*City of El Paso – City Plan Commission Staff Report*

| | |
|---|---|
| **Case No:** | SURW16-00004 Abdou Road, Hernandez Drive, Jaffe Street, Fox Drive ROW Vacation |
| **Application Type:** | Street ROW Vacation |
| **CPC Hearing Date:** | July 14, 2016 |
| **Staff Planner:** | Vanessa Munoz, (915) 212-1644, munozvx@elpasotexas.gov |
| **Location:** | South of Paisano and West of Val Verde |
| **Acreage:** | 2.917 |
| **Rep District:** | 8 |
| **Existing Use:** | Public right-of-way |
| **Existing Zoning:** | A-2 (Apartment District) |
| **Proposed Zoning:** | A-2 (Apartment District) |
| **Nearest Park:** | Delta Park (0.11 miles) |
| **Nearest School:** | Jefferson High School (0.26 miles) |
| **Park Fees Required:** | N/A |
| **Impact Fee Area:** | N/A |
| **Property Owners:** | The Housing Authority of the City of El Paso |
| **Applicant:** | The Housing Authority of the City of El Paso |
| **Representative:** | SLI Engineering |

**SURROUNDING ZONING AND LAND USE**

**North:** SCZ (Smart Code Zone) / School
**South:** A-2 (Apartment District) / Residential
**East:** A-2/sp (Apartment District/special permit) / Residential
**West:** C-1/sc/sp (Commercial/special contract/special permit) / U.S. Post Office
A-2 (Apartment District) / School

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

**APPLICATION DESCRIPTION**

The applicant seeks to vacate 52' wide portions of Hernandez Drive, Fox Drive, and Jaffe Street as well as a 65' wide section of Abdou Road totaling 2.917 acres. The applicant, owner of the property, proposes to vacate the public's interest in the ROWs in order to make them private. The surrounding apartment complex will be demolished and re-constructed.

**NEIGHBORHOOD INPUT**
Notices of the Public Hearing were mailed on June 15, 2016, and published as per Section 19.15.040. The Planning Division did receive three phone calls. One was in support of the application and proposed project, the other two were to inquire about the application and proposed project. No opposition was received.

**DEVELOPMENT COORDINATING COMMITTEE**
The Development Coordinating Committee recommends **approval** of Abdou Road, Hernandez Drive, Jaffe Street, and Fox Drive Right-of-Way Vacation subject to the following condition:

- That the applicant files Sherman Subdivision Replat A at the time of City Council approval in order to ensure that utility and access easements are maintained.

**Planning Division Recommendation:**
Staff recommends **approval** of Abdou Road, Hernandez Drive, Jaffe Street, and Fox Drive Right-of-Way Vacation with the condition as stated above.

**Plan El Paso Goals & Policies:**
The applicant's proposal meets Goals 6.1 and 6.4 of Plan El Paso:

Goal 6.1: Maintain a sustainable and efficient housing supply for all residents of El Paso.

Policy 6.1.1: Strive to distribute a variety of housing types throughout the City to expand choices available to meet the financial, lifestyle, and cultural needs of El Paso's diverse population. Strongly encourage housing types that take into account non-traditional households and multi-generational families.

Goal 6.4: Expand opportunities for affordable housing through new tools, technologies, and partnerships.

Policy 6.4.2: Expand the availability of affordable housing throughout the City of El Paso and preserve existing affordable housing opportunities.

**Planning and Inspections Department - Land Development**
We have reviewed subject plats and recommend **Approval**.
The Developer/Engineer shall address the following comments.

1. No objections. At the improvement stage make sure that the historic runoff continues its path throughout the subdivision.

**Parks and Recreation Department**
We have reviewed **Abdou, Hernandez Jaffe & Fox Street – Right of Way Vacation**, survey map and on behalf of CID Parks & Planning Division we offer no objections TO these street right-of-way vacations.

**El Paso Water Utilities**
The replat and vacation applications will need to run concurrently, and the replat shall include the easements.

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

EPWU requires the dedication of a PSB easement to accommodate the existing water main along Hernandez Drive and a portion of Abdou Road.

**Water:**
There is an existing 12-inch diameter water main extending along Hernandez Drive, the water main is located approximately 10 feet east from the center line of the right-of-way.

EPWU records indicate there are no water mains along Abdou Road, Jaffe Street and Fox Drive.

Previous water pressure reading from fire hydrant #1899 located at Hernandez Drive and SE Corner of Paisano Drive, yield a static pressure of 100 (psi), a residual pressure of 50 (psi), and the discharge of 1592 gallons per minute.

