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SERVICE SOLUTIONS SUCCESS



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

DEPARTMENT: Planning & Economic Development
AGENDA DATE: CCA 1/31/12 Introduction, Public Hearing 2/7/12
CONTACT PERSON/PHONE: Kevin Smith, 541-4903
DISTRICT(S) AFFECTED: 8

SUBJECT:

An ordinance vacating the vehicular access to a portion of Upson Avenue and Missouri Street, all of Block Q out of Satterthwaite Addition an unrecorded plat, City of El Paso, El Paso County, Texas (District 8)

BACKGROUND / DISCUSSION:

N/A ;

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval
City Plan Commission (CPC) – Approval

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Mathew McElroy, Deputy Director – Planning & Economic Development

APPROVED FOR AGENDA:

CITY MANAGER:

DATE: _____



Two Civic Center Plaza
El Paso, TX 79901
(915) 541-0000

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Cortney Carlisle Niland

City Manager
Joyce A. Wilson

ORDINANCE NO. _____

**AN ORDINANCE VACATING THE VEHICULAR ACCESS TO A PORTION OF
UPSON AVENUE AND MISSOURI STREET, ALL OF BLOCK Q OUT OF
SATTERTHWAITE ADDITION AN UNRECORDED PLAT, CITY OF EL PASO, EL
PASO COUNTY, TEXAS**

WHEREAS, the City of El Paso has requested a vacation of the vehicular interest of a portion of Upson Avenue and Missouri Street, all of Block Q out of Satterthwaite Addition an unrecorded plat, City of El Paso, El Paso County, Texas; and,

WHEREAS, after public hearing the City Plan Commission recommended that the vehicular interest of a portion of Upson Avenue and Missouri Street, all of Block Q out of Satterthwaite Addition an unrecorded plat, City of El Paso, El Paso County, Texas, should be vacated and the City Council finds that said portion of right-of-way is not needed for vehicular use and 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 vehicular access to a portion of Upson Avenue and Missouri Street, all of Block Q out of Satterthwaite Addition an unrecorded plat, 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, be and is hereby vacated and the use of this right-of-way described in Exhibits "A" and "B" be retained as a pedestrian right-of-way, utility easement and the area readily accessible to utility companies for maintenance, repair, and replacement of their facilities.

PASSED AND APPROVED this _____ day of _____, 2012.

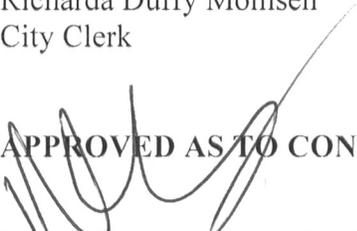
THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO CONTENT:



Mathew McElroy, Deputy Director
Planning & Economic Development

APPROVED AS TO FORM:



Lupe Cuellar
Assistant City Attorney

Exhibit A

Date: December 13, 2011
Prepared for: The City of El Paso

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion Upson Avenue and Missouri Street, all of Block Q out of Satterthwaite addition an unrecorded plat, City of El Paso El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk city monument located 3.42 north and 11.00 feet east of the centerline intersection of El Paso Street and Missouri Street from which an existing city monument located 10 feet north and 10 feet east of the centerline of El Paso Street and Franklin Street bears South 37°26'49" East a distance of 323.42 feet; Thence South 52°23'00" West a distance of 185.96 feet to a point, Thence North 37°37'00" West a distance of 18.36 feet to a point for the "TRUE POINT OF BEGINNING".

Thence South 51°21'15" West a distance of 120.02 feet to a point on the easterly right of way line of Sante Fe Street;

Thence along said right of way line North 37°37'00" West a distance of 130.27 feet to a point on the northeasterly right of way line of Upson Avenue;

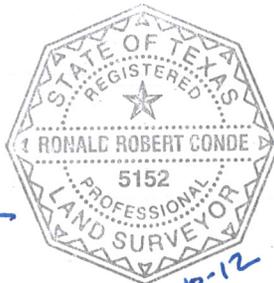
Thence along said right of way line North 84°52'59" East a distance of 142.28 feet to a point;

Thence leaving said right of way line, South 37°37'00" East a distance of 51.67 feet to the "TRUE POINT OF BEGINNING" and containing 10,916 Square Feet or 0.2506 acres of land more or less.

Note: Bearings basis is per plat of Satterthwaite Addition dated February 16, 1976 on file at the City of El Paso Engineering Department

A Plat of even date accompanies this description.

