

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

DEPARTMENT: Planning & Inspections Department, Planning Division

AGENDA DATE: Introduction: 7/12/16
Public Hearing: 7/26/16

CONTACT PERSON: Larry F. Nichols, (915) 212-1550, NicholsLF@elpasotexas.gov
Alfredo Austin, (915) 212-1604, AustinAJ@elpasotexas.gov

DISTRICT(S) AFFECTED: District 8

SUBJECT:
An Ordinance vacating the city right-of-way over a portion of Magnolia Street 70’ Right-of-Way lying between Blocks 48 and 49, Bassett Addition, City of El Paso, El Paso County, Texas.
(District 8) SURW16-00001

Subject Property: East of Piedras & North of Texas

Property Owner: City of El Paso

BACKGROUND / DISCUSSION:
See attached.

PRIOR COUNCIL ACTION:
N/A

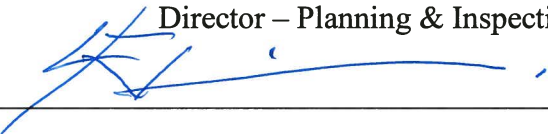
AMOUNT AND SOURCE OF FUNDING:
N/A

BOARD / COMMISSION ACTION:
Development Coordinating Committee (DCC) recommends approval
City Plan Commission (CPC) unanimously recommended approval on May 5, 2016.

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

LEGAL: (if required) N/A **FINANCE:** (if required) N/A

DEPARTMENT HEAD: Larry F. Nichols
Director – Planning & Inspections Department



APPROVED FOR AGENDA:

CITY MANAGER: _____ DATE: _____

ORDINANCE NO. _____

**AN ORDINANCE VACATING THE CITY RIGHT-OF-WAY OVER A PORTION OF
MAGNOLIA STREET 70' RIGHT-OF-WAY LYING BETWEEN BLOCKS 48 AND 49,
BASSETT 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 described as being a portion of Magnolia Street 70' Right-of-Way lying between Blocks 48 and 49, Bassett Addition, City of El Paso, El Paso County, Texas; and

WHEREAS, after public hearing the City Plan Commission recommended that the City right-of-way on a portion of Magnolia Street 70' Right-of-Way lying between Blocks 48 and 49, Bassett 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 the City right-of-way over a portion of Magnolia Street 70' Right-of-Way lying between Blocks 48 and 49, Bassett Addition, City of El Paso, El Paso County, Texas, and which is more fully described in the attached metes and bounds and survey descriptions, identified as Exhibit "A" and made a part hereof by reference is hereby vacated.

ADOPTED this _____ day of _____, 2016.


THE CITY OF EL PASO

Oscar Leaser
Mayor

ATTEST:

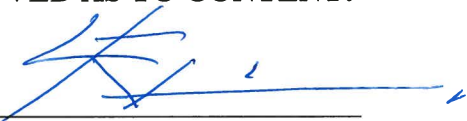
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Omar De La Rosa
Assistant City Attorney

APPROVED AS TO CONTENT:



Larry F. Nichols, Director
Planning and Inspections Department

ORDINANCE NO. _____

SURW16-00001

Property Description: A portion of Magnolia Street Right-of-Way lying in Bassett Addition, City of El Paso, El Paso County, Texas.

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a portion of Magnolia Right-of-Way (70 foot public right-of-way) lying between Block 48 and Block 49, Bassett Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof recorded in Volume 5, Page 21, Plat Records of El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing at an existing city monument lying at the intersection of the monument lines of Texas Street (72 foot public right-of-way) and Poplar Street (70 foot public right-of-way), said monument lines lying 10-feet north and 10-feet east of the respective centerlines of Texas Street and Poplar Street; Thence, North 52° 59' 57" East, along said monument line of Texas Street, a distance of 495.00 feet to a point; Thence, North 37° 00' 03" West, a distance of 26.00 feet to a ½" iron rod with plastic cap marked "TX 2998" set at the point of intersection of the northerly right-of-way line of Texas Street and the easterly right-of-way line of Magnolia Street, said point being the TRUE POINT OF BEGINNING of this description;