A private water pressure regulating device will be required at the discharge side of each water meter within the property.

**Sewer:**
EPWU records indicate there are no sanitary sewer mains along Hernandez Drive, Abdou Drive, Jaffe Street and Fox Drive.

**General:**
Easement grantor shall indemnify, defend, and hold harmless the EPWU from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to EPWU which may be caused by or arise out of the maintenance and existence of water main in the easement area.

No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above references easement without the written consent of EPWU.

EPWU requires access to the existing water facilities, appurtenances, located within the easement 24 hours a day, seven (7) days a week.

The fire hydrant located at Hernandez Drive and SE Corner of Paisano Drive shall be protected by placing it on a raised parking island.

**Time Warner Cable**
We have completed your request. We have reviewed your plans and there is a cost estimated to be $9,710.44 that would be involved with this relocation.

Time Warner Cable (TWC) has aerial and underground facilities within the Property Description shown on the documents provided by the requestor, within the city of El Paso, TX. TWC does reserve the right to have access to any applicable utility easements on the property for the purpose of future construction or maintenance. The owner and/or lessee of said property may also be responsible for the relocation/removal of any structure interfering with access to these easements, if necessary.

If it has not already taken place, please call 1-800-DIG-TESS to have facilities marked and located within affected easements before any excavations are begun.

For future reference, please send all utility coordination, abandonments, encroachments, plat signatures, or serviceability requests, or notices of relocation to west-engineering-relo@twcable.com. Please share this information with whoever needs these services.

**AT&T**

No objection if a new easement will be provided to AT&T to place new structure/Cable within the property.

**El Paso Electric Company**

If this vacation case is approved, El Paso Electric will either, (1) need to acquire easements for the existing facilities if they are to remain in their current locations (since street ROW will convert to private property) or, (2) El Paso Electric will need to relocate the existing facilities to other locations at the customer's expense. Since most of these facilities (highlighted areas on attached map) provide street lighting, relocation may be coordinated with EPE's John Waters, (915) 543-2285.

**Texas Gas Company**

Texas Gas Service has no facilities within this portion of right-of-way, therefore, offers no objection to the right-of-way vacations.

**Central Appraisal District**

No comments received.

**El Paso Department of Transportation**

No comments received.

**Sun Metro**

No comments received.

**El Paso County 911 District**

No comments received.

