



## ADVISORY BOARD MINUTES

Wednesday, April 25, 2012, 1:30 P.M.

8<sup>th</sup> Floor Conference Room

City Hall Building, 2 Civic Center Plaza

**Members Present: 8**

*Katrina M. Martich, Joanne Burt, James H. Tolbert, Richard L. Thomas, Lois A. Balin, Andres Quintana, Kevin von Finger, Charlie S. Wakeem, Chair*

**Members Absent: 1**

*Bill Addington*

**Vacancies: 0**

**Planning and Economic Development Staff:**

*David Coronado, Lead Planner; Carlos Gallinar, Comprehensive Plan Manager; Fred Lopez, Comprehensive Plan Manager; Shamori Whitt, Smart Code Planner; Laura Kissack, Planner; Kevin Smith, Planner*

**Others Present:**

*Lupe Cuellar, Assistant City Attorney, City Attorney's Office; Alan Shubert, City Engineer; Rudy Valdez, EPWU-PSB; Gonzalo Cedillos, EPWU-PSB; Marcia Tuck, Parks & Recreation, Open Space, Trails and Parks Coordinator; Richard Garcia, Parks Planning & Development Manager; Kareem Dallo, Engineering Division Manager; Conrad Conde, Conde, Inc.; David Bogas, Director of Development, EPT Land Communities; Judy Ackerman, citizen*

**1. Meeting Called to Order**

*Chair Wakeem called the meeting to order 1:31 p.m.*

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

*None.*

**3. Discussion and Action:** Acquisition of properties in the Keystone Heritage Park Area.

Contact: Alan Shubert, [shubertar@elpasotexas.gov](mailto:shubertar@elpasotexas.gov)

*Mr. Shubert was not present; therefore, Chair Wakeem moved to item 4.a., Approval of Minutes: April 11, 2012.*

Following the approval of the minutes, Mr. Shubert briefed Board Members regarding the very complicated real estate transaction pertaining to property the City recently purchased and the sale of another.

The City purchased the old Saddle Blanket property to convey that property to the El Paso Community Foundation for the purpose of constructing an art space project and for the City to acquire nine acres, more or less, for the Keystone property. Regarding the old Saddle Blanket property, a gas station with four underground storage and two sump tanks, previously occupied this site. The City is doing its due diligence to have those tanks removed. As a result, it will take an additional four to six weeks to close these real estate transactions simultaneously; most likely, sometime this summer. Additionally, the City Manager has directed Staff to prepare a *Master Plan* of the cleanup of this site to include the variant uses such as the archaeological, wetlands, etc. Staff will start preparing the *Master Plan* within the next few weeks, of which, some or all the OSAB might be involved.

Mr. Shubert responded to comments and/or questions from Ms. Burt, Mr. von Finger and Chair Wakeem.

No further comments and/or questions from the Board.

**NO ACTION WAS TAKEN.**

#### **4. Discussion and Action**

a. Approval of Minutes: April 11, 2012

Chair Wakeem asked if Board Members had any additions, corrections and/or revisions for the April 11, 2012 meeting.

**CORRECTIONS**

Chair Wakeem requested the following corrections:

1. Throughout the minutes, correct "**Correa**" to "**Carrillo**";
2. **Page 4 of 8**, top of the page, first sentence, add the following language:  
" ... **but it is outside of the City limits and probably outside of the zoning change.**"
3. **Page 5 of 8**, top of the page, first sentence, correct "**Cheser**" to "**Chesher**"
4. **Page 5 of 8**, middle of the page, delete the second "**very**":

Chair Wakeem thought that might be something to look into. Additionally, the EPWU-PSB Fred Hervey Plant is a very, **very** important wildlife habitat.

**MOTION:**

*Motion made by Mr. Tolbert, seconded by Ms. Balin and **UNANIMOUSLY CARRIED TO APPROVE THE MINUTES FOR APRIL 11, 2012, AS REVISED.***

**ABSTAIN:** *Katrina Martich, Andres Quintana, Kevin T. von Finger*

b. Changes to the Agenda

*No changes.*

Prior to the presentation, Ms. Martich recused herself from the discussion regarding PZRZ11-00058.

