



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

**DEPARTMENT:**    Development Services Department, Planning Division

**AGENDA DATE:**    CCA Intro 2/24/09; Public Hearing 3/3/09

**CONTACT PERSON/PHONE:**    Eddie Garcia, 541-4638

**DISTRICT(S) AFFECTED:** 7

**SUBJECT:**

An Ordinance vacating a twenty foot wide alley located between Zaragoza Road and Depot Street within Block 45 of Ysleta Grant, City of El Paso, El Paso County, Texas. Applicant: City of El Paso. Subject Property: North of Alameda Avenue and East of Harris Street. (District 7)

**BACKGROUND / DISCUSSION:**

N/A

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation  
City Plan Commission (CPC) – Approval (4-0)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** Victor Q. Torres  
Director, Development Services

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

Mayor  
John F. Cook

City Council

*District 1*  
Ann Morgan Lilly

*District 2*  
Susannah M. Byrd

*District 3*  
Emma Acosta

*District 4*  
Melina Castro

*District 5*  
Rachel Quintana

*District 6*  
Eddie Holguin Jr.

*District 7*  
Steve Ortega

*District 8*  
Beto O'Rourke

City Manager  
Joyce A. Wilson

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE VACATING A TWENTY FOOT WIDE ALLEY LOCATED BETWEEN ZARAGOZA ROAD AND DEPOT STREET WITHIN BLOCK 45 OF YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS**

**WHEREAS**, the City of El Paso is the abutting property owner of a twenty foot wide alley located within Block 45 of Ysleta Grant, City of El Paso, El Paso County, Texas; and,

**WHEREAS**, the City of El Paso has requested vacation of a twenty foot wide alley located within Block 45 of Ysleta Grant, City of El Paso, El Paso County, Texas; and,

**WHEREAS**, after public hearing the City Plan Commission has recommended a vacation of a twenty-foot wide alley located within Block 45 of Ysleta Grant, City of El Paso, El Paso County, Texas, and the City Council finds that said alley is not needed for public use as an alley and should be vacated as recommended.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That a twenty foot wide alley located between Zaragoza Road and Depot Street within Block 45 of Ysleta Grant, City of El Paso, El Paso County, Texas as further described in the attached metes and bounds description identified as Exhibit "A" and made a part hereof by reference, be and is hereby vacated, closed and abandoned.

**PASSED AND APPROVED this \_\_\_\_\_ day of March, 2009.**

**THE CITY OF EL PASO**

**ATTEST:**

\_\_\_\_\_  
John F. Cook  
Mayor

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO CONTENT:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Mathew McElroy, Deputy Director  
Development Services Department  
Planning Division

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney



**BROCK &**  
CONSULTING CIVIL ENGINEER

**Exhibit A**

ROMAN BUSTILLOS, P.E.  
President  
RANDY P. BROCK, P.E.  
Executive Vice President  
SERGIO J. ADAME, P.E.  
Vice President - Engineering  
OSCAR V. PEREZ  
Vice President - Operations  
ISAAC CAMACHO, R.P.L.S.  
Survey Manager

**METES AND BOUNDS DESCRIPTION**  
**"20 FEET WIDE ALLEY VACATION"**

*A 0.0614 acre parcel being an existing 20.00 feet wide alley, Block 45, Ysleta Grant, Texas and being more particularly described by metes and bounds as follows to wit:*

**COMMENCING** for reference at an existing County Monument found at the intersection of Zaragoza Road (right-of-way width varies) and Alameda Avenue (60.00 feet wide right-of-way); **WHENCE**, an existing County Monument found at the intersection of Harris Street Avenue (50.00 feet wide right-of-way) and Alameda Avenue (60.00 feet wide right-of-way) bears North 64°21'19" West, a distance of 456.59 feet; **THENCE**, leaving the centerline of Zaragoza Road and following the centerline of Alameda Avenue, North 64°21'19" West, a distance of 231.67 feet to a "PK" nail set; **THENCE**, leaving the centerline of Alameda Avenue, North 25°38'41" East, a distance of 30.00 feet to a 1/2 inch rebar with survey cap No. TX 5337 found at the intersection of the northerly right-of-way line of Alameda Avenue and the easterly right-of-way line of Depot Street (30.00 feet wide right-of-way); **THENCE**, leaving the northerly right-of-way line of Alameda Avenue and following the easterly right-of-way line of Depot Street, North 23°40'00" East, a distance of 110.80 feet to a 1/2 inch rebar with survey cap No. TX 5337 found at an angle point; **THENCE**, continuing along the east right-of-way line of Depot Street, North 19°17'00" East, a distance of 30.00 feet to a 1/2 inch rebar found with survey cap No. TX 5337 for the southwesterly corner and the **POINT OF BEGINNING** of the parcel herein described;

