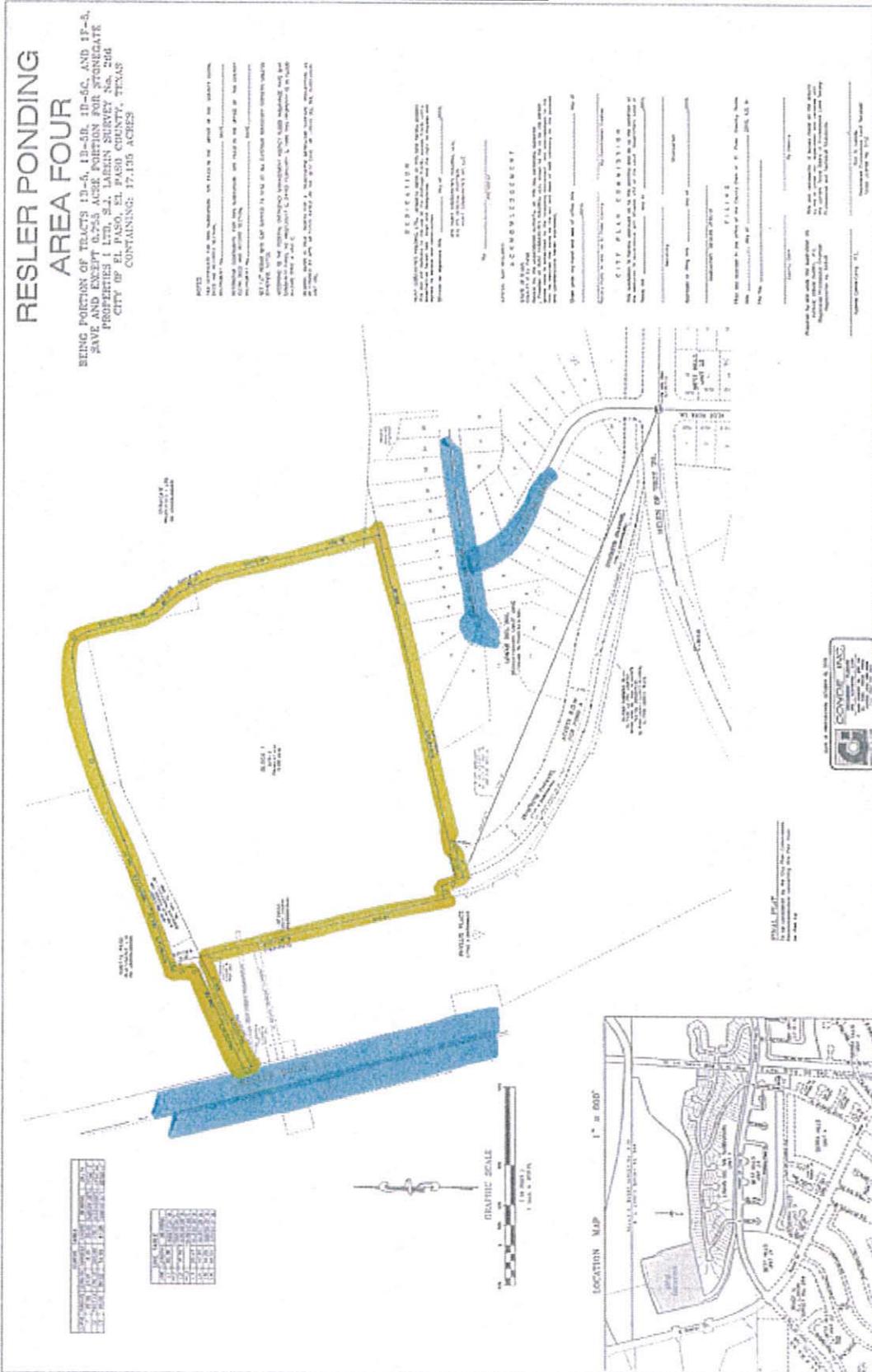


ATTACHMENT 6





# ATTACHMENT 8



ATTACHMENT 9



CONDE INC

SUB10-00302

December 06, 2010

Eddie Garcia  
City of El Paso  
Planning Department  
Two Civic Center Plaza  
El Paso, Texas 79901

**RE: Resler Pond 4 – Submission of Recording Plat Extension Request**

Dear Eddie,

On behalf of Hunt Communities Holdings, LLC, we want to thank you for all of your assistance regarding the processing of the above referenced project. As per Section 19.08.060.H of the former code, we hereby request the City to grant a six-month extension of plat recording due to more coordination needed with Land Development, and El Paso Water Utilities Stormwater Division for pond improvements, rockwalls, storm sewer infrastructure, and slope stabilization measures.

If you have any questions or need additional information, please feel free to contact us.

Sincerely,

CONDE, INC.



