



City of El Paso – City Plan Commission Staff Report

REVISED

Case No: SURW15-00011 Cebada Street and Alley Vacation No. 3
Application Type: Right-of-Way Vacation
CPC Hearing Date: September 24, 2015
Staff Planner: Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov
Location: South of Gateway East and East of Piedras
Acreage: 0.6576 acres
Rep District: 8
Existing Use: Street right-of-way, Alley
Existing Zoning: C-4 (Commercial), M-1 (Manufacturing), A-3 (Apartment), A-3/c (Apartment/condition)
Proposed Zoning: C-4 (Commercial), M-1 (Manufacturing), A-3 (Apartment), A-3/c (Apartment/condition)
Property Owner: El Paso Water Utilities
Applicant: El Paso Water Utilities
Representative: Conde, Inc.

SURROUNDING ZONING AND LAND USE

North: C-4 (Commercial) / Pond, A-3 (Apartment) / Single-family home
South: M-1 (Manufacturing) / Industrial Development/ Single-family homes, A-3/c (Apartment/condition) / Single-family home
East: M-1 (Manufacturing) / Single-family homes
West: C-4 (Commercial) / Commercial Development, M-1 (Manufacturing) / Single-family homes

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

APPLICATION DESCRIPTION

The applicant is proposing to vacate a 70' wide portion of Cebada Street (0.2571 acres), a 9.5' wide portion of Durazno Avenue (0.1216 acres), a 9.5' wide portion of Estrella Street (0.0654 acres), and a 20' alley from Estrella Street to Cebada Street (0.1837 acres) and a portion between Cebada Street and Luna Street (0.0298 acres). The area to be vacated is needed for the construction of a stormwater pond within the existing Lots 1-16, Block 45, and Lots 1-4, Block 44 East El Paso Addition, which are all owned by the applicant.

The applicant is requesting approval of an alternative design for the remaining street right-of-ways after the vacation is complete:

- Durazno Avenue and Estrella Street-ROW reduction from 70' to 60.5', 5' sidewalk, and

bulb-outs for street trees.

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 200 feet of the subject property and within the contiguous blocks of the original subdivision on September 9, 2015. The Planning Division did not receive any communication in support nor against this request.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of Cebada Street and Alley Vacation No. 3 subject to the following conditions.

Planning Division Recommendation:

Staff recommends **approval** of Cebada Street and Alley Vacation No. 3 and **approval** of the alternative design request in accordance with the provision for waivers outlined in section 19.26.040 of the city’s municipal code. Additionally the proposal meets the intent of this title and provides the same level or greater of protection, service or adequacy of the original requirement.

Planning and Inspections Department - Land Development

No objections.

Capital Improvement Program - Transportation

We have reviewed **Cebada Street – Right of Way 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 provided that frontage improvements along the portions to be vacated are provided with a minimum of five-foot sidewalks and five-foot landscaped parkways per the requirements found in El Paso City Code (EPCC) 19.15060.A, EPCC 19.15.110, and consistent with the City of El Paso Design Standards for Construction.

El Paso Water Utilities

1. (EPWU) does not object to this request.
2. Existing water and sanitary sewer mains along the alley south of Gateway East Boulevard & east of Estrella Street and portion of the alley east of Cebada Street and along Cebada Street will be relocated 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.

Time Warner Cable

Time Warner Cable (TWC) of Dallas 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.

El Paso Electric Company

No comments received.

Texas Gas Company

Texas Gas Service has retired their facilities in this area, therefore, we have no objections to the street and alley right-of-way.

El Paso Independent School District

No comments received.

