



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

DEPARTMENT: City Development Department
AGENDA DATE: CCA 11/27/12 Introduction, Public Hearing 12/4/12
CONTACT PERSON/PHONE: Justin Bass, 541-4930
DISTRICT(S) AFFECTED: 8

SUBJECT:

An ordinance vacating a portion of Main Street, City of El Paso, El Paso County, Texas. Applicant: Mills Plaza Parking, L.P. & City of El Paso SURW12-00011 (**District 8**)

BACKGROUND / DISCUSSION:

Planning staff coordinated a site visit during the review process. Attendees included the applicant, The Plaza Theatre, and affected City departments. Opposition was expressed from El Paso DOT and The Plaza Theatre as the proposed vacation would create a superblock and limit access to The Plaza Theatre. To mitigate these concerns, the applicant has agreed to retain a public easement to allow pedestrian movement to continue between El Paso Street and Oregon Street and an access easement to The Plaza Theatre for use its backstage area. An emergency and utility easement will also be retained on the site.

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, Director – City Development Department



Two Civic Center Plaza
El Paso, TX 79901
(915) 541-4000

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

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



APPROVED FOR AGENDA:

CITY MANAGER:

DATE: _____

Mayor

John F. Cook

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District 1

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Two Civic Center Plaza
El Paso, TX 79901
(915) 541-4000

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF MAIN STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS

WHEREAS, the abutting property owners have requested a vacation of a portion of Main Street, City of El Paso, El Paso County, Texas; and,

WHEREAS, after public hearing the City Plan Commission recommended that a portion of Main Street, 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 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 a portion of Main Street, City of El Paso, El Paso County, Texas, and which is more fully described in the attached metes and bounds description and survey, identified as Exhibit "A" and made a part hereof by reference, be and is hereby vacated subject to the following conditions:

An easement for emergency access, pedestrian access, utilities, and access for the City of El Paso to the Plaza Theatre for the care, maintenance and operation of the Plaza Theatre and for the use of its backstage area, shall remain in place over the shaded portion of the proposed vacation (the "Easement Area"). The City of El Paso will provide reasonable notice to **MILLS PLAZA PARKING, L.P.** before using the Easement Area for access to the Plaza Theatre. The retained easement expressly prohibits use of the Easement Area for parking of attended or unattended vehicles by beneficiaries under the retained easement.

The type of gates or bollards if used to close the portion of Main Street, identified in Exhibit "A", are to be approved by the El Paso Fire Department and the narrower portion of the vacated road is to be identified as a Fire Lane.

In addition, the City Manager is authorized to sign the Quitclaim Deed, attached hereto as Exhibit "B" conveying all of the City's right, title and interest in and to such vacated property to **MILLS PLAZA PARKING, L.P.**

PASSED AND APPROVED this _____ day of _____, 2012.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

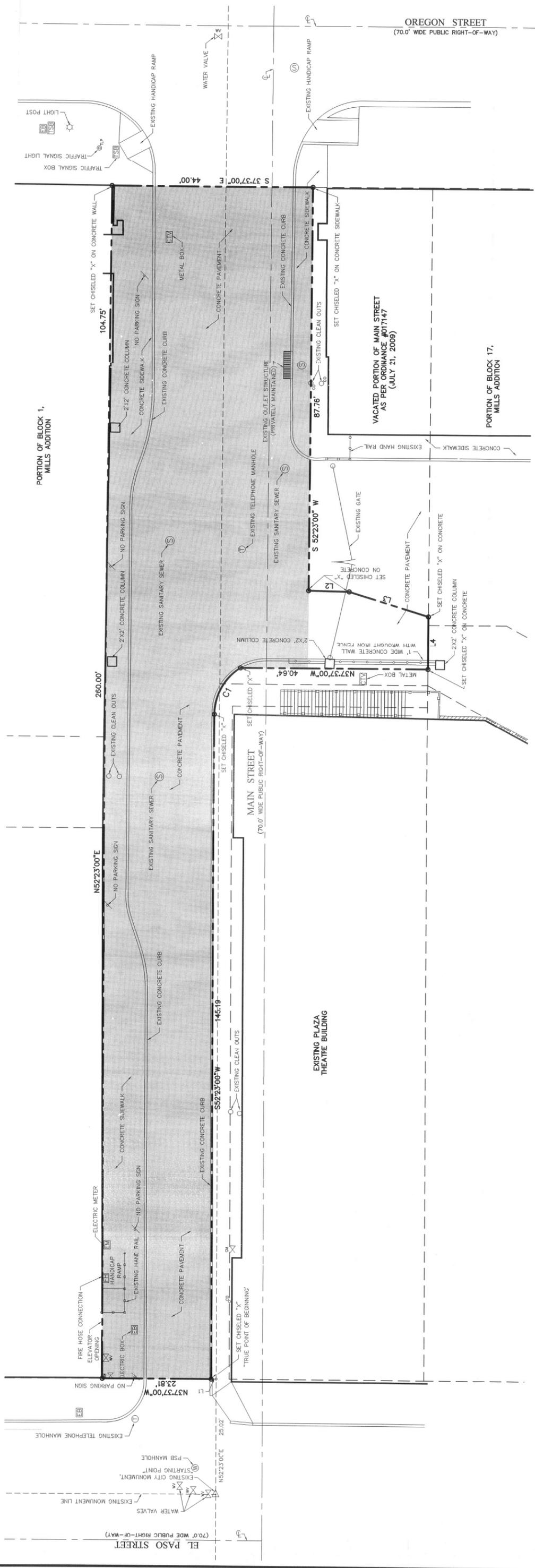
(Signatures continue on following page)