Conrad Conde

ENGINEERING/PLANNING/SURVEYING

8080 SURETY DR., SUITE 100 / EL PASO, TEXAS 79905 / (915) 592-0283 / FAX (915) 592-0288

**ATTACHMENT 10**



**CITY PLAN COMMISSION APPLICATION FOR  
MAJOR SUBDIVISION COMBINATION APPROVAL**

DATE: May 20, 2010

File No. \_\_\_\_\_

SUBDIVISION NAME: RESLER PONDING AREA FOUR

1. Legal Description for the area included on this plat (Tract, Block, Grant, etc.)  
Being a Portion of Tracts 1B-5, 1B-5B, 1B-5C, and 1F-5, Save and Except 0.755 Acre Portion for Stonegate Properties I, L.T.D., S. J. Larkin Survey No. 266, City of El Paso, El Paso County, Texas

2. Proposed Land Uses:

|               | ACRES | SITES |                             | ACRES         | SITES    |
|---------------|-------|-------|-----------------------------|---------------|----------|
| Single-family | _____ | _____ | Office                      | _____         | _____    |
| Duplex        | _____ | _____ | Street & Alley              | _____         | _____    |
| Apartment     | _____ | _____ | Ponding & Drainage          | <u>17.135</u> | <u>1</u> |
| Mobile Home   | _____ | _____ | Institutional               | _____         | _____    |
| P.U.D.        | _____ | _____ | Other (specify below)       | _____         | _____    |
| Park          | _____ | _____ | _____                       | _____         | _____    |
| School        | _____ | _____ | _____                       | _____         | _____    |
| Commercial    | _____ | _____ | Total No. Sites             | <u>1</u>      | _____    |
| Industrial    | _____ | _____ | Total Acres (Gross) & Sites | <u>17.135</u> | _____    |

3. What is existing zoning of the above described property? n/a Proposed zoning? n/a

4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes \_\_\_\_\_ No \_\_\_\_\_ n/a

5. What type of utility easements are proposed? Underground \_\_\_\_\_ Overhead \_\_\_\_\_ Combination of Both X

6. What type of drainage is proposed? (If applicable, list more than one)  
\_\_\_\_\_

7. Are special public improvements proposed in connection with the development? Yes \_\_\_\_\_ No X

8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes \_\_\_\_\_ No X  
If answer to is "Yes", please explain the nature of the modification or exception \_\_\_\_\_

9. Remarks and/or explanation of special circumstances: \_\_\_\_\_

10. Improvement Plans submitted? Yes X No \_\_\_\_\_

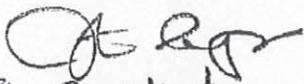
11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes X No \_\_\_\_\_

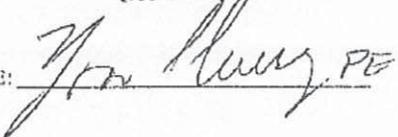
If yes, please submit a vested rights petition in accordance with Section 19.47-Vested Rights (See Attached).

|     |                 |                                |                            |             |       |              |         |
|-----|-----------------|--------------------------------|----------------------------|-------------|-------|--------------|---------|
| 12. | Owner of record | Hunt Communities Holdings, LLC | 4487 N. Mesa, Suite 201    | El Paso, TX | 79902 | 915-533-7900 |         |
|     |                 | (Name & Address)               |                            |             | (Zip) | (Phone)      |         |
| 13. | Developer       | _____                          |                            |             |       | (Zip)        | (Phone) |
|     |                 | (Name & Address)               |                            |             |       |              |         |
| 14. | Engineer        | CONDE INC.                     | 6080 Surety Dr., Suite 100 |             | 79905 | 915-592-0283 |         |
|     |                 | (Name & Address)               |                            |             | (Zip) | (Phone)      |         |

CASHIER'S VALIDATION  
 FEE: \$ 2,088.00

Hunt Communities Holdings, LLC  
 Its General Partner  
 Hunt Communities GP, LLC

OWNER SIGNATURE:   
 President  
 Hunt Communities

REPRESENTATIVE:   
 John Henry, PE

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

*DA*



# Draft Mountain Development Vegetation Plan

Prepared by Lois Balin, Texas Parks and Wildlife, 2003

## Vegetation Retention and Revegetation.

### A. **Vegetation Retention.**

1. Existing trees with four (4) inch or greater trunk diameter and cacti will be preserved in their original locations, except for building sites and access and utilities serving building sites.
2. When retention of the above trees and cacti in their original locations is not possible due to building site location, the trees and cacti will be salvaged and replanted in areas requiring revegetation, whenever possible.

### B. **Revegetation.** All cut or fill slopes which are $\leq 3:1$ will be revegetated in compliance with the following requirements.

1. All plants used in revegetation must be the same as the native vegetation on the site or any adjacent site prior to grading or clearing, whenever possible.
2. Revegetation will be accomplished with the following minimum requirements for plants.
  - a. Desert trees, a minimum of fifteen (15) gallon size with a minimum trunk diameter of two (2) inches measured at the soil level, or large specimen cactus will be placed at the same vegetation density found on the site prior to any clearing, grubbing, or grading.
  - b. Seeds for trees, desert shrubs, and grasses will be planted with a density adequate to control erosion and may use one of the following method of planting or any other method approved by the Mountain Planning Committee.
    - 1) Raked into the soil with appropriate mulch materials;
    - 2) Hydro seeding;
    - 3) Anchored mulches; or
    - 4) Established on jute, rolled straw, or similar material.