Attachments

1. Location Map
2. Aerial Map
3. Survey(s)
4. Alternative Design Request
5. Application

ATTACHMENT 1

**CEBADA STREET & ALLEY VACATION
NO. 3**

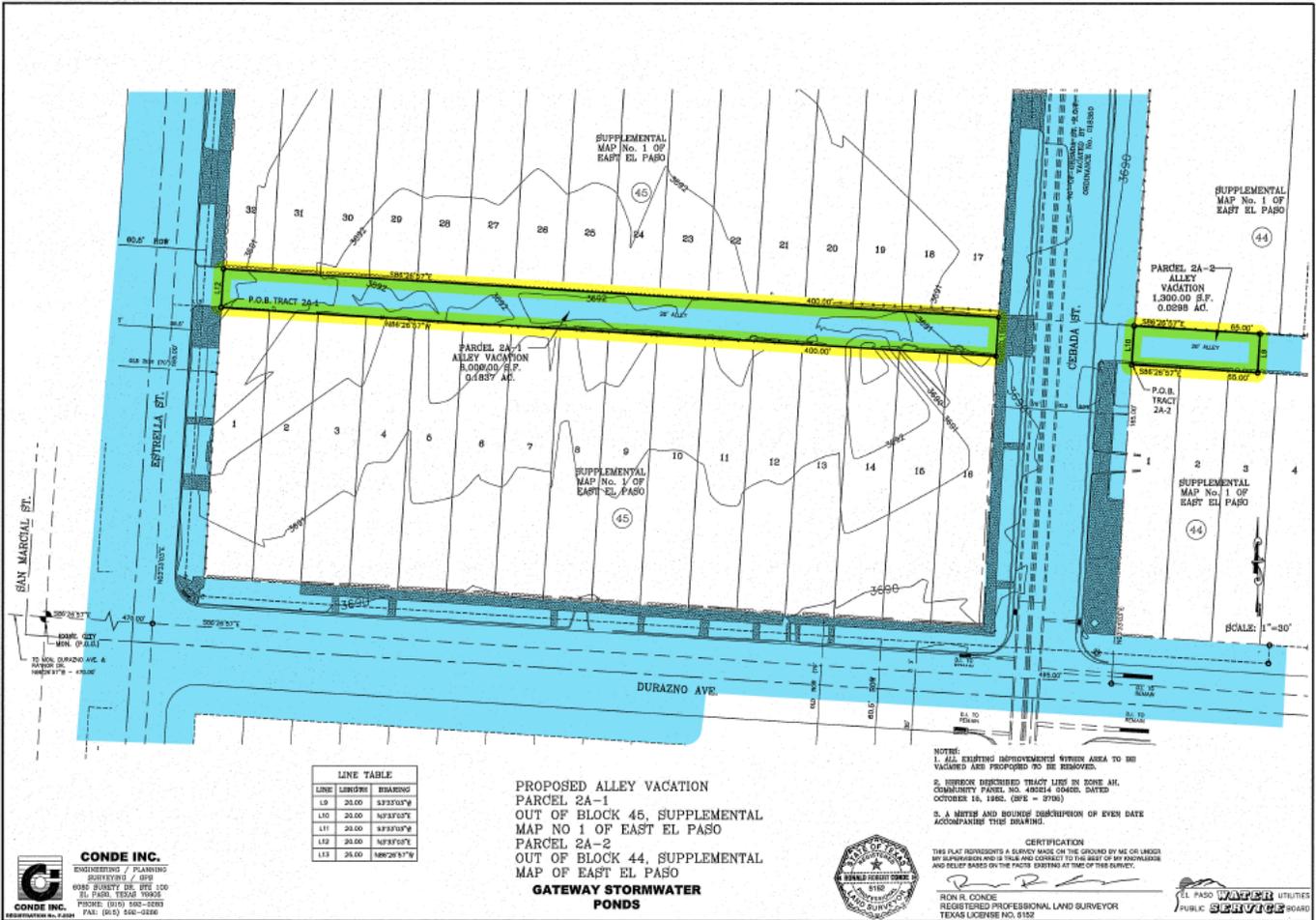


ATTACHMENT 2

**CEBADA STREET & ALLEY VACATION
NO. 3**



ATTACHMENT 3

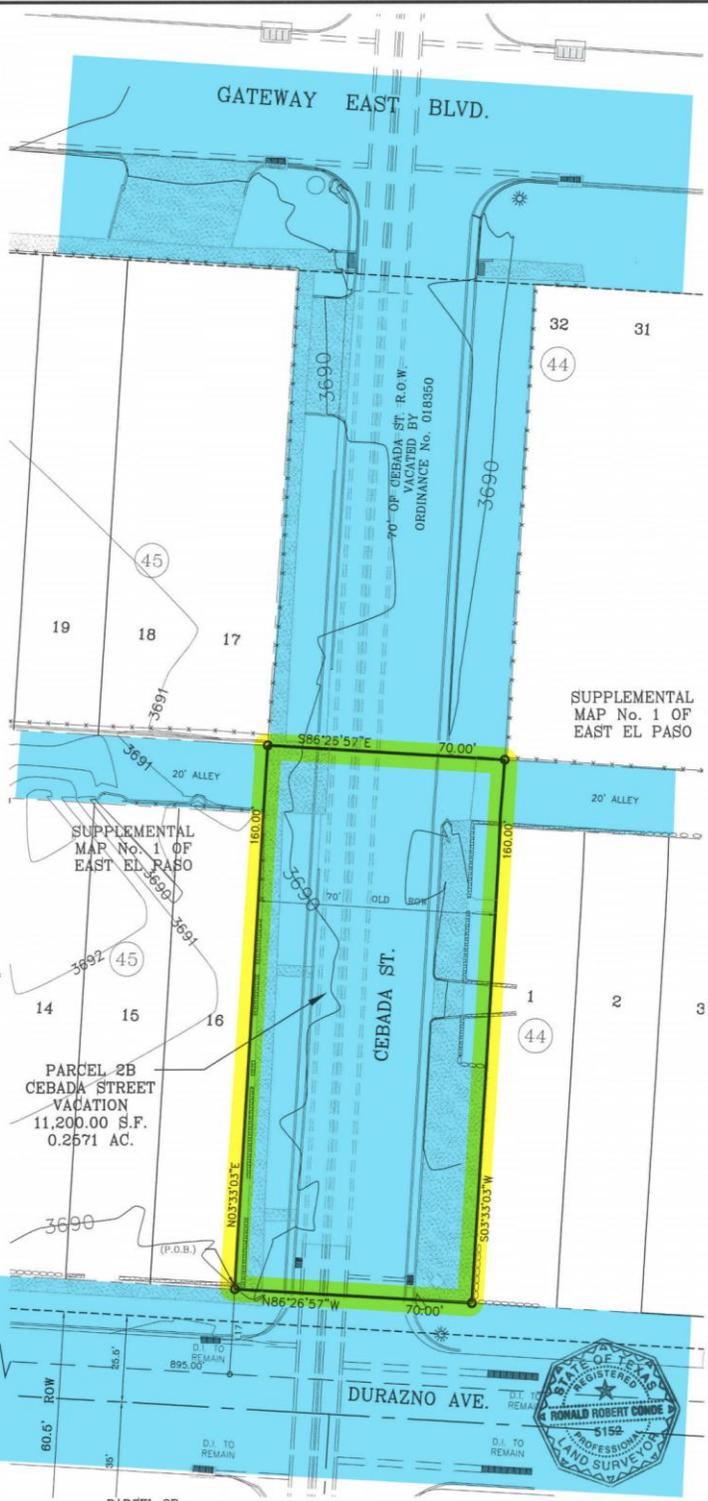


D:\CS\BRO\DATA\G\GATEWAY STORMWATER @ POND.4wg_VAC-ALLEY_9/22/2015 1:01:08 PM, courtesy

LINE TABLE		
LINE	LENGTH	BEARING
L17	25.00	S3°33'03"W



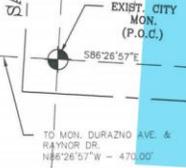
- NOTES:
1. ALL EXISTING IMPROVEMENTS WITHIN AREA TO BE VACATED ARE PROPOSED TO BE REMOVED.
 2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS DRAWING.
 3. HEREON DESCRIBED TRACT LIES IN ZONE AH, COMMUNITY PANEL NO. 480214 0040B, DATED OCTOBER 16, 1982. (BFB = 3705)



SUPPLEMENTAL MAP No. 1 OF EAST EL PASO

PARCEL 2B
CEBADA STREET
VACATION
11,200.00 S.F.
0.2571 AC.

SAN MARCIAL ST.



