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SERVICE SOLUTIONS SUCCESS



DEPARTMENT: Planning & Economic Development
AGENDA DATE: Introduction 2/11/13; Public Hearing 2/19/13
CONTACT PERSON/PHONE: George Pinal, 541-4152
DISTRICT(S) AFFECTED: 6

SUBJECT:

An Ordinance vacating Carmelo Court, Being a 52' Right-Of-Way in Block 1. Las Palmas Commercial Park Replat "A", City of El Paso, El Paso County, Texas

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – N/A
City Plan Commission (CPC) – N/A

*****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: _____

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



Engineering & Construction Management
Two Civic Center Plaza – 5th Floor · El Paso, Texas 79901
Phone (915) 541-4622 · Fax (915) 541-4799

ORDINANCE NO. _____

**AN ORDINANCE VACATING CARMELO COURT, BEING A 52' RIGHT-OF-WAY IN
BLOCK 1, LAS PALMAS COMMERCIAL PARK REPLAT "A", CITY OF EL PASO,
EL PASO COUNTY, TEXAS**

WHEREAS, the abutting property owners have requested a vacation of Carmelo Court, being a 52' right-of-way in Block 1, Las Palmas Commercial Park Replat "A", City of El Paso, El Paso County, Texas; and,

WHEREAS, the City of El Paso has determined that there is no objection to the vacation of Carmelo Court; and,

WHEREAS, after a public hearing the City Plan Commission recommended that Carmelo Court, being a 52' right-of-way in Block 1, Las Palmas Commercial Park Replat "A", City of El Paso, El Paso County, Texas, should be vacated and the El Paso City Council finds that said portion of right-of-way is not needed for public 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 Carmelo Court, being a 52' right-of-way in Block 1, Las Palmas Commercial Park Replat "A", 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.

In addition, the City Manager is authorized to sign an instrument quitclaiming all of the City's right, title and interest in and to such vacated property to **SANTA FE PARTNERSHIP**.

PASSED AND APPROVED this _____ day of _____, 2013.

(SIGNATURES ON FOLLOWING PAGE)

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

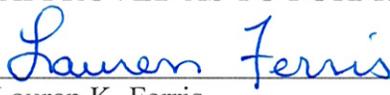
Richarda Duffy Momsen
City Clerk

APPROVED AS TO CONTENT:



Mathew McElroy, Director
City Development Department

APPROVED AS TO FORM:



Lauren K. Ferris
Assistant City Attorney

(Quitclaim Deed on following page)

CARMELO COURT

Property Description: Carmelo Court, being a 52' right-of-way in Block 1, Las Palmas Commercial Park, an addition to the city of El Paso, El Paso County, Texas, according to the plat thereof on file under Instrument No. 20060040569, Real Property Records of El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing at an existing city monument lying on the centerline intersection of Pullman Drive (a 70' public right-of-way) and Carmelo Court (a 52' right-of-way); Thence, South 32° 21' 38" West, along the centerline of Pullman Drive, a distance of 55.91 feet to a point; Thence, North 57° 38' 22" West, abandoning said centerline, a distance of 35.00 feet to a set ½" iron pin with plastic cap stamped "TX2998" for a property corner lying on the northwesterly right-of-way line of Pullman Drive, said point being the TRUE POINT OF BEGINNING of this description;

THENCE, along the right-of-way line of said Carmelo Court, the following courses:

47.08 feet, along the arc of a curve to the left, having a radius of 30.00 feet, a central angle of 89° 55' 17" and a chord that bears North 12° 36' 01" West, a distance of 42.40 feet to a set ½" iron pin with plastic cap stamped "TX2998" for a property corner;

North 57° 33' 39" West, a distance of 220.05 feet to a found 5/8" iron pin for a property corner and a point for a curve;

23.86 feet along the arc of a curve to the left, having a radius of 30.00 feet, a central angle of 45° 34' 23" and a chord which bears North 80° 20' 50" West, a distance of 23.24 feet to a found 5/8" iron pin for a property corner and a point for a curve;