THENCE, South 52° 59' 57" West, a distance of 70.00 feet to a point lying at the intersection of the westerly right-of-way of Magnolia Street and the northerly right-of-way of Texas Street;

THENCE, North 37° 00' 03" West, along said right-of-way line of Magnolia Street, a distance of 151.29 feet to a point;

THENCE, North 77° 04' 32" East, a distance of 76.67 feet to a point lying on the easterly right-of-way line of Magnolia Street;

THENCE, South 37° 00' 03" East, along said right-of-way line, a distance of 120.01 feet to the TRUE POINT OF BEGINNING of this description.

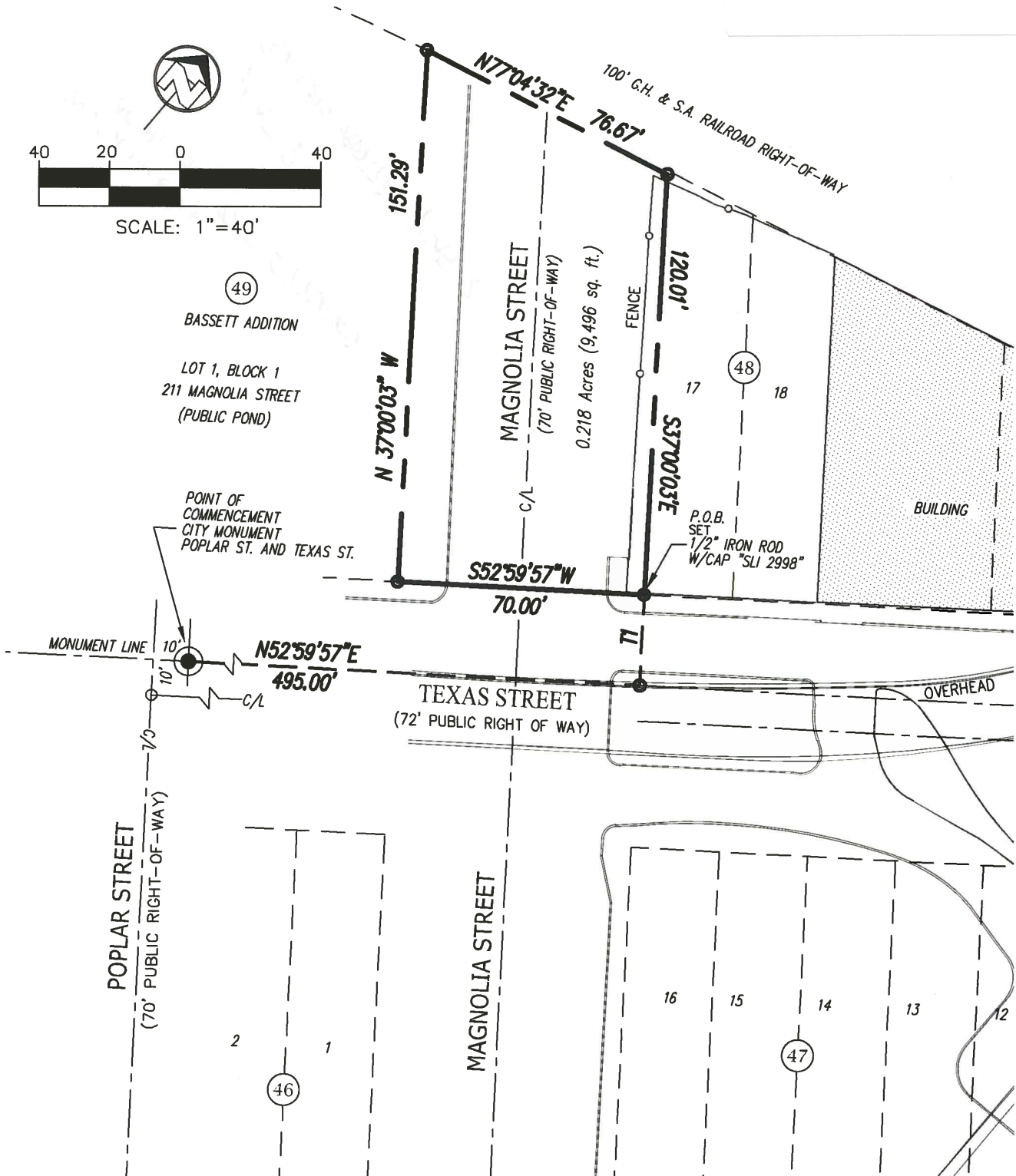
Said parcel of land contains 0.218 acres (9,496 sq. ft.) of land more or less.


