

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

DEPARTMENT: Planning & Inspections Department
AGENDA DATE: Introduction 4/28/15; Public Hearing 5/5/15
CONTACT PERSON/PHONE: Jeff Howell, (915) 212-1607
DISTRICT(S) AFFECTED: District 8

SUBJECT:

An ordinance vacating a portion of Cebada Street out of East El Paso Addition, City of El Paso, El Paso County, Texas. Subject Property: South of Gateway East and west of Luna; Property Owner: El Paso Water Utilities
SURW15-00003 (District 8)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Recommended approval on March 26, 2015

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew McElroy, Director
Planning & Inspections Department



APPROVED FOR AGENDA:

CITY MANAGER: _____ DATE: _____

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF CEBADA STREET OUT OF EAST EL PASO ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, the City of El Paso, owners of subject property, have requested vacation of a right-of-way being a portion of Cebada Street out of East El Paso Addition, City of El Paso, El Paso County, Texas.

WHEREAS, after public hearing the City Plan Commission recommended that a portion of Cebada Street out of East El Paso Addition, City of El Paso, El Paso County, Texas, should be vacated and the City Council finds that said portion of right-of-way should be vacated as recommended;

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

That a determination has been made that it is in the best interest of the public that a portion of Cebada Street out of East El Paso Addition, City of El Paso, El Paso County, Texas, and which is more fully described in the attached metes and bounds description, identified as Exhibit "A" and in the attached survey identified as Exhibit "B" and made a part hereof by reference and subject to the following conditions:

ADOPTED this _____ day of _____, 2015.

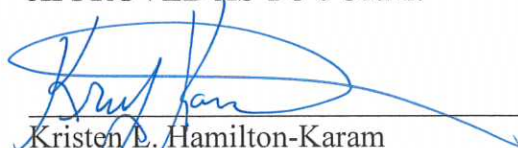
THE CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:


Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Kristen E. Hamilton-Karam
Assistant City Attorney

APPROVED AS TO CONTENT:



Mathew S. McElroy, Director
Planning & Inspections Department

ORDINANCE NO. _____

Exhibit A

Prepared for: El Paso Water Utilities
January 9, 2015
(Cebada Street Vacation)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Cebada Street out of Supplemental Map No. 1 of East El Paso Addition as recorded in volume 1, page 51, Plat Records of El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing city monument lying 10 feet north and 10 feet east of the centerline intersection of Durazno Avenue and San Marcial Street from which an existing city monument lying 10 feet north and 10 feet east of the centerline intersection of Durazno Avenue and Raynor Street bears North $86^{\circ}26'57''$ West a distance of 470.00 feet; Thence along the monument line of Durazno Avenue, South $86^{\circ}26'57''$ East a distance of 895.00 feet to a point; Thence leaving said monument line, North $03^{\circ}33'03''$ East a distance of 185.00 feet to a set chiseled v in concrete on the intersection of the westerly right of way line of Cebada Avenue with the northerly line of a 20 foot alley in Block 45, Supplemental Map No. 1 of East El Paso addition for The "TRUE POINT OF BEGINNING".

Thence along the westerly right of way line of Cebada Avenue, North $03^{\circ}33'03''$ East a distance of 140.00 feet to a point on the southerly right of way line of U.S. Interstate Highway No. 10 from which a found chiseled v in concrete bears North $08^{\circ}28'04''$ West a distance of 0.64 feet;

Thence along the southerly right of way line of U.S. Interstate Highway No. 10, South $86^{\circ}26'57''$ East a distance of 70.00 feet to a point on the easterly right of way line of Cebada Avenue from which a found $\frac{1}{2}''$ rebar with cap marked B & A bears South $49^{\circ}12'09''$ East a distance of 0.40 feet;

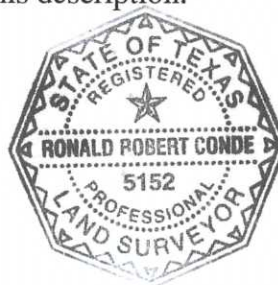
Thence along the easterly right of way line of Cebada avenue, South $03^{\circ}33'03''$ West a distance of 140.00 feet to a set chiseled v on the northerly line of a 20 foot alley out of Block 44, Supplemental Map No. 1 of East El Paso Addition;

Thence leaving said right of way line, North $86^{\circ}26'57''$ West a distance of 70.00 feet to the "TRUE POINT OF BEGINNING" and containing 9,800 square feet or 0.2250 acres of land more or less.