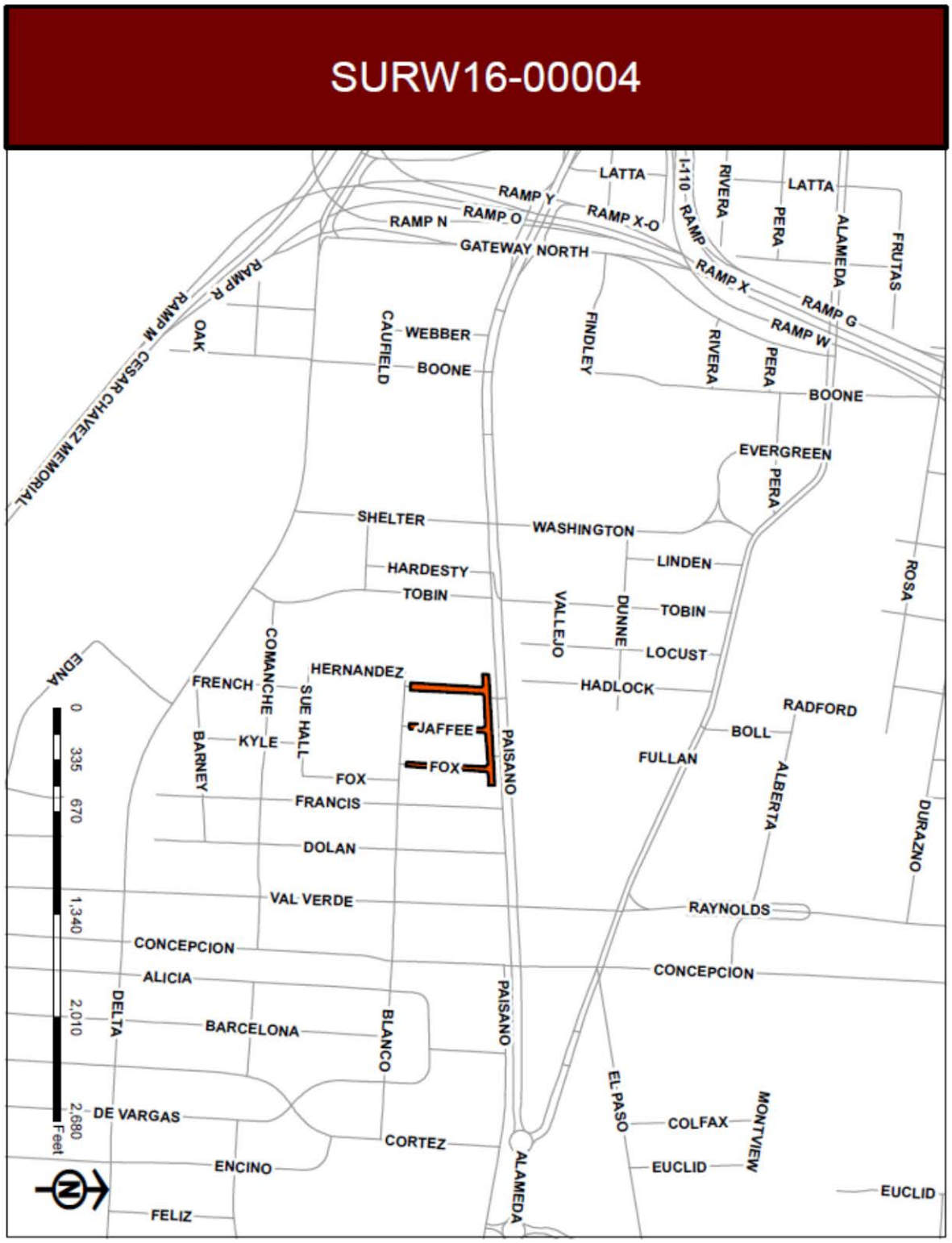
**El Paso Fire Department**

No comments received.

**Attachments**

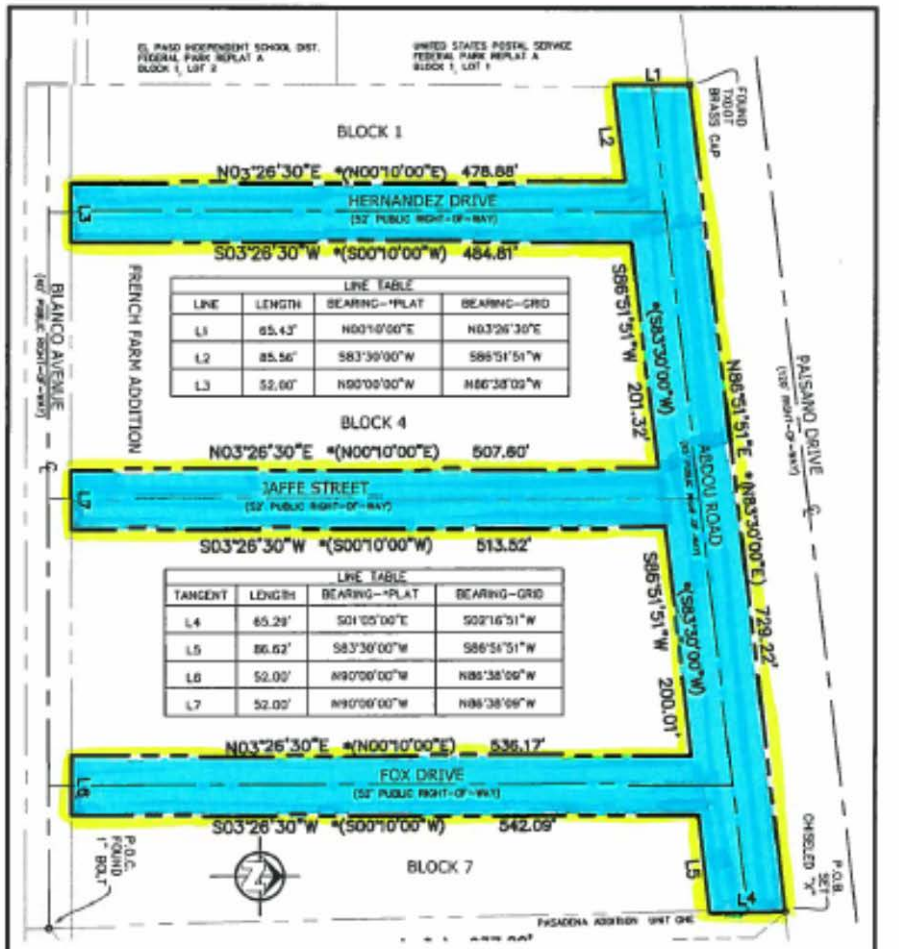
1. Location map
2. Aerial map
3. Survey
4. Application