SLI ENGINEERING, INC.,
Consulting Engineers—Land Surveyors

Guillermo Licon
Registered Professional Land Surveyor
Texas License No. 2998



December 19, 2016
Job Number 06-15-3727



LINE TABLE

TANGENT	BEARING	DISTANCE
T1	N37°00'03"W	26.00'

NOTES:

1. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT OF SURVEY.
2. BASIS OF BEARING: MAGNOLIA STREET EASTERLY R.O.W. (N37°00'03"W) IN METES AND BOUNDS DESCRIPTION CONTAINED IN DOC# 20150043522

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This map and survey are being provided solely for the use of the City of El Paso and no license has been created, expressed or implied, to copy the surveys and/or map(s) except as necessary in conjunction with the original transaction. This transaction shall be effective within six (6) months from the date hereon August 19, 2015.

PLAT OF SURVEY

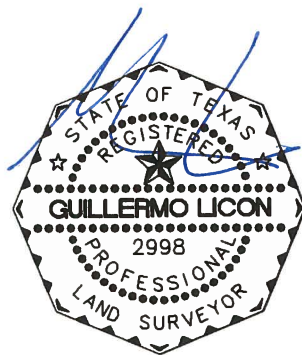


CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS
6600 WESTING DRIVE
EL PASO, TEXAS
(915) 584-4457

SLI ENGINEERING, INC.

JOB #: 06-15-3727 DR. BY: BW
SCALE: 1"=40' F.B. #: ***
DATE: 08/19/2015

A PORTION OF MAGNOLIA STREET
70' RIGHT OF WAY
LYING
BETWEEN BLOCKS 48 AND 49
IN BASSETT ADDITION
CITY OF EL PASO
EL PASO COUNTY, TEXAS
BOOK: 5 PAGE: 21



SLI ENGINEERING, INC.
Reg. No. F-1902
SURVEYING
Reg. No. 100120-00

CERTIFICATION
I HEREBY CERTIFY THAT THE FOREGOING
BOUNDARY SURVEY WAS PERFORMED
UNDER MY SUPERVISION AND IS TRUE AND
CORRECT TO THE BEST OF MY KNOWLEDGE
AND BELIEF.

GUILLERMO LICON, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS LICENSE NO. 2998



Planning and Inspections Department

MEMORANDUM

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

FROM: Alfredo Austin, Planner

DATE: July 5, 2016

SUBJECT: Magnolia Street Vacation

The applicant is requesting to vacate a 70’ wide portion of Magnolia Street (0.218 acres). The area to be vacated is requested for the extension of an existing stormwater pond. The applicant is the owner of the abutting lots. The City Plan Commission found that the easement being proposed for vacation is not needed for public use and should be vacated as recommended.

The City Plan Commission unanimously recommended approval of the proposed vacation at their meeting on May 5, 2016. There was no public comment.