## Draft Mountain Development Vegetation Plan

Prepared by Lois Balin, Texas Parks and Wildlife, 2003

3. Slope Stabilization. All slopes steeper than 3:1, with the exception of retaining walls, will be stabilized with properly engineered stone rip rapping or sculptured rock as follows.
  - A. Stone rip rapping will be hand-placed on the slope.
  - B. The stabilizing material used will blend with the natural appearance of the site or lot and the surrounding terrain.
  - C. Vegetation retention and revegetation should be used in conjunction with rip rapping.

### Plant Materials.

- A. **Types of Plant Materials.** Indigenous plant material is to remain on development sites within the Mountain Development Area wherever possible. If any disturbance occurs during construction or prior to permit application, the development site is required to be revegetated with native plants indigenous to the site and the area must be reconstructed to look as natural as possible.

Native Vegetation. Native vegetation is defined as vegetation indigenous to the northern Chihuahuan Desert, however, plants native to the Franklin Mountains are preferred for revegetation efforts in the Mountain Development Area. Plants indigenous to the Franklin Mountains vary greatly in different areas of the Franklin Mountain Development Area due to changes in topographical elevation, soils, and available moisture. Due to the variability of native plant material, a general native plant list applicable to an individual site within the Mountain Development Area cannot be defined.

Therefore, when native vegetation is required on a project, project plans submitted for review must include a comprehensive list of native vegetation that exists on the site and in the immediate areas surrounding the site. Selection of plant material for use on the project will be from that comprehensive plant list whenever possible.

Native Seeds. To determine which seeds to use on a project when native seeds are required, a comprehensive list of native plants must be submitted. The types of seeds used for reseeding after grading and for revegetation are to be selected from species contained in the Protected Native Plant List for Plant Restoration Plans, a site by site native plant list or when necessary, a northern Chihuahuan Desert Plant list or an adapted plant drought tolerant seed list.

- B. **Seeding Programs.** In projects where seeding is required or is being utilized to meet a Native Plant Restoration Plan or Slope Stabilization Plan requirements, the items to address, in addition to seed selection, are irrigation requirements, site preparation, and an establishment guarantee. Site-specific situations will be

## Draft Mountain Development Vegetation Plan

Prepared by Lois Balin, Texas Parks and Wildlife, 2003

addressed on a case-by-case basis. General guidelines are provided in this overlay plan; however, alternatives may be proposed to the staff reviewing the Native Plant Preservation and Restoration Plans.

Site Preparation. In order to attain the maximum benefit from seeded materials, it may be necessary to till the soil prior to seeding. The method and use of soil amendments, seeding, mulching, tackifiers, etc., will vary per site-specific situations. The applicant is expected to do whatever is necessary to prepare the site to guarantee plant establishment to the satisfaction of the Mountain Planning Committee and City Planning Department.

Irrigation. The sites that will require revegetation will vary considerably. Some sites with little slope may be candidates for water harvesting structures to capture rainfall that may provide plant irrigation. Some sites may require short-term irrigation to achieve plant establishment. Seed balls have been an effective method for slope vegetation in other arid regions. The applicant will not be required by the City to irrigate but will, however, be responsible for successful establishment of vegetation, using the appropriate seeding/irrigation method.

Plant Establishment Guarantee. A stand of vegetation shall be considered established when:

A minimum of one (1) perennial seeded species per square foot has rooted, developed true leaves, and is in a state of continual positive growth, and the interspace area between perennial species has a minimum of one (1) annual or perennial plant in any stage of development or growth other than seed.

### C. **Plant/Seed Lists.**

Low Water Use/Drought Tolerant Plant Lists for use within the Mountain Development Areas are available from qualified Environmental Specialists, Texas Parks and Wildlife, Texas A&M Cooperative Extension and other professional botanists and ecologists.

Native Plant Preservation Standard Plan for the El Paso Mountain Development Committee  
Prepared by Lois Balin, Texas Parks and Wildlife, 2003

**General.** This plan is established to assure that proper techniques are used in all aspects of conforming to the Mountain Development Plan's Native Plant Preservation section.

**Requirement for Exceptions.** The Mountain Planning Committee will review applications of exceptions from the Native Plant Preservation requirements. Submittal requirements for that procedure require documentation that the site does not contain, or the proposed project does not impact protected native plants. Submittal requirements shall consist of one (1) or more of the following items:

- A. A topographic map or an aerial photograph of the site taken within a minimum of three (3) years of submittal, of the site at a minimum 1" = 100' that delineates the site boundaries and clearly shows the absence of plants within those boundaries or a site plan or development plan that clearly show that construction will not impact any plants. Any aerial photograph submitted, which was taken more than one (1) year prior to submittal, shall be accompanied by a letter stating that the site is substantially unchanged from the date of the aerial photograph.
- B. A signed statement from one of the local plant professionals who has visited the site and verified that viable protected native plants are not located on the subject site.
- C. Other documentation which clearly indicates that the site does not contain, or the project will not impact protected native plants. Such documentation includes, but is not limited to, photographs of the site taken from all sides of the property and a signed statement from the property owner that protected native plants are not located on the subject site.