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

PARCEL 2B
(CEBADA STREET VACATION)
BEING A PORTION OF CEBADA STREET
OUT OF SUPPLEMENTAL MAP NO. 1 OF
EAST EL PASO
**GATEWAY STORMWATER
PONDS**

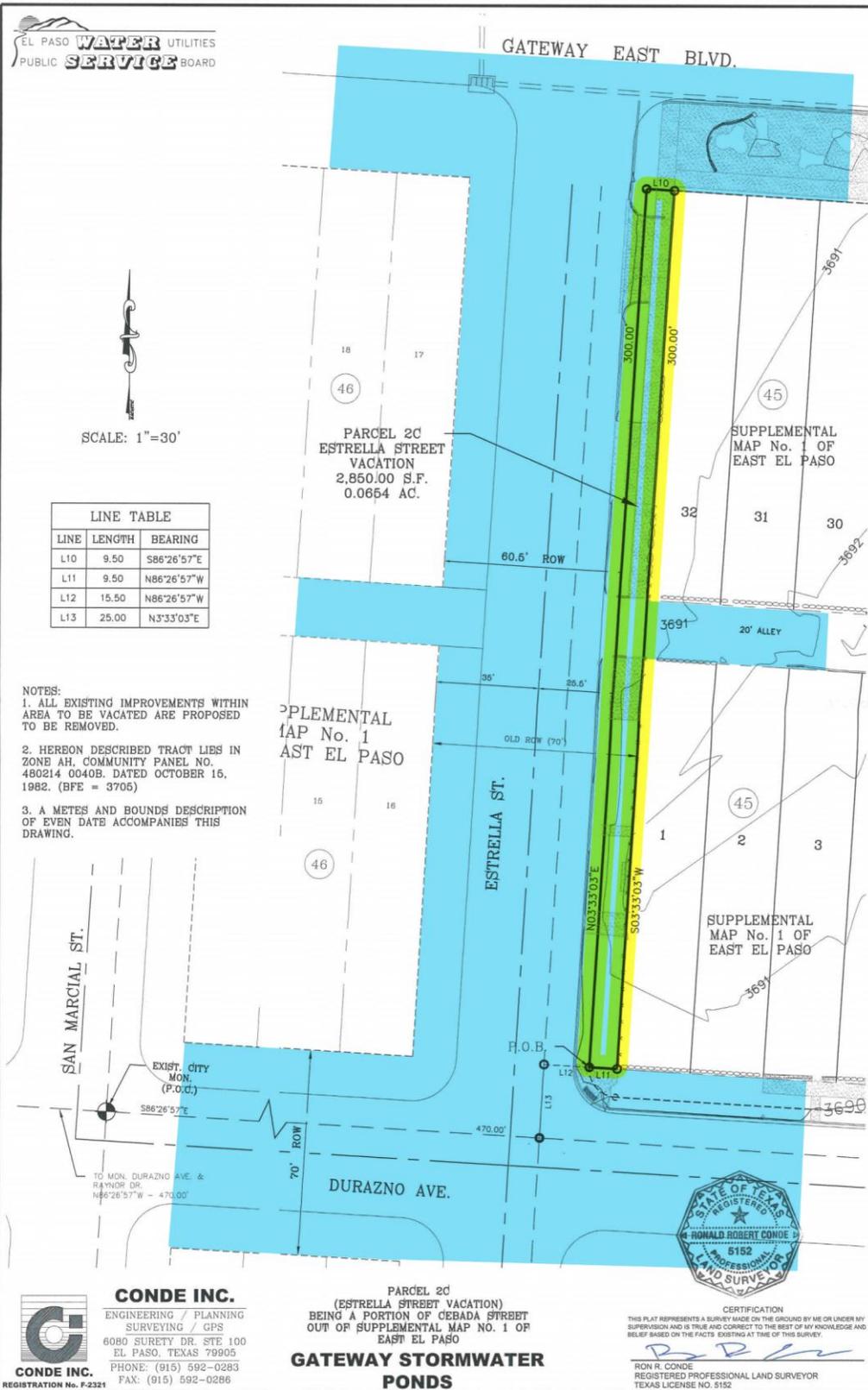
CERTIFICATION
THIS PLAT REPRESENTS A SURVEY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF BASED ON THE FACTS EXISTING AT TIME OF THIS SURVEY.

