City of El Paso – City Plan Commission Staff Report

Case No:	SURW16-00003 Resler & Paseo Del Norte St Vacation
Application Type:	ROW Vacation
CPC Hearing Date:	June 2, 2016
Staff Planner:	Joaquin Rodriguez, (915) 212-1608 rodriguezjx3@elpasotexas.gov
Location:	East of Northwestern & North of Paseo del Norte
Acreage:	.147
Rep District:	1
Existing Use:	Vacant
Existing Zoning:	C-4 (Commercial)
Proposed Zoning:	C-4 (Commercial)
Nearest Park:	Cimarron Commercial #1 (.4 Miles)
Nearest School:	Brown Middle (.47 miles)
Park Fees Required:	N/A
Impact Fee Area:	N/A
Property Owner:	Paseo Resler Development LLC
Applicant:	Paseo Resler Development LLC
Representative:	CSA Design Group, Inc

SURROUNDING ZONING AND LAND USE

North:	C-4 (Commercial) / Office
South:	C-4 (Commercial) / Vacant
East:	C-3 (Commercial) / Office
West:	C-4 (Commercial) / Office

PLAN EL PASO DESIGNATION: G4, Suburban (Walkable)

APPLICATION DESCRIPTION

The applicant is requesting the vacation of four individual portions of Resler Drive and Paseo del Norte Blvd right-of-ways. The portions of Paseo del Norte Blvd right-of-way to be vacated were originally dedicated to the city in 2010; the portion of Resler Drive to be vacated was dedicated to the city in 2002, both by separate instrument. The ROW was originally intended to accommodate storm water infrastructure which is no longer needed.

NEIGHBORHOOD INPUT

Public and personal notice of this hearing was given in accordance with 19.38.010 and 19.38.020. Staff received no correspondence in support or opposition to this request.

DEVELOPMENT COORDINATING COMMITTEE
The Development Coordinating Committee recommends approval.

Planning Division Recommendation

Planning recommends approval

Planning and Inspections Department - Land Development

We have reviewed subject plans and recommend that the applicant addresses the following comments

- EPWU does not object to the vacation of the street; however, as there are stormwater structures on these two streets, at the improvement plan stage provide access easements to these stormwater structures for maintenance purposes.

Capital Improvement Program – Parks
We have reviewed Resler & Paseo Del Norte Street – Right of Way Vacation, four (4) survey maps and on behalf of CID Parks & Planning Division we offer "No" objections to these proposed street Right of Way vacations request.

Capital Improvement Program – Transportation
No comments received.

El Paso Water Utilities
No comments received.

Texas Gas Company
No objections.

Streets and Maintenance Department
No comments received.

El Paso Electric Company
No comments received.

Sun Metro
No comments received.

El Paso County 911 District
No comments received.