**Native Plant Preservation and Restoration Methodology.** The applicant shall state on the plans and/or in the report which methodology has been chosen. One of the following four methodologies shall be utilized to prepare a native plant restoration plan for native plants on the project site:

- 1) Native Plant Inventory,
- 2) Plant Appraisal,
- 3) Set Aside Methodology
- 4) Combined Methodology (outside of set-aside areas).

I. **Native Plant Inventory Methodology.**

- A. A Native Plant Inventory containing the following elements:
  1. All viable protected native plants shall be tagged or flagged. Tagging is not required in those areas that are to remain undisturbed. If the sampling method is used to estimate protected native plants, only the protected native plants required to be either Preserved in Place (PIP) or Transplanted on Site (TOS) shall be tagged.
  2. A list of all protected native plants located on the site as designated in the development regulations for native plant restoration to include: all trees with a caliper of at least four (4) inches measured at six (6) inches for single-trunked specimens and twelve (12) inches for multi-trunked specimens above grade level at the base of the tree; all shrubs equal to or greater than

three (3) feet in height; all succulents equal to two (2) feet in height of greater; and all cacti. The list shall include the identification number, genus and species, and size. If the plant inventory methodology is chosen, then the native plant viability and transplant ability status of all protected native plants on the site shall be listed.

3. A topographic map or an aerial photograph, taken within a maximum of three (3) years of submittal, at a minimum 1" = 60', showing the site's boundaries, and the plants tagged for protection. Any aerial photograph submitted, which was taken more than one (1) year prior to submittal, shall be accompanied by a letter stating that the site is substantially unchanged from the date of the aerial photograph.
4. Areas of the site may be sampled to estimate representative numbers of protected native plants. These sampling techniques can be applied to any of the methodologies chosen to comply with the ordinance. Areas of the site must be inventoried by sampling different habitat types and estimating representative plant numbers per square acre of the total site area. The samples must be representative of the viable species found on-site and shall not be less than twenty (20) percent of the total site.
5. Sites that use the sampling method for inventory of protected native plants will require field tagging of those plants to be PIP or TOS. The total number of plants identified for PIP or TOS shall be listed by genus and species and must be tagged, flagged, and fenced. Protected native plants to be TOS may be identified individually or in a "pool count." Plants within a designated natural undisturbed open space (NUOS) area, under any method, do not require individual tagging or flagging since their boundaries will be fenced.

**Native Plant Inventory Methodology - Viability and Transplant Status for the Plant.**

The native plant viability and transplant status shall be determined for each native plant of the minimum size and shall be used to determine numbers and locations of plants required for preservation.

- A. Native Plant Viability Criteria: Plant viability is based upon plant health, age, and form. Plants rated low are not considered viable and are not required to be assessed according to the transplant ability criteria. Plants rated medium or high are considered viable and shall be assessed under the plant transplant ability criteria.
  1. High. A high plant viability rating shall be assigned to plants meeting the following criteria:
    - a. Health: plant health is good to excellent with no major infestations of pests or apparent diseases.
    - b. Age: plant is young or mature with a likely chance of long survival.
    - c. Form: plant is relatively undamaged with a healthy branching habit.
  2. Medium. A medium rating shall be assigned to plants which do not meet all

of the criteria for a high rating but have sufficient merit, in the opinion of the qualified professional conducting the inventory, to warrant preservation.

3. Low. A low plant viability rating shall be given to plants meeting any one or more of the following:
  - a. Health: plant health is poor. Generally the result of severe infestations of pests or diseases or lack of water over time.
  - b. Age: plant is in a state of decline, suggesting a low probability of lengthy survival.

Form: plant form and character is severely damaged.

B. **Plant Transplant Ability Criteria.** Plant transplant ability is based upon plant genus and species, size, soils, context, and topography. The following (5) categories shall be inventoried to determine the ability to salvage the viable plants which will not be preserved-in-place. Plants rated low for transplant ability should not be considered for salvage and transplant. Plants rated medium or high that are not preserved-in-place should be considered for salvage and transplant on-site or off-site.

1. High. A high rating for transplant ability shall be assigned to viable plants which also meet the following criteria:
  - a. Genus and species: known to have a high survival rate for reestablishment after transplant e.g. agaves, cacti, ocotillo, yucca and other succulents.
  - b. Size: overall plant dimensions are suitable for transplanting based upon the genus and species.
  - c. Soils: can be excavated, are cohesive, and seem capable of supporting the root-ball system.
  - d. Topography: permits access with the appropriate equipment needed to remove plants and their rootball systems.
  - e. Context: adjacent plants do not pose a likely interference with root systems or interference with plant removal.
2. Medium. A medium transplant ability rating shall be assigned to plants which do not meet all of the criteria for a high rating but have sufficient merit, in the opinion of the qualified professional conducting the inventory, to warrant transplanting.
3. Low. A low rating for transplant ability shall be assigned to plants which also meet the following criteria:

- f. Genus and species: known to have a low survival rate for reestablishment after transplant.
- g. Size: overall plant dimensions are not suitable for transplanting based upon the genus and species.
- h. Soils: too rocky, sandy, or shallow to excavate a cohesive root-ball system.
- i. Topography: seriously limits access to the specimen by the appropriate equipment (i.e., steep slopes, rock barriers).
- j. Context: adjacent plants interference with removal or present likely conflicts with the root-ball system.

