

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

AGENDA DATE: October 11, 2022
PUBLIC HEARING DATE: November 8, 2022

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Luis Zamora , (915) 212-1552

DISTRICT(S) AFFECTED: District 8

STRATEGIC GOAL: #3 Promote the Visual Image of El Paso

SUBGOAL: 3.2 Set one standard for infrastructure across the city

SUBJECT:

An Ordinance releasing conditions No. 2 and No. 3 placed on property by Ordinance No. 5193 which changed the zoning of portion of H. F. Fisher Survey No. 293, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

The proposed condition release meets the intent of the Future Land Use designation for the property and is in accordance with *Plan El Paso*, the City's Comprehensive Plan.

Subject Property: 1837 Grandview Ave.
Applicant: Marcela V. De Panetta, PZCR22-00001

BACKGROUND / DISCUSSION:

The applicant is requesting to release conditions No. 2 and No. 3 originally imposed by Ordinance No. 5193, dated October 18, 1973 to allow a proposed lodging house. Condition No. 2 required right-of-way improvements such as deceleration lanes, grading, and extensions to nearby streets, with condition No. 3 restricting the property to listed uses only. Staff has found condition No. 2 to have been fulfilled or not applicable as nearby streets listed on the condition have already been improved. In addition, staff has found condition No. 3 to serve no public purpose as the subject property is part of a larger property that contains no use restrictions. City Plan Commission recommended unanimously 5-0 to approve the proposed condition release on August 11, 2022. As of October 4, 2022, the Planning Division has received one (1) letter in support to the condition release request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division

SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD:

Philip Etiwe

ORDINANCE NO. _____

AN ORDINANCE RELEASING CONDITIONS NO. 2 AND NO. 3 PLACED ON PROPERTY BY ORDINANCE NO. 5193 WHICH CHANGED THE ZONING OF PORTION OF H. F. FISHER SURVEY NO. 293, CITY OF EL PASO, EL PASO COUNTY, TEXAS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, the zoning of the property described as *PORTION OF H. F. FISHER SURVEY NO. 293, City of El Paso, El Paso County, Texas*, was changed by Ordinance No. 5193 approved by City Council on OCTOBER 18, 1973; and,

WHEREAS, the rezoning was subject to certain zoning conditions, and

WHEREAS, placement of such conditions were necessitated by and attributable to the increased intensity of use generated by the change of zoning; and,

WHEREAS, the owner (applicant) submitted an application requesting the removal of conditions No. 2 and No. 3 because these conditions have been satisfied or are current requirement of the City Code; and,

WHEREAS, a public hearing regarding removal of the conditions was held before the City Plan Commission, and the Commission recommended approval of the release of conditions No. 2 and No. 3; and,

WHEREAS, the City Council of the City of El Paso has determined that the release of certain conditions will protect the best interest, health, safety, and welfare of the public in general.

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

That zoning conditions No. 2 and No. 3 imposed by Ordinance No. 5193 approved by City Council on *OCTOBER 18, 1973*, and amended on *DECEMBER 5, 1974*, on the portion of land identified in Exhibit "A" be released because the conditions have been satisfied and are no longer necessary, or are current requirements of the City Code.

Conditions to be removed:

2. PRIOR TO THE ISSUANCE OF CERTIFICATES OF OCCUPANCY AND COMPLIANCE FOR ANY BUILDINGS CONSTRUCTED ON THE PROPERTY, FIRST PARTIES WILL, AT NO COST TO THE CITY, DO THE FOLLOWING:

- A. FIRST PARTIES WILL DEDICATE IN WRITING AND CONSTRUCT A DECELERATION TRAFFIC LANE ALONG MURCHISON DRIVE, INCLUDING GRADING, PAVING, CURBING AND GUTTERS. SUCH DECELERATION LANE SHALL BE DEDICATED AND CONSTRUCTED IN ACCORDANCE WITH PLANS AND SPECIFICATIONS TO BE APPROVED BY THE DIRECTOR OF TRAFFIC AND*

ORDINANCE NO. _____

PZCR22-00001

22-1007-2940.001|1189111

Zoning Condition Release PZCR22-00001 1837 Grandview | Ordinance Release

RTA

TRANSPORTATION OF THE CITY OF EL PASO.

B. FIRST PARTIES WILL ENLARGE AND MODIFY THE WRIGHT STREET DAM TO PROVIDE PROPER DRAINAGE FOR ADDITIONAL STORM WATER RUNOFF RESULTING FROM DEVELOPMENT OF FIRST PARTIES' PROPERTY. SUCH ENLARGEMENT AND MODIFICATION SHALL BE DONE IN ACCORDANCE WITH PLANS AND SPECIFICATIONS TO BE APPROVED BY THE CITY ENGINEER OF THE CITY OF EL PASO.

C. FIRST PARTIES WILL DEDICATE IN WRITING AND CONSTRUCT A 60-FOOT WIDE EXTENSION OF MEDICAL CENTER (UTAH) STREET BETWEEN ITS PRESENT NORTHERLY TERMINUS AND MURCHISON DRIVE, INCLUDING GRADING, PAVING, CURBING AND GUTTERS. SUCH STREET EXTENSION SHALL BE DEDICATED AND CONSTRUCTED IN ACCORDANCE WITH PLANS AND SPECIFICATIONS TO BE APPROVED BY THE CITY ENGINEER OF THE CITY OF EL PASO.

THE CITY ENGINEER MUST CERTIFY THAT FIRST PARTIES HAVE COMPLIED WITH THIS PARAGRAPH AND HAVE COMPLETED ALL IMPROVEMENTS REQUIRED HEREUNDER BEFORE CERTIFICATES OF OCCUPANCY AND COMPLIANCE WILL ISSUE.

3. THE FOLLOWING PART OF THE PROPERTY SHALL BE USED ONLY FOR THE FOLLOWING PURPOSES:

A PARCEL OF LAND OUT OF THE H. F. FISHER SURVEY NO. 293, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS THE SOUTHEAST CORNER OF SAID SURVEY NO. 293; THENCE WEST ALONG THE SOUTH LINE OF SAID SURVEY NO. 293, A DISTANCE OF 1180.00 FEET TO A POINT;

THENCE NORTH 47 ° 47' 56 11 EAST A DISTANCE OF 1592.86 FEET TO A POINT ON THE EAST LINE OF SAID SURVEY NO. 293;

THENCE SOUTH ALONG THE EAST LINE OF SAID SURVEY NO. 293, A DISTANCE OF 1070.00 FEET TO THE POINT OF BEGINNING, CONTAINING 14.49 ACRES OF LAND, MORE OR LESS.

- A. MEDICAL, DENTAL, CLINIC, HOSPITAL, REST HOME, LICENSED HEALING SERVICE;*
- B. MEDICAL RESEARCH LABORATORY;*
- C. A USE CUSTOMARILY INCIDENTAL OR SUBORDINATE TO ONE OF THE ABOVE USES, PROVIDING THAT SUCH USE IS SO SITUATED WITHIN A BUILDING THAT IT IS NOT DIRECTLY ACCESSIBLE FROM ANY PUBLIC WAY, THAT NO SIGN OR WINDOW DISPLAY RELATING TO SUCH USE IS DISCERNIBLE FROM ANY PUBLIC WAY, THAT SUCH USE DOES NOT INVOLVE THE KEEPING OF A STOCK OF GOODS ON THE PREMISES, AND THAT IT DOES NOT GENERATE COMMERCIAL VEHICULAR TRAFFIC.*
- D. OFFICE BUILDINGS.*

Except as herein amended, Ordinance No. 5193 shall remain in full force and effect.

ADOPTED this _____ day of _____, 2022.