Note: A drawing of even date accompanies this description.



Ron R. Conde
R.P.L.S. No. 5125



CONDE INC
ENGINEERING / LAND SURVEYING / PLANNING
6080 SURETY DRIVE / SUITE 100 / EL PASO, TEXAS 79905
(915) 592-0283 FAX (915) 592-0286

MEMORANDUM

DATE: April 20, 2015

TO: The Honorable Mayor and City Council
Tommy Gonzalez, City Manager

FROM: Jeff Howell, Planner

SUBJECT: Right-of-Way Vacation SURW15-00003 (South of Gateway East and west of Luna)

The proposed right-of-way vacation was scheduled for the City Plan Commission (CPC), on March 26, 2015. The CPC recommended **approval** of the proposed right-of-way vacation.

The recommendation is based on the determination that the right-of-way vacation is in the best interest, health, safety and welfare of the public in general; and will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

Property Owners/Applicant: El Paso Water Utilities

Attachments: Staff Report



City of El Paso – City Plan Commission Staff Report

REVISED

Case No: SURW15-00003 Cebada Street Vacation
Application Type: Right-of-Way Vacation
CPC Hearing Date: March 26, 2015
Staff Planner: Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov
Location: South of Gateway East and West of Luna
Acreage: 0.225 acres
Rep District: 8
Existing Use: Street right-of-way, Alley
Existing Zoning: C-4 (Commercial)
Proposed Zoning: C-4 (Commercial)
Property Owner: El Paso Water Utilities
Applicant: El Paso Water Utilities
Representative: Conde, Inc.

SURROUNDING ZONING AND LAND USE

North: C-4 (Commercial)/ Right-of-Way
South: M-1 (Light Manufacturing) / Single-family homes, Right-of-Way
East: C-4 (Commercial)/ Vacant
West: C-4 (Commercial)/ Vacant

PLAN EL PASO DESIGNATION: G2, Traditional Neighborhood (Walkable)

APPLICATION DESCRIPTION

The applicant is proposing to vacate a 70' wide portion of Cebada Street (0.225 acres). The area to be vacated is requested for the construction of a stormwater pond within the abutting lots, which are all owned by the applicant.

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 200 feet of the subject property and within the original subdivision on March 12, 2015. The Planning Division did not receive any comments in support or against this request.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of Cebada Street Vacation subject to the following conditions.

Planning Division Recommendation:

Staff recommends **approval** pending resolution of easement requested by El Paso Electric.

Planning and Inspections Department - Land Development

No objections.

Parks and Recreation Department

No comments received.

El Paso Water Utilities

1. (EPWU) does not object to this request.
2. Existing water and sanitary sewer mains along the alley between Gateway East Boulevard & Durazno Street, and Cebada Street will be relocated and/or abandoned as required by the stormwater project.

El Paso Fire Department

No comments received.

Sun Metro

Sun metro is not opposed to this request.

TxDOT

No comments received.

Central Appraisal District

No comments received.

El Paso Electric Company

EPE no longer has an objection to the vacation of Cebada South.

Texas Gas Company

Texas Gas Service does not have any objections or comments.

El Paso Independent School District

No comments received.