**THENCE**, continuing along the east right-of-way line of Depot Street, North 18°48'53" East, a distance of 19.85 feet to a 1/2 inch rebar found with survey cap No. TX 5337 for the northwesterly corner of the parcel herein described;

**THENCE**, leaving the east right-of-way line of Depot Street, South 68°18'18" East, a distance of 129.54 feet to a 1/2 inch rebar with survey cap No. TX 6032 set on the westerly right-of-way of Zaragoza Road (variable right-of-way- width) for the northeasterly corner of the parcel herein described and a point of curvature;

**THENCE**, following the westerly right-of-way of Zaragoza Road and along the arc of a curve to the right having a radius 440.00 feet, a central angle of 02°59'46", an arc length of 23.01 feet and whose long chord bears South 08°45'01" East, a distance of 23.01 feet to a 1/2 inch rebar with survey cap No. TX 6032 set for the southeasterly corner of the parcel herein described and a point for corner;

**THENCE**, leaving the westerly right-of-way line of Zaragoza Road, North 68°18'00" West, a distance of 140.20 feet to the **TRUE POINT OF BEGINNING**.

*Said Parcel contains 0.0614 acres (2,676.4 square feet), more or less.*

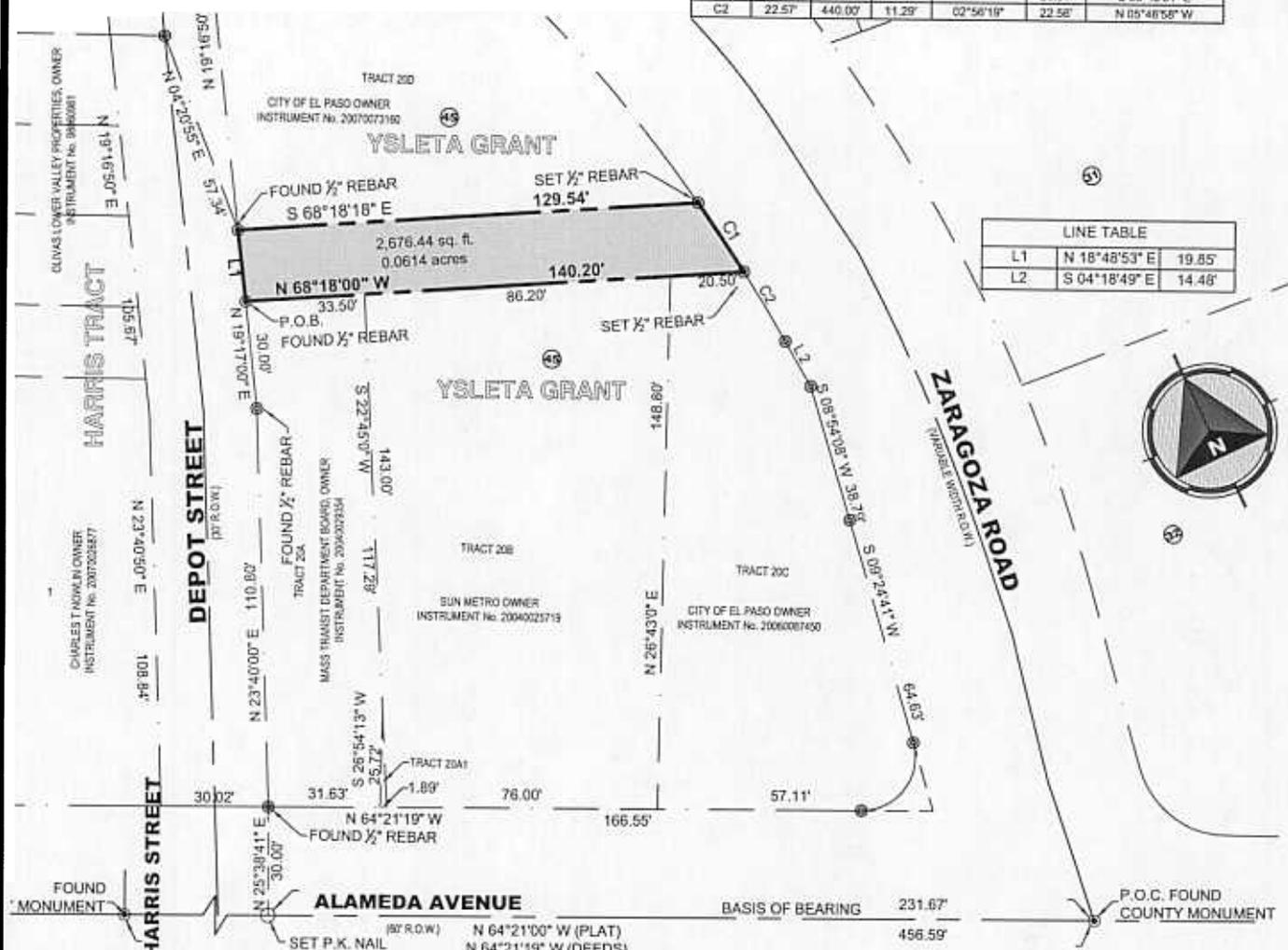
  
Avelardo Ponce  
TX R.P.L.S. No. 6032  
November 05, 2008  
06492-008



BB

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	DELTA	CHORD	CHORD BEARING
C1	23.01'	440.00'	11.51'	02°59'46"	23.01'	S 08°45'01" E
C2	22.57'	440.00'	11.29'	02°56'18"	22.56'	N 05°46'58" W

LINE TABLE		
L1	N 18°48'53" E	19.85'
L2	S 04°18'49" E	14.48'



**REFERENCES:**

1. PLAT OF BLOCK 45, YSLETA GRANT DATED DECEMBER, 1928.
2. PLAT OF HARRIS TRACT BY A.S. ALBRO.

**CERTIFICATION**

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECTION AND SUPERVISION AND THAT THIS MAP CORRECTLY SHOWS HEREON THE FACTS FOUND ON THE GROUND AT THE TIME OF THE SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

  
 AVELARDO PONCE  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 TEXAS REGISTRATION No. 6032  
 DATE: NOV-05-2008

**LEGEND**

- SUBDIVISION BOUNDARY 
- TRACT/LOT LINE 
- CENTERLINE OF ROW 
- PROJECT BENCHMARK 
- FOUND COUNTY MONUMENT 
- BLOCK NUMBER 

**BOUNDARY SURVEY**

DRAWN BY: F.I. CHECKED BY: A.P. DATE: 11-05-2008 SCALE: 1" = 50'  
 A 20 FEET WIDE ALLEY OUT OF BLOCK 45, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS.