THE CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

ORDINANCE NO. _____

PZCR22-00001

EXHIBIT "A"

Prepared For: :Lievarch Architects
A Portion of Lot 1, Block 4,
Medical Center Plaza
El Paso County, Texas
Exhibit A
W.O.# 051022-2

PROPERTY DESCRIPTION

Description of a 0.231 acre tract of land being a portion Lot 1, Block 4, Medical Center Plaza, City of El Paso, El Paso County, Texas, according to the plat filed in Book 47, Page 16, Plat Records of El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing at an existing city monument lying at the centerline intersection of Curie Drive (80-Foot Right-of-way) between Lot 1, Block 4, and Lot 2, Block 2, and North Laurel Drive (Right-of-way Varies) from which, another existing city monument at the centerline of Curie Drive bears South 67°10'49" West, a distance of 569.34 feet (569.44 Record) **Thence**, South 14° 19'53" East, a distance of 489.79 feet to a ½" rebar with cap stamped "RPLS 5572" set on the westerly right-way line of North Laurel Drive, Book 1788, Page 0482, and the Northeast corner of certain parcel of land described March 3, 2021, in file clerk's record 20210024084, all in Deed Records, El Paso County, Texas, being the "**POINT OF BEGINNING**" of this description.



Thence, North 86°38'28" West, a distance of 152.18 feet to a point;

Thence, South 03°27'48" West, a distance of 64.90 feet to a point on the zoning line of **R-5 and A-O Special Contract, according to the City of El Paso's Planning Department Zoning Map;**

Thence, South 86°14'23" East, along said zoning line, a distance of 154.77 feet to a found point on the westerly right-of-way line of Laurel Street and the easterly line of Lot 1, Block 4 Medical Center Plaza;

Thence, North 03°23'22" East, along said right-of-way line, a distance of 30.36 feet to a set ½" rebar with cap stamped "RPLS 5572";

Thence, North 00°37'57" West, continuing along said right-of-way line, a distance of 35.71 feet to the "**POINT OF BEGINNING**" and containing in all 10,081 square feet or 0.231 acres of land more or less.

05/29/2022  

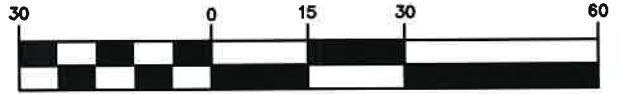
CHARLES H. GUTIERREZ R.P.L.S. 5572
H2O-Terra, L.L.C.

A survey plat of even date accompanies this description.

EXHIBIT "A"

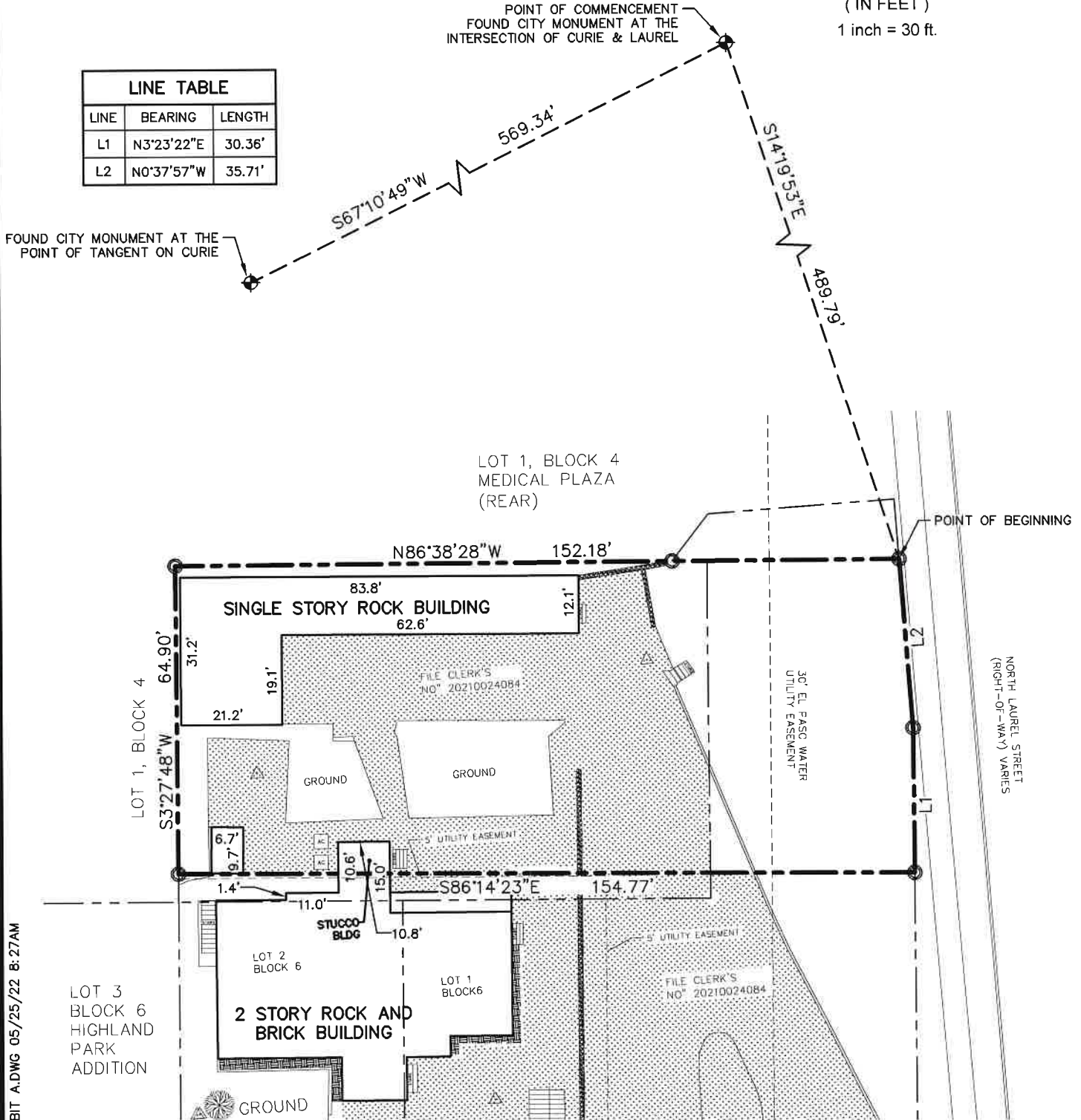
NOTES:

1. OWNERSHIP IS BASED ON CENTRAL APPRAISAL DISTRICT'S 2020 TAX ROLL.
2. THIS SURVEY MAY BE SUBJECT TO OTHER EASEMENTS AND COVENANTS OF RECORD NOT SHOWN. A TITLE REPORT WAS NOT FURNISHED FOR THIS SURVEY.
3. BEARINGS ARE BASED ON GPS OBSERVATIONS USING GRID, NAD 83 DATUM, TEXAS CENTRAL ZONE. DISTANCES SHOWN HEREIN ARE GROUND DISTANCES.
4. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.



(IN FEET)
1 inch = 30 ft.

LINE TABLE		
LINE	BEARING	LENGTH
L1	N3°23'22"E	30.36'
L2	N0°37'57"W	35.71'



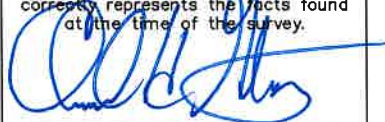

\\SERVER\Clients\lview Arch\051022-2 MCP_EXHIBIT A.DWG 05/25/22 8:27AM

NOTE:

(UTILITIES SHOWN ARE IN APPROXIMATE LOCATION)
THE UNDERGROUND UTILITIES NOTED HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND UTILITY AS-BUILT DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.