236.62 feet along the arc of a curve to the right of a 50 foot radius cul-de-sac, having a radius of 50.00 feet, a central angle of 271° 08' 46" and a chord which bears North 32° 26' 21" East, a distance of 70.00 feet to a set ½" iron pin with plastic cap stamped "TX2998" for a property corner and a point for a curve;

23.86 feet along the arc of a curve to the left, having a radius of 30.00 feet, a central angle of 45° 34' 23" and a chord which bears South 34° 46' 28" East, a distance of 23.24 feet to a set ½" iron pin with plastic cap stamped "TX2998" for a property corner;

South 57° 33' 39" East, a distance of 219.90 feet to a set ½" iron pin with plastic cap stamped "TX2998" for a property corner and a point for a curve;

47.17 feet along the arc of a curve to the left, having a radius of 30.00 feet, a central angle of 90° 04' 43" and a chord which bears North 77° 23' 59" East, a distance of 42.46 feet to a found 5/8" iron for a property corner lying on the northwesterly right-of-way line of Pullman Drive;

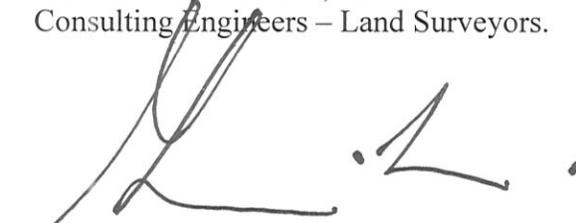
THENCE, South 32° 21' 38" West, along said right-of-way line of Pullman Drive, a distance of 112.00 feet to the TRUE POINT OF BEGINNING of this description.

Said parcel of land containing 0.5001 acres (21,784 Sq. Ft.) of land, more or less.

A PLAT OF BOUNDARY OF EVEN DATE ACCOMPANIES THIS METES AND BOUNDS DESCRIPTION.

SLI ENGINEERING, INC.

Consulting Engineers – Land Surveyors.

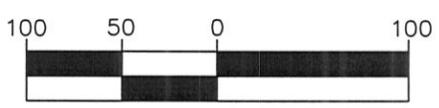
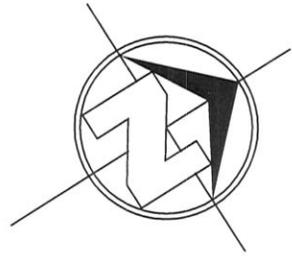
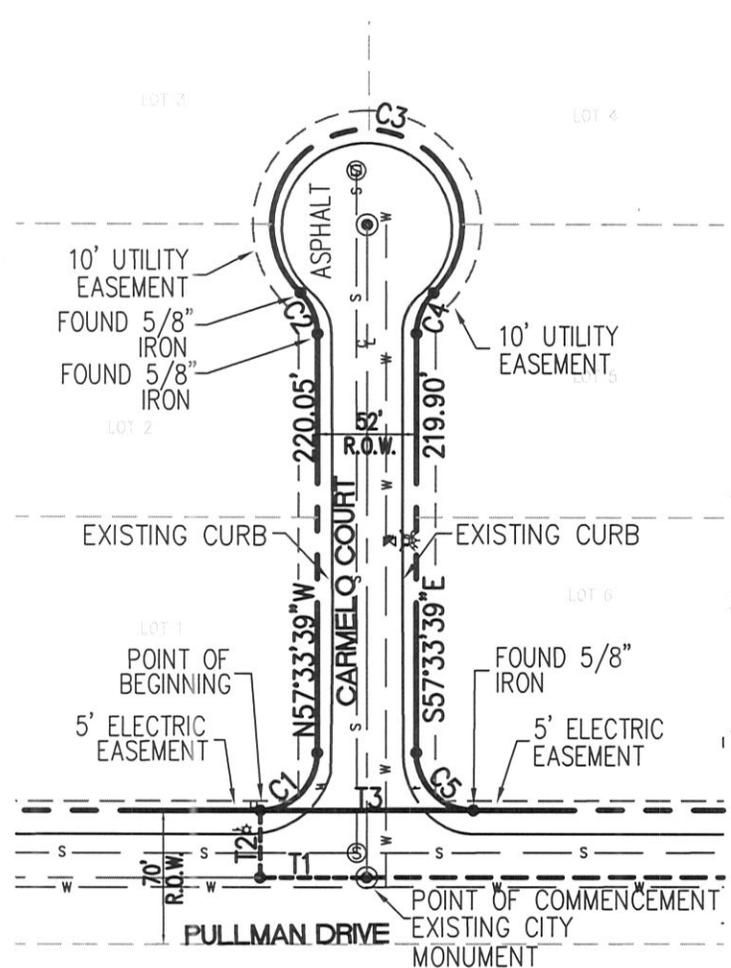