**ATTACHMENT 1**



**ATTACHMENT 2**

**ATTACHMENT 3**




| LINE TABLE | | | |
|---|---|---|---|
| LINE | LENGTH | BEARING-*PLAT | BEARING-GRID |
| L1 | 65.43' | N00°10'00"E | N03°26'30"E |
| L2 | 85.56' | S83°30'00"W | S86°51'51"W |
| L3 | 52.00' | N90°00'00"W | N86°38'09"W |

| LINE TABLE | | | |
|---|---|---|---|
| TANGENT | LENGTH | BEARING-*PLAT | BEARING-GRID |
| L4 | 65.29' | S01°05'00"E | S02°16'51"W |
| L5 | 86.62' | S83°30'00"W | S86°51'51"W |
| L6 | 52.00' | N90°00'00"W | N86°38'09"W |
| L7 | 52.00' | N90°00'00"W | N86°38'09"W |

1. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT OF SURVEY
2. DEED REFERENCE IN VOL. 776, PG. 356, DEED RECORDS OF EL PASO COUNTY, TEXAS.
3. BEARINGS ARE GRID AND BASED ON THE STATE PLANE COORDINATE SYSTEM CENTRAL ZONE OF TEXAS 4203 (NAD83). ALL DISTANCES ARE AT GROUND LEVEL.
4. BASIS OF *(PLAT) PROPERTY DESCRIPTION BEARINGS): PLAT OF FEDERAL RESERVE REPLAT "A", RECORDED IN VOL. 3, PG. 5; KYLE ADDITION, VOL. 10, PAGE 29 AND PASADENA ADDITION 2, VOL. 15, PAGE 47.
5. THE HOUSING AUTHORITY OF THE CITY OF EL PASO DEDICATED ABDOU ROAD, HERNANDEZ DRIVE, JAFFE STREET AND FOX DRIVE TO THE CITY OF EL PASO FOR USE AS PUBLIC STREETS IN VOL. 1404, PAGE 14.

100 50 0 100

SCALE: 1"=100'

Copyright 2009 SLI Engineering, Inc.

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 April 12, 2016.

STATE OF TEXAS REGISTERED GUILLERMO LICON 2998 PROFESSIONAL LAND SURVEYOR

SLI ENGINEERING, INC.
F-1902

## PLAT OF SURVEY

SLI ENGINEERING, INC.

JOB #: 06-15-3746
DRAWN BY: BM CK BY: GL
DATE: 05/12/16 SCALE: 1"=100'
F:\-Jobs\15-3746 SHERMAN 4536 BLANCO PUBLIC STREETS.dwg

RIGHT-OF-WAYS OF
ABDOU ROAD, HERNANDEZ DRIVE,
JAFFE STREET, FOX DRIVE LYING IN
FRENCH FARM ADDITION
CITY OF EL PASO,
EL PASO COUNTY, TEXAS

2.917 ACRES

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

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# ATTACHMENT 4

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

Date: _____ File No. SURW16-00004

1. APPLICANTS NAME THE HOUSING AUTHORITY OF THE CITY OF EL PASO

ADDRESS 5300 EAST PAISANO ZIP CODE 79905 TELEPHONE 8493605

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

Street X Alley____ Easement____ Other____

Street Name(s) ABDOU, HERNANDEZ, JAFFE & FOX Subdivision Name FRENCH FARMS

Abutting Blocks 1, 4, AND 7 Abutting Lots_____

3. Reason for vacation request: COMPLY WITH PARKING, LANDSCAPING AND DRAINAGE REQUIREMENTS.

4. Surface Improvements located in subject property to be vacated:
None____ Paving X Curb & Gutter X Power Lines/Poles X Fences/Walls____ Structures____ Other____

5. Underground Improvements located in the existing rights-of-way:
None____ Telephone X Electric X Gas X Water X Sewer X Storm Drain____ Other____

6. Future use of the vacated right-of-way:
Yards X Parking X Expand Building Area____ Replat with abutting Land____ Other____

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 |
|---|---|---|
| | BLOCKS, 1, 4, & 7. | 849 3605 |
| | | |
| | | |

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 _____

MAY 26 2016
DEVELOPMENT DEPT

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