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

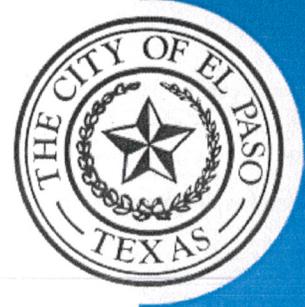


Job # 1111-01

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

Dedicated to Outstanding Customer Service for a Better Community

S E R V I C E S O L U T I O N S S U C C E S S



**PLANNING AND ECONOMIC DEVELOPMENT
PLANNING DIVISION**

MEMORANDUM

DATE: January 23, 2012

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Kevin Smith, Planner

SUBJECT: **SURW11-00008 Upson Avenue Street Vacation**

The City Plan Commission (CPC), on January 5, 2012, **voted 6-0** to recommend **approval** of the Upson Avenue Street Vacation.

The CPC determined the vacation of vehicular interest is in conformance with The Plan for El Paso and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined the vacation of vehicular interest protects the best interest, health, safety and welfare of the public in general; and the proposed use is compatible with adjacent land uses; and the vacation of vehicular interest will have no negative effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

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Two Civic Center Plaza
El Paso, TX 79901
(915) 541-0000



City of El Paso – City Plan Commission Staff Report

REVISED

Case No: SURW11-00008 Upson Avenue Street Vacation
Application Type: Right-of-way Vacation
CPC Hearing Date: January 5, 2012
Staff Planner: Kevin Smith, 915-541-4903, smithkw@elpasotexas.gov
Location: East of Santa Fe Street and North of Missouri Street
Legal Description Acreage: 0.25-acre
Rep District: 8
Existing Use: Right-of-way
Existing Zoning: C-5
Proposed Zoning: N/A

Property Owner: City of El Paso
Applicant: City of El Paso
Representative: Conde, Inc.

SURROUNDING ZONING AND LAND USE:

North: C-5 (Commercial)/ Commercial Development
South: C-5/sp (Commercial)/ Museum
East: C-5/sp(Commercial)/ Commercial Development
West: A-3 (Apartment)/ Commercial Development

THE PLAN FOR EL PASO DESIGNATION: Mixed Use

APPLICATION DESCRIPTION

This is a City initiated request to vacate the vehicular interest of a portion of Upson Avenue and Missouri Street located within the Satterthwaite Addition Subdivision. The portions of the rights-of-way are being vacated with the intent to develop as a plaza and will remain as rights-of-way for pedestrian access. This vacation includes a small portion of Missouri Street. Although the GIS map and the field reference this portion of Upson right-of-way as Prospect Avenue, the right-of-way is actually an extension of Upson Avenue that remained after I-10 was constructed.

Development Coordinating Committee

The Development Coordinating Committee recommends *approval* of the request to vacate the vehicular interest of a portion of Upson Avenue and Missouri Street with the following requirements and conditions:

Planning Division Recommendation

Approval.

Engineering and Construction Management – Land Development

We have reviewed subject plan recommend **Approval**, however; developer/engineer needs to address the following comments:

No Objection

The Street is within Flood Zone: C – Panel # 480214 0039B, dated October 15, 1982.

El Paso DOT

This subdivision was reviewed utilizing the current version of Title 19. Department of Transportation does not object to the proposed street vacation.

El Paso Water Utilities

1. The El Paso Water Utilities does not object to the proposed vacation as long as the Applicant requests in writing to abandon in place the existing water and sanitary sewer mains extending along Upson Street within the proposed vacation area.

2. The Applicant is responsible for the costs of the abandonment including depreciation, cutting and plugging of the water main and the relocation of the sanitary sewer main.

Water:

3. There is an existing 6-inch diameter water main extending along Upson Street within the proposed vacation area.

Sewer:

4. There is an existing 8-inch diameter sanitary sewer main extending along Upson Street within the proposed vacation area.

PSB - Stormwater

We have reviewed the street vacation described above and provide the following comments:

Upson Street Vacation

1. EPWU does not object to the proposed street vacation.

2. Incorporate principles of low impact development within the vacated area (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of stormwater runoff.

Parks and Recreation Department

We have reviewed **Upson - Street Right of Way Vacation** Boundary Survey map and offer “No” objections to this proposed Street Right-of-way vacation request.

Texas Gas Service

No comments received.

Central Appraisal District

No comments received.

El Paso Electric Company

No comments received.

911 District

No comments received.

Fire Department

No comments received.

Sun Metro

Sun Metro does not oppose to this request.