**Native Plant Inventory Methodology - Native Plant Analysis and Objectives.**

- A. The analysis of the inventory shall discuss in writing the criteria used to determine which plants and groups of plants will be preserved-in-place, salvaged and transplanted on-site, removed from the site, or destroyed, according to the plant status determined by the native plant viability criteria and plant transplant ability criteria. Criteria may include, but are not limited to, health, vigor, wildlife value, environmental value, erosion control, soil structure, bedrock depth, slope, and the density and continuity of surrounding vegetation.
- B. Based upon the analysis, a site plan, subdivision plat, or development plan shall be prepared to maximize achievement of the following prioritized objectives:
  - 1. A site design which avoids disturbance of communities of protected native plants and promotes the preservation-in-place of individual protected native plants.
  - 2. Transplanting on-site of salvaged protected native plants into common areas.
  - 2. Salvage and transplanting off-site of any surplus protected native plants which cannot reasonably be transplanted on-site.

**Native Plant Inventory Methodology - Plant Preservation and Salvage Plan.**

- A. A Plant Preservation and Salvage Plan on a topographic map or an aerial photograph, taken within a maximum of three (3) years of submittal, at a minimum scale of 1"=60', showing the locations of
  - 1. Limits of all areas to be graded.
  - 2. Location of proposed roads and utility easements.
  - 3. Existing topographic contours at two (2) foot maximum contour intervals.

4. Disposition of all protected native plants keyed to the inventory list and showing the following designations.
  - a. Plants to be preserved-in-place (PIP).

- b. Plants to be salvaged and transplanted on-site (TOS). Plants should be transplanted directly to their permanent location on-site to the extent possible.
  - c. Plants to be salvaged and removed from the site.
  - d. Plants to be destroyed.
5. The location of a temporary holding nursery to be used for salvaged plants.

B. Salvage and Mitigation Report that details:

1. A summary by genus and species that details the total numbers of all to the extent possible inventoried.
2. The calculations used to determine, by genus and species, the numbers of replacement plants, if any, to be provided as mitigation for protected native plants transplanted on-site, removed from the site, or destroyed. For assistance in determining these calculations, see Appendix A, Native Plant Preservation Worksheet.
3. A schedule of salvage work to be accomplished including the timing and phasing of all tree boxing, tree and cacti salvage, and grading operations to take place on site.
4. A method and schedule for providing irrigation to salvaged plants in a temporary holding area. A method and schedule for providing irrigation to PIP, TOS, and mitigation plant materials
5. A method of protection from intrusion and damage for the natural vegetation outside the graded area. Specify fencing materials and methods for controlling access to the designated NUOS areas (minimum fencing requirements as specified in the plant preservation standard.

**Salvage and Transplanting Methodology.** These standards provide a general list of the many aspects of salvage and transplanting which shall be reviewed addressed by a contractor. The basic plant protection and salvage philosophy is to preserve-in-place as much native vegetation as possible and to utilize salvaged vegetation for landscaping in those areas that are graded or otherwise disturbed.

A. The Salvage Report should address the following items as applicable:

1. Season of the year.
2. Orientation of plants at the original site and in the holding nursery. All cacti should be sorted and transplanted in the same north- south orientation as they naturally grow in the desert.
3. Excavation of adequate root system.

4. Support of the plant during salvage and transport.
5. Final planting techniques.
6. Maintenance in temporary holding nursery.
7. Long-term maintenance.

B. Protected Native Plants that do not survive the salvage process shall be replaced on a one-to-one basis (same size and species).

C. **Tagging and Flagging Procedures.** All protected native plants that require tagging and flagging shall be tagged with a method that allows each plant of concern to be easily identified. Plants within fenced NUOS areas do not require tagging or flagging. Plants which are not viable require no tagging or flagging.

1. Tags shall be located in a consistent, visible location on the plant of concern. The initial inspection by qualified personal will be performed once the tagging, flagging, and/or fencing of NUOS areas has been completed and an inspection request has been received by City staff.
2. One affixed, the tags shall not be removed until the approved native plant preservation plan is implemented and a final inspection and sign-off has been performed by the project monitor and or other qualified persons. The tags shall be removed after final inspection.

D. **Fencing Standards.**

1. Fencing shall be required during construction for all undisturbed natural desert areas of protected native plants and for individual PIP plants. The area to be fenced shall be beyond the "drip-line" of the plants by one-half the distance of the "drip-line" radius.
2. The site developer shall include language in all contracts with contractors about the importance of staying out of all undisturbed natural desert areas and away from all individual protected native plants to be PIP.