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

- (1) **PZRZ11-00058:**
- Parcel 1:** Being a portion of Tract 1, all of Tracts 3, and 3A, John Barker Survey No. 10 and Tract 4F2B, A.F. Miller Survey No. 215 and Tracts 6 and 7, I.F. Harrison Survey No. 54 and Montecillo Unit Three Amending Plat save and except Lot 2, Block 2, Thereof as recorded in clerk's file No. 20090065237 and save and except 4.6007 acres being Lots 3 and 4, Block 9, Montecillo Unit Three Replat A, recorded in clerk's file No. 20110085971, Real property records City of El Paso, El Paso County, Texas
- Parcel 2:** Being Tract 4, John Barker Survey No. 10, City of El Paso, El Paso County, Texas
- Parcel 3:** Being Lot 1, Block 3, Kings Hill Replat and Tract 4A, 6G and a portion of Tract 6A, A.F. Miller Survey No. 216 and Tract 21, John Barker Survey No. 10, City of El Paso, El Paso County, Texas
- LOCATION:**
- Parcel 1:** is located north of Executive Center Boulevard, east of Interstate 10 and west of Mesa Street
- Parcel 2:** is located south of Castellano Drive, north of Executive Center Boulevard, east of Interstate 10 and west of Mesa Street
- Parcel 3:** is located north of Castellano Drive and east of Mesa Street
- ZONING:**
- Parcel 1:** contains C-1, C-2, C-3/C, GMU/C, A-2, R-3, R-3A, R-5, M-1
- Parcel 2:** contains M-3
- Parcel 3:** contains C-1, C-1/SC, A-O/SC, A-O/C/SC, PR-1/SC and R-3
- REQUEST:** SCZ (SmartCode Zone)
- PROPOSED USE:** TND (Traditional Neighborhood Development)
- PROPERTY OWNER:** EPT Mesa Development, LP
- REPRESENTATIVE:** Conde, Inc.
- DISTRICTS:** 1 and 8
- STAFF CONTACT:** Laura Kissack, (915) 541-4723, [kissacklf@elpasotexas.gov](mailto:kissacklf@elpasotexas.gov)

Ms. Kissack gave a PowerPoint presentation and explained the applicant is requesting a rezoning change from various zoning codes to SmartCode Zone (SCZ) to permit three New Community Traditional Neighborhood Developments (TND) with a TOD (Transit-Oriented Development) Overlay. Total Civic Space for the three TND sites is 97.4 acres in size.

The following commented and/or asked questions:

1. Chair Wakeem commended the Developer, Representative and Richard Aguilar, EPT Land Communities, on such a great Plan. Chair Wakeem liked the natural open space and the preservation of the arroyos; however, it looked like FEMA Arroyo 21 was being narrowed.
2. Mr. Conrad Conde, Conde, Inc., introduced Mr. David Bogas, EPT Mesa Development, LP. Mr. Conde explained the arroyo would not be touched; it will be left in its natural state.
3. Mr. von Finger confirmed that this is the same design firm that did Sunland Park and asked if all designated open space would stay natural.
4. Via the Site Plan, Mr. Conde explained the area that will be left in their natural state and the areas that will be re-vegetated. Mr. Conde highlighted the higher density use, entertainment district, and single-family residential use areas.
5. Mr. Bogas made comments regarding the word "*density*" and what it means to the overall project.
6. Mr. Richard Garcia, Parks & Recreation Department, stated Parks & Recreation Staff had concerns with the areas labeled "*Parks*". Mr. Garcia requested that they be deleted from the Civic Space calculations as Parks & Recreation Department cannot use it for unstructured park purposes.
7. Ms. Kissack explained the SmartCode and Title 20 definitions of the word "*Parks*" are not the same.
8. Mr. Coronado also noted the definition of the word "*Parks*" is not the same in SmartCode zoning as it is in the conventional government classic definition of "*Parks*" with playgrounds, trees around the edges, etc.
9. Mr. Conde further clarified the definition of "*Parks*" in SmartCode zoning and expounded on the SmartCode "*Parks*" areas, to include the arroyos, open space areas and slopes, located within the proposed request.
10. Ms. Balin wondered what criteria the designer used in selecting the open space areas and whether or not the designer considered ecological values when deciding the place(s) to be preserved.
11. Mr. Bogas elaborated on the specific set of characteristics used by the designer when designing the "*Parks*". (as defined in the SmartCode)
12. Mr. Conde elaborated on the objectives used by the designer when determining which areas will be preserved.
13. Mr. Garcia explained Parks & Recreation Department Staff still had concerns regarding the slopes.
14. Ms. Cuellar commented on park credits, park land requirements and park fees and how they apply in Title 21 SmartCode and Title 19 Subdivisions.