Geographic Information Systems

No comments received.

El Paso Independent School District

No comments received.

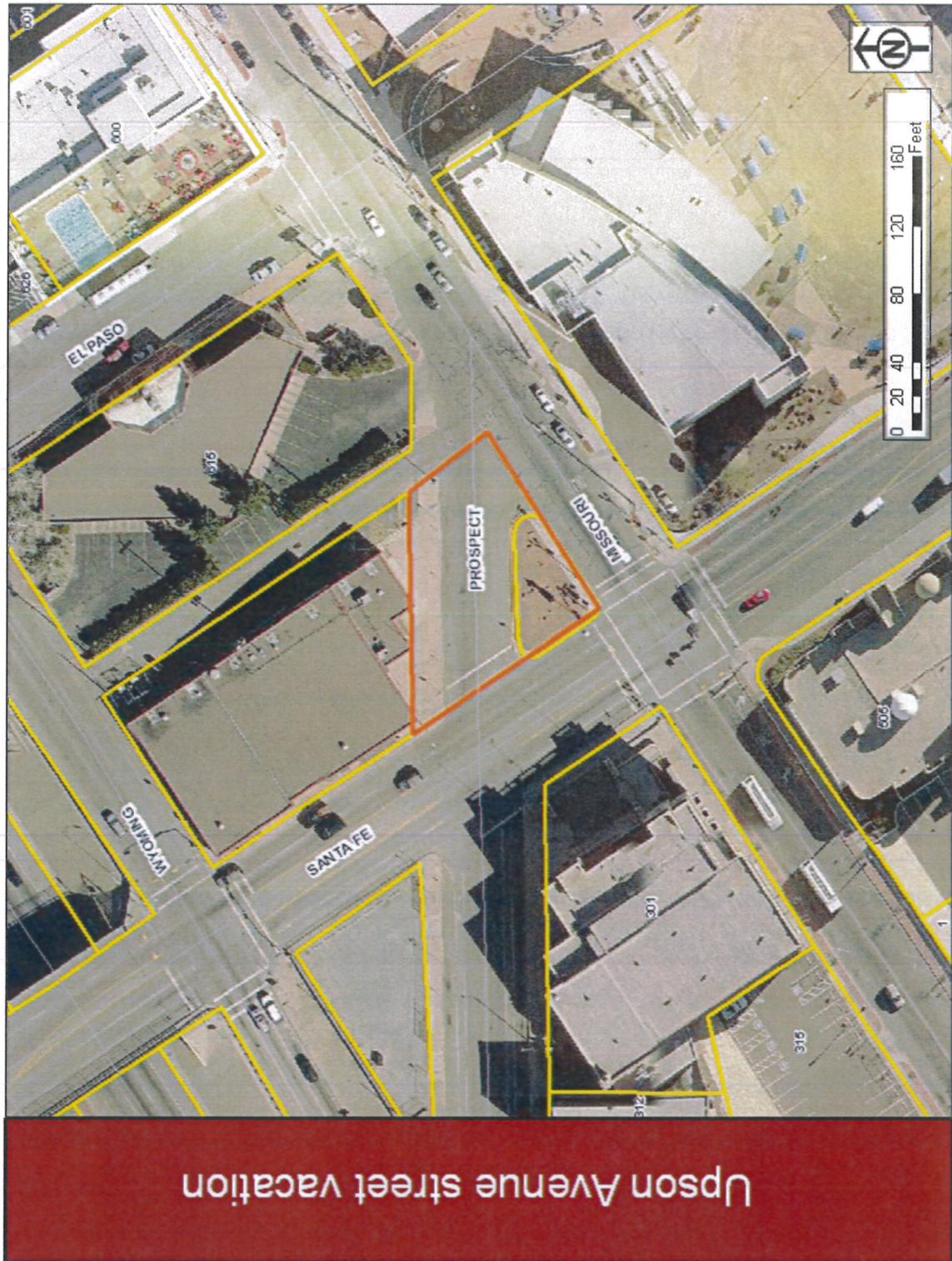
Attachments

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

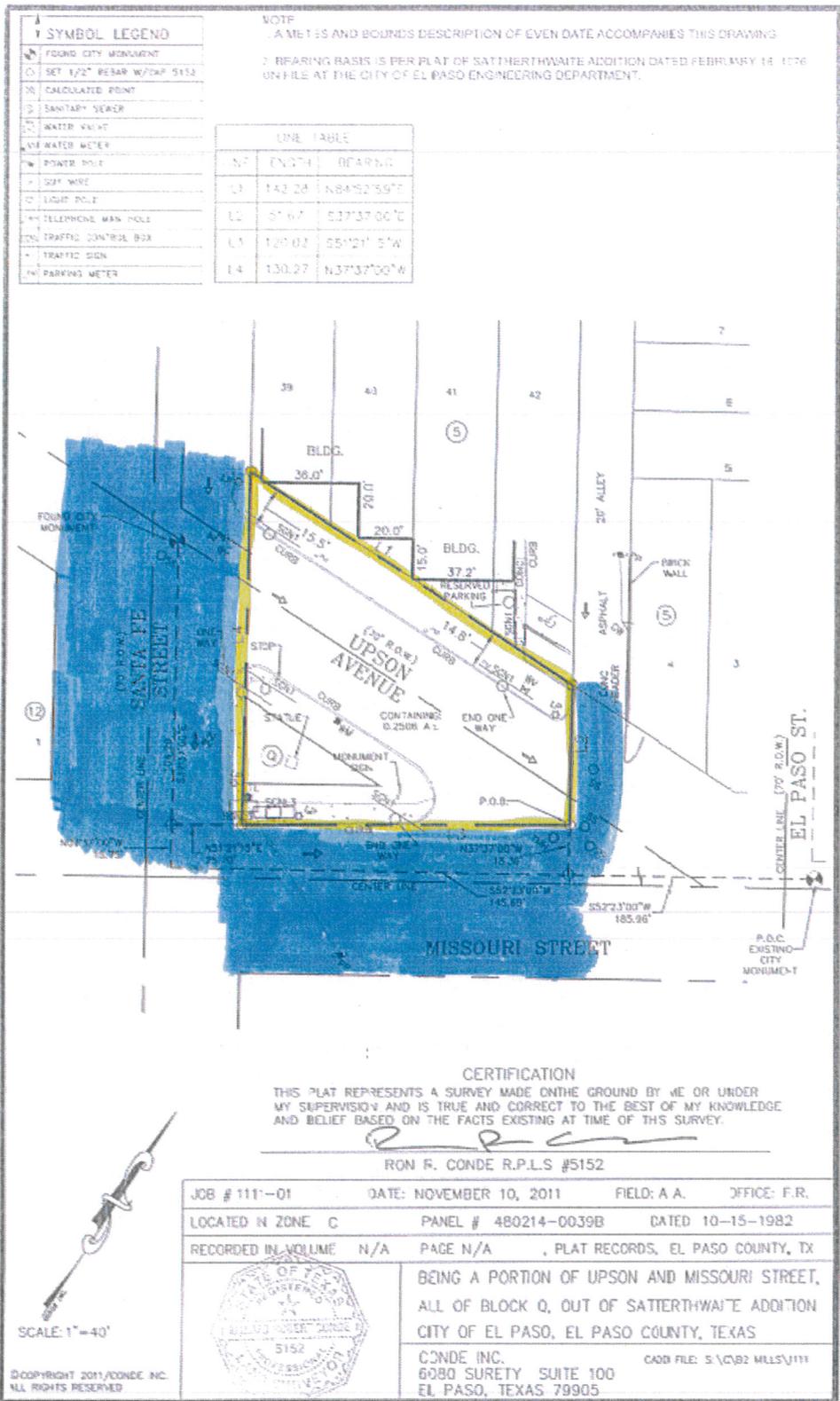
ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3



ATTACHMENT 4



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

Date: 11/10/11 File No. SURW11-00008

1. APPLICANTS NAME City of El Paso
ADDRESS 2 Civic Center Plaza ZIP CODE 79901 TELEPHONE 541-4000

2. Request is hereby made to vacate the following: (check one)
Street Alley _____ Easement _____ Other _____
Street Name(s) Upson Street Subdivision Name Satterthwaite Addition
Abutting Blocks 5 Abutting Lots 39-42

3. Reason for vacation request: In order to develop a Plaza

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
<u>Joyce Wilson, City Manager</u>	<u>Being a portion of Upson</u>	<u>541-4000</u>
_____	<u>and Missouri Street, All</u>	_____
_____	<u>of Block Q, out of Satter-</u>	_____
_____	<u>thwaite addition, City of</u>	_____
_____	<u>El Paso, El Paso County, TX</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.

CASHIER'S VALIDATION
FEE: \$966.00

OWNER SIGNATURE _____
REPRESENTATIVE 

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