II. **Plant Appraisal Methodology.** The Restoration requirements of the plant appraisal methodology shall be satisfied by the replacement of the monetary value of each genera and species of plants on the protected native plant list for plant restoration plan which are removed from the site, damaged, or destroyed with native plants of the same genera and species of equal value which are brought to the site in conformance with the following requirements. The provisions of this subsection may be combined, or used in conjunction, with the Plant Inventory Methodology or the Set-Aside Methodology, or Combined Methodologies.

A. **Site Appraisal.** A plant appraisal shall be prepared which shall identify and state the financial value of each protected native plants which is proposed to be removed from the site, damaged, or

destroyed, and shall be keyed to the native plant inventory. The plant appraisal shall be conducted by a professional who can demonstrate competence in appraisal methodologies according to the most current methods and procedures accepted by landscape appraisers.

- B. Restoration Requirements. Protected native plants which are proposed to be or are moved from the site, damaged, or destroyed during development shall be replaced by plants of the same genus and species. The native plant restoration plan shall detail the size and value of replacement plants to demonstrate that the monetary value of replacement plants shall be equal to the monetary value of each genus and species of protected native plant which is removed from the site, damaged, or destroyed.
- C. Expiration of Appraisals. Appraisals shall be current within six (6) months of submittal of the native plant restoration plan and shall be valid for a period of two (2) years after the plan approval date.

III. **Set Aside Methodology.** The restoration requirements of the site shall be satisfied by the set aside of an area of the site as Natural Undisturbed Open Space (NUOS) in conformance with the following requirements. The provisions of this subsection may be combined, or used in conjunction, with the Plant Inventory Methodology and/or the Plant Appraisal Methodology.

A. Site Assessment. An Environmental Resource Report (ERR) per development standard shall be prepared for the entire site to determine the general health, plant species richness (number of plant species), density, and frequency (dominance) of protected native plants within areas on the site. The report shall include an assessment of such areas of NUOS. Any area left undisturbed shall be shown in the report, and no other assessment need be done for such areas. The resource value for an area shall be assessed by the consideration of factors such as:

1. Health, size, density, and variety of native plant species; and
2. The visual resource value of the area(s); and
3. Potential to maximize the restoration of contiguous areas of NUOS both on-and-off-site.

- B. Mitigation Requirements. A minimum of thirty (30) percent of the site shall be set aside in perpetuity as NUOS area. The set aside area shall consist of the area(s) with the highest resource value as determined by the ERR.
- C. Federal Endangered Species. The ERR shall include an inventory and analysis of all plants listed as Federal Endangered Species.
- D. Set Aside Protection. Boundaries of all set aside areas shall be clearly delineated on topographic maps, an aerial photograph and site plan, development plan, or subdivision plat and fenced per development standard for the duration of any construction activities.

IV. **Combined Methodologies.** The restoration requirements shall be satisfied by one of the following two options.

- A. Set Aside Methodology Combined with Inventory and/or Appraisal Methodologies. The restoration requirements shall be satisfied by the set aside of an area of the site as NUOS in conformance with the requirements found in Set Aside Methodology. An area of up to five (5) percent of the site area may be excluded from the thirty (30) percent set aside area. The excluded area must be contiguous to and within the outer perimeter of the thirty (30) percent set aside area. The excluded area restoration requirements shall be met by utilizing the Plant Inventory Methodology; Plant Appraisal Methodology; or Inventory/Appraisal Methodology.
- B. Inventory/Appraisal Methodology. Each genus and species of plants can be addressed by choosing either the Plant Inventory Methodology, or the Plant Appraisal Methodology. A summary table shall be submitted showing the methodology chosen for each genus and species of Protected Native Plants found on the site.

**General Plant Standards.** All replacement plants which are used on the site to satisfy the restoration requirements shall meet the following minimum size requirements.

- A. Minimum Size Requirements.
  - 1. Ocotillos shall be  $\geq$  four (4) feet in height, or if the replacement plants are salvaged and transplanted from the project site, then such plants shall be  $\geq$  two (2) feet in height.
  - 2. Trees shall be in at least fifteen (15) gallon containers.
  - 3. Barrel Cactus (*Ferocactus wislizenii*) shall be  $\geq$  one (1) foot in height or diameter.
    - k. All other cacti, excluding the genus *Mammillaria*, shall be at least three (3) inches in height.
      - 1. All yuccas and shrubs shall be grown in at least five (5) gallon containers.
- B. Plant Health Requirements. All native plants brought to the site to satisfy restoration requirements shall be in good health and condition and be provided with necessary irrigation and maintenance to ensure their establishment and good health for the duration of any stay in a temporary holding area and after placement is a permanent location on-site.
- C. Placement Requirements. All native plants shall be planted in locations able to support their long-term health and survival and shall be planted in densities and configurations to approximate the natural character of the northern Chihuahuan Desert foothill and mountain habitats.
- D. Salvage Requirements. All plants which are salvaged and transplanted on-site shall be viable and transplantable.
- E. Identification Requirements. Native plants which are to be salvaged shall be properly tagged.

