

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

DEPARTMENT: Planning & Inspections Department
AGENDA DATE: Introduction 7/28/15; Public Hearing 8/4/15
CONTACT PERSON/PHONE: Nelson Ortiz, (915) 212-1606
DISTRICT(S) AFFECTED: 2

SUBJECT:

An ordinance vacating a portion of Cebada Street and alley out of Block 61, Supplemental Map No. 1 of East El Paso Addition, City of El Paso, El Paso County, Texas. Subject Property: West of Copia and North of I10; Applicant: El Paso Water Utilities / PSB
SURW15-00008 (District 2)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

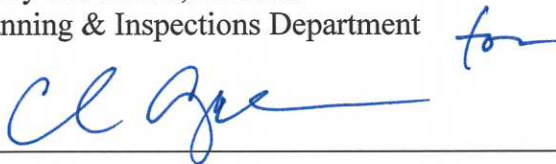
City Plan Commission (CPC) – Recommended approval on July 16, 2015

*****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 RIGHT-OF-WAY OVER THE PROPERTY DESCRIBED AS A PORTION OF CEBADA STREET AND ALLEY OUT OF BLOCK 61, SUPPLEMENTAL MAP NO. 1 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 and Alley out of Block 61, Supplemental Map No. 1 of East El Paso Addition, City of El Paso, El Paso County, Texas; and,

WHEREAS, after public hearing the City Plan Commission recommended that a portion of Cebada Street and Alley out of Block 61, Supplemental Map No. 1 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-ways 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 right-of-way over property described as a portion of Cebada Street and Alley out of Block 61, Supplemental Map No. 1 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 is hereby vacated.

ADOPTED this _____ day of _____, 2015.

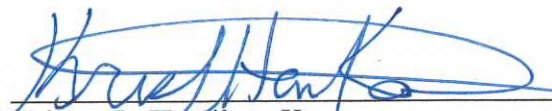
THE CITY OF EL PASO

ATTEST:

Oscar Leaser
Mayor

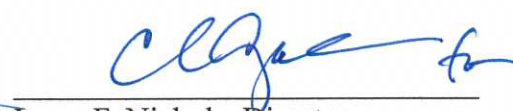
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Kristen L. Hamilton-Karam
Assistant City Attorney

APPROVED AS TO CONTENT:



Larry F. Nichols, Director
Planning & Inspections Department

ORDINANCE NO. _____

SURW15-00008

EXHIBIT A

Prepared for: El Paso Water Utilities
June 8, 2015
(Parcel 1A, Cebada Street & Alley Vacation)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Cebada Street and Alley out of Block 61, 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 Wyoming Ave. and Luna Street; from which an existing city monument lying 10 feet north and 10 feet east of the centerline intersection of Wyoming Ave. and Cebada Street bears North $86^{\circ}26'53''$ West a distance of 470.03 feet; Thence along the monument line of Luna Street, South $03^{\circ}33'03''$ West a distance of 380.00 feet to a point on the centerline of Missouri Avenue; Thence along said centerline, North $86^{\circ}26'57''$ West a distance of 469.02 feet to a point, Thence leaving said centerline, South $03^{\circ}33'03''$ West a distance of 33.00 feet to set $\frac{1}{2}$ " rebar with cap marked TX 5152 on the new southerly right of way line of Missouri Ave per ordinance No. 018333, dated March 24, 2015 for the "TRUE POINT OF BEGINNING".

Thence 15.82 feet along the arc of a curve to the left which has a radius of 10.00 feet a central angle of $90^{\circ}39'43''$ a chord which bears South $48^{\circ}13'12''$ West a distance of 14.22 feet to a point on the new easterly right of way line of Cebada Dr. per ordinance No. 018333, dated March 24, 2015;

Thence along said line, South $03^{\circ}32'26''$ West a distance of 131.88 feet to a set $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence, South $31^{\circ}50'36''$ West a distance of 22.71 feet to a found nail set in pavement;

Thence, North $86^{\circ}26'57''$ West a distance of 55.23 feet to a nail set in pavement on the southerly line of a 20 foot alley out of Block 61, Supplemental Map of East El Paso Addition;

Thence, North $03^{\circ}33'03''$ East a distance of 20.00 feet to a set $\frac{1}{2}$ " rebar with cap marked TX 5152 on the northerly line of a 20 foot alley out of Block 61, Supplemental Map of East El Paso addition

Thence along said line, South $86^{\circ}26'57''$ East a distance of 30.00 feet to a nail set in pavement on the westerly right of way line of Cebada Dr.;

Thence along said right of way line, North 03°33'03" East a distance of 140.00 feet to a nail set in pavement on the southerly right of way line of Missouri Ave.;

Thence, South 88°56'24" East a distance of 46.02 feet to the "TRUE POINT OF BEGINNING" and containing 6,298 square feet or 0.1446 acres of land more or less.