**BROCK & BUSTILLOS INC.**  
 CONSULTING CIVIL ENGINEERS  
 LAND SURVEYORS

417 EXECUTIVE CENTER-EL PASO, TX 79902-PH (915) 542-4900  
 FAX (915) 542-2867-WWW.BROCKBUSTILLOS.COM

FILE NO: 06492-008



**MEMORANDUM**

**DATE:** February 13, 2009

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

**FROM:** Eddie Garcia, Senior Planner

**SUBJECT: SUB08-00162**

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The City Plan Commission (CPC), on December 18, 2008, **voted 4-0 to approve** the Depot Street Alley Vacation.

The CPC determined the vacation 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 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  
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City Council

*District 1*  
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City Manager  
Joyce A. Wilson



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

**Case No:** SUB08-00162 Depot Drive Alley Vacation  
**Application Type:** Alley Vacation  
**CPC Hearing Date:** December 18, 2008

**Staff Planner:** Eddie Garcia, 915-541-4638, [gariaez2@elpasotexas.gov](mailto:gariaez2@elpasotexas.gov)  
**Location:** North of Alameda Avenue and East of Harris Street  
**Legal Description Acreage:** .0614  
**Rep District:** 7  
**Existing Use:** Alley  
**Existing Zoning:** C-1/h (Commercial/historical)  
**Proposed Zoning:** C-1/h (Commercial/historical)

**Nearest Park:** Ysleta Park (.186 miles)  
**Nearest School:** Robert F. Kennedy Jr. Pre-Kindergarten (.04 miles)

**Property Owner:** City of El Paso  
**Applicant:** City of El Paso  
**Representative:** Brock and Bustillos

### **SURROUNDING ZONING AND LAND USE**

**North:** C-1/ sc/h (Commercial/ special contract/historical); Commercial development

**South:** C-1/h (Commercial/historical); Commercial development

**East:** C-1/h (Commercial/historical); Commercial development

**West:** A-2/h (Residential/historical); School

**THE PLAN FOR EL PASO DESIGNATION:** Mixed Use

### **APPLICATION DESCRIPTION**

The City of El Paso is proposing to vacate an alley that is located between Depot Street and Zaragoza Road for the construction of a transit terminal. The alley is approximately .0614 acres in size and measures approximately 20 feet in width and 140 feet in depth.