**Plant Protection during Development.**

- A. Tagging Requirements. See Salvage and Transplanting Methodology.
- B. Fencing Requirements. See Salvage and Transplanting Methodology.
- C. On-Site Monitoring. On-site monitoring of all aspects of site clearing, grading, plant protection, restoration, and salvage shall be provided during project construction at the expense of the developer for all residential development that is over five (5) acres. The monitoring shall be performed by an individual who is qualified in arid lands native plant resource identification and protection as previously specified. The monitor shall provide periodic progress reports to the developer outlining the status of work accomplished and any problems encountered.
- D. Submittal Compliance. The monitor shall be responsible for an assessment of the condition of the site's plants one (1) year after the final inspection has been performed on the site. The monitor will visit the site and prepare a report on plant status, including general plant condition, the identification of plants under stress and the appropriate methods to relieve the stress, and recommendations for replacement of plants that are dead or dying. Dead or dying plants shall be replaced with the same size plant at a one-to-one (1:1) ratio of like genus and species. Copies of the report shall be submitted to the site owner/developer, the Mountain Planning Committee and to the City Planning Department.

# El Paso County Plant List for Re-vegetation on Restoration Projects

Compiled by Lois Balin, Texas Parks and Wildlife

## I. List of Native Grasses for Re-vegetation

- 1) Purple Threeawn (*Aristida purpurea*)
- 2) Cane Bluestem (*Bothriochloa barbinodis*)
- 3) Sideoats Grama (*Bouteloua curtipendula*)
- 4) Blue Grama (*Bouteloua gracilis*)
- 5) Showy Chloris (*Chloris virgata*)
- 6) Arizona Cottontop (*Digitaria californica*)
- 7) Plains Lovegrass (*Eragrostis intermedia*)
- 8) New Mexico Feathergrass (*Hesperostipa neomexicana*)
- 9) Tobosa (*Hilaria mutica*)
- 10) Little Bluestem (*Schizachyrium scoparium*)
- 11) Plains Bristlegrass (*Setaria leucopila*)
- 12) Alkali Sacaton (*Sporobolus airoides*)
- 13) Spike Dropseed (*Sporobolus contractus*)
- 14) Sand Dropseed (*Sporobolus cryptandrus*)
- 15) Slim Tridens (*Tridens muticus*)

## II. Rio Grande Valley alluvial soils, including alkaline-saline, mineralized soils and wet soils:

### A. Grasses, Sedges and related plants

- 1) *Carex emoryi* – Emory sedge
- 2) *Distichlis spicata* – Saltgrass
- 3) *Elymus Canadensis* – Canadian Wild Rye
- 4) *Elytrigia (smithii)* – W. Wheatgrass
- 5) *Sporobolus airoides* – Alkali Sacaton
- 6) *Sporobolus wrightii* – Giant Sacaton

### B. Annuals, Biennials and short-lived Perennials

- 1) *Aster subulatus* - Aster
- 2) *Helianthus anuus* – Sunflower
- 3) *Ipomoea purpurea* – Purple Morning-glory
- 4) *Maurandya wislizeni* – Giant Snapdragon vine

- 5) *Pulchea purpurascens* - Canela

### C. Small shrubs and Perennials

- 1) *Allenrolfea occidentalis* – Pickleweed
- 2) *Amorpha fruticosa* – False Indigo
- 3) *Anemopsis californica* – Yerba Mansa
- 4) *Datura wrightii (D. meteloides)* – Sacred Datura
- 5) *Phyla nodiflora var. incisa* - Frogfruit
- 6) *Sesuvium verrucosum* – Winged Sea Purslane
- 7) *Sphaeralcea angustifolia* – Narrowleaf Globemallow
- 8) *Sphaeralcea hastulata* - Globemallow

## III. Sand dune and deep sandy breaks of the Rio Grande:

### A. Grasses

- 1) *Munroa squarrosa* – Sand mat
- 2) *Oryzopsis hymenoides* – Indian Ricegrass
- 3) *Sporobolus contractus* – Spike Dropseed
- 4) *Sporobolus cryptandrus* – Sand Dropseed
- 5) *Sporobolus flexuosus* - Mesa Dropseed
- 6) *Tridens pulchellus* – Fluff Grass

### B. Annuals, Biennials and short-lived Perennials:

- 1) *Abronia angustifolia* – Sand verbena
- 2) *Allionia incarnata* – Trailing Four O'clock
- 3) *Baileya multiradiata* – Desert Marigold
- 4) *Croton texensis* – Doveweed
- 5) *Dimorphocarpa wislizeni* – Spectacle pod
- 6) *Erigeron bellidiastrum* – Western Fleabane
- 7) *Eriogonum annuum* – Wild Buckwheat
- 8) *Gaillardia pulchella* – Blanket flower
- 9) *Helianthus petiolaris* – Prairie Sunflower
- 10) *Heliotropium convolvulaceum* – Sand Heliotrope
- 11) *Ipomopsis longiflora* – Sand Trumpets