Guillermo Licon
Registered Professional Land Surveyor
Texas License No. 2998



August 5, 2011
Job # 06-11-3090
M&B/1722

EXHIBIT "B"



SCALE: 1"=100'

NOTES:

1. SET 1/2" IRON WITH SLI CAP STAMPED TX2998 ON ALL PROPERTY CORNERS UNLESS OTHERWISE INDICATED.
2. BASIS OF BEARING: PLAT OF LAS PALMAS COMMERCIAL PARK, ACCORDING TO THE PLAT THEREOF ON FILE IN INST. No. 20060040569, PLAT RECORDS OF EL PASO COUNTY, TEXAS.
3. NO BUILDINGS EXIST ON THE PROPERTY.

LINE TABLE

TANGENT	BEARING	DISTANCE
T1	S32°21'38"W	55.91'
T2	N57°38'22"W	35.00'
T3	S32°21'38"W	112.00'

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	30.00'	47.08'	29.96'	42.40'	N12°36'01"W	89°55'17"
C2	30.00'	23.86'	12.60'	23.24'	N80°20'50"W	45°34'23"
C3	50.00'	236.62'	49.01'	70.00'	N32°26'21"E	271°08'46"
C4	30.00'	23.86'	12.60'	23.24'	S34°46'28"E	45°34'23"
C5	30.00'	47.17'	30.04'	42.46'	N77°23'59"E	90°04'43"

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 480214 0046C, DATED FEBRUARY 16, 2006 THIS PROPERTY LIES IN FLOOD ZONE "X".

ZONE "X", AREAS CONSIDERED TO BE OUTSIDE THE 0.2% ANNUAL FLOODPLAIN.

DUE TO INHERENT INACCURACIES OF FEMA OR FLOOD INSURANCE RATE MAPS THIS SURVEYOR DOES NOT CERTIFY TO THE ACCURACY OF LOCATIONS BASED ON SUCH MAPS. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

NOTE:

ALL INFORMATION SHOWN HEREON WITH RESPECT TO UNDERGROUND CONDITIONS WAS DETERMINED BY DATA COLLECTED THROUGH SURVEY CREW OBSERVATION AND OTHER INFORMATION TAKEN FROM EXISTING PLANS AND MAPS OF RECORD. NO UNDERGROUND UTILITIES EXISTING OR ABANDONED WERE EXPOSED OR LOCATED.

UNLESS SPECIFICALLY ACCEPTED BY SLI ENGINEERING, INC. IN WRITING, SLI ENGINEERING, INC. MAKES NO CLAIM, EXPRESSED OR IMPLIED, AS TO THE UNDERGROUND SITE CONDITIONS.