### **DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee recommends **approval** of the proposed vacation of the alley based on its compliance with Title 19. The approval of the alley vacation is subject to the following conditions and requirements:

#### **Planning Division – Land Development**

No objections.

#### **Engineering Department – Traffic Division**

No objections.

## **Sun Metro**

No comments received.

## **TXDOT**

No comments received.

## **El Paso Water Utilities**

EPWU does not object to this request.

## **EPWU-PSB Comments**

EPWU-PSB does not object to this request contingent upon receiving a formal written request by the applicant to abandon in place the existing water and sewer mains along the 20-foot wide paved area south of what is now Tract 20D, as well as the removal/relocation of the existing water meter services. The Applicant is responsible for the costs of abandonment of mains (depreciation), cutting and plugging of the mains, and removal/relocation of water meter services.

## **EPWU-PSB Comments**

### **Water:**

Along Zaragoza Road fronting the subject property there is an existing 6-inch diameter water main located approximately 20 feet east of and parallel to the west Zaragoza Road right-of-way line.

From the intersection of Depot Street and Alameda Avenue along Depot Street towards the north there are no existing water mains.

There is an existing 4-inch diameter water main along the 20-foot wide alley between Harris Street and Depot Street. This 4-inch main extends east from Depot Street to Zaragoza Road along the approximately 20-foot wide paved area south of what is now Tract 20D.

Previous water pressure readings from fire hydrant #2651 located at the southwest intersection of Zaragoza Road and Harris Street have yielded a static pressure of 96 pounds per square inch, a residual pressure of 90 pounds per square inch, and a discharge of 1,384 gallons per minute.

Previous water pressure readings from fire hydrant #1170 located on Harris Street approximately 275 feet north of Alameda have yielded a static pressure of 100 pounds per square inch, a residual pressure of 90 pounds per square inch, and a discharge of 1,321 gallons per minute.

If the mainline water pressure is greater than desired, the Owner shall install a pressure regulating device after the meter on the privately owned water service line. The property owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

### **Sanitary Sewer:**

There is an existing 8-inch diameter sanitary sewer main fronting the subject property along Zaragoza Road located approximately 10 feet west of and parallel to the east Zaragoza Road right-of-way line.

From the intersection of Depot Street and Alameda Avenue along Depot Street towards the north there are no existing sanitary sewer mains.

There is an existing 6-inch diameter sanitary sewer main along the 20-foot wide alley between Harris Street and Depot Street. There is also a 6-inch diameter sanitary sewer main that extends west from Zaragoza Road to Depot Street along the approximately 20-foot wide paved area south of what is now Tract 20D. A portion of this sewer main crosses the northwest corner of what is now Tract 20A, Block 45, Ysleta Grant.

### **General:**

EPWU records indicate vacant water service connections (3/4") at 9051 Alameda Avenue (1 connection) and at 9065 Alameda Avenue (3 connections Apt A, B, C).

Alameda Avenue is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Alameda Avenue right-of-way requires written permission from TxDOT.

New service applications are available at 1154 Hawkins, 3<sup>rd</sup> floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

**Texas Gas Service**

No comments received.

**Fire Department**

No comments received.