Property Owners/Applicant: City of El Paso/PSB

Attachments: Staff Report

Larry F. Nichols– Director for Planning & Inspections
City 3 | 801 Texas Avenue | El Paso, Texas 79901 | (915) 212-0088

“Delivering Outstanding Services”

Mayor
Oscar Leoser

City Council

District 1
Peter Svarzbein

District 2
Jim Tolbert

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Claudia Ordaz

District 7
Lily Limón

District 8
Cortney C. Niland

City Manager
Tommy Gonzalez



City of El Paso – City Plan Commission Staff Report

Case No: SURW16-00001 Magnolia Street Vacation
Application Type: Street ROW Vacation
CPC Hearing Date: May 5, 2016
Staff Planner: Alfredo Austin, (915) 212-1604, austinaj@elpasotexas.gov
Location: East of Piedras & North of Texas
Acreage: 0.218 acres
Rep District: 8
Existing Use: Public right-of-way
Existing Zoning: C-4/M-1 (Commercial/Manufacturing)
Proposed Zoning: C-4/M-1 (Commercial/Manufacturing)
Nearest Park: Estrella Rivera Park (.59 miles)
Nearest School: Beall Elementary (.34 miles)
Property Owner: PSB/EPWU
Applicant: PSB/EPWU
Representative: SLI Engineering

SURROUNDING ZONING AND LAND USE

North: M-1 (Manufacturing)/Railroad
South: C-4 (Commercial)/Commercial development
East: C-4 (Commercial)/Commercial development
West: C-4 (Commercial)/Commercial development

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

APPLICATION DESCRIPTION

The applicant is proposing to vacate a 70' wide portion of Magnolia Street (0.218 acres). The area to be vacated is requested for the extension of an existing stormwater pond. The applicant is the owner of the abutting lots.

NEIGHBORHOOD INPUT

Notices of the Public Hearing were mailed on April 25, 2016, and published as per Section 19.15.040. The Planning Division did not receive any comments in support or against this request.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of Magnolia Street Vacation.

Planning Division Recommendation:

Staff recommends **approval** of Magnolia Street Vacation.

Planning & Inspections Department - Land Development

We have reviewed subject plats and recommend Approval.

Capital Improvement Program – Parks

We have reviewed Magnolia Street ROW & Public Easements Vacation, a survey map and on behalf of CID Parks & Planning Division we offer “No” objections to this proposed street Right of Way vacation request.