Note: A drawing of even date accompanies this description.

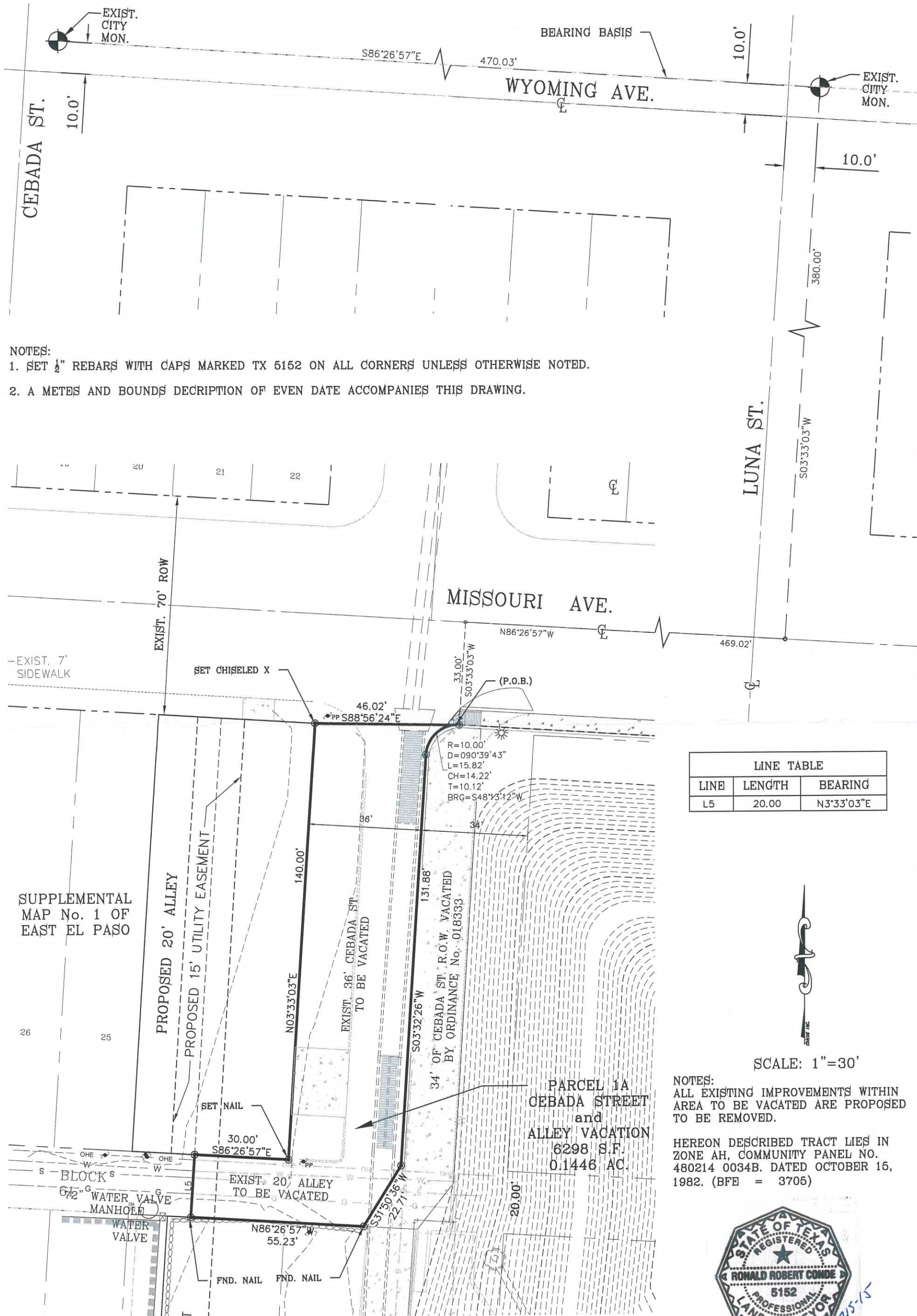


Ron R. Conde
R.P.L.S. No. 5152



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

EXHIBIT B



- NOTES:
1. SET $\frac{1}{2}$ " REBARs WITH CAPs MARKED TX 5152 ON ALL CORNERs UNLESS OTHERWISE NOTED.
 2. A METES AND BOUNDs DECRPTION OF EVEN DATE ACCOMPANIES THIS DRAWING.