05-24-2022

FILING INFORMATION	CERTIFICATION	BOUNDARY SURVEY	
DATE: <u>MAY 25, 2022</u> FIELD: <u>C.G.</u> OFFICE: <u>J.P.H.</u> W.O.: <u>051022-2</u> FILE: <u>051022-2 MCP Exhibit A</u> SCALE: _____ REVISED: _____	I hereby certify that the foregoing Boundary Survey was made on the ground under my supervision on May 25, 2022, and that this plat correctly represents the facts found at the time of the survey.  CHARLES H. GUTIERREZ R.P.L.S. 5572	<u>FUEL FARM</u> PORTION OF LOT 1, BLOCK 4, MEDICAL CENTER PLAZA, CITY OF EL PASO, EL PASO COUNTY, TEXAS AREA = 10,081 sq.ft. or 0.231 ac ± PREPARED FOR: LIEW ARCH ARCHITECTS	 ENGINEERING. SURVEYING. SOLUTIONS. TBPE FIRM NO. F-2103 TBPLS FIRM NO. 10060700 2020 E. MILLS AVENUE El Paso, TX 79901 (915) 533-1418 FAX: (915) 533-4972

1837 Grandview Avenue



City Plan Commission — August 11, 2022 **REVISED**

CASE NUMBER: PZCR22-00001
CASE MANAGER: Luis Zamora, (915) 212-1552, ZamoraLF@elpasotexas.gov
PROPERTY OWNER: Marcela V. De Panetta
REPRESENTATIVE: Carlos Lievanos
LOCATION: 1837 Grandview Ave. (District 8)
PROPERTY AREA: 0.23 acres
REQUEST: Release Conditions No. 2 and No. 3 Imposed by Ordinance No. 5193
RELATED APPLICATIONS: PZRZ21-00033 (Rezoning)
PUBLIC INPUT: One (1) letter in support received as of August 8, 2022

SUMMARY OF REQUEST: The applicant is requesting to release Conditions No. 2 and No. 3, imposed by Ordinance No. 5193 in order to allow the use of a lodging house. Condition No. 2 has been fulfilled and is not applicable, and Condition No. 3 restricts uses on the property, with the proposed lodging house use not being permitted.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the request. The proposed development is in keeping with the policies of the G-3 Post-war Future Land Use designation of *Plan El Paso*, the City's adopted Comprehensive Plan.

PZCR22-00001

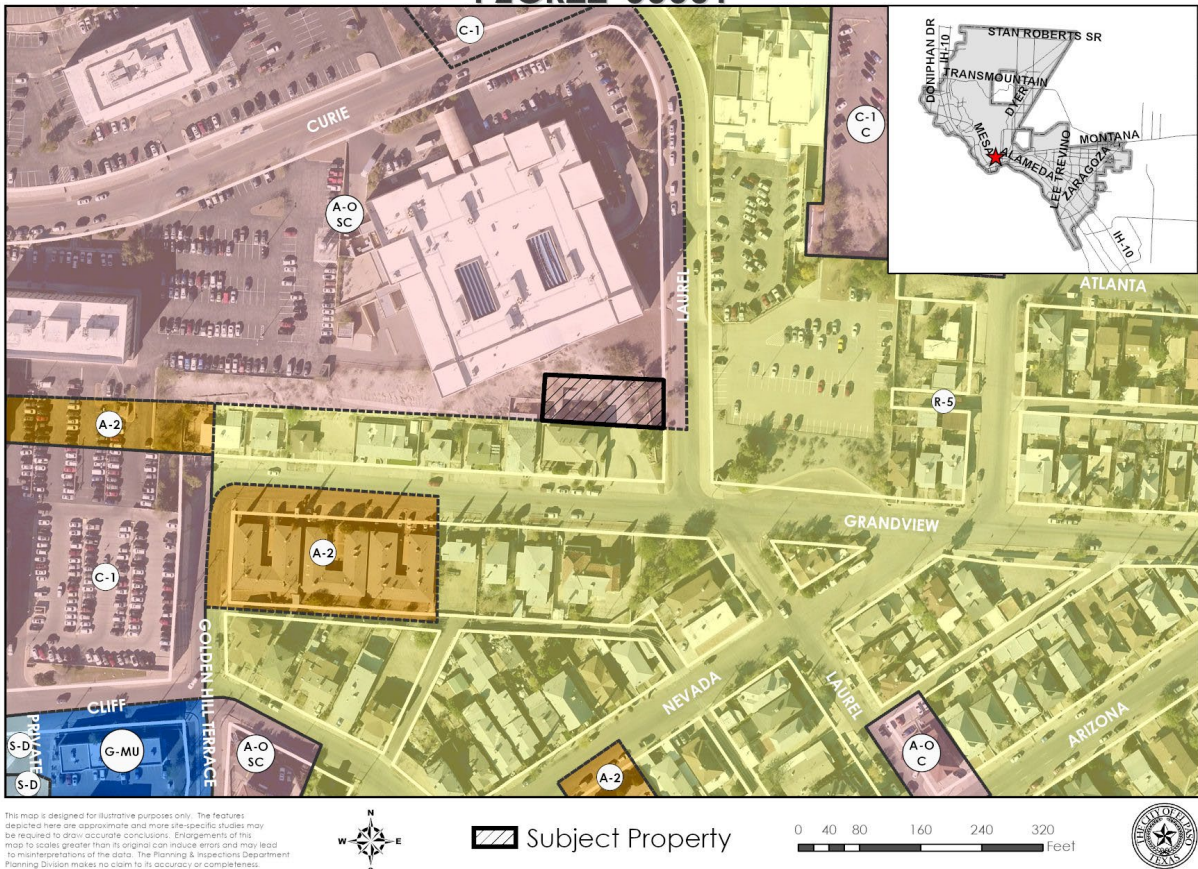


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to release Conditions No. 2 and No. 3, imposed by Ordinance No. 5193, in order to allow the use of lodging house. Condition No. 2 has been fulfilled and is not applicable, and Condition No. 3 restricts uses on the property, with the proposed use not being permitted. The detailed site development plan shows the layout of the existing structures located within the property and are to remain. There is a 4,788 square-foot two-story building, a 1,602 square foot existing garage and utility room located at the rear, and five (5) parking spaces being provided. Main access is through Grandview Avenue.

PREVIOUS CASE HISTORY: Ordinance No. 5193, dated October 18, 1973 (attachment 3) and amended to correct clerical errors by Ordinance No. 5691 (attachment 4), dated February 5, 1976 rezoned the northern portion of the property to A-O (Apartment/Office) and imposed conditions through a special contract, which was amended on December 5, 1974 (see page 9). Imposed conditions are the following:

1. Prior to the issuance of building permits for construction on the property, complete and detailed site development and architectural plans of the proposed development must be submitted by First Parties and approved by the City Plan Commission of the City of El Paso. All improvements on the property must be built in accordance with such approved plans.

Note: Condition to continue in effect.

2. Prior to the issuance of certificates of occupancy and compliance for any buildings constructed on the property, First Parties will, at no cost to the City, do the following:
 - a. First Parties will dedicate in writing and construct a deceleration traffic lane along Murchison Drive, including grading, paving, curbing and gutters. Such deceleration lane shall be dedicated and constructed in accordance with plans and specifications to be approved by the Director of Traffic and Transportation of the City of El Paso.
 - b. First Parties will enlarge and modify the Wright Street Dam to provide proper drainage for additional storm water runoff resulting from development of First Parties' property. Such enlargement and modification shall be done in accordance with plans and specifications to be approved by the City Engineer of the City of El Paso.
 - c. First Parties will dedicate in writing and construct a 60-foot wide extension of Medical Center (Utah) Street between its present northerly terminus and Murchison Drive, including grading, paving, curbing and gutters. Such street extension shall be dedicated and constructed in accordance with plans and specifications to be approved by the City Engineer of the City of El Paso.

The City Engineer must certify that First Parties have complied with this paragraph and have completed all improvements required hereunder before certificates of occupancy and compliance will issue.