Attachments

1. Location Map
2. Aerial Map
3. Survey
4. Application

ATTACHMENT 1

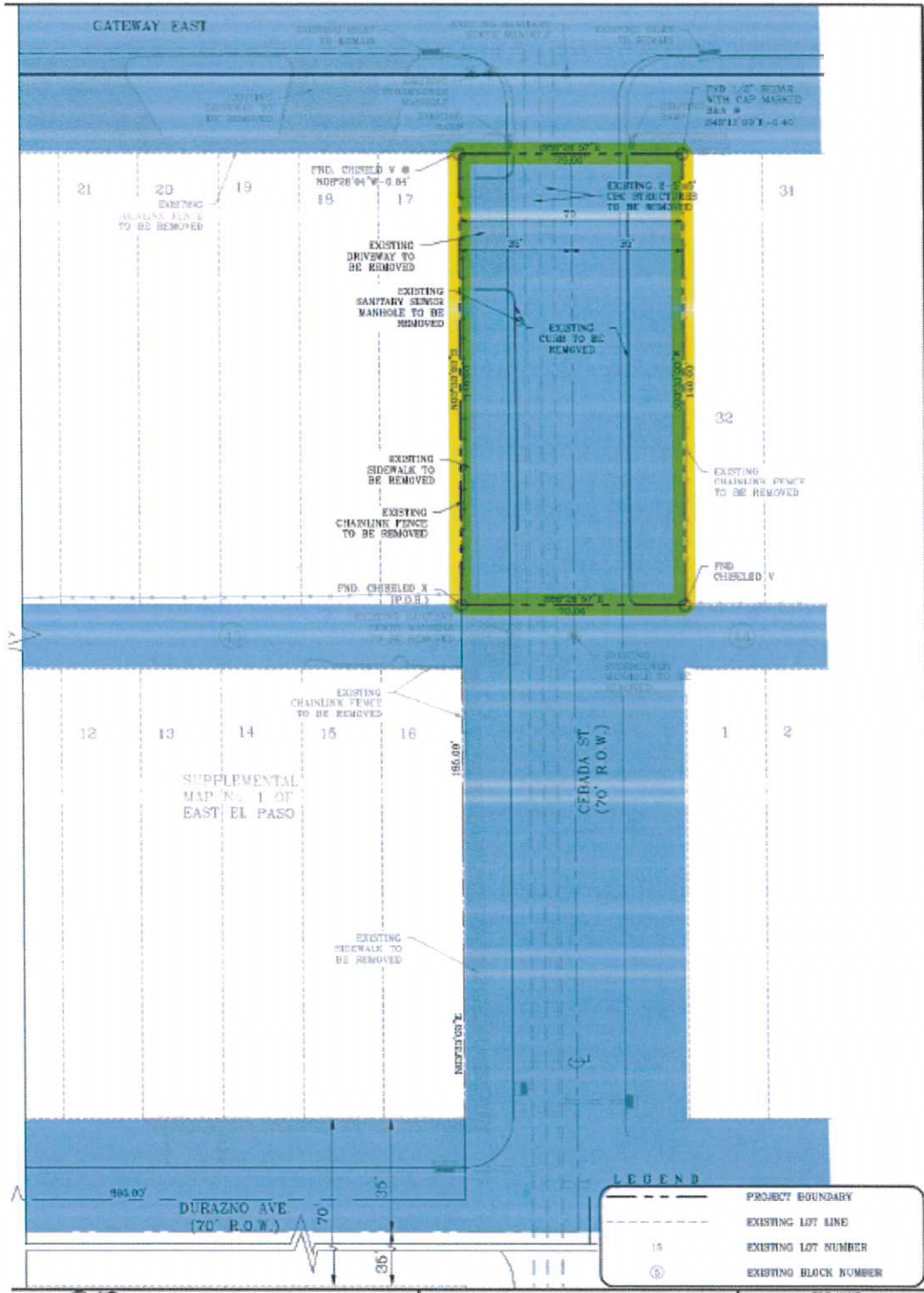


ATTACHMENT 2

CEBADA STREET ROW VACATION



ATTACHMENT 3



ATTACHMENT 4



CITY OF EL PASO, TEXAS
APPLICATION FOR VACATION PUBLIC EASEMENTS AND RIGHTS-OF-WAY

Date: January 15, 2014 File No. SURW15-0003

1. APPLICANTS NAME City of El Paso/El Paso Water Utilities/Public Service Board (Stormwater Utility)

ADDRESS 1154 Hawkins ZIP CODE 79912 TELEPHONE 915-594-5636

2. Request is hereby made to vacate the following: (check one)

*Contact: Alma De Anda - 594-5513
adeanda@epwu.org*

Street Alley Easement Other

Street Name(s) Ptn of Cebada St. Subdivision Name Supplemental Map No. 1 of East El Paso, Texas