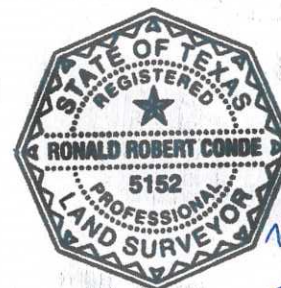
LINE TABLE		
LINE	LENGTH	BEARING
L5	20.00	N3°33'03"E



SCALE: 1"=30'

NOTES:
ALL EXISTING IMPROVEMENTS WITHIN AREA TO BE VACATED ARE PROPOSED TO BE REMOVED.

HEREON DESCRIBED TRACT LIES IN ZONE AH, COMMUNITY PANEL NO. 480214 0034B. DATED OCTOBER 15, 1982. (BFE = 3705)



Handwritten signature and date 7/5-15

EL PASO **WATER** UTILITIES
PUBLIC **SERVICE** BOARD



CONDE INC.

ENGINEERING / PLANNING
SURVEYING / GPS
6080 SURETY DR. STE 100
EL PASO, TEXAS 79905
PHONE: (915) 592-0283
FAX: (915) 592-0286

PARCEL 1A
BEING A PORTION OF CEBADA STREET
AND ALLEY OUT OF BLOCK 61,
SUPPLEMENTAL MAP OF EAST EL PASO ADDITION

GATEWAY STORMWATER PONDS

MEMORANDUM

DATE: July 28, 2015

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

FROM: Nelson Ortiz, Senior Planner

SUBJECT: Right-of-Way Vacation SURW15-00008 (West of Cobia and North of I10)

The proposed right-of-way vacation was scheduled for the City Plan Commission (CPC), on July 16, 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.

Applicant: El Paso Water Utilities / PSB

Attachments: Staff Report



City of El Paso – City Plan Commission Staff Report

(REVISED)

Case No: SURW15-00008 Cebada Street and Alley Vacation No. 2
Application Type: ROW Vacation
CPC Hearing Date: July 16, 2015

Staff Planner: Nelson Ortiz, 915-212-1606, OrtizNX@elpasotexas.gov
Location: West of Copia and North of I10
Acreage: .1446 acre
Rep District: 2
Existing Use: Street and alley right-of-way
Existing Zoning: R-5 (Residential)
Proposed Zoning: R-5 (Residential)

Property Owner: City of El Paso / El Paso Water Utilities / PSB
Applicant: City of El Paso / El Paso Water Utilities / PSB
Representative: Conde, Inc.

SURROUNDING ZONING AND LAND USE

North: R-5 (Residential) / Residential development
South: C-1/sc (Commercial/special contract) / Commercial development
East: R-5 (Residential) / Stormwater pond
West: R-5 (Residential) / Residential development

PLAN EL PASO DESIGNATION: G2 Traditional Neighborhood (Walkable)

APPLICATION DESCRIPTION

This is a city-initiated application to vacate a 36' wide portion of Cebada Street and a portion of a 20' wide alley located within the Supplemental Map No. 1 of East El Paso Addition. The property will be vacated to the applicant, El Paso Water Utilities, in order to extend an abutting stormwater pond. The land to the West has also been acquired by EPWU for the pond extension. A related plat, Gateway Stormwater North Pond, was approved by the City Plan Commission on June 18, 2015.

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property and within the original subdivision on July 1, 2015. The Planning Division did not receive any communication in support or in opposition to the request.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of the Cebada Street and Alley Vacation No. 2 subject to the following condition and requirement:

- That the applicant dedicates an easement to El Paso Electric Company before approval by City Council in order to allow the relocation of lines.

Planning Division Recommendation:

Approval with the condition as stated above.

Land Development:

No objection.

El Paso Water Utilities:

We have reviewed the above described subdivision request and provide the following comments:

1. (EPWU) does not object to this request.
2. The existing water and sanitary sewer mains along the alley between Missouri and Gateway West will be removed and/or abandoned from Lot 24, Block 61 to Luna Street as required by the stormwater project.

Parks and Recreation:

We have reviewed Cebada St. & Alley Vacation No. 2, a right-of-way and alley vacation survey map and offer “No” objections to this proposed street right-of-way and alley vacation request.

El Paso Fire Department:

No objection.