APPROVED AS TO CONTENT:

Mathew McElroy, Director
City Development Department

APPROVED AS TO FORM:

Lauren K. Ferris
Assistant City Attorney



OREGON STREET
(70.0' WIDE PUBLIC RIGHT-OF-WAY)

PORTION OF BLOCK 1,
MILLS ADDITION

VACATED PORTION OF MAIN STREET
AS PER ORDINANCE #017147
(JULY 21, 2008)

PORTION OF BLOCK 17,
MILLS ADDITION

EXISTING PLAZA
THEATRE BUILDING

PROPERTY DESCRIPTION

MAIN STREET (VACATION)
Description of a 0.2000 acre parcel of a portion of Main Street, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows to wit:

Starting at an existing city monument located 10.00 feet north and 10.00 feet east from the centerline intersection of El Paso Street and Main Street, Thence North 52°23'00" East a distance of 25.02 feet to a point, Thence North 37°37'00" West a distance of 1.10 feet to a joint, said joint also being the "TRUE POINT OF BEGINNING"

- Thence North 37°37'00" East a distance of 23.81 feet to a set chiseled "X";
- Thence North 52°23'00" East a distance of 260.00 feet to a set chiseled "X" on concrete sidewalk;
- Thence South 37°37'00" East a distance of 44.00 feet to a set chiseled "X" on concrete sidewalk;
- Thence South 52°23'00" West a distance of 87.76 feet to a set chiseled "X" on concrete sidewalk;
- Thence South 36°22'50" East a distance of 8.77 feet to a set chiseled "X" on concrete;
- Thence South 20°35'48" East a distance of 18.02 feet to a set chiseled "X" on concrete;
- Thence North 37°37'00" West a distance of 40.64 feet to a set chiseled "X" on concrete;
- Thence North 37°37'00" West a distance of 11.89 feet, whose central angle is 57°46'23" clockwise from the bearing of the previous line to a set chiseled "X" on concrete sidewalk;
- Thence South 52°23'00" West a distance of 145.19 feet back to the "TRUE POINT OF BEGINNING" and containing in all 8,714.50 square feet or 0.2000 acres of land more or less.

SCALE: 1" = 20'

LINE	BEARING	LENGTH
L1	N 37°37'00" W	1.10'
L2	S 36°22'50" E	8.77'
L3	S 20°35'48" E	18.02'
L4	S 52°23'00" W	11.52'

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	11.89'	11.99'	6.56'	11.48'	S 81°16'11" W	57°46'23"

- LEGEND**
- ₆₀ CLEAN OUT
 - ⊞ ELECTRIC BOX
 - ⊞ SANITARY SEWER MANHOLE
 - ⊞ WATER VALVE
 - ⊞ WATER METER
 - ⊞ GAS METER
 - ⊞ PSB MANHOLE
 - ⊞ TELEPHONE MANHOLE
 - ⊞ ELECTRIC METER
 - ⊞ LIGHT POST
 - ⊞ COMMUNICATIONS BOX
 - ⊞ TRAFFIC LIGHT POST
 - ⊞ TRAFFIC SIGNAL BOX
 - ⊞ CATV BOX

NOTE:
An easement for emergency access, pedestrian access, utilities, and operation of the Plaza Theatre and for the use of its backstage area, shall remain in place over the shaded portion of the proposed vacation (the "Easement Area"). The City of El Paso will provide reasonable notice to MILLS PLAZA PARKING, L.P., before using the Easement Area for access to the Plaza Theatre. The retained easement expressly prohibits use of the Easement Area for parking of attended or unattended vehicles by beneficiaries under the retained easement.