Abutting Blocks 44 and 45 Abutting Lots 1 and 32 (Blk 44); 16 and 17 (Blk 45)

3. Reason for vacation request: Intend to construct a stormwater pond within ptn of Blocks 44 and 45.

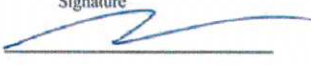
4. Surface Improvements located in subject property to be vacated:
None Paving Curb & Gutter Power Lines/Poles Fences/Walls Structures Other

5. Underground Improvements located in the existing rights-of-way:
None Telephone Electric Gas Water Sewer Storm Drain Other

6. Future use of the vacated right-of-way:
Yards Parking Expand Building Area Replat with abutting Land Other

7. Related Applications which are pending (give name or file number):
Zoning Board of Adjustment Subdivision Building Permits Other

8. Signatures: All owners of properties which abut the property to be vacated must appear below with an adequate legal description of the properties they own (use additional paper if necessary).

Signature	Legal Description	Telephone
	Adjacent to Portions of Blocks 44 and 45 <u>Supplemental Map No. 1 of East El Paso, Texas</u>	<u>594-5636</u>
_____	_____	_____
_____	_____	_____

The undersigned Owner/Applicant/Agent understands that the processing of this Application will be handled in accordance with the procedure for Requesting Vacations and that no action on processing will be taken without payment of the non-refundable processing fee. It is further understood that acceptance of this application and fee in no way obligates the City to grant the Vacation. I/We further understand that the fee, if the Vacation is granted will be determined by the City of El Paso and a Certified or Cashier's Check must be presented before the request will be recommended for Council action.

The undersigned acknowledges that he or she is authorized to do so, and upon the City's request will provide evidence satisfactory to the City confirming these representations.

The granting of a vacation request shall not be construed to be a waiver of or an approval of any violation of any of the provisions of any applicable City ordinances.

Effective September 1, 2014, a 3% technology fee has been added to all Planning application fees.

OWNER SIGNATURE: 
REPRESENTATIVE: Gonzalo Cedillos/Grisel Arizpe



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

City Development Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

J. R.



Recommendation/Public Input

- **Planning & Inspections Recommendation:** Approval
- **CPC Vote:** Unanimous Approval

Strategic Goal #7-Enhance and Sustain El Paso's Infrastructure Network

- 7.1 Provide reliable and sustainable water supply and distribution systems
- 7.4 Continue the strategic investment in City facilities and technology