El Paso Electric Company:

EPE opposes the vacation until a temporary easement can be acquired for existing lines. This temporary easement will allow EPE to relocate the lines while allowing the vacation in a timely manner.

Time Warner Cable:

Time Warner Cable does not object to the vacation of Cebada Street and Alley.

Sun Metro:

No objections.

911:

No comments received.

Texas Gas Company:

No objections.

Attachments

1. Location map
2. Aerial map
3. Vacation survey
4. Application

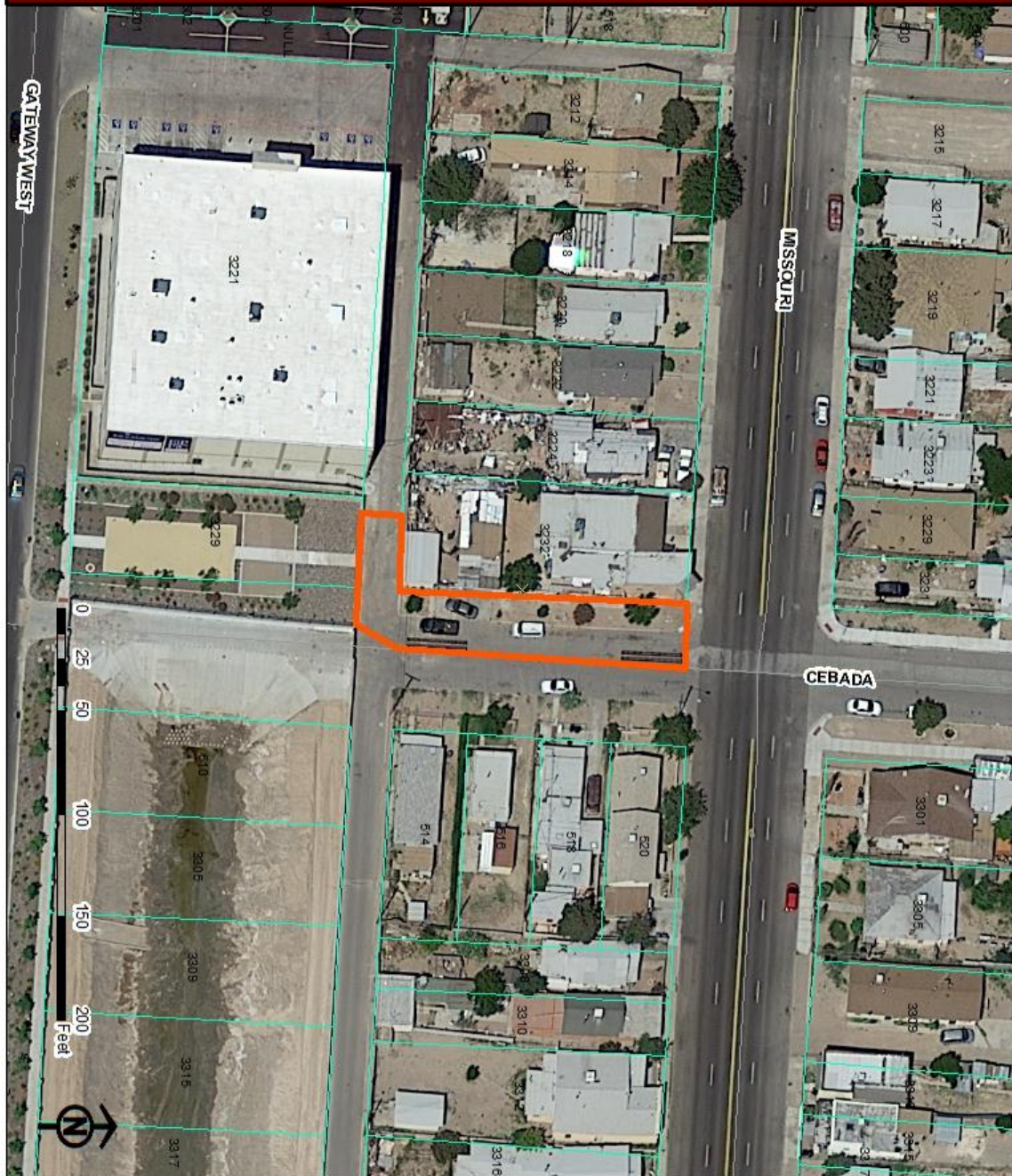
ATTACHMENT 1

CEBADA STREET & ALLEY
VACATION NO. 2