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NOTE: The above referenced property is within Zone "c"
(Explanation: Area of Minimal Flooding) according to the Federal Emergency Management Agency Flood Insurance Rate Maps, as per Area Community Panel No. 480214-0043 B, dated October 15, 1982.



CERTIFICATION
I hereby certify that the foregoing Boundary Survey was made by me on May 14, 2012, and that there are no other parties who have an interest in the land described hereon.
BRADLEY ROE, R.P.L.S. 101249

FILING INFORMATION
GENSUS TRACT: ---
DISTRICT: ---
AREA: ---
COUNTY PLAT RECORDS
BOOK: ---
PAGE: ---
FIELD: J.B./A.O.

BENCHMARK
BY: SR

REVISIONS

DATE	REVISIONS	BY
6/6/12	REVISED ACREAGE ON MAIN STREET VACATION DESCRIPTION	SR
6/21/12	REVISED DESCRIPTION AND PLOT PLAN	SR
9/17/12	REVISED SHADED AREA NOTE	SR
10/30/12	ADDED LEGEND AND REVISED CURVE TABLE	SR

SCALE
HOR: 1"=20'
VER: N/A
FILE NAME: VACATION.dwg
W.O. 070711-3
DATE: May, 2012
DESIGN BY: ---
DRAWN BY: ---
CHKD. BY: H.P.
APPD. BY: B.R.

IMPROVEMENT AND BOUNDARY SURVEY
BEING A PORTION OF MAIN STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS
CONTAINING IN ALL 8,714.50 SQ. FT. OR 0.2000 ACRES OF LAND MORE OR LESS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED HERETO
PREPARED FOR: THE CITY OF EL PASO

brhp
Roe Engineering, L.C.
601 T. Galtus Dr., Suite 303, El Paso, TX 79902
(915) 535-1418 Fax: (915) 535-4476
e-mail: roe@brhp.net

ENGINEERING/LAND DEVELOPMENT/PLANNING/SURVEYING
SHEET 1 OF 1

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

THE STATE OF TEXAS)) QUITCLAIM DEED
COUNTY OF EL PASO)

That in consideration of the receipt by the **CITY OF EL PASO** of TWENTY-FIVE DOLLARS (\$25.00) and other valuable consideration, the sufficiency of which is acknowledged, **THE CITY OF EL PASO**, has released and quitclaimed and by these presents does release and quitclaim unto **MILLS PLAZA PARKING, L.P.** (the "Grantee"), all its rights, title interest, claim and demand in and to the property, save and except that an easement for emergency access, pedestrian access, utilities, and access for the City of El Paso to the Plaza Theatre for the care, maintenance and operation of the Plaza Theatre and for the use of its backstage area shall remain in place over the shaded portion of the proposed vacation (the "Easement Area"). The City of El Paso will provide reasonable notice to **MILLS PLAZA PARKING, L.P.** before using the Easement Area for access to the Plaza Theatre. The retained easement expressly prohibits use of the Easement Area for parking of attended or unattended vehicles by beneficiaries under the retained easement. The type of gates or bollards to be used to close the street are to be approved the El Paso Fire Department and the narrower portion of the vacated road is to be identified as a Fire Lane. The property was vacated, closed and abandoned by Ordinance No. _____, passed and approved by the City Council of the City of El Paso and described as **A PORTION OF MAIN STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS**, which is more fully described in the attached metes and bounds description and survey, identified as Exhibit "A" and made a part hereof by reference.

WITNESS the following signatures and seal this _____ day of _____, 2012.

THE CITY OF EL PASO

Joyce Wilson, City Manager

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

(Acknowledgment on following page)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of _____, 2012,
by Joyce Wilson, as City Manager for the CITY OF EL PASO.