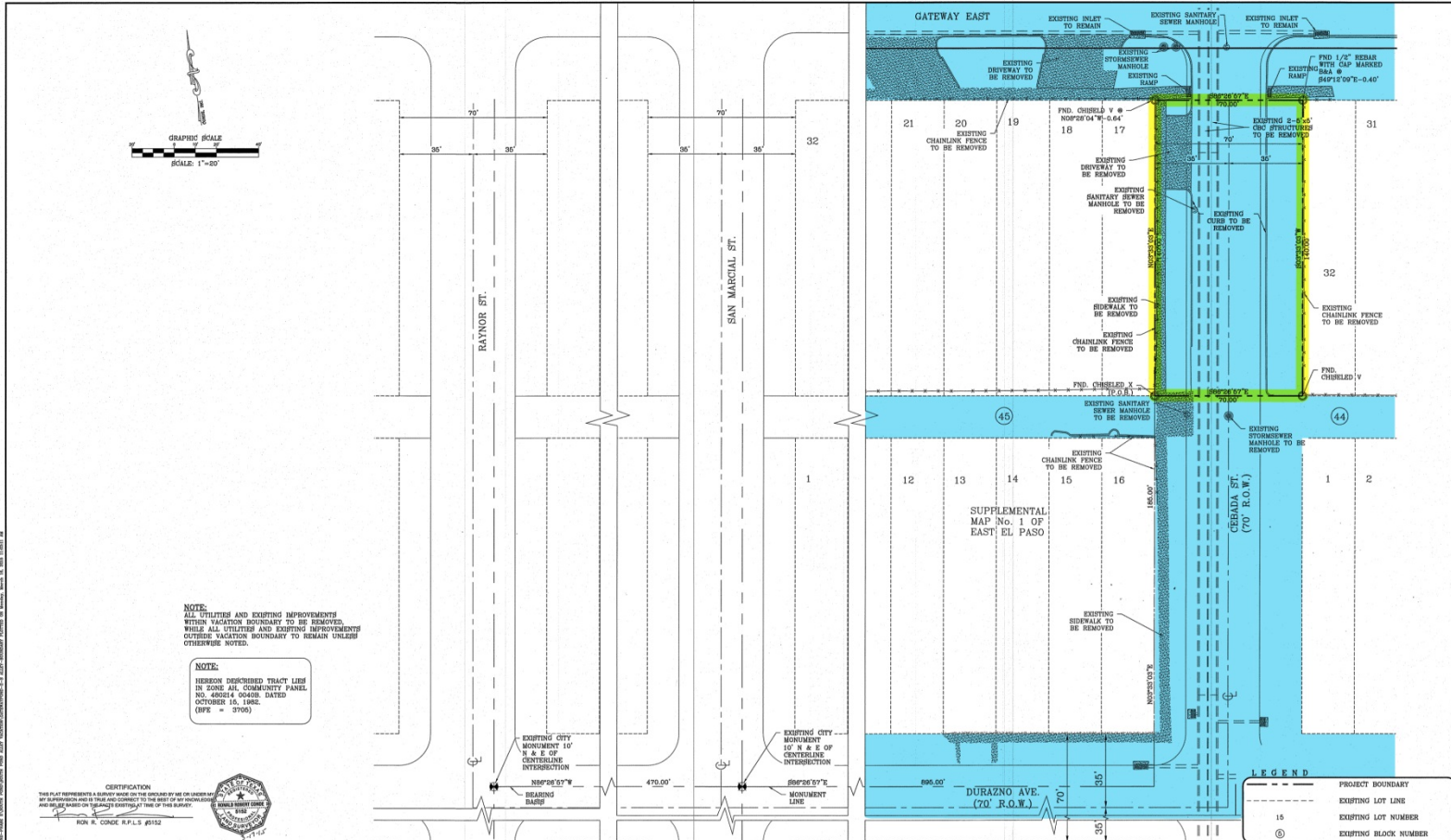
CEBADA STREET ROW VACATION





CEBADA STREET ROW VACATION





NOTE:
ALL UTILITIES AND EXISTING IMPROVEMENTS WITHIN VACATION BOUNDARY TO BE REMOVED. WHILE ALL UTILITIES AND EXISTING IMPROVEMENTS OUTSIDE VACATION BOUNDARY TO REMAIN UNLESS OTHERWISE NOTED.

NOTE:
HERBSON DESCRIBED TRACT LIES IN SOME ALL COMMUNITY PAPER NO. 480214 0642B, DATED OCTOBER 16, 1982. (BPE = 3706)

CERTIFICATION
THIS PLAN REPRESENTS A SURVEY MADE BY ME OR UNDER MY SUPERVISION AND IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING OF THE STATE OF TEXAS.



EXTERNAL REFERENCE FILES	REVISIONS

CONDE INC.
ENGINEERING / PLANNING
SURVEYING / GPS
6006 HURSTY DR. STE 100
EL PASO, TEXAS 79906
PHONE: (915) 596-7000
FAX: (915) 592-0288
REGISTRATION NO. 7489

DESIGNED: Y.G./J.R.
INTEGRATED: R.G./J.L./J.R.
CHECKED: Y.C.
CHECKED: J.R.
APPROVED: Y.C.

EL PASO UTILITIES
PUBLIC SERVICES BOARD
GATEWAY STORMWATER PONDS
CITY OF EL PASO, EL PASO COUNTY, TEXAS

PROPOSED VACATION OF A PORTION OF CEBADA STREET OUT OF EAST EL PASO ADDITION

FILE NAME GATEWAYPOND-S-ALLET-BOUNDARY.DWG
BC PROJECT NUMBER
MP#07709# BIP NUMBER
DRAWING NUMBER C-1
DESIGN SHEET NUMBER 1 OF 1



View looking along Cebada Street toward the North



View looking along Cebada Street toward the South



View looking toward the East.