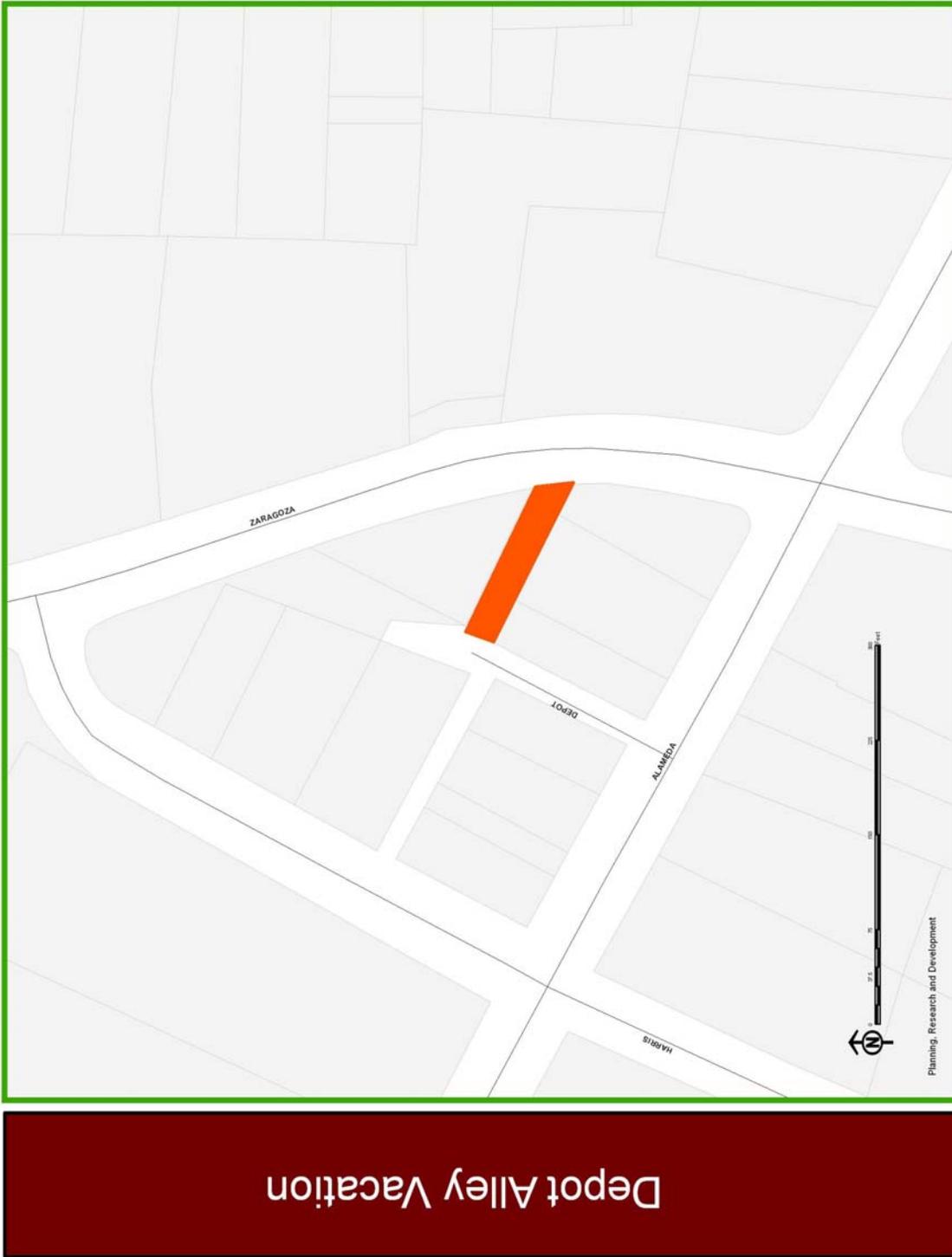
**Parks and Recreation Department**

No comments received.