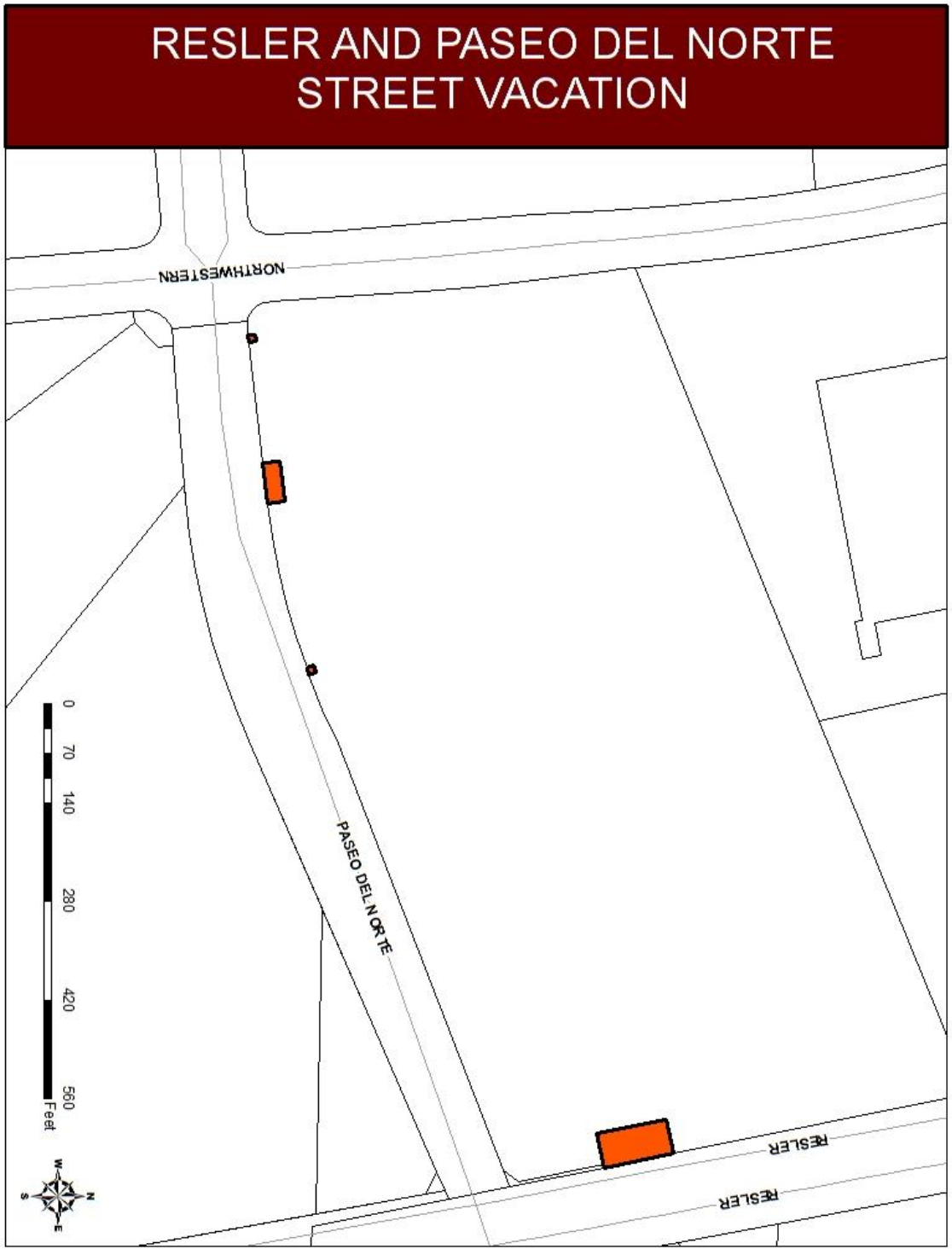
El Paso Fire Department
No comments received.

Central Appraisal District
No objections.