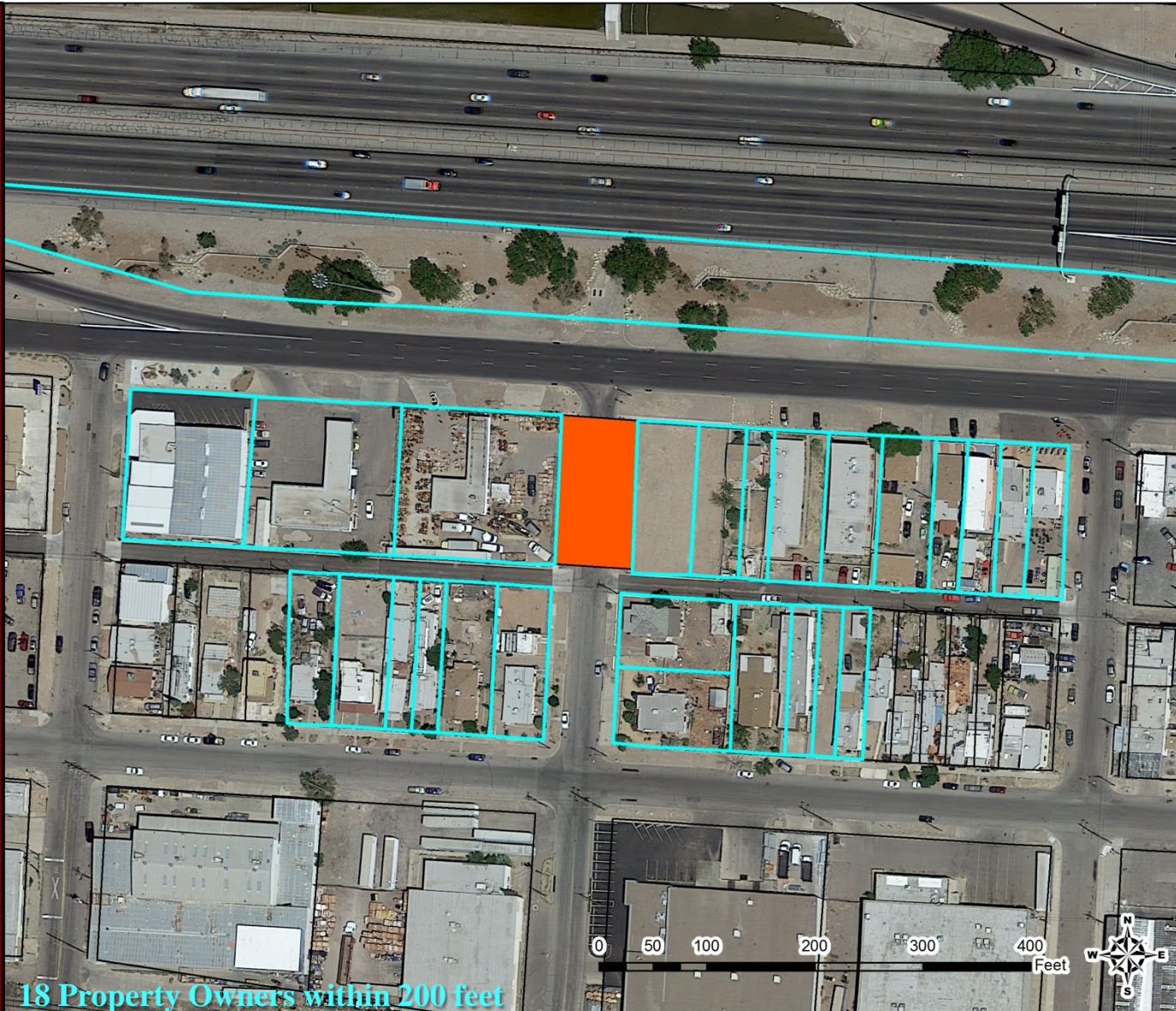


View looking toward the West.





CEBADA STREET ROW VACATION



18 Property Owners within 200 feet



CEBADA STREET ROW VACATION