Notary Public, State of Texas
Notary's Printed or Typed Name:

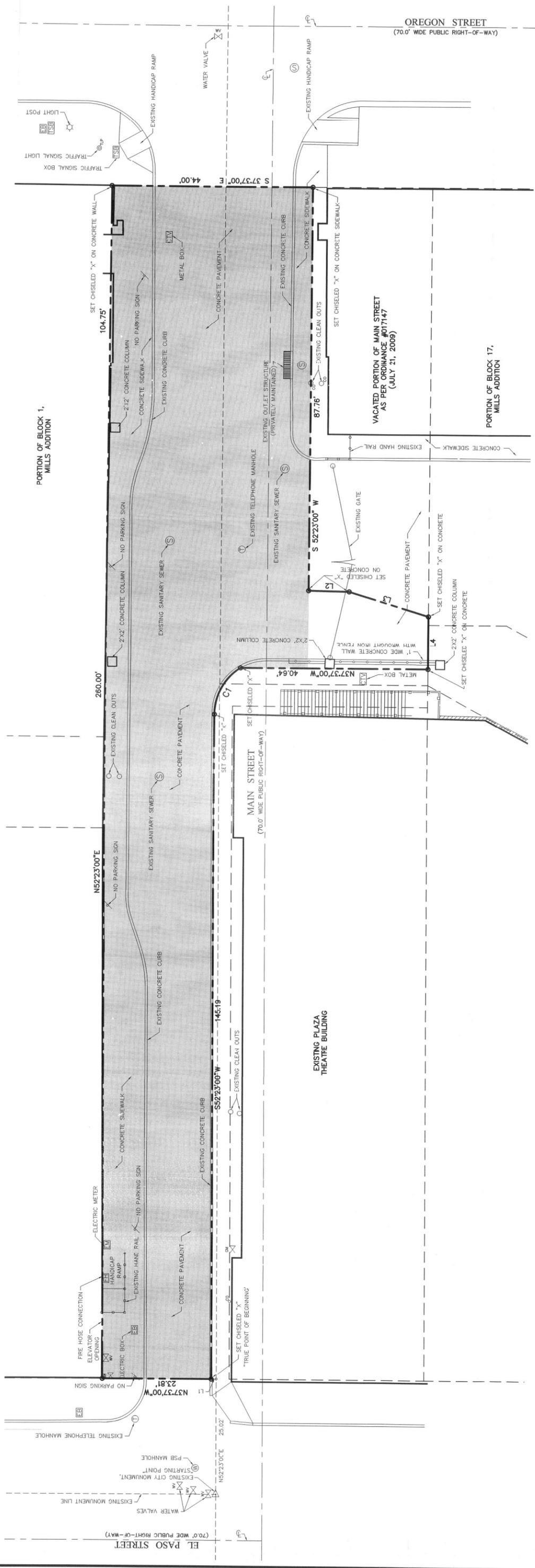
My Commission Expires:

AFTER FILING RETURN TO:

Mills Plaza Parking, L.P.
123 W Mills Avenue, Ste 600
El Paso, Texas 79901

with copy to:

City Development Dept.
Planning Division
2 Civic Center Plaza, 5th Floor
El Paso, Texas 79901



OREGON STREET
(70.0' WIDE PUBLIC RIGHT-OF-WAY)

PORTION OF BLOCK 1,
MILLS ADDITION

VACATED PORTION OF MAIN STREET
AS PER ORDINANCE #017147
(JULY 21, 2008)

PORTION OF BLOCK 17,
MILLS ADDITION



SCALE: 1" = 20'

LEGEND

○	CLEAN OUT
⊞	ELECTRIC BOX
⊞	SANITARY SEWER MANHOLE
⊞	WATER VALVE
⊞	WATER METER
⊞	GAS METER
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LINE TABLE

LINE	BEARING	LENGTH
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CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
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NOTE:
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NOTE: The above referenced property is within Zone "c"
(Explanation: Area of Minimal Flooding) according to the Federal Emergency Management Agency Flood Insurance Rate Maps, as per Area Community Panel No. 480214-0043 B, dated October 15, 1982.