**Attachments**

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

ATTACHMENT 1

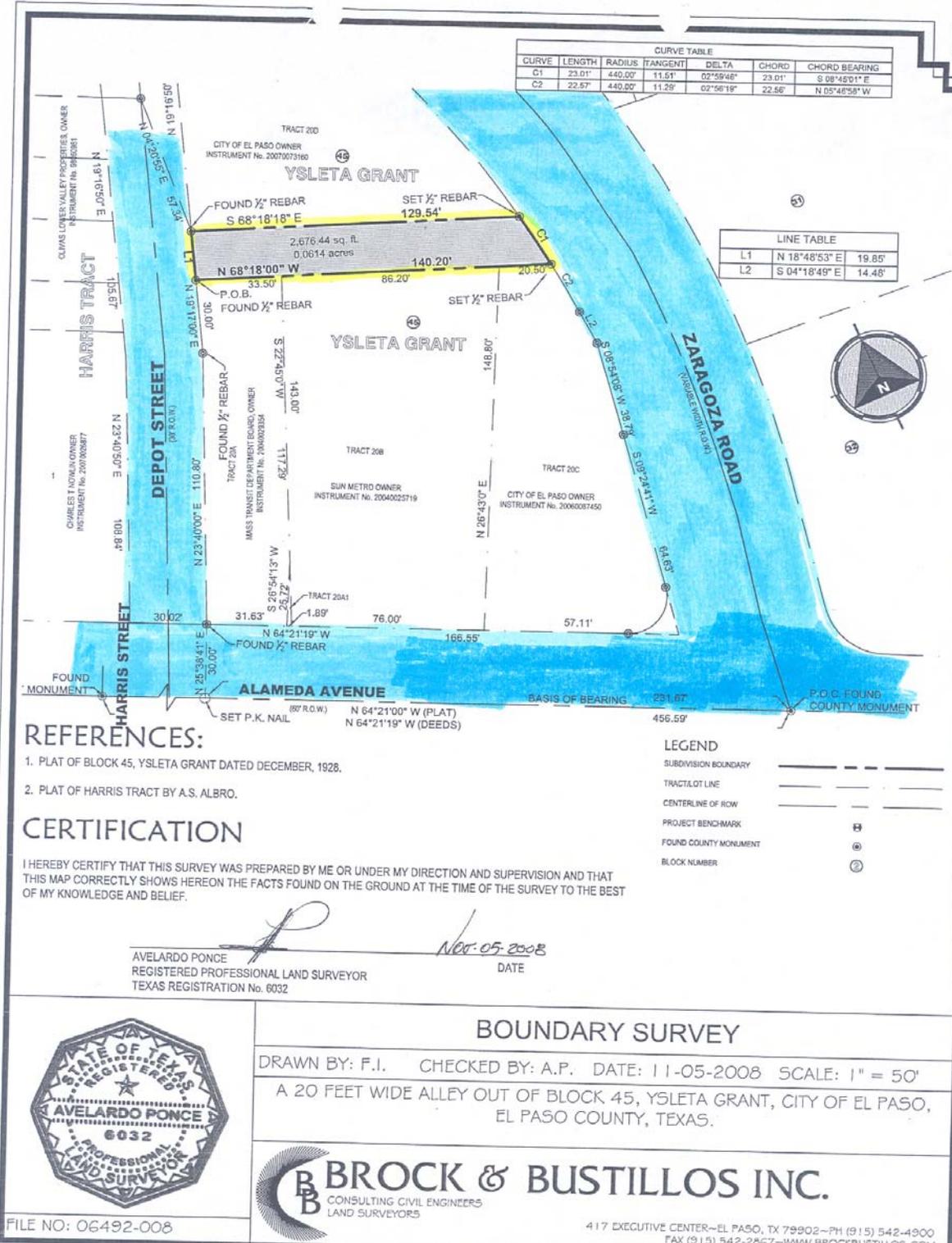


ATTACHMENT 2



Depot Alley Vacation

# ATTACHMENT 3



ATTACHMENT 4

SUB08-00162



APPLICATION FOR VACATION OF PUBLIC EASEMENTS AND RIGHTS-OF-WAY

DATE November 05, 2008

- 1. APPLICANTS NAME Mass Transit Department Board
ADDRESS Two Civic Center Plaza ZIP CODE 79901 TELEPHONE 915-533-1220
2. Request is hereby made to dedicate the following: (check one)
Street Alley X Easement Other
Street Name(s) 20' Alley Subdivision Name Harris Tract
Abutting Blocks Block 2 Abutting Lots
3. Reason for the vacation request: Proposed construction of Sun Metro Mass Transit Terminal
4. Surface Improvements located in subject property to be dedicated:
None Paving X Curb & Gutter X Power Lines/Poles Fences/Walls X Structures Other
5. Underground Improvements located in subject right-of-way:
None Telephone Electric Gas X Water X Sewer X 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 X Board of Adjustment Subdivision X Building Permits Other
8. Signatures: All owners of properties which abut the property to be dedicated must appear below with an adequate legal description of the properties they own (use additional paper if necessary).

Table with 3 columns: Signature, Legal Description/Address, Telephone Number. Contains three entries for adjacent lots.

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.

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.

Signed By: [Signature] Land Owner/Applicant/Agent

Date

FEE AMOUNTS: Easement Vacation \$342.60 Street, Alley, Other Rights-of-Way Vacation \$571.00 plus cost of appraisal and value

CASHIER'S VALIDATION