LEGEND

	EXISTING CITY MONUMENT
	SIGN
	SEWER MANHOLE
	FIRE HYDRANT
	SEWER LINE
	WATER LINE
	WATER VALVE



SLI ENGINEERING, INC.
Reg. No. F-1902
SURVEYING
Reg. No. 100120-00

LAS PALMAS COMMERCIAL PARK

PLAT OF BOUNDARY - CARMELO COURT

SLI ENGINEERING, INC.
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS
6600 WESTWIND DRIVE
EL PASO, TEXAS 79912
915-584-4457

JOB #: 06-11-3090 DR. BY: MN
SCALE: 1"=100' F.B. #: ***
DATE: 08/05/2011 M&B #: 1722

CARMELO COURT, BEING A 52' RIGHT-OF-WAY IN BLOCK 1, LAS PALMAS COMMERCIAL PARK, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF ON FILE UNDER INSTRUMENT No. 20060040569, REAL PROPERTY RECORDS OF EL PASO, EL PASO COUNTY, TEXAS.

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



M E M O R A N D U M

DATE: February 4, 2013
TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager
FROM: George Pinal, Planner
SUBJECT: SURW11-00003

The City Plan Commission (CPC), on September 22, 2011, voted to approve the Carmelo Street Vacation.

The CPC determined the vacation is in conformance with The Plan for El Paso and the proposed use is in conformance with Plan El Paso. The CPC also determined the vacation 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 will have no negative effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

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





City of El Paso – City Plan Commission Staff Report

Case No: SURW11-00003 Carmelo Court Street Vacation
Application Type: Street Vacation
CPC Hearing Date: September 22, 2011

Staff Planner: Justin Bass, 915-541-4930, bassjd@elpasotexas.gov
Location: West of Pullman Drive and North of Rojas Drive
Acreage: 0.50-acre
Rep District: 6
Existing Use: Right-of-way
Existing Zoning: C-4 (Commercial)

Property Owner: City of El Paso
Applicant: Santa Fe Partnership
Representative: SLI Engineering, Inc.

SURROUNDING ZONING AND LAND USE

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

THE PLAN FOR EL PASO DESIGNATION: Light Industrial.

APPLICATION DESCRIPTION

The applicant is requesting to vacate Carmelo Court in its entirety. Carmelo Court is located within Las Palmas Commercial Park subdivision. It serves as one of the two points of access for the 12-lot undeveloped subdivision. All property abutting Carmelo Court is under the ownership of Santa Fe Partnership. The applicant states that the purpose of the street vacation is to build an amusement park.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of Carmelo Court Street Vacation subject to the following conditions and requirements:

- The applicant shall submit and file a Resubdivision plat of Las Palmas Commercial Park to address lot access and easement requirements prior to the filing of the conveyance deed with the County of El Paso.

Planning Division Recommendation:

Approval.

Engineering & Construction Management - Land Development:

We have reviewed subject Right-of-way vacation and recommend **Approval**.

No objection

The Street is within Flood Zone: X “Areas determined to be outside the 0.2% annual chance floodplain” – Panel # 480214 0045C and 0046C, dated February 16, 2006.

EPDOT:

The Department of Transportation recommends approval with the following condition:

1. Replat be filed of record in order to ensure adequate access to all lots within the subdivision.
2. Sidewalks, curb, gutter & pavement shall be restored and comply with city standards in accordance with Section 19.15.130.

Transportation has the following notes for the proposed subdivision plat:

1. All proposed/existing paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall be constructed in accordance with the current City Design Standards for Construction and be ADA/TAS compliant.

El Paso Water Utilities:

The El Paso Water Utilities - Public Service Board (EPWU-PSB) will cut and plug the water and sanitary sewer mains located along Carmelo Court at their connection points along Pullman Drive at the time of replat of Las Palmas Commercial Park subdivision as per City of El Paso Staff comments. The Developer is to submit his written request to EPWU-PSB. All costs associated with the cutting, plugging and abandonment of the mains are the responsibility of the Developer.

EPWU does not object to this request.

Water:

Along Pullman Street fronting Carmelo Court there is an existing eight (8) inch diameter water main.