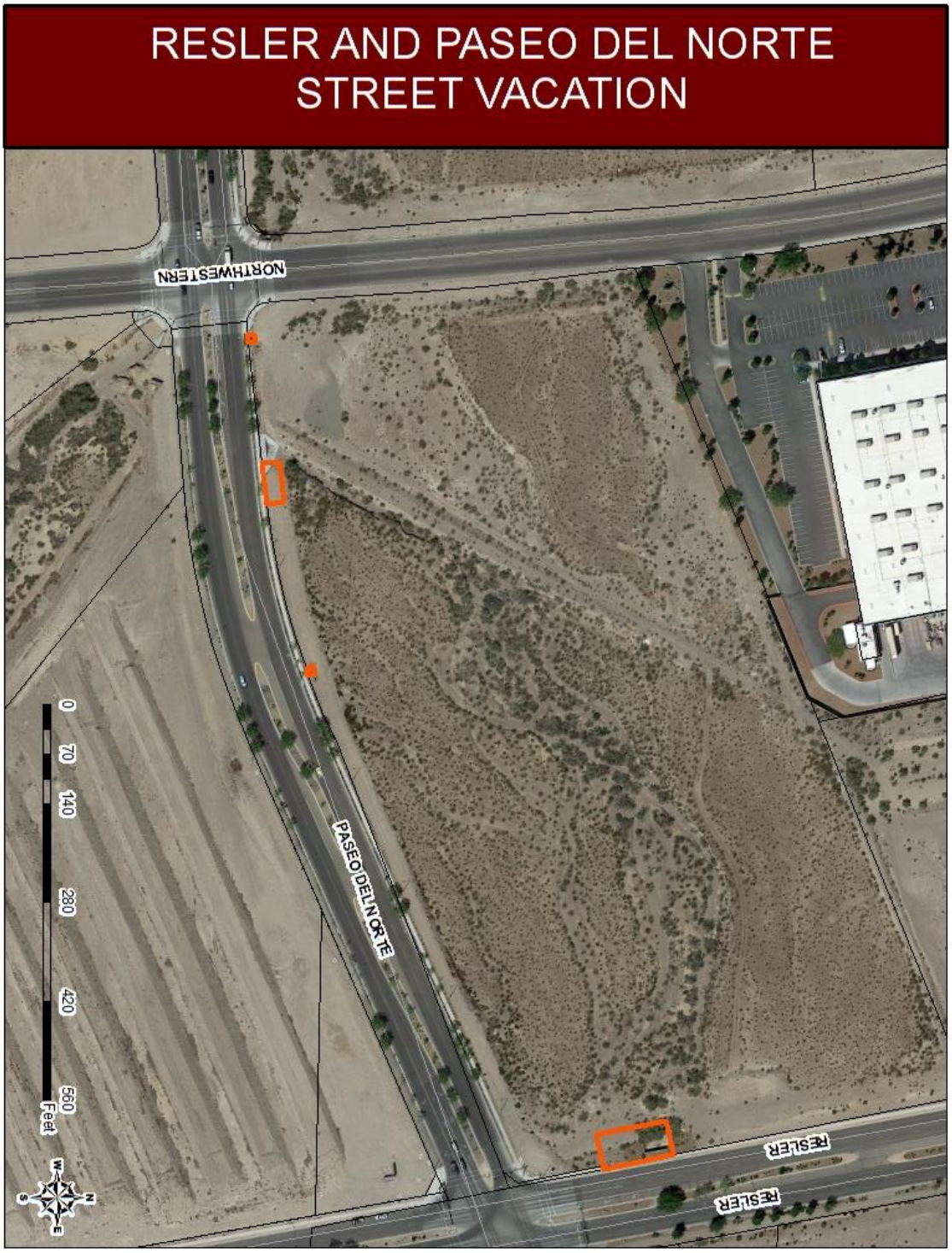
Attachments

1. Location map
2. Aerial map
3. Metes and Bounds & Survey
4. Application
5. Request

ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3

Property description: A 0.002-acre portion of Paseo Del Norte Boulevard right-of-way, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a 0.002-acre portion of Paseo Del Norte Boulevard right-of-way (September 27, 2010, Clerk's File No. 20100068026, Deed Records, El Paso County, Texas), El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

COMMENCING at a city monument at the centerline P.I. of Northwestern Drive (90-foot right-of-way, El Paso West Unit One, Book 57, Page 5, Plat Records, El Paso County, Texas) opposite Lot 2, Block 1, Plexxar South, from which a city monument at a centerline P.I. of Northwestern Drive bears South 8°03'06" East, a distance of 2462.68 feet; Thence, South 8°03'06" East, along the centerline of Northwestern Drive, a distance of 804.85 feet; Thence, North 81°56'54" East, a distance of 45.00 feet to the easterly right-of-way of Northwestern Drive; Thence 54.98 feet along the arc of a curve to the left, having a radius of 35.00 feet, a central angle of 90°00'00", and a chord which bears South 53°03'06" East, a distance of 49.50 feet to the northerly right-of-way of Paseo Del Norte Boulevard (120-foot right-of-way, July 20, 1990, Book 2201, Page 1360, Deed Records, El Paso County, Texas); Thence, North 81°56'54" East, along said right-of-way, a distance of 17.50 feet to the westerly boundary of that certain parcel of land described September 27, 2010, in Clerk's File No. 20100068026, Deed Records, El Paso County, Texas, and the **POINT OF BEGINNING** of this description;

THENCE, North 8°03'06" West, along said boundary, a distance of 10.00 feet to the northerly boundary of said parcel;

THENCE, North 81°56'54" East, along said boundary, a distance of 10.00 feet to the easterly boundary of said parcel;

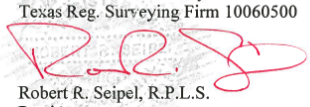
THENCE, South 8°03'06" East, along said boundary, a distance of 10.00 feet to the northerly right-of-way of Paseo Del Norte Boulevard;

THENCE, South 81°56'54" West, along said right-of-way, a distance of 10.00 feet to the **POINT OF BEGINNING** of this description.