DATE	REVISIONS	BY	BENCHMARK	FILING INFORMATION	SCALE	CERTIFICATION	IMPROVEMENT AND BOUNDARY SURVEY
6/6/12	REVISED ACREAGE ON MAIN STREET	SR		CENSUS TRACT: - DISTRICT: - AREA: -	HOR: 1"=20' VER: N/A FILE NAME: VACATION.dwg WO: 070711-3		BEING A PORTION OF MAIN STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS CONTAINING IN ALL 8,714.50 SQ. FT. OR 0.2000 ACRES OF LAND MORE OR LESS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED HERETO PREPARED FOR: THE CITY OF EL PASO
6/21/12	VACATION DESCRIPTION	SR		BOOK: -	DESIGN BY: -		
9/17/12	REVISED DESCRIPTION AND PLOT PLAN	SR		PAGE: -	DRAWN BY: -		
10/30/12	REVISED SHADED AREA NOTE	SR		FIELD: -	CHKD. BY: -		
	ADDED LEGEND AND REVISED CURVE TABLE	SR			APPD. BY: -		



**CITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

MEMORANDUM

DATE: November 27, 2012

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

FROM: Justin Bass, Planner

SUBJECT: SURW12-00011 Main Street Vacation

The City Plan Commission (CPC), on June 28, 2012, **voted 6-0** to recommend **approval** of the Main Street Vacation.

The CPC determined the vacation is in conformance with Plan 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

John F. Cook

City Council

District 1

Ann Morgan Lilly

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District 7

Steve Ortega

District 8

Cortney Carlisle Niland

City Manager

Joyce A. Wilson



Two Civic Center Plaza
El Paso, TX 79901
(915) 541-4000



City of El Paso – City Plan Commission Staff Report

REVISED

Case No: SURW12-00011 Main Street Vacation
Application Type: Right-of-way Vacation
CPC Hearing Date: June 28, 2012

Staff Planner: Justin Bass, 915-541-4930, bassjd@elpasotexas.gov
Location: North of San Antonio Avenue and west of Mesa Street
Acreage: 0.2000-acre
Rep District: 8
Existing Use: Right-of-way
Existing Zoning: C-5/H (Commercial/ Historic)

Property Owner: City of El Paso
Applicant: Mills Plaza Parking, L.P. & City of El Paso
Representative: Roe Engineering, L.C.

SURROUNDING ZONING AND LAND USE

North: C-5 (Commercial)/ Commercial development
South: C-5/H (Commercial/ Historic)/ Commercial development
East: C-5/H (Commercial/ Historic)/ Parkland
West: C-5 (Commercial)/ Commercial development

PLAN EL PASO DESIGNATION: Downtown.

APPLICATION DESCRIPTION

The applicant is requesting to vacate a portion of Main Street, located between El Paso Street and Oregon Street. The entire right-of-way is proposed to be vacated, except for the sidewalk abutting the Plaza Theatre, in order to allow perpetual public access between the existing fire escape and the El Paso Street right-of-way to the west. The applicant has stated that the reason for vacating the street is to control access to the street and remove the necessity for a special privilege license that would allow for the new parking garage to encroach into the public right-of-way. An emergency, pedestrian, utility and controlled-access (for Plaza Theatre access for special events) easement will remain in place over much of the proposed vacation.

All abutting properties are owned by Mills Plaza Parking, L.P., Plexxar Centre, LTD, and the City of El Paso.

DEVELOPMENT COORDINATING COMMITTEE

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

Approval with the following conditions:

- An emergency, pedestrian, utility and controlled-access (for Plaza Theatre access for special events) easement shall remain in place over much of the proposed vacation.
- The type of gates or bollards to be used to close the street to be coordinated with the Fire Dept. and the narrower portion of the vacated road is to be identified as a Fire Lane.
- Enhancement of the pedestrian easement shall include, but is not limited to:
 - Way-finding signs in accordance with city program
 - Lighting in accordance with the City code for the Downtown area
 - Sidewalk and/or pavement treatment

Planning Division Recommendation:

Approval with the conditions as stated in the Development Coordinating Committee recommendation.

EPDOT has not provided a positive recommendation. However, staff believes the concerns enumerated by their comments – when viewed in the light of major downtown redevelopment in the area – have been addressed. Although vehicular access would be vacated, pedestrian, bicycle, emergency, and utility access would remain, providing connectivity between El Paso Street, Oregon Street, and San Jacinto Plaza. In addition, the applicant has agreed to make aesthetic improvements to the abutting parking garage wall and install decorative gates/bollards and paving – within the area to be vacated – to encourage pedestrian use and improve the sense of safety.

City Development Department - Land Development:

We have reviewed subject plan and recommend **Approval**.