**MOTION:**

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

**AYES:** Ms. Burt, Mr. Tolbert, Ms. Balin, Mr. Quintana, Mr. von Finger, Chair  
Wakeem

**NAY:** 0

**ABSTAIN:** Mr. Thomas

**RECUSION:** Ms. Martich

Motion passed. (6-0-1-1)

- 5. Discussion and Action:** Schedule a Special Meeting of the Board to receive a status report regarding the Northwest Master Plan. Contact: Carlos Gallinar, [gallinarcc@elpasotexas.gov](mailto:gallinarcc@elpasotexas.gov)

Mr. Gallinar updated Board Members regarding the Northwest Master Plan. Staff is working diligently to meet timelines for the OSAB and City Council. Mr. Gallinar will briefly comment on the reason(s) for the due diligence/delay; however, at the appropriate OSAB meeting, in four weeks, Mr. Gallinar will expound on each one in detail.

Chair Wakeem recommended Mr. Gallinar meet with the Land Trust Executive Director.

**NO ACTION WAS TAKEN.**

- 6. Discussion and Action:** Status report by the Park and Recreation Department regarding the designated state trailheads approved by City Council on June 21, 2011.  
Contact: Marcia Tuck, [tuckmj@elpasotexas.gov](mailto:tuckmj@elpasotexas.gov); Rudy Valdez, [rvaldez@epwu.org](mailto:rvaldez@epwu.org)

Ms. Tuck deferred the presentation/discussion to Mr. Valdez.

Mr. Valdez gave a PowerPoint presentation and explained the item was presented to the PSB Board several weeks ago. The Board approved, in concept, the trailheads that are proposed. Additionally, Board Members questioned some of the easements shown within some of the sites; they expressed concerns regarding liability issue with regarding to some of the trailheads and the parking issue regarding some trailheads. The attorney for the PSB is researching whether or not there is a liability issue; the OSAB should defer any comments/questions/status report requests to the attorney. With regard to the easements, PSB Staff does not think that is a major issue. However, PSB Staff did ascertain information regarding the trailhead that goes through the pond. That pond has not been accepted for maintenance by the City; in fact, it is not public, yet.

The following commented and/or asked questions:

1. Regarding recreational use, Chair Wakeem understood there was no liability.
2. Ms. Cuellar concurred with the PSB attorney's conclusion regarding liability.
3. Mr. Tolbert asked if the OSAB could get started on trailheads that do not have any pending issues or does the OSAB have to wait till all issues, for all trailheads, have been resolved.
4. Mr. Valdez was unsure, he would discuss the OSAB's concerns with the PSB attorney and inform the OSAB at the next meeting what the outcome of the discussion was.

**NO ACTION WAS TAKEN.**

**7. Presentation:** Northeast Master Plan, Proposed Retirement Community, Painted Dunes Master Plan and PSB Leases in Northeast El Paso. Contact: Rudy Valdez, [rvaldez@epwu.org](mailto:rvaldez@epwu.org)

Mr. Valdez gave a PowerPoint presentation regarding the PSB Northeast Master Plan. He responded to comments and/or questions from Ms. Martich, Chair Wakeem, Ms. Balin and Ms. Ackerman, member of the public.

Ms. Balin would like a copy of Mr. Valdez' PowerPoint presentation. Mr. Coronado will email the presentation to Board Members.

Ms. Martich noted the item was posted on the agenda as a "Presentation", not for discussion and action. She asked that this conversation not end with this meeting so that Board Members might have the opportunity to go further with it. Mr. Tolbert concurred with Ms. Martich.

Chair Wakeem responded Board Members could place a "Discussion and action" item on future agendas.

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Regarding agenda item 7., Mr. Valdez noted the presentation on the Proposed Retirement Community, Painted Dunes Master Plan and PSB leases in Northeast El Paso were left out.

**MOTION:**

*Motion made by Mr. Tolbert, seconded by Ms. Burt and **UNANIMOUSLY CARRIED TO APPROVE POSTPONE THE PAINTED DUNES PRESENTATION.***

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**8. Discussion and Action:** Status of stormwater funding for Open Space acquisition and restoration. Contact: Rudy Valdez, [rvaldez@epwu.org](mailto:rvaldez@epwu.org)

Mr. Valdez gave a PowerPoint presentation regarding the status of stormwater funding for Open Space acquisition and restoration and responded to comments and/or questions from Board Members.

Mr. Valdez elaborated on the Northwind/Westwind, the Cloudview and the Silver Springs arroyo acquisition negotiations. Regarding the Avespa Canyon, Mr. Valdez explained PSB Staff has received the acreage and ownership information; additionally, PSB Staff has completed some extensive mapping. With regard to the Cement Lake property, Mr. Valdez noted a conference call between the PSB and Cemex will take place tomorrow.