EPWU

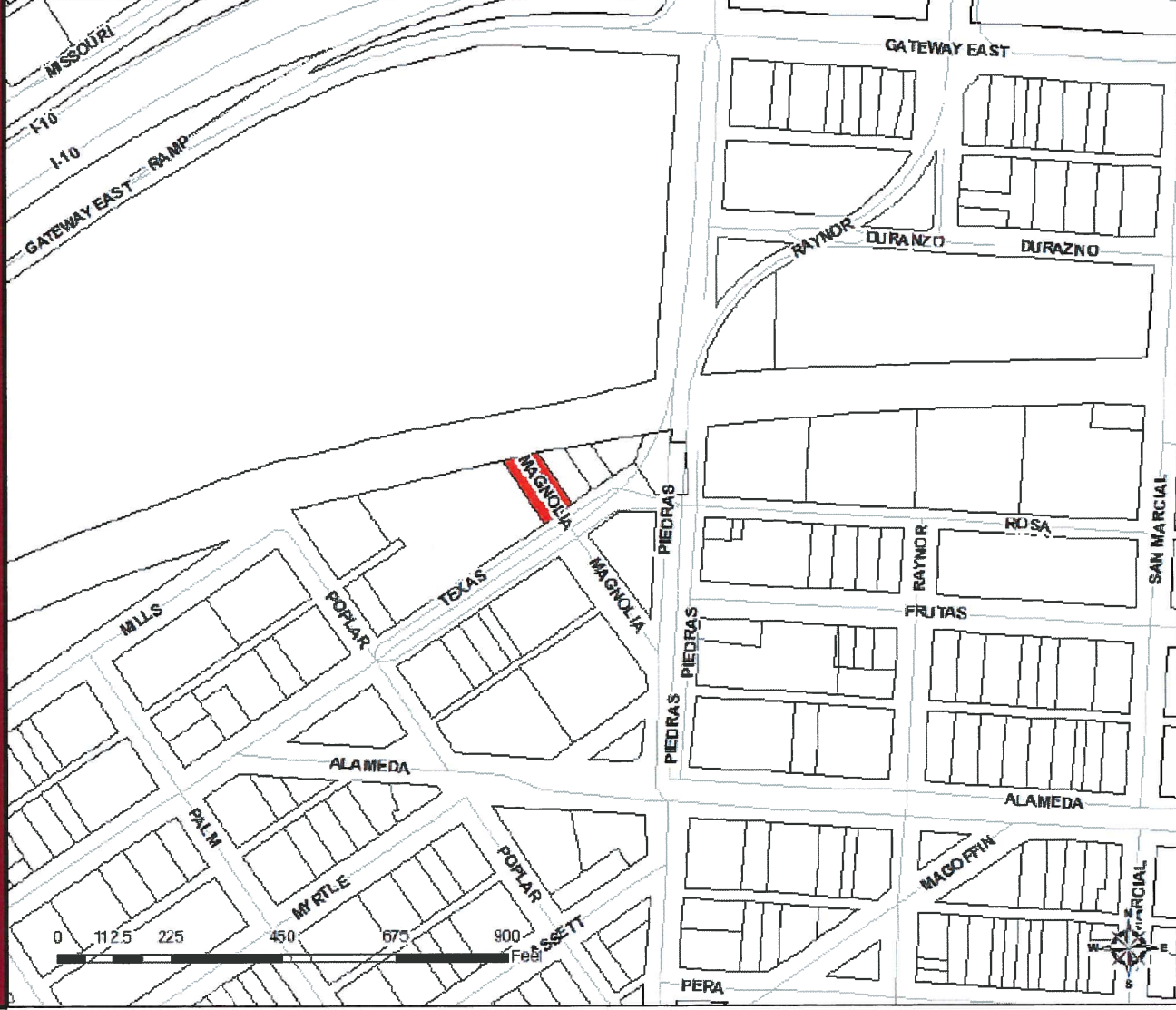
EPWU’s has reviewed the above reference street vacation request and provide the following comments:

1. EPWU does not object to the proposed vacation. Water and sewer mains will be relocated as required by the stormwater project.

