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

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

DEPARTMENT: **Development Services / Planning Division**

AGENDA DATE: **Introduction 03/23/2010: Public Hearing 03/30/2010**

CONTACT PERSON/PHONE: **Michelle Padilla, Planner – 541-4903**

DISTRICT(S) AFFECTED: **8**

SUBJECT:
An ordinance vacating to vehicular traffic a portion of 8th Avenue between Stanton Street and Mesa Street, within Campbell Addition, Amending Subdivision, City of El Paso, El Paso County, Texas. Applicant: City of El Paso. SUB10-00012 **(District 8) THIS IS AN APPEAL CASE**

BACKGROUND / DISCUSSION:
N/A

PRIOR COUNCIL ACTION:
N/A

AMOUNT AND SOURCE OF FUNDING:
N/A

BOARD / COMMISSION ACTION:
Development Coordinating Committee: Unanimous Approval
City Plan Commission: Denial (4-1)

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

LEGAL: N/A **FINANCE:** N/A

DEPARTMENT HEAD:

_____
Victor Torres, Development Services Director

APPROVED FOR AGENDA:

CITY MANAGER:

_____**DATE:**_____

Development Services Department
Victor Q. Torres – Director
2 Civic Center Plaza – 5th Floor · El Paso, Texas 79901 · (915) 541-4622 · Fax (915) 541-4725

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
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 TO VEHICULAR TRAFFIC A PORTION OF 8TH AVENUE BETWEEN STANTON STREET AND MESA STREET, WITHIN CAMPBELL ADDITION, AMENDING SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS

WHEREAS, the City Plan Commission has recommended that *a portion of 8th Avenue between Stanton Street and Mesa Street, within Campbell Addition, Amending Subdivision, City of El Paso, El Paso County, Texas,* and being more fully described by metes and bounds in Exhibit "A" and in the attached survey identified as Exhibit "B" attached hereto and made a part hereof, be closed to public vehicular use and the City Council finds that said right-of-way should be closed as recommended;

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

That *a portion of 8th Avenue between Stanton Street and Mesa Street, within Campbell Addition, Amending Subdivision, City of El Paso, El Paso County, Texas,* 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 closed to public vehicular use, subject to the entire length and width of the right-of-way in Exhibit "A" and Exhibit "B" being retained as a utility easement and the area readily accessible to utility companies for maintenance, repair, and replacement of their facilities.

PASSED AND APPROVED this _____ day of _____, 2010

THE CITY OF EL PASO

_____
John F. Cook
Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

_____
Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Mathew McElroy, Deputy Director-Planning
Development Services Department

EXHIBIT "A"

0.209 ACRES PARCEL 2

Property Description: A portion of 8th Avenue between Stanton Street and Mesa Street, within Campbell Addition, Amending Subdivision, City of El Paso, El Paso County, Texas.

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a portion of 8th Avenue, between Stanton Street and Mesa Street, Campbell Addition, Amending Subdivision, City of El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

Commencing at an existing city monument lying 15' north and 10' east of the respective centerline intersection of Stanton Street (70' public right of way) and 8th Avenue (70' public right of way); Thence, South 78° 15' 11" West, along the monument line on 8th Street, a distance of 45.00 feet to a point; Thence, South 11°44' 49" East, abandoning said monument line, a distance of 15.00 feet to a point for a corner lying on the centerline of 8th Avenue, said point being a found chiseled "X", also being the TRUE POINT OF BEGINNING of this description;

THENCE, South 11° 44' 49" East, a distance of 35.00 feet to a point for a corner lying on the intersection of the westerly right of way line of Stanton Street and the southerly right of way line of 8th Street, said point being a found chisel "X";

THENCE, South 78° 15' 11" West, along said right of way line, a distance of 260.00 feet to a point for a corner lying on the intersection of the westerly right of way line of Mesa Street (70' public right of way) and the southerly right of way line of 8th Avenue, said point being a found nail with shiner;

THENCE, North 11° 44' 49" West, abandoning said right of way line, a distance of 35.00 feet to a point for a corner lying on the centerline of 8th Avenue, said point being a found nail with shiner;

THENCE, North 78° 15' 11" East, along said centerline, a distance of 260.00 feet to the TRUE POINT OF BEGINNING of this description.