Should Mr. Valdez ascertain information from that conference call tomorrow, Chair Wakeem requested Mr. Valdez contact Mr. Coronado or himself to place an item on a future OSAB agenda whereby Mr. Valdez would report back to the OSAB what transpired as a result of that conference call.

Mr. Thomas stated the Wildwood property is not developable, it cannot be developed. Board Members and Mr. Valdez discussed the difficulty or lack of access to the Silver Springs arroyo and possible remedies.

Mr. Cedillos commented on cost and the correlation between proposed development and increased land value.

Regarding the OSAB list of priorities, Mr. Thomas requested access to the Silver Springs arroyo be deleted. He explained that the OSAB should not waste the time and money on something that will not come to fruition.

Mr. Valdez responded it is still a possibility; it is a matter of negotiating a price with the property owner.

Chair Wakeem felt the OSAB should not remove that from the OSAB priority.

Per the PowerPoint presentation, Mr. Valdez elaborated on the *Knapp appraisals* at the request of Mr. Tolbert.

***NO ACTION WAS TAKEN.***

- 9. Discussion and Action:** 2012 Open Space Advisory Board revised meeting schedule.  
Contact: David A. Coronado, [coronadoda@elpasotexas.gov](mailto:coronadoda@elpasotexas.gov)

Staff distributed copies of the proposed 2012 Open Space Advisory Board revised meeting schedule. Mr. Coronado explained that City Council reviewed and approved the Open Space Advisory Board ordinance; the OSAB will no longer review plats prior to presentation to City Plan Commission and City Council. Mr. Coronado proposed the OSAB revert to monthly meetings, either the first or second Wednesday of the month, depending on City Plan Commission meetings and holidays. Mr. Coronado explained that the OSAB will continue to review zoning cases; however, should the OSAB revert to monthly meetings, you will have ample time to review the zoning cases prior to presentation to CPC and City Council.

Chair Wakeem explained it was because of the plats that the OSAB began meeting every other week. He noted that there are occasions where the OSAB does have a busy schedule and piling them all up once a month is something to consider.

Mr. von Finger concurred and commented on the revised meeting schedule proposed dates.

Ms. Martich asked if there was a need for a second meeting, as long as the OSAB followed the Open Meetings Act, would that be permissible.

Staff felt that would be permissible.

Prior to the vote, Chair Wakeem asked if there was any further comment or discussion.

Mr. von Finger stated the OSAB could always change the schedule, revert back to two OSAB meetings, should this once-a-month schedule not work.

Regarding agenda item 7., Mr. Valdez noted the presentation on the Proposed Retirement Community, Painted Dunes Master Plan and PSB leases in Northeast El Paso were left out.

**MOTION:**

*Motion made by Mr. Tolbert, seconded by Mr. von Finger and **UNANIMOUSLY CARRIED TO APPROVE CHANGING THE SCHEDULE TO ONCE A MONTH.***

*After the vote, Chair Wakeem directed the OSAB, Staff and members of the public to agenda Item 7. **Presentation:** Northeast Master Plan, Proposed Retirement Community, Painted Dunes Master Plan and PSB Leases in Northeast El Paso. Contact: Rudy Valdez, [rvaldez@epwu.org](mailto:rvaldez@epwu.org)*

However, it was decided the remainder of the presentation would be postponed to the next OSAB meeting.

**MOTION:**

*Motion made by Mr. Tolbert, seconded by Ms. Burt and **UNANIMOUSLY CARRIED TO APPROVE POSTPONE THE PAINTED DUNES PRESENTATION.***

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

1. Ms. Martich requested the following be posted on the June 2012, OSAB agenda:
  - a. Discussion and Action and Presentation - PSB owned land, south of the Northeast Master Plan
  - b. Discussion and Action regarding the Northeast Master Plan to include Painted Dunes
  
2. Chair Wakeem requested:
  - a. Discussion and Action on water to the Rio Bosque (Mr. John Balliew)
  - b. ASARCO (Mr. Puga)
  - c. Monthly review of the Open Space Master Plan, one section at a time:
    - i. Open Space Opportunities, Chapter 3;
    - ii. Open Space Recommendations, Chapter 5; and
    - iii. Open Space Implementation, Chapter 6

*Planning and Parks & Recreation Staff to assist.*

3. Ms. Burt requested the following be posted on the June 2012, OSAB agenda:
  - a. Update Keystone Heritage Park Overlay, zoning (Mr. Shubert)

**11. Adjournment**

**MOTION:**

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