Said parcel of land contains 0.002 acres (100 square feet) of land more or less.

NOTE: THIS DESCRIPTION IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A PLAT OF EVEN DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

ROBERT SEIPEL ASSOCIATES, INC.
Professional Land Surveyors
Texas Reg. Surveying Firm 10060500



Robert R. Seipel, R.P.L.S.
President
Texas License No. 4178

Job Number 15-0034B
January 28, 2016

15-0034B.docx

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Property description: A 0.033-acre portion of Paseo Del Norte Boulevard right-of-way, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a 0.033-acre portion of Paseo Del Norte Boulevard right-of-way (September 27, 2010, Clerk's File No. 20100068026, Deed Records, El Paso County, Texas), El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

COMMENCING at a city monument at the centerline P.I. of Northwestern Drive (90-foot right-of-way, El Paso West Unit One, Book 57, Page 5, Plat Records, El Paso County, Texas) opposite Lot 2, Block 1, Plexxar South, from which a city monument at a centerline P.I. of Northwestern Drive bears South 8°03'06" East, a distance of 2462.68 feet; Thence, South 8°03'06" East, along the centerline of Northwestern Drive, a distance of 804.85 feet; Thence, North 81°56'54" East, a distance of 45.00 feet to the easterly right-of-way of Northwestern Drive; Thence 54.98 feet along the arc of a curve to the left, having a radius of 35.00 feet, a central angle of 90°00'00", and a chord which bears South 53°03'06" East, a distance of 49.50 feet to the northerly right-of-way of Paseo Del Norte Boulevard (120-foot right-of-way, July 20, 1990, Book 2201, Page 1360, Deed Records, El Paso County, Texas); Thence, North 81°56'54" East, along said right-of-way, a distance of 143.00 feet to the westerly boundary of that certain parcel of land described September 27, 2010, in Clerk's File No. 20100068026, Deed Records, El Paso County, Texas, and the **POINT OF BEGINNING** of this description;

THENCE, North 8°03'06" West, along said boundary, a distance of 25.00 feet to the northerly boundary of said parcel;

THENCE, North 81°56'54" East, along said boundary, a distance of 57.00 feet to the easterly boundary of said parcel;

THENCE, South 8°03'06" East, along said boundary, a distance of 25.00 feet to the northerly right-of-way of Paseo Del Norte Boulevard;

THENCE, South 81°56'54" West, along said right-of-way, a distance of 57.00 feet to the **POINT OF BEGINNING** of this description.

Said parcel of land contains 0.033 acres (1,425 square feet) of land more or less.

NOTE: THIS DESCRIPTION IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A PLAT OF EVEN DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

ROBERT SEIPEL ASSOCIATES, INC.
Professional Land Surveyors
Texas Reg. Surveying Firm 10060500

Robert R. Seipel, R.P.L.S.
President
Texas License No. 4178

Job Number 15-0034C
January 28, 2016

Property description: A 0.002-acre portion of Paseo Del Norte Boulevard right-of-way, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a 0.002-acre portion of Paseo Del Norte Boulevard right-of-way (September 27, 2010, Clerk's File No. 20100068026, Deed Records, El Paso County, Texas), El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

COMMENCING at a city monument at the centerline P.I. of Northwestern Drive (90-foot right-of-way, El Paso West Unit One, Book 57, Page 5, Plat Records, El Paso County, Texas) opposite Lot 2, Block 1, Plexxar South, from which a city monument at a centerline P.I. of Northwestern Drive bears South 8°03'06" East, a distance of 2462.68 feet; Thence, South 8°03'06" East, along the centerline of Northwestern Drive, a distance of 804.85 feet; Thence, North 81°56'54" East, a distance of 45.00 feet to the easterly right-of-way of Northwestern Drive; Thence 54.98 feet along the arc of a curve to the left, having a radius of 35.00 feet, a central angle of 90°00'00", and a chord which bears South 53°03'06" East, a distance of 49.50 feet to the northerly right-of-way of Paseo Del Norte Boulevard (120-foot right-of-way, July 20, 1990, Book 2201, Page 1360, Deed Records, El Paso County, Texas); Thence, North 81°56'54" East, along said right-of-way, a distance of 200.00 feet; Thence, 296.84 feet continuing along said right-of-way and along the arc of a curve to the left, having a radius of 1137.71 feet, a central angle of 14°56'57", and a chord which bears North 74°28'25" East, a distance of 296.00 feet to the westerly boundary of that certain parcel of land described September 27, 2010, in Clerk's File No. 20100068026, Deed Records, El Paso County, Texas, and the **POINT OF BEGINNING** of this description;