Said parcel of land contains 0.209 acres (9,100 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

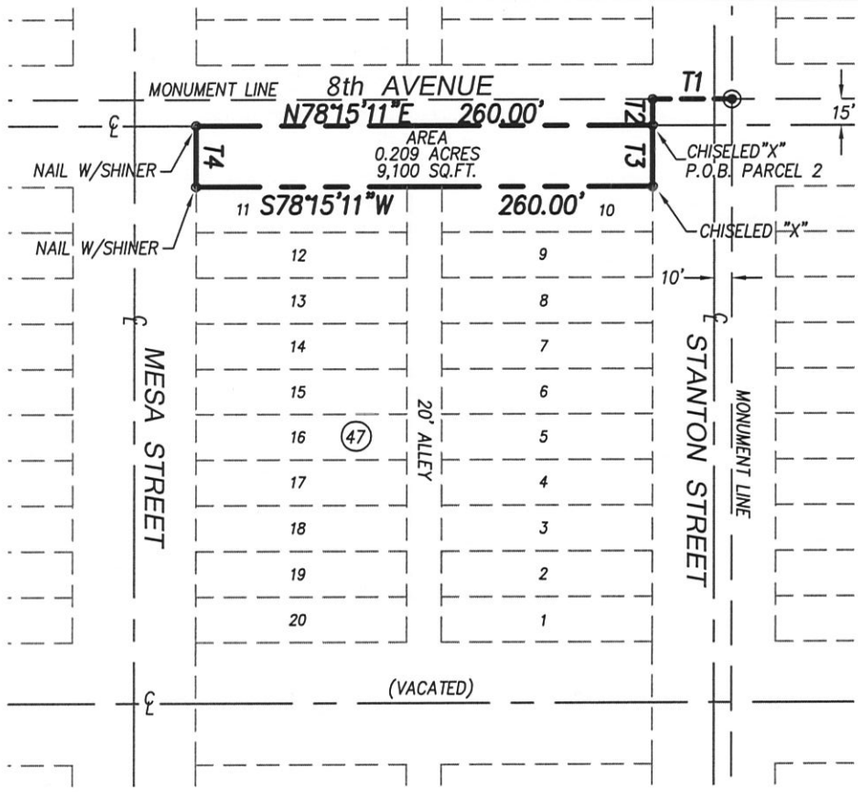
STATE OF TEXAS
REGISTERED
GUILLERMO LICON
2998
PROFESSIONAL
LAND SURVEYOR

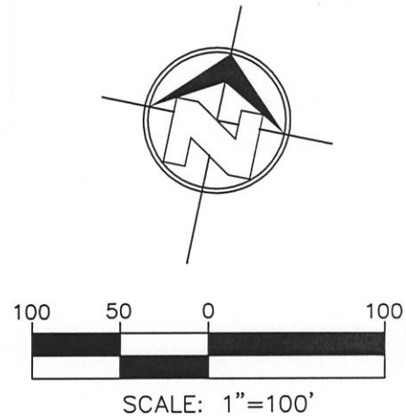
Guillermo Licon, R.P.L.S.
Registered Professional Land Surveyor
Texas License No. 2998

December 21, 2009
Job Number 00-00-2009

M&B/1590

EXHIBIT "B"





LEGEND

P.O.B.	POINT OF BEGINNING
℄	CENTERLINE

LINE TABLE

TANGENT	BEARING	DISTANCE
T1	S78°15'11"W	45.00'
T2	S11°44'49"E	15.00'
T3	S11°44'49"E	35.00'
T4	N11°44'49"W	35.00'

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY–PANEL NUMBER 480214 0039 B, DATED OCTOBER 15, 1982 THIS PROPERTY LIES IN FLOOD ZONE "C".