Attachments

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

MAGNOLIA STREET VACATION



SURW16-00001

May 5, 2016

ATTACHMENT 2

MAGNOLIA STREET VACATION

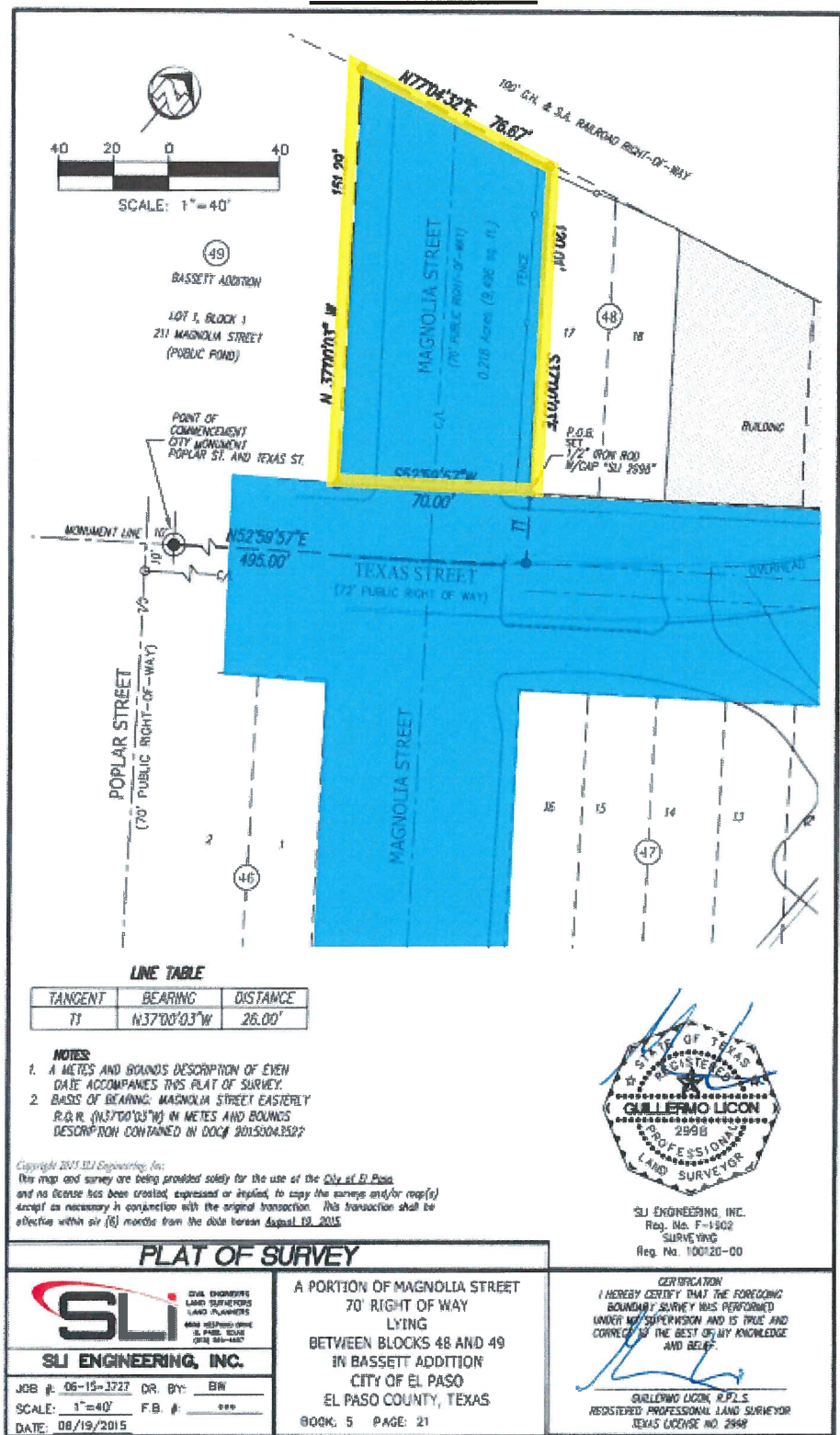


SURW16-00001

4

May 5, 2016

ATTACHMENT 3



ATTACHMENT 4



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

Date: 3/24/2016 File No. SURW16-00001

1. APPLICANTS NAME PUBLIC SERVICE BOARD / EL PASO WATER UTILITIES
ADDRESS 1154 HAWKINS ZIP CODE 79925 TELEPHONE (915) 694-5511

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

Street ☒ Alley ☐ Easement ☐ Other ☐

Street Name(s) MAGNOLIA Subdivision Name BASSETTS ADDITION / MAGNOLIA
BASSETTS ADDITION: BLK 48 BASSETTS ADDITION: LOT 17 PUMPSTATION
Abutting Blocks MAGNOLIA PUMP STA: BLK 1 Abutting Lots MAGNOLIA PUMP STA: LOT 1 SUBDIVISION

3. Reason for vacation request: EXTEND EXISTING SEWAGEWATER RETENTION BASIN
THE EXISTING STRUCTURES WILL BE DEMOLISHED.

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 ☐ Replot with abutting Land ☐ Other ☒

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

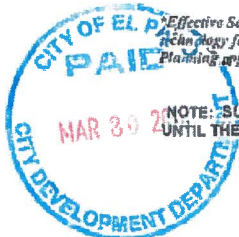
8. Signatures: All owners of properties which abut the property to be vacated must appear below with an adequate legal description of the properties they own (use additional paper if necessary).

Signature	Legal Description	Telephone
	SEE ATTACHED METES & BOUNDS	(915) 694-5511

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. 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 SLE ENGINEERING (GEORGES HALLOUL)
EPWM (James Wolff)

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) 212-0035



Recommendation/Public Input

- Planning Division recommendation: Approval
- CPC Vote: Approved unanimously
- Public Input: No public comments received.