THENCE, North 23°15'10" West, along said boundary, a distance of 10.00 feet to the northerly boundary of said parcel;

THENCE, North 66°44'50" East, along said boundary, a distance of 10.00 feet to the easterly boundary of said parcel;

THENCE, South 23°15'10" East, along said boundary, a distance of 10.00 feet to the northerly right-of-way of Paseo Del Norte Boulevard;

THENCE, 10.00 feet along said right-of-way and along the arc of a curve to the right, having a radius of 1137.71 feet, a central angle of 0°30'13", and a chord which bears South 66°44'51" West, a distance of 10.00 feet to the **POINT OF BEGINNING** of this description.

Said parcel of land contains 0.002 acres (100 square feet) of land more or less.

NOTE: THIS DESCRIPTION IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A PLAT OF EVEN DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

ROBERT SEIPEL ASSOCIATES, INC.
Professional Land Surveyors
Texas Reg. Surveying Firm 10060500

Robert R. Seipel, R.P.L.S.
President
Texas License No. 4178

Job Number 15-0034D
January 28, 2016

Property description: A 0.110-acre portion of Resler Drive right-of-way, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a 0.110-acre portion of Resler Drive right-of-way (130-foot right-of-way, January 8, 2002, Book 4158, Page 910, Deed Records, El Paso County, Texas), El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

COMMENCING at the intersection of the common boundary between Plexxar South (Book 72, Page 32, Plat Records, El Paso County, Texas) and Tract 62D, W.H. Glenn Survey 241, and the westerly right-of-way of Resler Drive; Thence, South 13°33'03" East, along said right-of-way, a distance of 393.55 feet to the **POINT OF BEGINNING** of this description;

THENCE, South 11°15'35" East, a distance of 100.08 feet to the intersection of the westerly boundary of that certain parcel of land described September 27, 2010, in Clerk's File No. 20100068026, Deed Records, El Paso County, Texas, and the westerly right-of-way of Resler Drive;

THENCE, South 76°26'56" West, along the right-of-way of Resler Drive, a distance of 46.00 feet;

THENCE, North 13°33'04" West, continuing along said right-of-way, a distance of 100.00 feet;

THENCE, North 76°26'56" East, continuing along said right-of-way, a distance of 50.00 feet to the **POINT OF BEGINNING** of this description.