Ronald Robert Conde
RON R. CONDE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS LICENSE NO. 5152



LINE TABLE		
LINE	LENGTH	BEARING
L10	9.50	S86°26'57"E
L11	9.50	N86°26'57"W
L12	15.50	N86°26'57"W
L13	25.00	N3°33'03"E

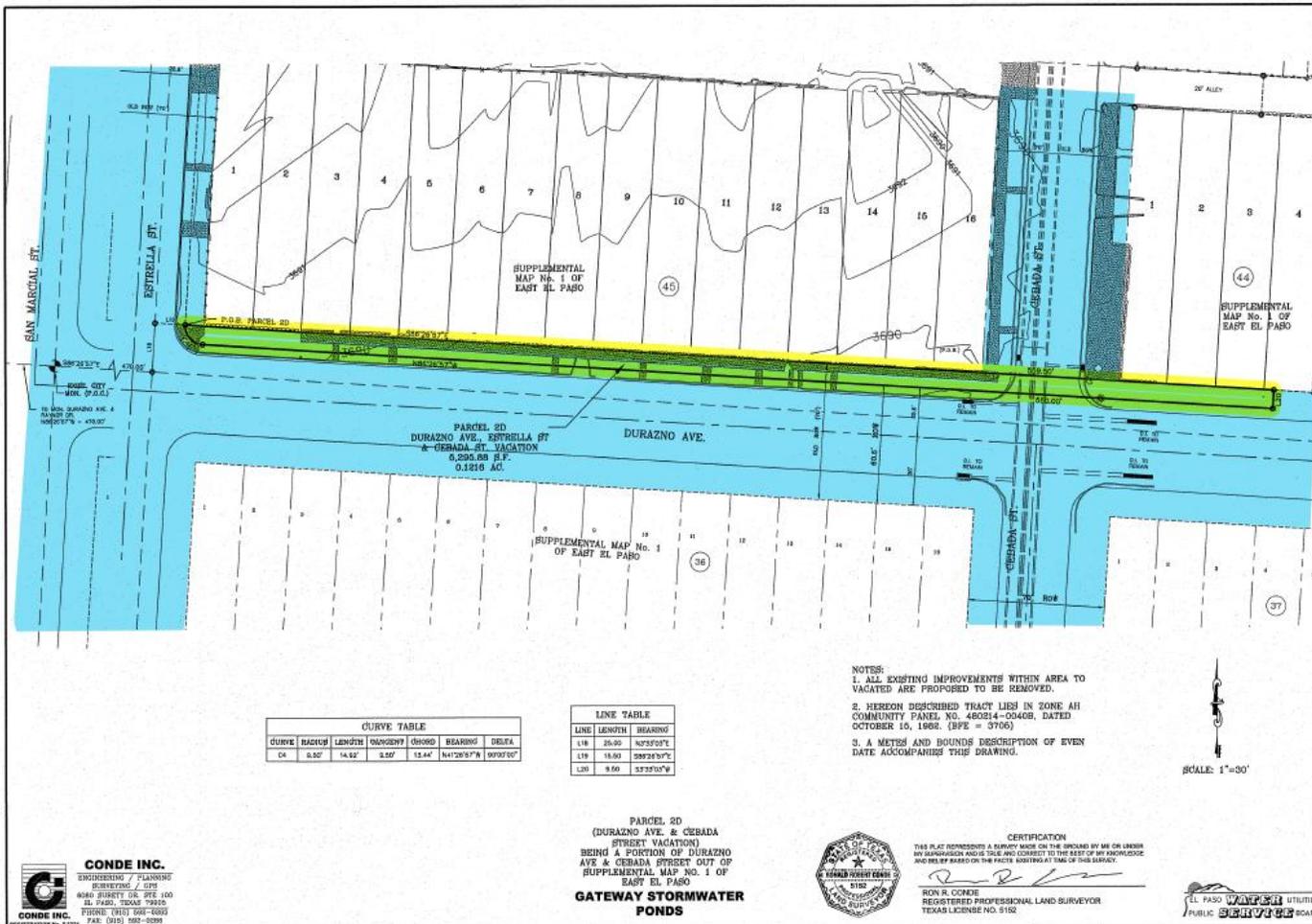
- NOTES:
1. ALL EXISTING IMPROVEMENTS WITHIN AREA TO BE VACATED ARE PROPOSED TO BE REMOVED.
 2. HERBON DESCRIBED TRACT LIES IN ZONE AH, COMMUNITY PANEL NO. 480214 0040B, DATED OCTOBER 15, 1982. (BFE = 3705)
 3. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS DRAWING.