Note: Condition 2 is being requested to be released in its entirety. Condition has already been fulfilled or is not applicable

3. The following part of the property shall be used only for the following purposes:
A parcel of land out of the H. F. Fisher Survey No. 293, more particularly described as follows:
Beginning at a point that is the southeast corner of said Survey No. 293;
Thence west along the south line of said Survey No. 293, a distance of 1180.00 feet to a point;
Thence North 47° 47' 56 11 East a distance of 1592.86 feet to a point o1 the east line of said Survey No. 293;
Thence south along the east line of said Survey No. 293, a distance of 1070.00 feet to the point of beginning, containing 14.49 acres of land, more or less.
 - a. Medical, dental, clinic, hospital, rest home, licensed healing service;
 - b. Medical research laboratory;
 - c. A use customarily incidental or subordinate to one of the above uses, providing that such use is so situated within a building that it is not directly accessible from any public way, that no sign or window display relating to such use is discernible from any public way, that such use does not in-volve the keeping of a stock of goods on the premises, and that it does not generate commercial vehicular traffic.

- d. Permit the construction of office buildings. (Condition 3 amended on December 5, 1974 to include this. See page 9)

Note: Condition 3 is being requested to be released in its entirety.

- 4. For a period of five years from the date hereof, no building shall be erected on the following part of the property and such part of the property shall be used only as a site for off-street parking facilities for the uses conducted on the tract described in paragraph 3 above:

From a point that is the southeast corner of said Survey No. 293;
 Thence west along the south line of said Survey No. 293, a distance of 1180.00 feet to the point of beginning of the parcel herein being described;
 Thence North 14° 41' 29" west a distance of 348.41 feet to a point;
 Thence North 28° 32. 65 feet East a distance of 176. 38 feet to a point;
 Thence North 13° 05' East a distance of 215. 00 feet to a point on the southerly right of way line of Murchison Drive;
 Thence South 76° 55' East a distance of 3.20 feet to a point;
 Thence easterly along said southerly right of way line, being a curve to the left, an arc distance of 511. 29 feet; curve having a radius of 540.00 feet, a central angle of 54 ° 15 ', and a long chord bearing North 75° 57' 30" East a distance of 492. 41 feet;
 Thence North 48° 50' East, continuing along said southerly right of way line a distance of 684. 11 feet to the P. C. of a curve to the left;
 Thence continuing easterly along said right of way line, being said curve to the left, an arc distance of 238.36 feet to its intersection with the east boundary line of said Survey No. 293; curve having a radius of 540. 00 feet, a central angle of 25° 17' 30", and a long chord bearing North 36° 11' 15" East a distance of 236. 44 feet;
 Thence south along said east boundary line a distance of 391.27 feet to a point;
 Thence South 47° 47' 56" West a distance of 1592. 86 feet to the point of beginning. This parcel contains 11. 26 acres, more or less.

After the expiration of such five-year period, said 11.26 acre parcel shall be used only for the purposes listed in paragraph 3 above or as a site for off-street parking facilities.

Note: Condition 4 was deleted in its entirety by amendment on December 5, 1974. (See page 9).

In addition to the special contract imposing conditions, there is an Option Agreement (see page 18), dated October 16, 1973, which was subsequently cancelled by amendment on December 5, 1974 (see page 9).

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The existing development is consistent with the neighboring properties. Property to the north is zoned A-O (Apartment/Office) and property to the east across Laurel Street zoned R-5 (Residential) both consisting of medical offices. Properties to the west and south are zoned R-5 (Residential) and consist of single-family dwellings. The nearest school is Armendariz Elementary School (0.35 miles) and the nearest park is Tom Lea Lower Park (0.80 miles).

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with Plan El Paso, consider the following factors:	
Criteria	Does the Request Comply?
<p>Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p>G-3, Post-War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to</p>	<p>Yes. The proposed use is consistent with the Future Land Use designation and is compatible with surrounding development.</p>

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
supplement the limited housing stock and add missing civic and commercial uses.	
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>A-O (Apartment/Office): The purpose of this districts is to promote and preserve residential development within the city associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities.</p>	Yes. The use of lodging house is permitted in the proposed A-O (Apartment/Office) zoning district (PZRZ21-00033) and serves as a transition from single-family dwelling uses to the existing medical office uses to the north and east.
<p>Preferred Development Locations: The site for proposed rezoning is not located mid-block, resulting in it being the only property on the block with an alternative zoning district, density, use and/or land use.</p>	Yes. The property is located at the corner of Grandview Avenue and Laurel Street. Furthermore, the proposed zoning district is the same as the abutting property to the north.
THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
<p>Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.</p>	The subject property is not located within any historic districts, other special designations, or areas with adopted study area plans.
<p>Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested condition release.</p>	There are no potential adverse effects anticipated.
<p>Natural Environment: Anticipated effects on the natural environment.</p>	There are not anticipated effects on the natural environment. The subject property does not involve greenfield or environmentally sensitive land or arroyo disturbance.
<p>Stability: Whether the area is stable or in transition.</p>	The area is stable with no rezoning happening in the last 10 years.
<p>Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing condition no longer suitable for the property.</p>	The subject property is located between medical uses and single-family dwellings. The proposed use will serve as a buffer between these uses.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Main access to the property is through Grandview Avenue, which is classified as a Local Street per the El Paso Major Thoroughfare Plan (MTP) and is adequate to serve the development. There are existing sidewalks along the property and there is nearby bus service about 0.13 miles away to the north and south to serve the development.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: There are no adverse comments from reviewing departments.

PUBLIC COMMENT: The property falls within the Central El Paso Community Organization, El Paso Central Business Association, Golden Hills Neighborhood Association, and Sunrise Civic Association, which were notified of the

request by the applicant. Public notice was provided to all property owners within 300 feet of subject property on June 30, 2022. The Planning Division has **received one (1) letter in support to the request as of August 8, 2022.**

RELATED APPLICATIONS: A rezoning application (PZRZ21-00033) is being processed in conjunction with this condition release to rezone the southern portion of the subject property from R-5 (Residential) to A-O (Apartment/Office) to clean up the zoning on the entire property.

CITY PLAN COMMISSION OPTIONS:

The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

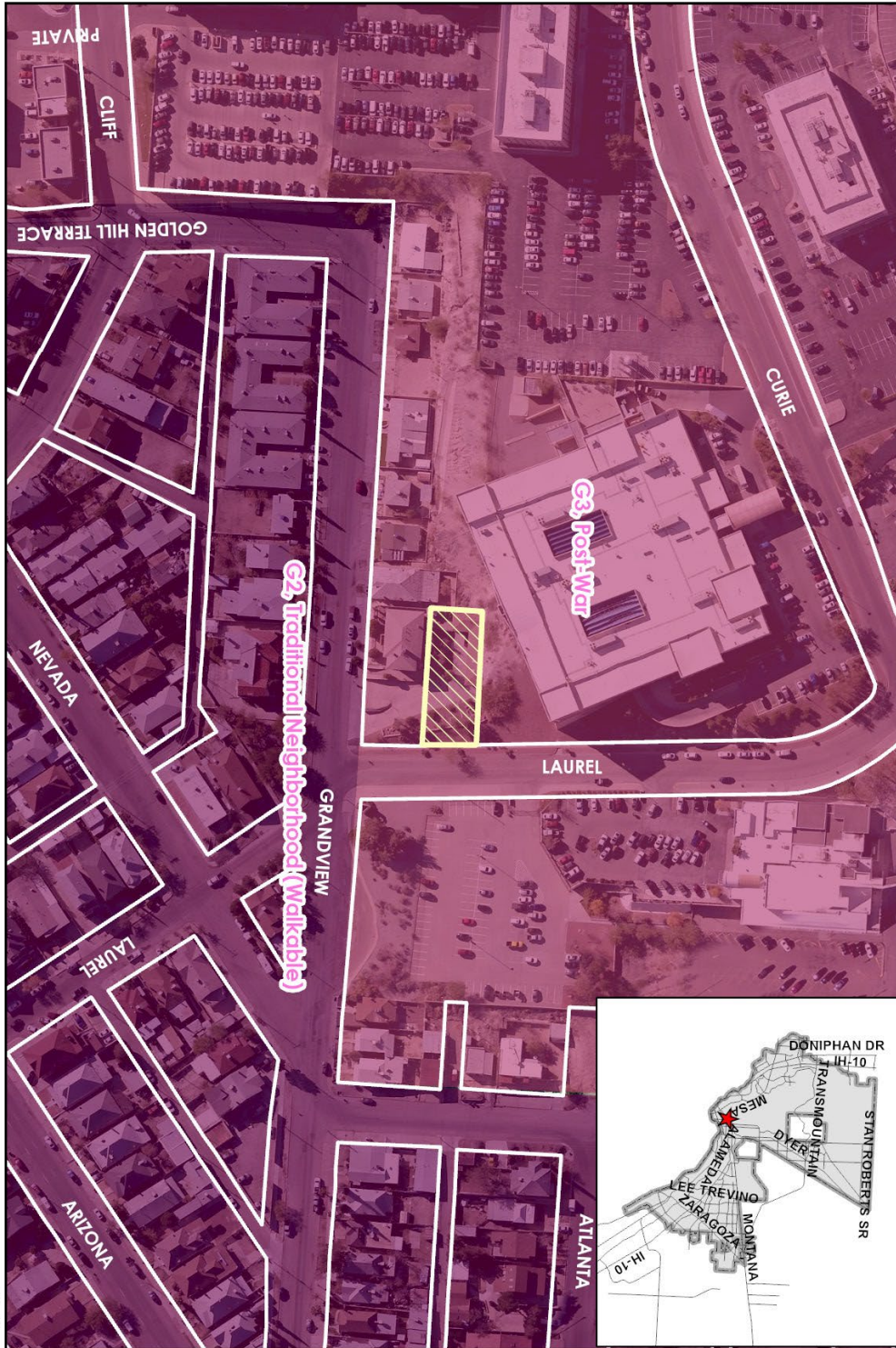
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**
2. **Recommend Approval of the rezoning request With Modifications** to bring the request into conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.
3. **Recommend Denial** of the rezoning request, finding that the request does not conform to the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

ATTACHMENTS:

1. Zoning Map
2. Detailed Site Plan
3. Ordinance No. 5193
4. Ordinance No. 5691
5. Department Comments
6. Neighborhood Notification Boundary Map
7. **Letter in Support**

ATTACHMENT 1

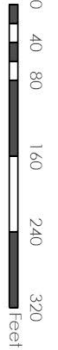
PZCR22-00001



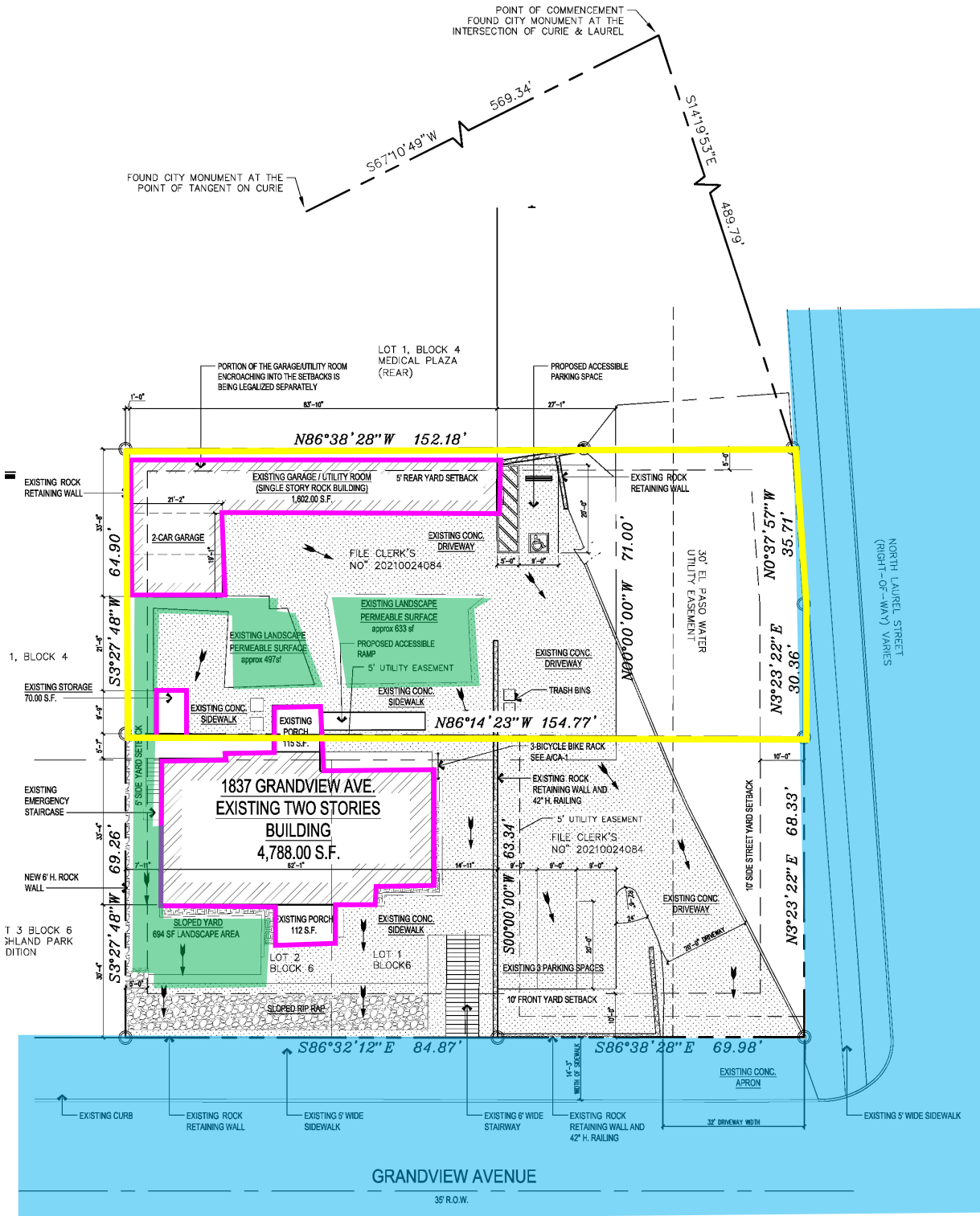
This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Engagements of this map to scales greater than its original scale include errors and may lead to Planning Division notices that claim to its accuracy or completeness.