Along Carmelo Court there is an existing eight (8) inch diameter water main and water services.

Sanitary Sewer:

Along Pullman Street fronting Carmelo Court there is an existing twenty- four (24) inch diameter sanitary sewer main. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

Along Carmelo Court there is an existing eight (8) inch diameter sanitary sewer main.

Stormwater Division:

1. On the subdivision replat provide private drainage easements to maintain the existing drainage flow patterns. EPWU does not object to the proposed street vacations as long as the existing drainage patterns are maintained.

Parks and Recreation:

We have reviewed Carmelo Court Street Vacation request and offer **No** objections.

El Paso Fire Department:

No comments received.

El Paso Electric Company:

El Paso Electric has electrical facilities in the platted easements surrounding the proposed street vacation and some conduit in the street row. These issues need to be addressed with the developer before any actual release of row.

(To be addressed by dedication of easements on the Resubdivision plat.)

Sun Metro:

No comments received.

911:

No comments received.

Texas Gas Company:

No comments received.

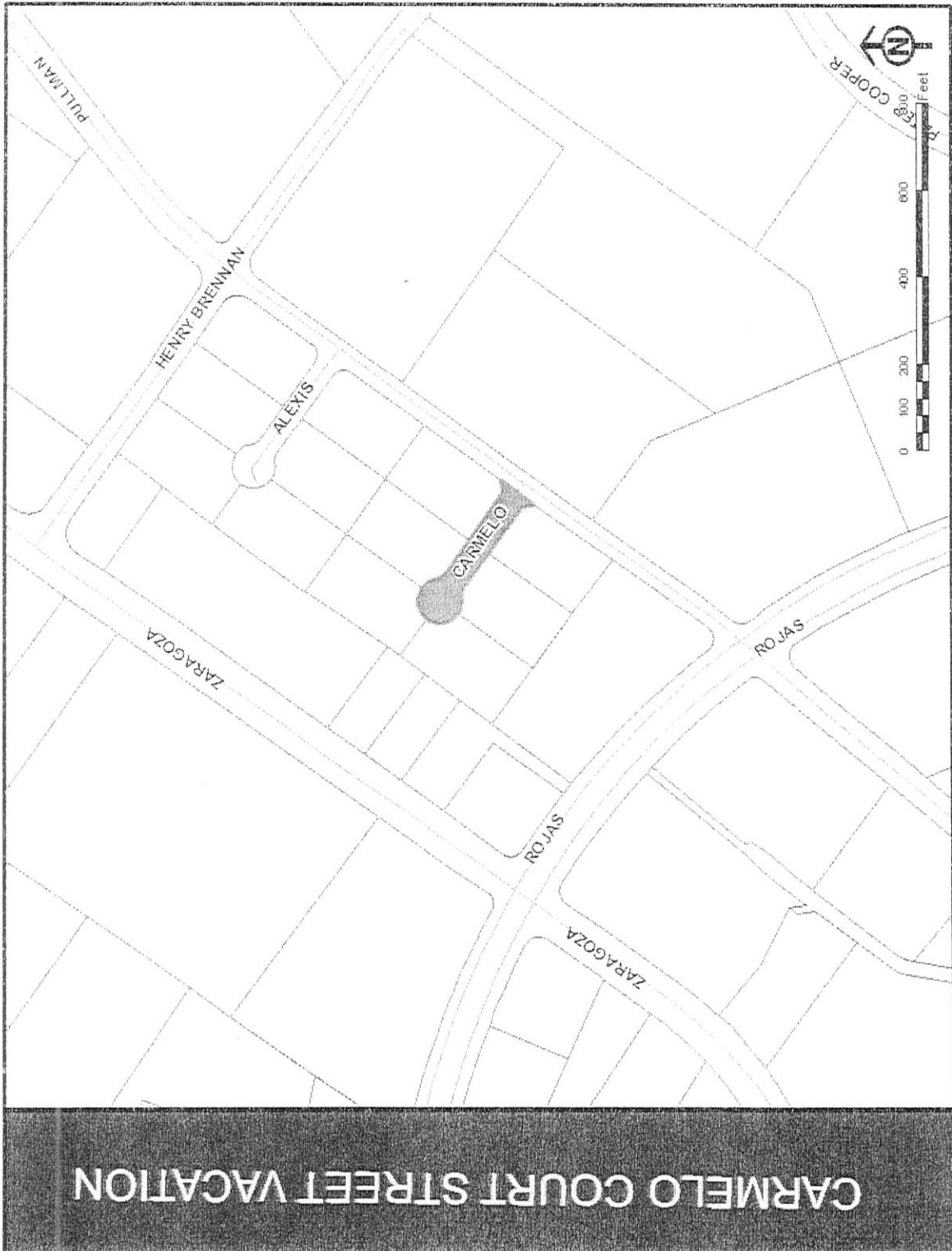
El Paso Independent School District:

No comments received.

Attachments

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

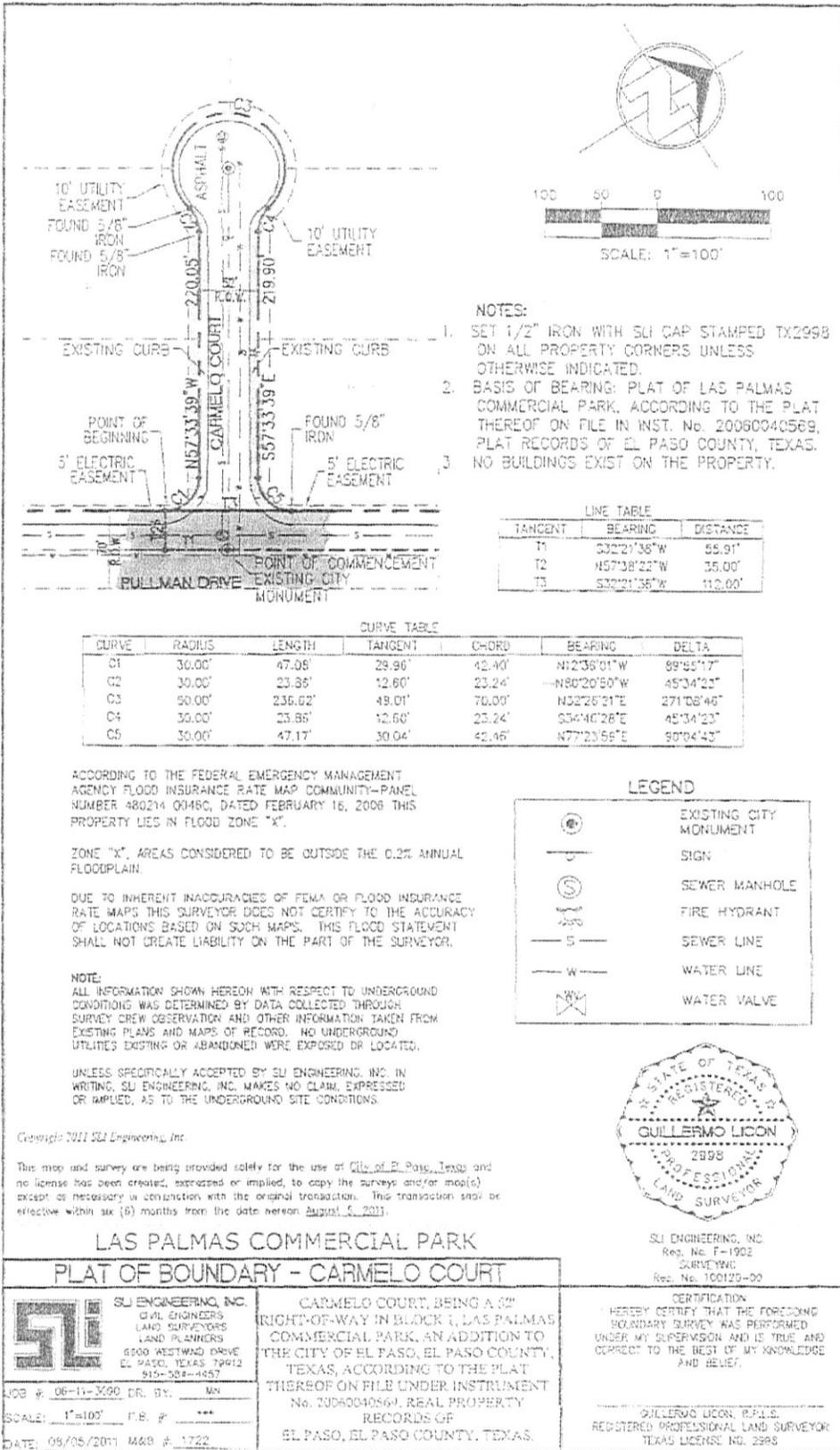
ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3