No Objection

EPDOT

Department of Transportation at this time will not be able to provide a positive recommendation to the request to vacate the above mentioned portion of Main Street.

Department of Transportation has the following concerns and comments:

- The street currently serves as a through connection for vehicles and pedestrians, without this connection, the vacation would create a mega block with no connectivity which is not the City's intent.
- Access to public/pedestrians, emergency vehicles and accessible emergency Plaza Theater evacuation exits must be maintained through the area at all times.

Department of Transportation does not provide a positive recommendation on the street right-of-way vacation and strongly encourages that the existing encroachments, road closure on the Main Street right-of-way be addressed, corrected and completed by the Special Privilege License process.

El Paso Water Utilities:

We have reviewed the above referenced street vacation request (revised description and plot plan 06/21/12) and provide the following comments:

1. The El Paso Water Utilities does not object to the proposed street vacation with the condition that the vacation is described as two parcels: one parcel that encompasses the area which is going to remain as emergency access, pedestrian and utility easement (shaded area) and the other parcel the southern portion that will have no utility easement.

2. There are existing water mains, sanitary sewer mains, water meter connections and sewer services within portions of Main Street. These facilities are to remain in place and in operation to continue providing service to the public.

Water

3. There is an existing 16-inch diameter water main along the eastern portion of Main Street that is proposed to be vacated.

Sanitary Sewer

4. There is an existing 8-inch sanitary sewer main along the eastern portion of Main Street that is proposed to be vacated.

Stormwater Division:

1. The existing drop inlet and connecting stormwater system is to be privately maintained. On the exhibit drawing, label the existing storm drain system connecting to the existing drop inlet as privately maintained. Also, provide an acceptable inspection and maintenance agreement for private facilities in accordance with Section 19.19.040 of the current subdivision ordinance.

2. Remove "drainage" from the exhibit note. A drainage easement is not required for private facilities.

(comments have been addressed)

Parks and Recreation:

We have reviewed Main Street ROW Vacation, a boundary survey map and offer "No" objections to this proposed "Street" vacation request.

El Paso Fire Department:

Recommend approval as per discussion on 6-12-12.

Per [verbal] agreement with applicant, Installation of approved gates or removal bollards as detailed to the Fire Marshal.

A 150 foot section of roadway shall be properly identified as "Fire Lane" and all appropriate signage and marking shall be a requirement.

Both sides of the street shall have the red curb with "NO PARKING FIRE LANE" on it.

A [verbal] agreement has been reached between the Fire Marshal and the applicant that the signage indicating the fire lane will be required on one side of the street, and is allowed to be posted on the parking structure walls.

El Paso Electric Company:

El Paso Electric Company has no objection the vacation of Main Street between Oregon Street and El Paso Street. El Paso Electric has no facilities in this block.

Museum and Cultural Affairs:

If the area is to be vacated MCAD recommends the following:

- Any bollards or other gating be inviting or welcoming to pedestrians
- An artist be commissioned to paint the sidewalk frontage area on the parking structure
- Downtown way finding installations (modeled after those approved by the City and DMD) be incorporated at both ends entrances to the area

All of these are to encourage pedestrian usage and minimize the impact of the “super block” created by the vacated portion of Main.

(City will require enhancement of the pedestrian easement to include, but not limited to: Way-finding signs in accordance with city program, lighting in accordance with the City code for the Downtown area, and sidewalk and pavement treatment.)

Convention & Visitors Bureau:

First and foremost, we still oppose the vacation of Main Street. We do not believe this to be conducive to having proper vehicular connectivity through Downtown El Paso. Mills Street is being proposed to be vacated as well and is to be turned into a pedestrian promenade. With both Mills and Main being vacated the nearest throughway for vehicles is Franklin and San Antonio. This proposed vacation will create a “superblock” that we believe should be avoided. However, in the event that City Planning decides to move forward and approve the vacation of Main Street, then we request that the Plaza Theatre obtain joint use of Main Street as part of the ordinance.

(City will retain use for special events occurring at the Plaza Theatre)

Sun Metro:

No comments received.

911:

No comments received.

Texas Gas Company:

According to our records, we have mainline facilities within this area proposed to be vacated. Therefore, TGS must object to the vacation unless owner provides easement for our existing facilities or requests relocation of the facilities at owner’s expense.