- 12) *Kallstroemia grandiflora* – Arizona Poppy
- 13) *Lepidum alyssoides (L. montanum)* – Pepperweed
- 14) *Machaeranthera canescens* – Purple Goldenweed
- 15) *Mentzelia multiflora* – Desert Blazing star
- 16) *Polanisia jamesii* - Crestpetal
- 17) *Nama hispidum* – Rough nama
- 18) *Pectis angustifolia* – Lemoncillo
- 19) *Pectis papposa* – Cinchweed
- 20) *Phacelia integrifolia (P. robusta)* - Bluecurls
- 21) *Psilostrophe tagetina* – Paperflower
- 22) *Sphaeralcea incana* – Globemallow
- 23) *Tidestromia lanuginosa* – Woolly Tidestrom
- 24) *Verbesina enceloides* – Cowpen Daisy

### C. Small shrubs and Perennials:

# El Paso County Plant List for Re-vegetation on Restoration Projects

Compiled by Lois Balin, Texas Parks and Wildlife

- 1) *Amsonia tomentosa* (A. arenaria) – Woolly slimpod
- 2) *Baccharis brachyphylla* – Sand Baccharis
- 3) *Dalea lanata* – Woolly Dalea
- 4) *Gutierrezia sarothrae* – Broomweed
- 5) *Ipomopsis wrightii* – Wright Gilia
- 6) *Oenothera pallida* – Pale Evening primrose
- 7) *Penstemon ambiguous* – Sand Penstemon
- 8) *Poliomintha incana* – Desert Rosemary
- 9) *Proboscidea altheaefolia* (P. arenaria) – Devil's claw
- 10) *Psoralea scoparius* – Broom Dalea
- 11) *Schrankia occidentalis* – Sensitive briar
- 12) *Senecio riddellii* – Sand groundsel

## IV. Grasslands and Hueco Bolson surface:

### A. Grasses:

- 1) *Bothriochloa barbinodis* – Cane Bluestem
- 2) *Bothriochloa laguroides* v. *torreyana* – Silver Bluestem
- 3) *Bouteloua curtipendula* – Sideoats grama
- 4) *Bouteloua gracilis* – Blue Grama
- 5) *Bouteloua eriopoda* – Black Grama
- 6) *Bouteloua hirsute* – Hairy Grama
- 7) *Digitaria californica* – Arizona Cottontop
- 8) *Eragrostis intermedia* – Plains Lovegrass
- 9) *Hilaria mutica* - Tobosa
- 10) *Panicum obtusum* – Vine Mesquite
- 11) *Schizachyrium scoparium* – Little Bluestem
- 12) *Scleropogon brevifolius*(S. *longisetus*) - Burrograss
- 13) *Setaria leucopila* – Plains Bristlegrass
- 14) *Tridens muticus* – Slim Tridens

### B. Annuals, biennials and short lived perennials:

- 1) *Argemone polyanthemus* – Prickly Poppy
- 2) *Calylophus hartwegii* v. *hartwegii* - Sundrops
- 3) *Coreopsis tinctoria* v. *tinctoria* – Plains Coreopsis
- 4) *Englemannia peristenia* – Englemann Daisy
- 5) *Erigeron modestus* – Plains fleabane
- 6) *Eriogonum polycladon*– Wild Buckwheat
- 7) *Erodium texanum* – Texas Filaree
- 8) *Erysimum capitatum* – Western Wallflower
- 9) *Gaillardia pulchella* – Firewheel

- 10) *Gaura suffulata* v. *nealleyi* - Beeblossom
- 11) *Heliomeris* (*Viguiera*) *multiflora* – Goldeneye
- 12) *Linum lewisii* – Blue Flax
- 13) *Linum puberulum* – Plains Flax
- 14) *Oenothera albicaulis* – Prairie Evening Primrose
- 15) *Phacelia popei* – Purple Phacelia
- 16) *Proboscidea parviflora* – Devil's Claw
- 17) *Ratibida columnifera* – Mexican Hat
- 18) *Verbena plicata* – Vervain
- 19) *Vicia ludoviciana* v. *ludoviciana* – Slim Vetch

### C. Small shrubs and perennials:

- 1) *Asclepias brachystephana* – Shortcrown Milkweed
- 2) *Asclepias oenotheroides* – Hierba de Zizotes
- 3) *Clematis drummondii* – Virgin's Bower
- 4) *Croton diocus* – Grassland Croton
- 5) *Delphinium wootonii* – Plains Larkspur
- 6) *Desmanthus illinoensis* – Bundleflower
- 7) *Froelichia arizonica* – Az. Snake-cotton
- 8) *Gaillardia pinnatifida* – Slender Gaillardia
- 9) *Gaura coccinea* – Scarlet Gaura
- 10) *Gutierrezia sarothrae* - Snakeweed
- 11) *Heliotropium greggii* – Fragrant Heliotrope
- 12) *Krameria lanceolata* – Trailing Krameria
- 13) *Mirabilis linearis* – Linearleaf Four O'clock
- 14) *Nyctaginea capitata* – Scarlet Musk-flower
- 15) *Sphaeralcea coccinea* – Scarlet Globemallow
- 16) *Zinnia grandiflora* – Plains Zinnia