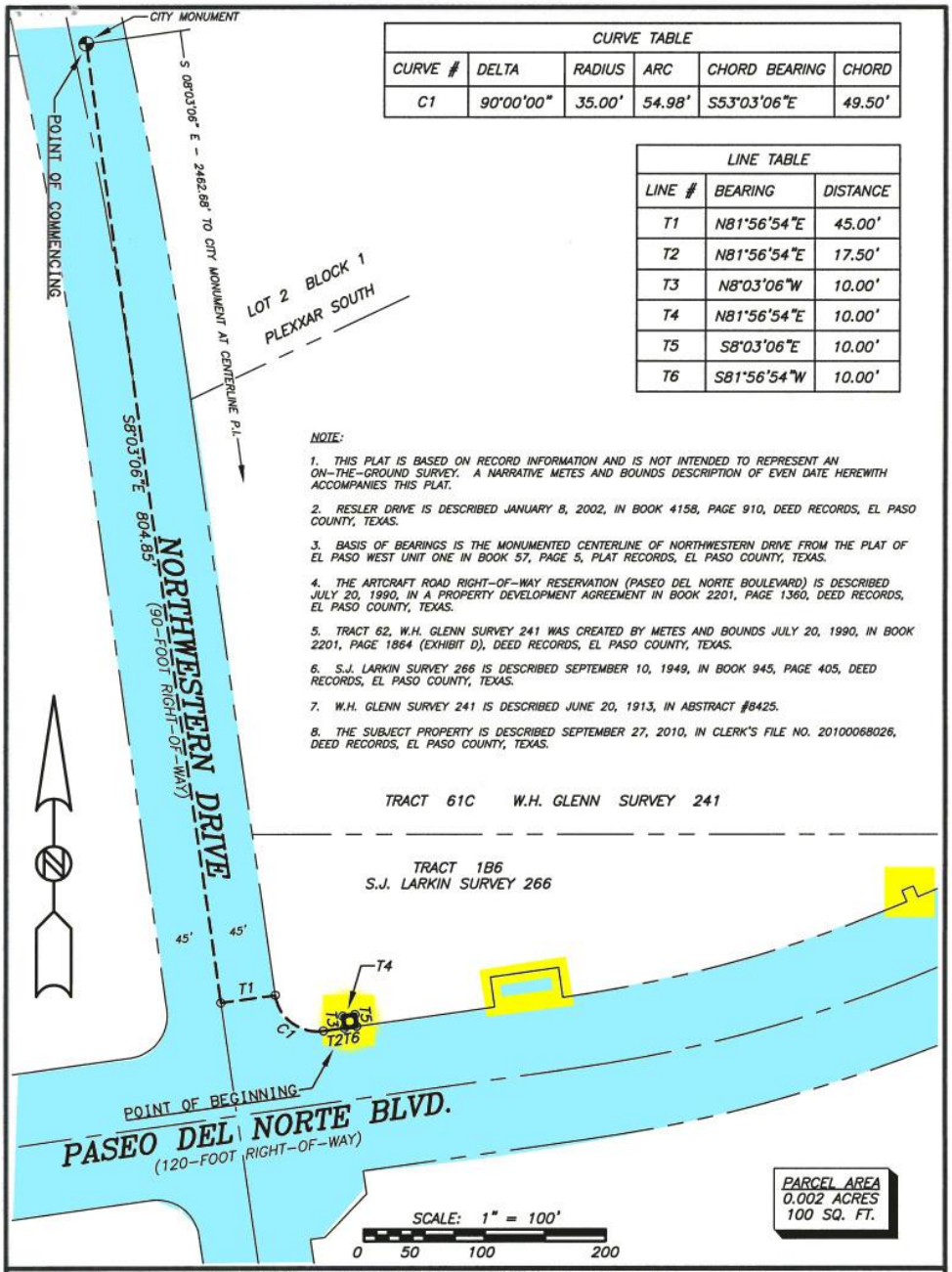
Said parcel of land contains 0.110 acres (4,800 square feet) of land more or less.

NOTE: THIS DESCRIPTION IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A PLAT OF EVEN DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

ROBERT SEIPEL ASSOCIATES, INC.
Professional Land Surveyors
Texas Reg. Surveying Firm 10060500

Robert R. Seipel, R.P.L.S.
President
Texas License No. 4178

Job Number 15-0034E
January 28, 2016



CURVE TABLE					
CURVE #	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	90°00'00"	35.00'	54.98'	S53°03'06"E	49.50'

LINE TABLE		
LINE #	BEARING	DISTANCE
T1	N81°56'54"E	45.00'
T2	N81°56'54"E	17.50'
T3	N8°03'06"W	10.00'
T4	N81°56'54"E	10.00'
T5	S8°03'06"E	10.00'
T6	S81°56'54"W	10.00'

NOTE:

1. THIS PLAT IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A NARRATIVE METES AND BOUNDS DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS PLAT.
2. RESLER DRIVE IS DESCRIBED JANUARY 8, 2002, IN BOOK 4158, PAGE 910, DEED RECORDS, EL PASO COUNTY, TEXAS.
3. BASIS OF BEARINGS IS THE MONUMENTED CENTERLINE OF NORTHWESTERN DRIVE FROM THE PLAT OF EL PASO WEST UNIT ONE IN BOOK 57, PAGE 5, PLAT RECORDS, EL PASO COUNTY, TEXAS.
4. THE ARTCRAFT ROAD RIGHT-OF-WAY RESERVATION (PASEO DEL NORTE BOULEVARD) IS DESCRIBED JULY 20, 1990, IN A PROPERTY DEVELOPMENT AGREEMENT IN BOOK 2201, PAGE 1360, DEED RECORDS, EL PASO COUNTY, TEXAS.
5. TRACT 62, W.H. GLENN SURVEY 241 WAS CREATED BY METES AND BOUNDS JULY 20, 1990, IN BOOK 2201, PAGE 1864 (EXHIBIT D), DEED RECORDS, EL PASO COUNTY, TEXAS.
6. S.J. LARKIN SURVEY 266 IS DESCRIBED SEPTEMBER 10, 1949, IN BOOK 945, PAGE 405, DEED RECORDS, EL PASO COUNTY, TEXAS.
7. W.H. GLENN SURVEY 241 IS DESCRIBED JUNE 20, 1913, IN ABSTRACT #8425.
8. THE SUBJECT PROPERTY IS DESCRIBED SEPTEMBER 27, 2010, IN CLERK'S FILE NO. 20100068026, DEED RECORDS, EL PASO COUNTY, TEXAS.