 Subject Property

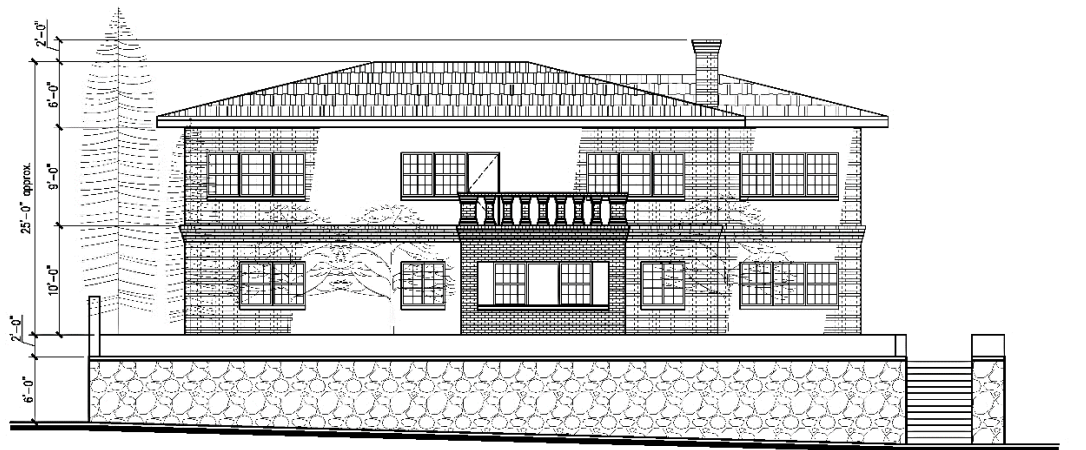


ATTACHMENT 2



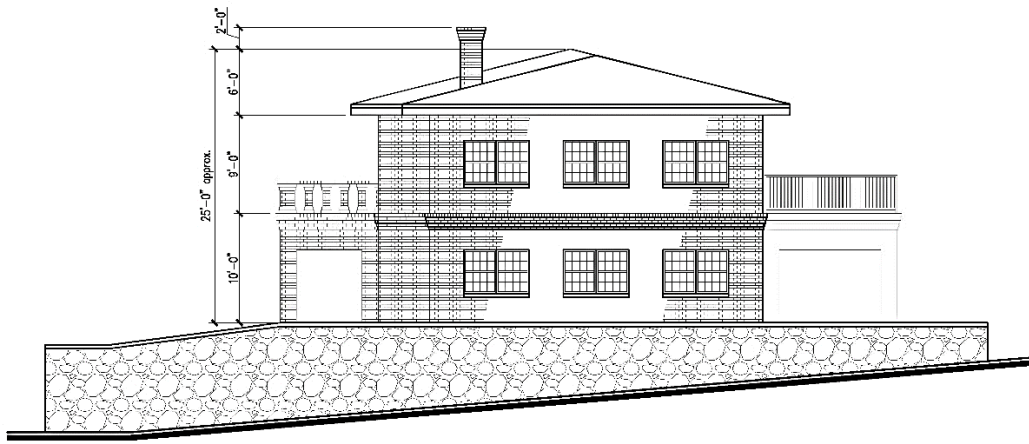

1 SITE PLAN
 SCALE: 1/16"=1'
 TRUE NORTH

ASTM



2 SOUTH ELEVATION
 $1/8" = 1'-0"$

EXI
 RE



3 EAST ELEVATION
 $1/8" = 1'-0"$

LOT 1, BL

EXI
 70

EXI
 EM
 ST

NE
 WA

LOT 3 B
 HIGHLAND
 ADDITION

ATTACHMENT 3

K

MOTION

December 5, 1974

Motion made, seconded and carried that Paragraph Three of the contract dated October 18, 1973, between Mortgage Investment Company et al., and the City of El Paso be amended to permit the construction of office buildings and that Paragraph Four be deleted in its entirety. It was further agreed that the Option Agreement dated October 16, 1973 by and between Mortgage Investment Company, et al., and the City of El Paso, be cancelled.

W. L. Rieger, City Clerk

cc: Mr. Jonathan W. Rogers
President
Mortgage Investment Co.
420 Texas, 79901

Planning Department

*Ord. 5193
11-15-73*

NOV 1 1974

DEPT. OF
PLANNING

5193

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF H. F. FISHER SURVEY 293, THE PENALTY BEING AS PROVIDED IN SECTION 25-10 OF THE EL PASO CITY CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of the following described portion of H. F. Fisher Survey No. 293 be changed to A-O within the meaning of the Zoning Ordinance, and the zoning map of the City be revised accordingly:

Beginning at the southeast corner of the H. F. Fisher Survey No. 293 in El Paso County, Texas;

Thence west along the south boundary of said survey a distance of 1180.00 feet;

Thence North 14° 41' 29" West a distance of 348.41 feet;

Thence North 28° 32.65' East a distance of 176.38 feet;

Thence North 13° 05' East a distance of 215.00 feet to a point on the southerly right of way line of Murchison Drive;

Thence South 76° 55' East a distance of 3.20 feet;

Thence easterly along said southerly right of way line, being a curve to the left, an arc distance of 511.29 feet; curve having a radius of 540.00 feet, a central angle of 54° 15', and a long chord bearing North 75° 57' 30" East a distance of 492.41 feet;

Thence North 48° 50' East continuing along said southerly right of way line a distance of 684.11 feet to the P. C. of a curve to the left;

Thence continuing easterly along said right of way line, being said curve to the left, an arc distance of 238.36 feet to its intersection with the east boundary line of said survey No. 293; curve having a radius of 540.00 feet, a central angle of 25° 17' 30", and a long chord bearing North 36° 11' 15" East a distance of 236.44 feet;

Thence South along said East boundary line a distance of 1461.27 feet to the point of beginning, containing 25.751 acres of land, more or less.

PASSED AND APPROVED this 16 day of November,

1973.

Mayor

ATTEST:

City Clerk I certify that the zoning map has been revised to reflect the amendment of ordinance 5193

City Clerk

By 3673 Date 11-29-73

11-29-73
11-29-73
11-29-73
11-29-73
CONTROL

CONTRACT

This contract, made this 18th day of October, 1973, by and between MORTGAGE INVESTMENT COMPANY OF EL PASO, TEXAS, a corporation, INDIVIDUAL HOMES, INC., CELESTE RASBERRY, Individually and as Independent Executrix of the Estate of J. L. RASBERRY, deceased, LOUISE MURCHISON, Individually and as Independent Executrix of the Estate of S. M. MURCHISON, deceased, JONATHAN ROGERS and wife, PATRICIA MURCHISON ROGERS, First Parties, and the CITY OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning of a portion of H. F. Fisher Survey No. 293 in the City of El Paso, El Paso County, Texas, such property being more particularly described in Ordinance No. 5193, now pending before the City Council of the City of El Paso, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference.

In order to remove certain objections to such rezoning, First Parties covenant that if the property is rezoned as indicated in the attached ordinance, it shall be subject to the following restrictions, conditions and covenants:

1. Prior to the issuance of building permits for construction on the property, complete and detailed site development and architectural plans of the proposed development must be submitted by First Parties and approved by the City Plan Commission of the City of El Paso. All improvements on the property must be built in accordance with such approved plans.

2. Prior to the issuance of certificates of occupancy and compliance for any buildings constructed on the property, First Parties will, at no cost to the City, do the following:

(a) First Parties will dedicate in writing and construct a deceleration traffic lane along Murchison Drive, including grading, paving, curbing and gutters. Such deceleration lane shall be dedicated and constructed in accordance with plans and specifications to be approved by the Director of Traffic and Transportation of the City of El Paso.

(b) First Parties will enlarge and modify the Wright Street Dam to provide proper drainage for additional storm water runoff resulting from development of First Parties' property. Such enlargement and modification shall be done in accordance with plans and specifications to be approved by the City Engineer of the City of El Paso.

(c) First Parties will dedicate in writing and construct a 60-foot wide extension of Medical Center (Utah) Street between its present northerly terminus and Murchison Drive, including grading, paving, curbing and gutters. Such street extension shall be dedicated and constructed in accordance with plans and specifications to be approved by the City Engineer of the City of El Paso.

The City Engineer must certify that First Parties have complied with this paragraph and have completed all improvements required hereunder before certificates of occupancy and compliance will issue.

3. The following part of the property shall be used only for the following purposes:

A parcel of land out of the H. F. Fisher Survey No. 293, more particularly described as follows:

Beginning at a point that is the southeast corner of said Survey No. 293;

Thence west along the south line of said Survey No. 293, a distance of 1180.00 feet to a point;

Thence North 47° 47' 56" East a distance of 1592.86 feet to a point on the east line of said Survey No. 293;

Thence south along the east line of said Survey No. 293, a distance of 1070.00 feet to the point of beginning, containing 14.49 acres of land, more or less.