(Applicant has provided the necessary easement)

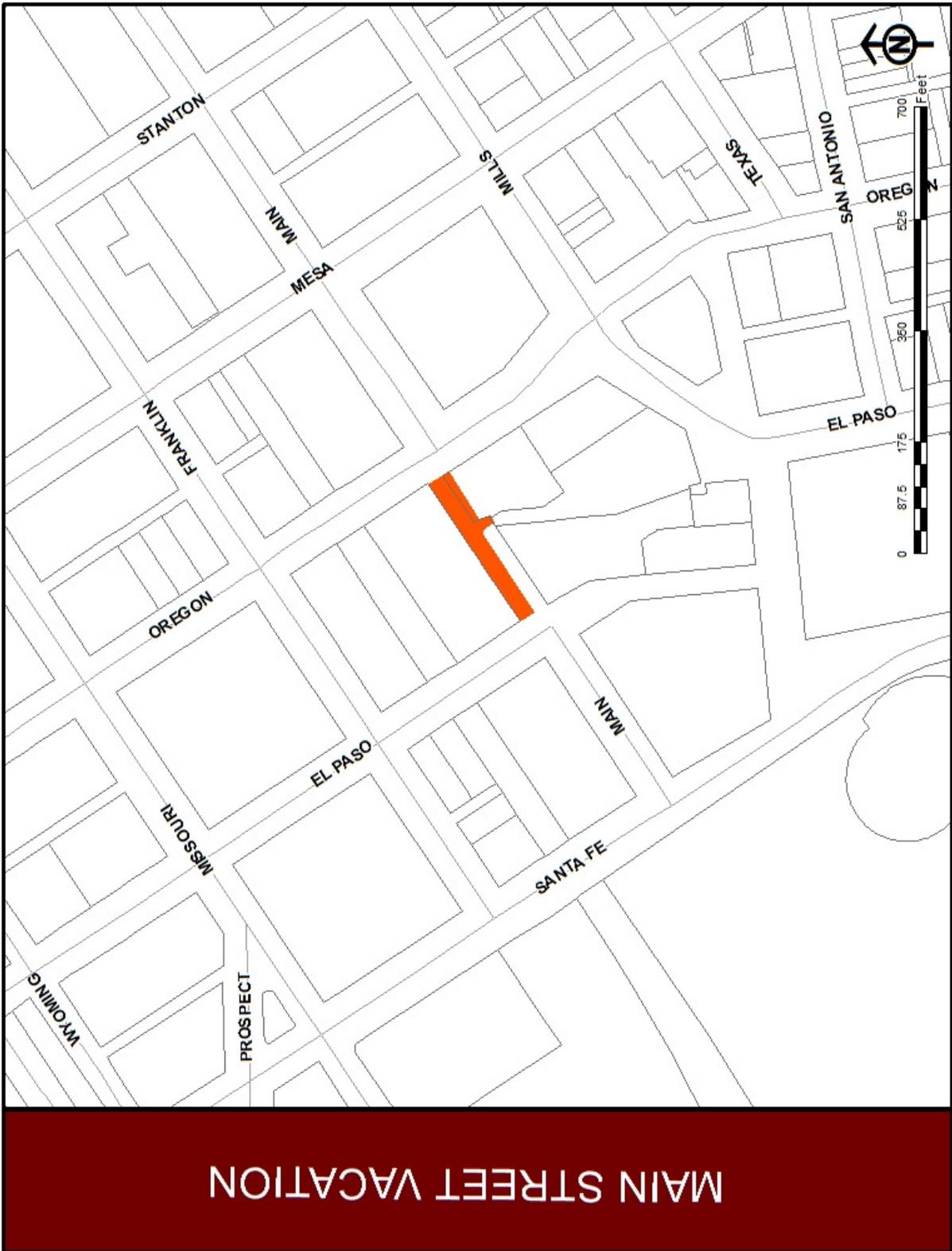
El Paso Independent School District:

No comments received.