- NOTES:**
1. SET 1/2" IRON WITH SLI CAP STAMPED TX2998 ON ALL PROPERTY CORNERS UNLESS OTHERWISE INDICATED.
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ZONE "X", AREAS CONSIDERED TO BE OUTSIDE THE 0.2% ANNUAL FLOODPLAIN.

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UNLESS SPECIFICALLY ACCEPTED BY SLI ENGINEERING, INC. IN WRITING, SLI ENGINEERING, INC. MAKES NO CLAIM, EXPRESSED OR IMPLIED, AS TO THE UNDERGROUND SITE CONDITIONS.

Copyright 2011 SLI Engineering, Inc.

This map and survey are being provided solely for the use of City of El Paso, Texas and no license has been created, expressed or implied, to copy the surveys and/or map(s) except as necessary in connection with the original transaction. This transaction shall be effective within six (6) months from the date hereon August 5, 2011.

LEGEND	
	EXISTING CITY MONUMENT
	SIGN
	SEWER MANHOLE
	FIRE HYDRANT
	SEWER LINE
	WATER LINE
	WATER VALVE



SLI ENGINEERING, INC.
Reg. No. F-1902
SURVEYING
Reg. No. 100125-00

LAS PALMAS COMMERCIAL PARK PLAT OF BOUNDARY - CARMELO COURT

SLI ENGINEERING, INC.
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS
6500 WESTWIND DRIVE
EL PASO, TEXAS 79912
915-324-4657

JOB # 06-11-200 DR. BY: MN

SCALE: 1"=100' P.L.S. #

DATE: 09/05/2011 M&S # 1722

CARMELO COURT, BEING A 50' RIGHT-OF-WAY IN BLOCK 1, LAS PALMAS COMMERCIAL PARK, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF ON FILE UNDER INSTRUMENT No. 20060040569, REAL PROPERTY RECORDS OF EL PASO, EL PASO COUNTY, TEXAS.

CERTIFICATION
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, P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS LICENSE NO. 2898

ATTACHMENT 4



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

Date: 8/9/11

File No. SURW11-00003

1. APPLICANTS NAME SLI ENGINEERING, INC/ Santa Fe partnership
ADDRESS _____ ZIP CODE _____ TELEPHONE _____

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

Street Alley _____ Easement _____ Other _____

Street Name(s) Carmelot Court Subdivision Name Las Palmas Commercial Park

Abutting Blocks 1 Abutting Lots 1,2,3,4,5,6,7

3. Reason for vacation request: Building a Amusement Park

4. Surface Improvements located in subject property to be vacated:
None Paving Curb & Gutter Power Lines/Poles _____ Fences/Walls _____ Structures _____

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>X</u>	<u>Lots 1- Lots 7</u>	_____
_____	<u>Las Palmas</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 X
REPRESENTATIVE:

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