- (a) Medical, dental, clinic, hospital, rest home, licensed healing service;
- (b) Medical research laboratory;
- (c) A use customarily incidental or subordinate to one of the above uses, providing that such use is so situated within a building that it is not directly accessible from any public way, that no sign or window display relating to such use is discernible from any public way, that such use does not involve the keeping of a stock of goods on the premises, and that it does not generate commercial vehicular traffic.

4. For a period of five years from the date hereof, no building shall be erected on the following part of the property and such part of the property shall be used only as a site for off-street parking facilities for the uses conducted on the tract described in paragraph 3 above:

NOTE: MOTION DATED 12-5-74 DELETES PARAGRAPH 4 IN ITS ENTIRETY. R. S. Gentry

MOTION DATED 12-5-74 AMENDS PARAGRAPH 3 TO PERMIT THE CONSTRUCTION OF OFFICE BUILDINGS. R. S. Gentry

From a point that is the southeast corner of said Survey No. 293;

Thence west along the south line of said Survey No. 293, a distance of 1180.00 feet to the point of beginning of the parcel herein being described;

Thence North $41^{\circ} 29''$ west a distance of 548.41 feet to a point;

Thence North $28^{\circ} 32.65'$ East a distance of 176.38 feet to a point;

Thence North $13^{\circ} 05'$ East a distance of 215.00 feet to a point on the southerly right of way line of Murchison Drive;

Thence South $76^{\circ} 55'$ East a distance of 3.20 feet to a point;

Thence easterly along said southerly right of way line, being a curve to the left, an arc distance of 511.29 feet; curve having a radius of 540.00 feet, a central angle of $54^{\circ} 15'$, and a long chord bearing North $75^{\circ} 57' 30''$ East a distance of 492.41 feet;

Thence North $48^{\circ} 50'$ East, continuing along said southerly right of way line a distance of 684.11 feet to the P. C. of a curve to the left;

Thence continuing easterly along said right of way line, being said curve to the left, an arc distance of 238.36 feet to its intersection with the east boundary line of said Survey No. 293; curve having a radius of 540.00 feet, a central angle of $25^{\circ} 17' 30''$, and a long chord bearing North $36^{\circ} 11' 15''$ East a distance of 236.44 feet;

Thence south along said east boundary line a distance of 391.27 feet to a point;

Thence South $47^{\circ} 47' 56''$ West a distance of 1592.86 feet to the point of beginning. This parcel contains 11.26 acres, more or less.

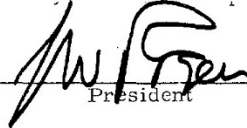
After the expiration of such five-year period, said 11.26 acre parcel shall be used only for the purposes listed in paragraph 3 above or as a site for off-street parking facilities.

This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon and shall bind First Parties and their successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express reference.

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby.

WITNESS the following signatures and seals:

MORTGAGE INVESTMENT COMPANY
OF EL PASO, TEXAS, a corporation

by 
President

ATTEST:

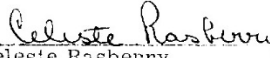

Secretary

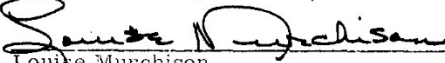
INDIVIDUAL HOMES, INC., a corpora-
tion

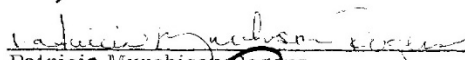
by 
President

ATTEST:


Secretary

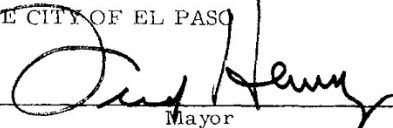

Celeste Rasberry


Louise Murchison



Patricia Murchison Rogers


Jonathan Rogers

THE CITY OF EL PASO

by 
Mayor

ATTEST:


City Clerk

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared J.W. Rogers President of MORTGAGE INVESTMENT COMPANY OF EL PASO, TEXAS, a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that the same was the act of said corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and official seal this 18th day of October, 1973.

Corine Manjarz
Notary Public, El Paso County, Texas.

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared J.W. Rogers, Vice President of INDIVIDUAL HOMES, INC., a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that the same was the act of said corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and official seal this 18th day of October, 1973.

Corine Manjarz
Notary Public, El Paso County, Texas.

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared CELESTE RASBERRY, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and official seal this 18th day of October, 1973.

Corine Manjarz
Notary Public, El Paso County, Texas.

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared LOUISE MURCHISON, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and official seal this 15th day of October, 1973.

Corine Manjarz NOTARY PUBLIC
Notary Public, El Paso County, Texas.

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared PATRICIA MURCHISON ROGERS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and official seal this 18th day of October, 1973.

Corine Manjarz NOTARY PUBLIC
Notary Public, El Paso County, Texas.

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared JONATHAN ROGERS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and official seal this 18th day of October, 1973.

Corine Manjarz NOTARY PUBLIC
Notary Public, El Paso County, Texas.

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared FRED HERVEY, Mayor of the City of El Paso, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that he had executed the same for the purposes and consideration and in the capacity therein expressed, and as the act and deed of the City of El Paso.

Given under my hand and official seal this 15th day of November, 1973.

Billie Jean Branham
Notary Public, El Paso County, Texas.

BILLIE JEAN BRANHAM, Notary Public,
In and for the County of El Paso, Texas
My Commission Expires June 1, 1975

OPTION AGREEMENT

This agreement, made this 11th day of October, 1973,
by and between Mortgage Investment Company of El Paso, Texas, a corpora-
tion; Individual Homes, Inc.; Celeste Rasberry, in her own right and as Inde-
pendent Executrix of the Estate of J. L. Rasberry, deceased; Louise Murchi-
son, in her own right and as Independent Executrix of the Estate of S. M.
Murchison, deceased; Patricia Murchison Rogers; and Jonathan Rogers, First
Parties; and the City of El Paso, Second Party, witnesseth:

In consideration of ten dollars cash in hand paid by the Second Party
to the First Parties, the receipt whereof is hereby acknowledged, and of bene-
fits to First Parties likely to result from the highway anticipated herein, First
Parties have given and by these presents do give unto Second Party an option
to purchase a portion (to be determined as hereinafter set forth) of the follow-
ing described property situated in the H. F. Fisher Survey No. 293 in El Paso
County, Texas, upon the terms and conditions stated in this instrument:

From a point that is the southeast corner of said Survey No. 293;

Thence west along the south line of said Survey No. 293, a dis-
tance of 1180.00 feet to the point of beginning of the parcel herein
being described;

Thence North 14° 41' 29" West a distance of 348.41 feet to a point;

Thence North 28° 32.65' East a distance of 176.38 feet to a point;

Thence North 13° 05' East a distance of 215.00 feet to a point on
the southerly right of way line of Murchison Drive;

Thence South 76° 55' East a distance of 3.20 feet to a point;

Thence easterly along said southerly right of way line, being a
curve to the left, an arc distance of 511.29 feet; curve having a
radius of 540.00 feet, a central angle of 54° 15', and a long chord
bearing North 75° 57' 30" East a distance of 492.41 feet;

Thence North 48° 50' East, continuing along said southerly right
of way line a distance of 684.11 feet to the P. C. of a curve to the
left;

Thence continuing easterly along said right of way line, being said
curve to the left, an arc distance of 238.36 feet to its intersection
with the east boundary line of said Survey No. 293; curve having a
radius of 540.00 feet, a central angle of 25° 17' 30", and a long
chord bearing North 36° 11' 15" East a distance of 236.44 feet;

*NOTE: MOTION DATED 12-5-74
CANCELS THIS AGREEMENT
BETWEEN CITY OF EL PASO AND
MORTGAGE INVESTMENT CO.
R. Gonzalez*

75-3673

Thence south along said east boundary line a distance of 391.27 feet to a point;

Thence South 47° 47' 56" West a distance of 1592.86 feet to the point of beginning. This parcel contains 11.26 acres, more or less.