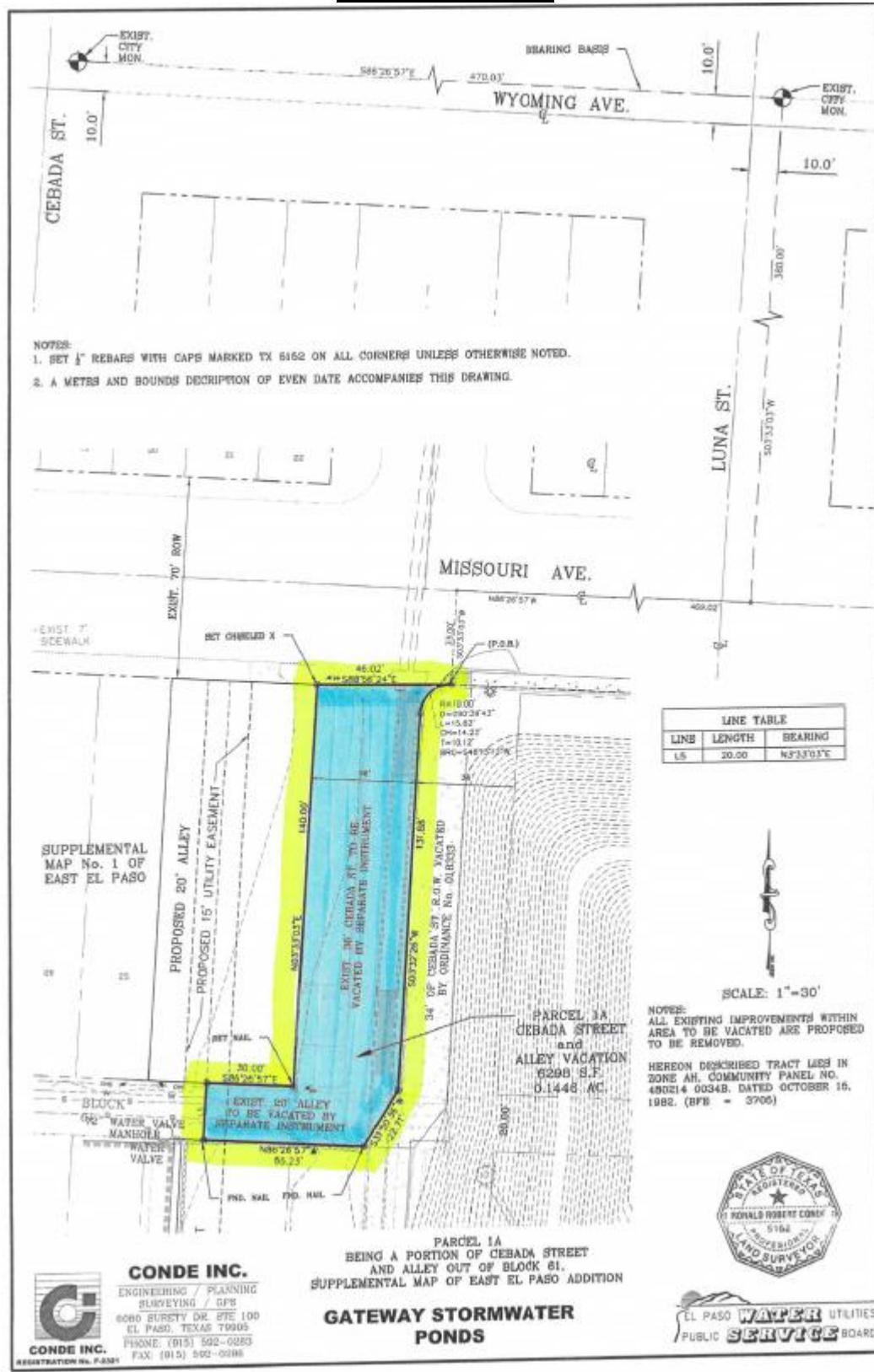


ATTACHMENT 2

CEBADA STREET & ALLEY
VACATION NO. 2



ATTACHMENT 3



ATTACHMENT 4



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

Date: June 9, 2015

File No. SURW15-00008

1. APPLICANTS NAME City of El Paso/El Paso Water Utilities/Public Service Board
ADDRESS 1154 Hawkins Blvd. ZIP CODE 79925 TELEPHONE (915) 594-5513
2. Request is hereby made to vacate the following: (check one)
Street X Alley X Easement Other

Street Name(s) Portion of Cebada St. Subdivision Name Supplemental Map No. 1 of East El Paso Addition