CONDE INC.
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FAX: (915) 592-0286

PARCEL 2C
(ESTRELLA STREET VACATION)
BEING A PORTION OF CEBADA STREET
OUT OF SUPPLEMENTAL MAP NO. 1 OF
EAST EL PASO
**GATEWAY STORMWATER
PONDS**

CERTIFICATION
THIS PLAN REPRESENTS A SURVEY MADE ON THE GROUND BY ME OR UNDER MY
SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND
BELIEF BASED ON THE FACTS EXISTING AT TIME OF THIS SURVEY.
R. R. Conde
RON R. CONDE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS LICENSE NO. 5152



ATTACHMENT 4



CONDE INC

September 14, 2015

Jeffrey Howell
City of El Paso
Planning and Inspections Department
801 Texas Avenue
El Paso, Texas 79901

Re: Gateway Stormwater Ponds Vacation Request - Estrella and Durazno Streets Substandard Street Waiver request

Dear Jeffery,

On behalf of El Paso Water Utilities, we want to thank you for your assistance regarding the processing of the vacation request for the Gateway Stormwater Pond south – street vacation request. Please accept this letter as our formal waiver/exception request per Title 19.48 – Petition for waiver or exceptions. This waiver is being requested due to the fact that Estrella and Durazno Streets existing right-of-way will be reduced. There is an existing 15 foot sidewalk/parkway section that will be reduced to a 5 foot sidewalk section with landscape 8 foot landscape bulb out for trees in lieu of a parkway every 50 feet on center. This design allows for two vehicles to park between the street trees. This design also allows for the existing street curb to curb cross section to be maintained in order to provide maximum storm runoff carrying capacity.

If you have any questions or need additional information, please do not hesitate to contact us.

Sincerely,

Yvonne C. Curry, P.E.

Project Engineer

ENGINEERING/PLANNING/SURVEYING

6080 SURETY DR., SUITE 100 / EL PASO, TEXAS 79905 / (915) 592-0283 / FAX (915) 592-0288

ATTACHMENT 5



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

Date: August 12, 2015

File No. SURW15-00011

1. APPLICANTS NAME City of El Paso/EI Paso Water Utilities/Public Service Board (Stormwater Utility)
ADDRESS 1154 Hawkins ZIP CODE 79925 TELEPHONE 915-594-5636

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

Street Alley Easement _____ Other _____

Street Name(s) Ptn. of Cebada, Estrella and Durazno Streets Subdivision Name Supplemental Map No. 1 of East El Paso, Texas

Abutting Blocks 44 and 45 Abutting Lots for Alley are Blk. 45 Lots 1- 32 & Blk. 44 Lots 1-4 and 1/2 29 and 30 - 32; for Estrella St. Blk. 45, Lots 1 & 32 and Blk. 44, Lots 1 & 32; Durazno St. Lots 1-16 and for Cebada St., Blk. 45, Lot 16 and Blk. 44 Lot 1

3. Reason for vacation request: Intend to construct a stormwater pond within Portion of Blocks 44 and 45 and the proposed vacated right of ways

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 (Stormwater Pond)

7. Related Applications which are pending (give name or file number): **(A Subdivision Replat to be submitted along with vacation application)**
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
_____	All of Block 45 and Portion of Block 44 Supplemental Map No. 1 of East El Paso, Texas	594-5636 <u>594-5513</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: _____ *Alma De Anda*
REPRESENTATIVE: Alma De Anda/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