Strategic Goal #3 Promote the Visual Image of El Paso

- 3.1 Provide business friendly permitting and inspection processes
- 3.2 Improve the visual impression of the community



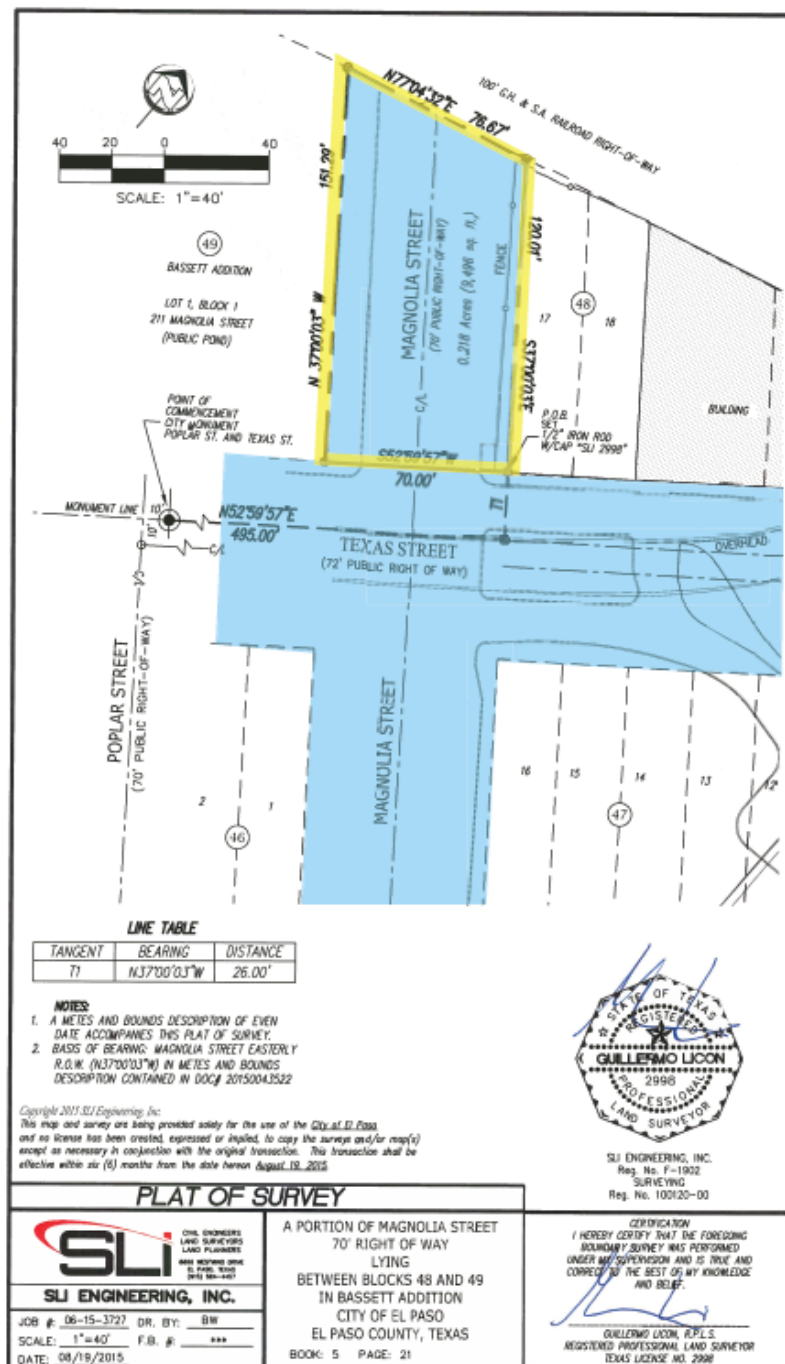
MAGNOLIA STREET VACATION





MAGNOLIA STREET VACATION





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"Delivering Outstanding Services"



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MAGNOLIA STREET VACATION