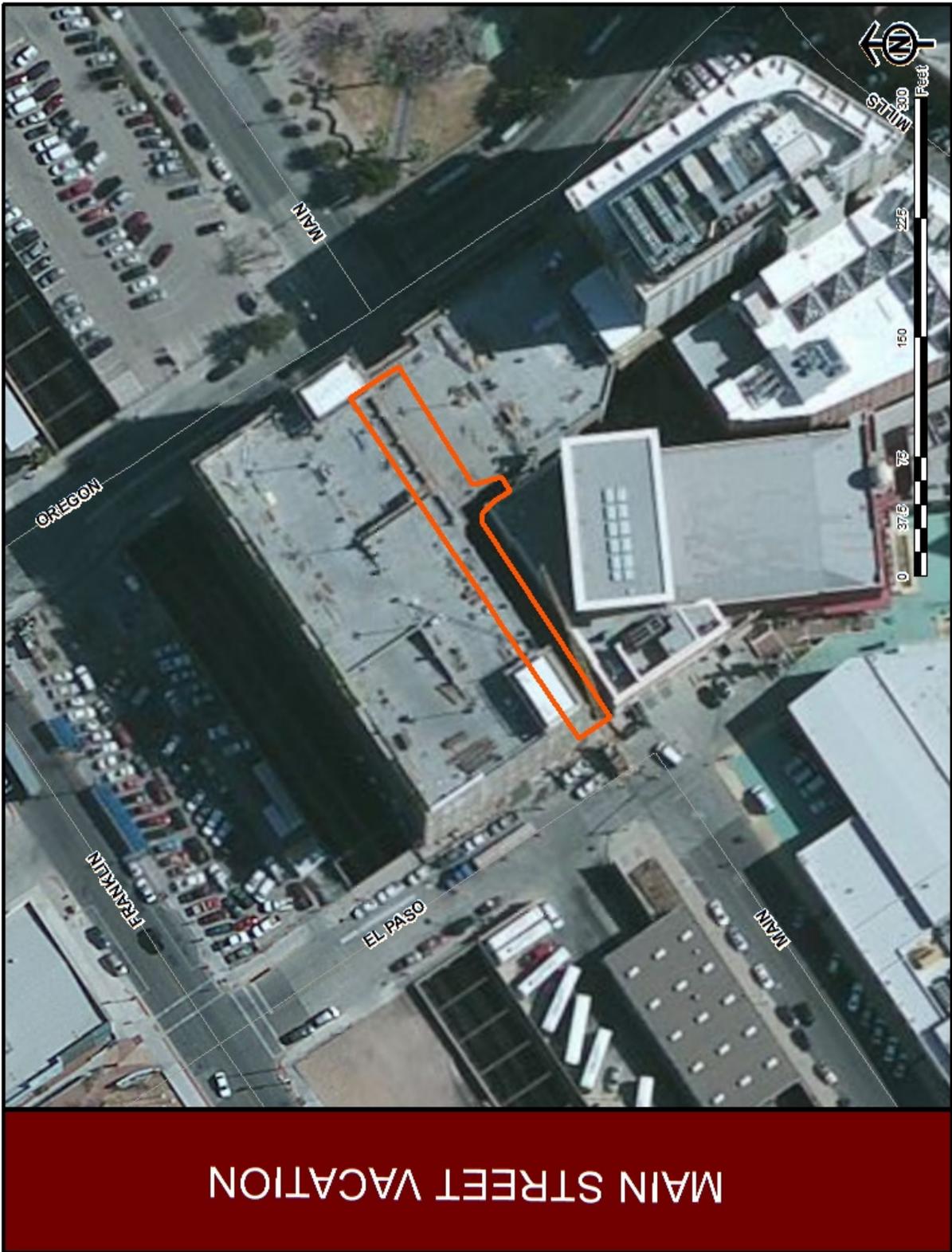
Attachments

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

ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 4



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

Date: 5-8-12

File No. SURW12-00011

1. APPLICANT'S NAME Mills Plaza Parking LP.
ADDRESS 123 W. Mills Ave, Ste 600 ZIP CODE 79901 TELEPHONE 915-877-4300
2. Request is hereby made to vacate the following: (check one)
Street Alley Easement Other
Street Name(s) Main Street from Oregon to El Paso St. Subdivision Name _____
Abutting Blocks _____ Abutting Lots _____
3. Reason for vacation request: _____
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>[Signature]</u>	<u>333 N. Oregon (Garco)</u>	<u>915-877-4300</u>
<u>[Signature]</u>	<u>401 N. Oregon (Garco)</u>	<u>915-877-4300</u>
<u>[Signature]</u>	<u>123 W. Mills (Centre Plaza)</u>	<u>915-877-4300</u>
<u>Joseph L. Miller</u>	<u>125 PRINCEER</u> <u>(PLAZA THEATER)</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: [Signature]
REPRESENTATIVE: Joseph L. Miller

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