



City of El Paso – City Plan Commission Staff Report

Case No: SURW12-00018 Diana Drainage ROW Vacation
Application Type: Drainage ROW Vacation
CPC Hearing Date: November 15, 2012

Staff Planner: Nathaniel Baker, 541-4192, bakernt@elpasotexas.gov
Location: East of Patriot Freeway and south of Diana Drive
Acreage: 1.24-acres
Rep District: 4
Existing Use: Drainage right-of-way
Existing Zoning: R-4 (Residential)
Proposed Zoning: C-4 (Commercial)

Property Owner: City of El Paso
Applicant: Public Service Board (PSB)
Representative: Public Service Board (PSB)

SURROUNDING ZONING AND LAND USE

North: R-4 (Residential)/ EPCC Transmountain Campus
South: R-4 (Residential)/ Post-war neighborhood
East: R-4 (Residential)/ Post-war neighborhood
West: Patriot Freeway and Fort Bliss

PLAN EL PASO DESIGNATION: Post-War

APPLICATION DESCRIPTION

The applicant is requesting to vacate a 1.24-acre portion of a PSB drainage right-of-way located south of Diana Drive. The applicant states that the purpose of the proposed vacation is to be used for rear access to a proposed Sam's Club.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of the Diana Drainage right-of-way vacation subject to the following conditions and requirements:

Planning Division Recommendation:

Approval.

City Development Dept. - Land Development:

No objection

El Paso Water Utilities:

1. The El Paso Water Utilities Planning & Development section does not object to the proposed vacation. There are no existing Water/sewer facilities within the proposed vacation area.

Stormwater Division:

No comments received.

Parks and Recreation:

We have reviewed Diana Drainage ROW Vacation, a survey map and metes & bounds description and offer no objections to this proposed Right-of-way vacation.

Please note that this Right-of-Way vacation request meets the requirements to be excluded from the calculation for parkland dedication ordinance Title 19 – Subdivision & Development Plats, **Chapter 19.20 Parks and Open Space** as noted below.

19.20.060 - Exclusions from Dedication Requirements.

Exclusions. The following shall be excluded from the calculation for parkland dedication. In all instances, the burden of proof shall be on the subdivider to demonstrate that the plat meets the requirements of this chapter:

H. Land shown within a subdivision, whether residential or nonresidential, which is designated for use as a public facility.

El Paso Fire Department:

No comments received.

El Paso Electric Company:

No comments received.

Sun Metro:

No comments received.

911:

No comments received.

Texas Gas Company:

No comments received.

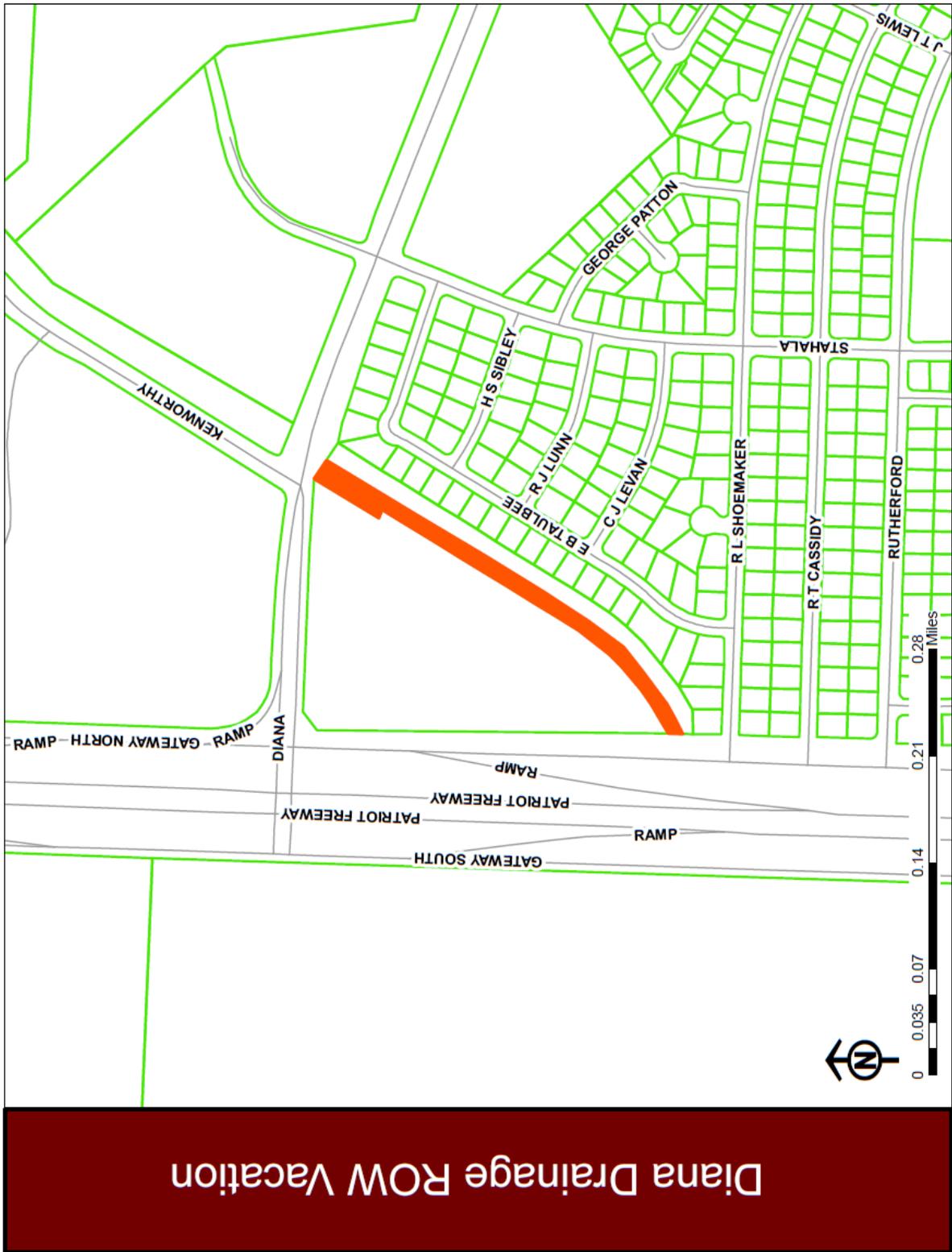
School District:

No comments received.

Attachments

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

ATTACHMENT 1



Diana Drainage ROW Vacation

ATTACHMENT 2



ATTACHMENT 4



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

Date: September 26, 2012 File No. SURW12-00018



1. APPLICANTS NAME Public Service Board/EI Paso Water Utilities/City of El Paso
ADDRESS 1154 Hawkins ZIP CODE 79925 TELEPHONE 594-5590
2. Request is hereby made to vacate the following: (check one)
Street Alley Easement Other
Street Name(s) Drainage ROW Subdivision Name Castner Range Subdivision Unit 1
Portion Block 3, Castner
Abutting Blocks Range Unit 1 Subdivision Abutting Lots Portion of Lot 2, Castner Range Unit 1 Subdivision
3. Reason for vacation request: Portion of ROW to be used for Rear Access to Proposed new Sam's Club
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
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
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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.

CASHIER'S VALIDATION
FEE: \$966.00

OWNER SIGNATURE: Edmund Archuleta, EPWU - PSB
Rudy Valdez, EPWU - PSB - 594-5590
REPRESENTATIVE: _____

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.