ZONE "C" AREAS OF MINIMAL FLOODING.

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.

NOTES:

1. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT OF SURVEY.
2. SET 1/2" IRON WITH SLI CAP STAMPED "TX 2998" ON ALL PROPERTY CORNERS, UNLESS OTHERWISE INDICATED.
3. BASIS OF BEARING: MAP OF CAMPBELL ADDITION, RECORDED IN VOLUME 002, PAGE 068.
4. THIS PLAT OF BOUNDARY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

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.

Copyright 2009 SLI Engineering, Inc.

This map and survey are being provided solely for the use of _____ and no license has been created, expressed or implied, to copy the surveys and/or map(s) except as necessary in conjunction with the original transaction. This transaction shall be effective within six (6) months from the date hereon December 21, 2009.

STATE OF TEXAS
REGISTERED
GUILLERMO LICON
2998
PROFESSIONAL
LAND SURVEYOR

PLAT OF SURVEY

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

JOB #: 00-00-2009b DR. BY: MN
SCALE: 1"=100' F.B. #: ***
DATE: 12/21/2009 DWG: F:\Projects\Impsurv\09-2864 8thAVE(Par2)\DWG\0.209ac8thAv(Par2).dwg

PARCEL 2
SOUTH HALF PORTION OF EIGHTH AVENUE BETWEEN STANTON STREET AND MESA STREET CAMPBELL ADDITION, AMENDING SUBDIVISION, 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

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

DEVELOPMENT SERVICES
PLANNING DIVISION

M E M O R A N D U M

DATE: March 15, 2010

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

FROM: Michelle Padilla, Planner

SUBJECT: **Eighth Avenue Street Vacation**

The City Plan Commission (CPC), on February 25, 2010, **voted 4-1** to recommend **denial** of the Eighth Avenue Street Vacation**.**

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

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Rachel Quintana

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City Manager
Joyce A. Wilson

Development Services Department
Victor Q. Torres – Director
2 Civic Center Plaza – 5th Floor · El Paso, Texas 79901 · (915) 541-4622 · Fax (915) 541-4725

City of El Paso – City Plan Commission Staff Report

Case No: SUB10-00012 Eighth Avenue Street Vacation
Application Type: Street Vacation
CPC Hearing Date: February 25, 2010

Staff Planner: Michelle Padilla, 915-541-4903, *padillamx@elpasotexas.gov*
Location: East of Mesa Street at Eighth Avenue
Acreage: 0.209-acre
Rep District: 8

Property Owner: City of El Paso
Applicant: City of El Paso
Representative: City of El Paso

SURROUNDING ZONING AND LAND USE:

North: SRR (Special Residential Revitalization District) & C-4 (Commercial)/Parking Lot & Retail Building
South: C-4 (Commercial) & C-4/c (Commercial/condition) /Government Facility
East: C-4/ (Commercial)/ Government Facility
West: SRR (Special Residential Revitalization District)/ Retail Building & Vacant

THE PLAN FOR EL PASO DESIGNATION: Mixed-Use

APPLICATION DESCRIPTION

The City of El Paso is proposing to vacate the public vehicular interest of a 9,100 square-foot, 260-foot long and 35-foot wide portion of Eighth Avenue between Stanton Street and Mesa Street. The proposed vacation would allow for a parking and landscaped area that will serve a new toll facility and office building for the International Bridges Department.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION:

Approval.

DEVELOPMENT COORDINATING COMMITTTEE COMMENTS:

The Development Coordinating Committee recommends ***approval*** of the proposed vacation of a portion of Eighth Avenue located within the Campbell Addition Amending Subdivision subject to the following conditions and requirements:

Planning Division Recommendation

Approval.

Planning Division – Land Development

No objections.