ROBERT SEIPEL ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
1845 NORTHWESTERN DR. SUITE C EL PASO, TX 79912 915-877-1928

A 0.002-ACRE PORTION OF PASEO DEL NORTE BOULEVARD RIGHT-OF-WAY, EL PASO, EL PASO COUNTY, TEXAS.

TEXAS REG. SURVEYING FIRM 10060500

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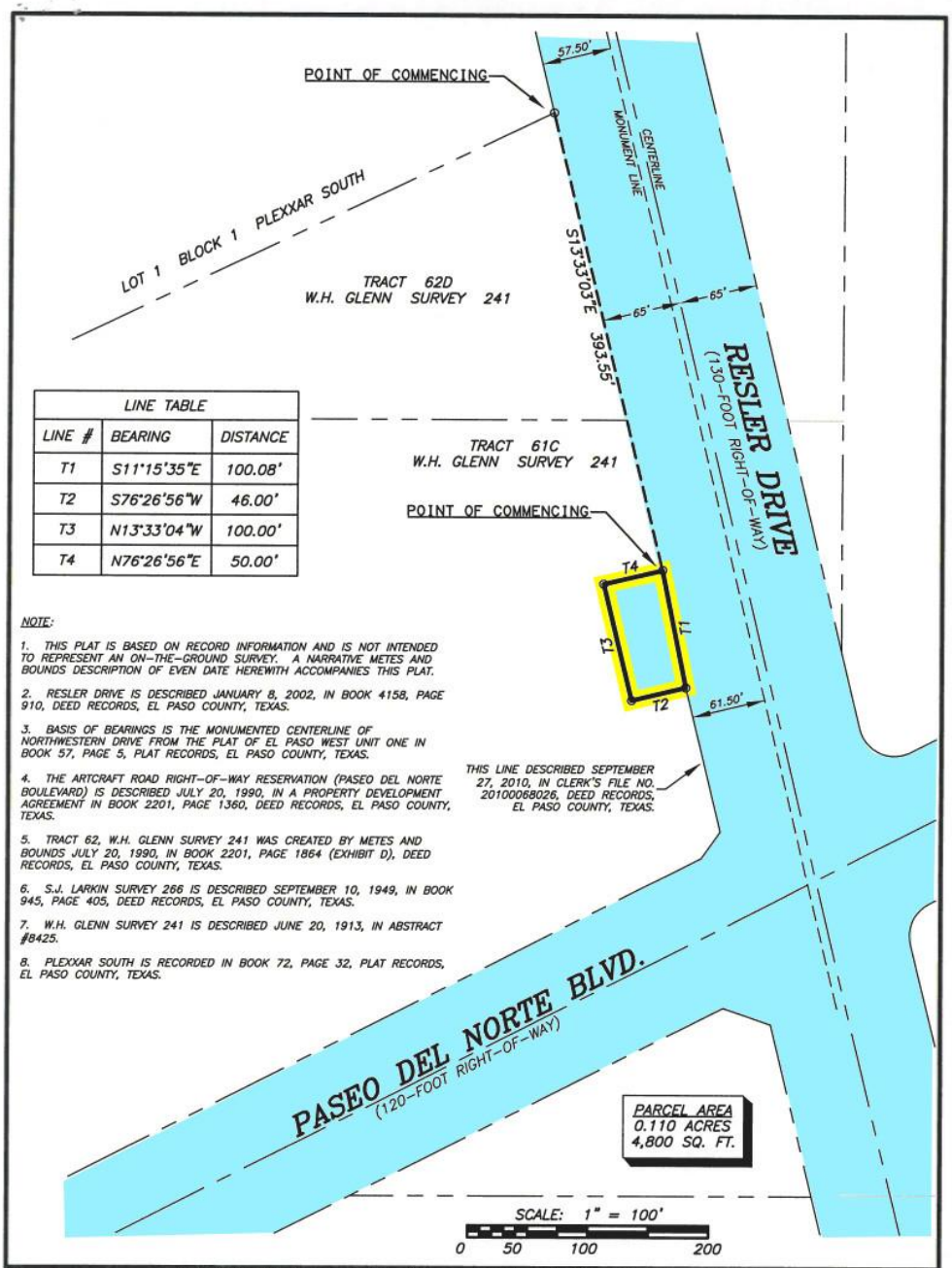
DATE: 01-28-16
SCALE: 1" = 100'
DRAWN BY: RRS
CHK'D BY: RRS
FB: ~
FILE #: 15-0034B