Abutting Block 61 Abutting Lots (Block 61) 23 & 24 and Vacated Portion of Cebada
3. Reason for vacation request: Extend Existing Stormwater Retention Basin
The existing structures will be demolished
4. Surface Improvements located in subject property to be vacated:
None Paving X Curb & Gutter X Power Lines/Poles X Fences/Walls X Structures X Other
5. Underground Improvements located in the existing rights-of-way: (Utility Easements to be retained)
None Telephone X Electric Gas X Water X Sewer X Storm Drain X Other
6. Future use of the vacated right-of-way:
Yards Parking Expand Building Area Replat with abutting Land Other X
7. Related Applications which are pending (give name or file number):
Zoning Board of Adjustment Subdivision X 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
<u></u>	<u>See attached metes and bounds</u>	<u>594-5636</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </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/Crisel 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



Recommendation/Public Input

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

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

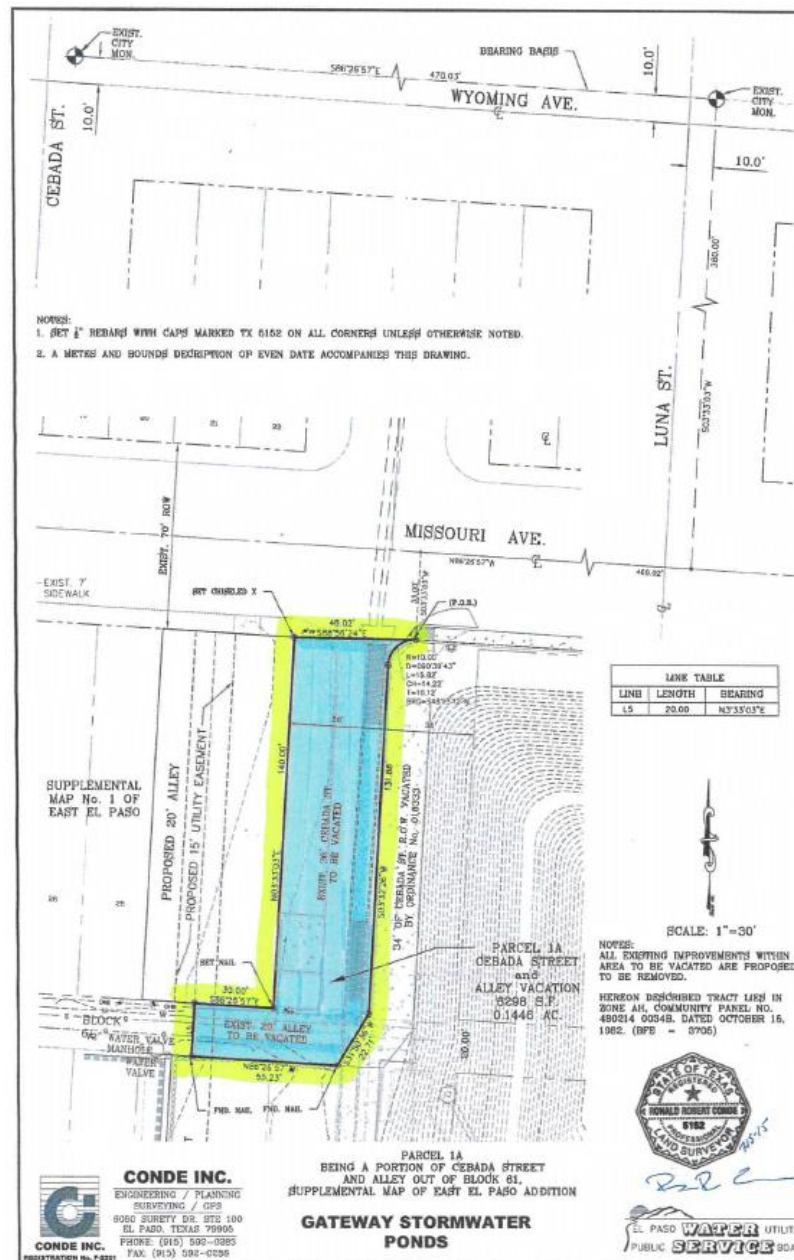
- 7.1 Provide reliable and sustainable water supply and distribution systems
- 7.4 Continue the strategic investment in City facilities and technology



CEBADA STREET & ALLEY VACATION NO. 2









"Delivering Outstanding Services"



"Delivering Outstanding Services"



"Delivering Outstanding Services"



"Delivering Outstanding Services"



CEBADA STREET & ALLEY VACATION NO. 2