Engineering Department – Traffic Division

No objection to the proposed vacation of vehicular interest in the south half of Eighth Street between Mesa & Stanton, and the adjacent alley. The north half of Eighth Street will be open for one-way traffic only.

Streets Department

No comments received.

El Paso Water Utilities

No comments received.

El Paso Water Utilities

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

Eighth Avenue Street Vacation

1. There is an existing 18-inch diameter storm sewer pipe along Eighth Avenue between Stanton Street and Mesa Street. The pipe is located *approximately* along the Eighth Avenue centerline; the section of pipe west of the alley is located just south of the centerline within the area proposed for vacation. EPWU requires dedicating the area proposed for vacation as a full-width drainage easement to allow for continued maintenance of the existing storm sewer pipe.

Fire Department

No comments received.

Parks and Recreation Department

No comments received.

Texas Gas Service

No comments received.

El Paso Electric Company

No comments received.

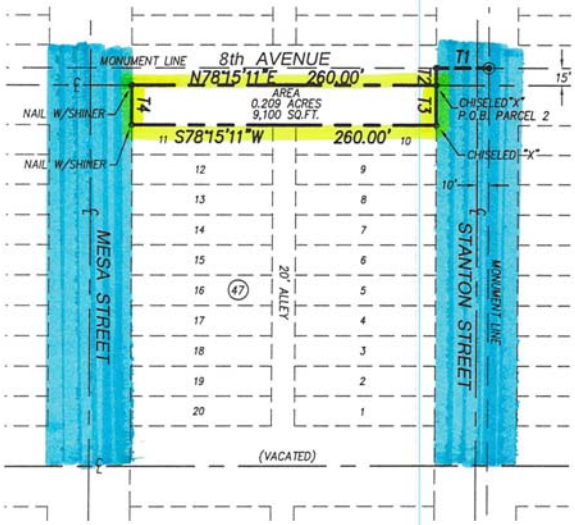
Attachments

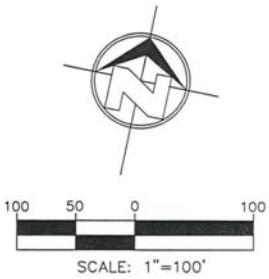
1. Location map
2. Aerial map
3. Survey Map
4. Application

ATTACHMENT 1

ATTACHMENT 2

ATTACHMENT 3





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REGISTERED
GUILLERMO LICON
2998
PROFESSIONAL
LAND SURVEYOR

PLAT OF SURVEY

SLI ENGINEERING, INC.
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6600 WESTWIND DRIVE
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JOB #: 00-00-2009b DR. BY: MN
SCALE: 1"=100' F.B. #: ***
DATE: 12/21/2009 DWG: F:\Projects\mpsurv\09-2864 8thAVE(Par2)\DWG\0.209ac8thAv(Par2).dwg

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GUILLERMO LICON, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS LICENSE NO. 2998

PAGE 2 OF 2

ATTACHMENT 4

SUB10-00012

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

CITY OF EL PASO PAID JAN 19 2010 DEVELOPMENT SERVICES DEPT

Date: Jan. 14, 2010 File No. SUB10-00012

1. APPLICANTS NAME City of El Paso
ADDRESS # 2 Civic Center ZIP CODE 79901 TELEPHONE 541-4687

2. Request is hereby made to vacate the following: (check one)
Street ✓ Alley____ Easement____ Other____
Street Name(s) Eight Avenue Subdivision Name Campbell Addition
Abutting Blocks 47 Abutting Lots L10, L11

3. Reason for vacation request: To vacate vehicular interest.

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.

DEVELOPMENT SERVICES DEPARTMENT

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.

WAIVED FEE
City, State, Federal Property
Owned, Operated and Maintained

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

Grace Lorenzo 1/15/10
BY DATE

OWNER SIGNATURE: Jayne A. Fallon
REPRESENTATIVE:

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