LINE TABLE		
LINE #	BEARING	DISTANCE
T1	S11°15'35"E	100.08'
T2	S76°26'56"W	46.00'
T3	N13°33'04"W	100.00'
T4	N76°26'56"E	50.00'

NOTE:

1. THIS PLAT IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A NARRATIVE METES AND BOUNDS DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS PLAT.
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4. THE ARTCRAFT ROAD RIGHT-OF-WAY RESERVATION (PASEO DEL NORTE BOULEVARD) IS DESCRIBED JULY 20, 1990, IN A PROPERTY DEVELOPMENT AGREEMENT IN BOOK 2201, PAGE 1360, DEED RECORDS, EL PASO COUNTY, TEXAS.
5. TRACT 62, W.H. GLENN SURVEY 241 WAS CREATED BY METES AND BOUNDS JULY 20, 1990, IN BOOK 2201, PAGE 1864 (EXHIBIT D), DEED RECORDS, EL PASO COUNTY, TEXAS.
6. S.J. LARKIN SURVEY 266 IS DESCRIBED SEPTEMBER 10, 1949, IN BOOK 945, PAGE 405, DEED RECORDS, EL PASO COUNTY, TEXAS.
7. W.H. GLENN SURVEY 241 IS DESCRIBED JUNE 20, 1913, IN ABSTRACT #8425.
8. PLEXXAR SOUTH IS RECORDED IN BOOK 72, PAGE 32, PLAT RECORDS, EL PASO COUNTY, TEXAS.

ROBERT SEIPEL ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
1845 NORTHWESTERN DR. SUITE C EL PASO, TX 79912 915-877-1928

A 0.110-ACRE PORTION OF RESLER DRIVE RIGHT-OF-WAY, EL PASO, EL PASO COUNTY, TEXAS.

TEXAS REG. SURVEYING FIRM 10060500

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DATE: 01-28-16
SCALE: 1" = 100'
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CHK'D BY: RRS
FB: ~
FILE #: 15-0034E

ATTACHMENT 4

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

Date: April 26, 2016 File No. SURW16-00003

1. APPLICANTS NAME CSA Design Group, Inc.

ADDRESS 1845 Northwestern Drive, Suite C, El Paso, Texas ZIP CODE 79912 TELEPHONE (915) 877-4155

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

Street____ Alley____ Easement____ Other R.O.W.'s

Street Name(s) Resler Drive & Paseo Del Norte Boulevard Subdivision Name Cimarron Sage Commercial Park Unit Five (Plat in Process)

Abutting Blocks____ Abutting Lots____

3. Reason for vacation request: Drainage Outfall Structures no longer needed. Storm water now managed in subsurface pipe system.

4. Surface Improvements located in subject property to be vacated:
None____Paving____Curb & Gutter____Power Lines/Poles____Fences/Walls____Structures__x__Other____

5. Underground Improvements located in the existing rights-of-way:
None____Telephone____Electric____Gas____Water____Sewer____Storm Drain__x__Other____

6. Future use of the vacated right-of-way:
Yards____Parking__x__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____
SUSU16-00001

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
	Tract 1B6, S.J. Larkin Survey 266	(915) 298-0418
	Tract 61C, W.H. Glenn Survey 241	(915) 298-0418

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

PAID
APR 26 2016
CITY DEVELOPMENT DEPARTMENT

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