It is expected that the Texas Highway Department will in the future initiate construction of a freeway, part of the right of way of which will lie in or across the above-described land, and will request or require Second Party to furnish the right of way therefor. The Highway Department has not yet determined whether such highway will be built, or what its route or width will be.

If within five years after the date of this instrument the Texas Highway Department (or any successor agency) decides to construct such a freeway or other highway and furnishes Second Party with a description of the part of the right of way which will be within the 11.26 acres, and if Second Party gives notice to First Parties of its intent to exercise this option and supplies First Parties with the description of the land as determined by the Highway Department (all within said five years), the identity of the land to be conveyed to Second Party will thereby be fixed by the description determined by the Highway Department. First Parties will thereupon become obligated to convey such property to Second Party, with general warranty of title, and Second Party will become obligated to pay to First Parties for the acquisition of such property an amount to be determined as set forth below.

First Parties will appoint one appraiser, Second Party will appoint one appraiser, and the two appraisers will appoint a third. The three appraisers will determine by majority vote the then fair cash market value of the land to be acquired (without compensation for any improvements except the replacement value, less depreciation, of parking-lot type paving) valued however as if the property were still zoned R-4, and were still subject to the restrictions and limitations imposed on R-4 zones by the wording of the zoning ordinance of the City of El Paso in effect at the time of this agreement.

The value fixed by the appraisers in accordance with this agreement

shall be binding on both parties and may not be set aside except for fraud.

If a majority of the appraisers cannot agree successive boards shall be appointed in the same manner.

All appraisers appointed hereunder shall have received an M. A. I., S. R. A., or equivalent designation from an appraisal society or association. They shall be entitled to reasonable compensation, which shall be paid one-half by First Parties and one-half by Second Party.

Any notices to be given to First Parties in relation hereto may be given to Jonathan Rogers as agent for all his coparties.

This agreement shall run with the land and be binding on all First Parties' successors in title.

Witness the following signatures and seals:

MORTGAGE INVESTMENT COMPANY
OF EL PASO, TEXAS

by 
President

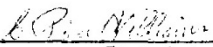
ATTEST:



Secretary

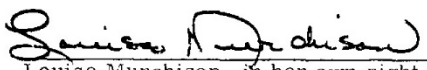
INDIVIDUAL HOMES, INC.

by 
President

ATTEST:


Secretary


Celeste Rasberry, in her own right and as
Executrix of the Estate of J. L. Rasberry,
deceased.


Louise Murchison, in her own right and as
Executrix of the Estate of S. M. Murchison,
deceased.

Patricia Murchison Rogers
Patricia Murchison Rogers

Jonathan Rogers
Jonathan Rogers

THE CITY OF EL PASO
by David Henry
Mayor

ATTEST:

William Riccio
City Clerk

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared Jonathan Rogers, President of MORTGAGE INVESTMENT COMPANY OF EL PASO, TEXAS, a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that the same was the act of said corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and official seal this 16th day of October, 1973.

Catherine Myers
Notary Public, El Paso County, Texas.
CATHERINE MYERS

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared Jonathan Rogers, President of INDIVIDUAL HOMES, INC., a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that the same was the act of said corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

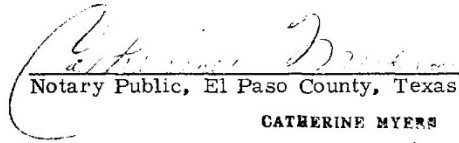
Given under my hand and official seal this 16th day of October, 1973.

Catherine Myers
Notary Public, El Paso County, Texas.
CATHERINE MYERS

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared CELESTE RASBERRY, in her own right and as Executrix of the Estate of J. L. Raspberry, deceased, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

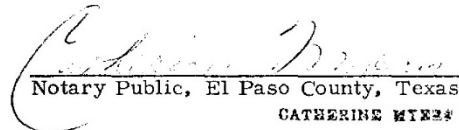
Given under my hand and official seal this 16th day of October, 1973.


Notary Public, El Paso County, Texas.
CATHERINE MYERS

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared LOUISE MURCHISON, in her own right and as Executrix of the Estate of S. M. Murchison, deceased, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

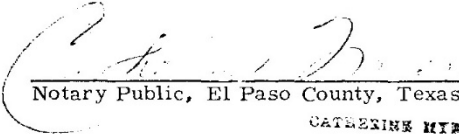
Given under my hand and official seal this 16th day of October, 1973.


Notary Public, El Paso County, Texas.
CATHERINE MYERS

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared PATRICIA MURCHISON ROGERS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.


Given under my hand and official seal this 16th day of October, 1973.


Notary Public, El Paso County, Texas.
CATHERINE MYERS

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared JONATHAN ROGERS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and official seal this 11th day of October, 1973.


Notary Public, El Paso County, Texas.
CATHERINE MYERS

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared FRED HERVEY, Mayor of the City of El Paso, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that he had executed the same for the purposes and consideration and in the capacity therein expressed, and as the act and deed of the City of El Paso.

Given under my hand and official seal this 15th day of November, 1973.


Notary Public, El Paso County, Texas.

BILLIE JEAN EDINHAM, Notary Public
In and for the County of El Paso, Texas
My Commission Expires June 1, 1975

ATTACHMENT 4

5691

AN ORDINANCE AMENDING ORDINANCE NO. 5193, WHICH REZONED A PORTION OF H. F. FISHER SURVEY 293, THE PENALTY BEING AS PROVIDED IN SECTION 25-10 OF THE EL PASO CITY CODE

WHEREAS, Ordinance No. 5193, passed and approved on November 15, 1973, contained certain clerical errors in the description of the property rezoned, and it is necessary to correct such errors and verify the description;

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

That Ordinance No. 5193 be and is hereby amended to read as follows:

That the zoning of a portion of Fisher Survey 293, as more particularly described below, be changed to A-O within the meaning of the Zoning Ordinance, and the zoning map of the City be revised accordingly:

The parcel of land herein described is a portion of H. F. Fisher Survey No. 293, El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

Commencing at a point on the centerline of Murchison Street, said point also being a point of curvature and a city monument; thence South 13° 05' 00" West, a distance of 40.00 feet to a point on the southerly right of way line of Murchison Street, said point being the TRUE POINT OF BEGINNING of this description;

THENCE along the southerly right of way line of Murchison Street, the following courses:

511.29 feet along the arc of a curve to the left having a radius of 540.00 feet, a central angle of 54° 15' 00", and a chord which bears North 75° 57' 30" East, a distance of 492.41 feet to a point for a tangent;

North 48° 50' 00" East, a distance of 684.11 feet to a point for a curve.

238.37 feet along the arc of a curve to the left having a radius of 540.00 feet, a central angle of 25° 17' 30", and a chord which bears North 36° 11' 15" East, a distance of 236.44 feet to a point for a corner, said point being on the easterly boundary line of H. F. Fisher Survey No. 293;

5691

73-3673

THENCE, due South, along said boundary line a distance of 1461.27 feet to a point for a corner, said point being on the southerly boundary line of H. F. Fisher Survey No. 293;

THENCE, due West, along said boundary line, a distance of 968.28 feet, to a point for a corner;

THENCE, due North, a distance of 80.00 feet, to a point for corner;

THENCE, due West, a distance of 500.00 feet to a point for corner;

THENCE, due North, a distance of 118.00 feet to a point for a corner;

THENCE, due West, a distance of 161.35 feet to a point for a corner, said point being on the easterly boundary line of Richmar Unit 2;

THENCE, along the easterly boundary line of Richmar Unit 2, the following courses;

NORTH 27° 40' 00" East, a distance of 17.07 feet to a point for a corner;

NORTH 19° 40' 00" East, a distance of 103.00 feet, to a point for a corner;

NORTH 11° 40' 00" East, a distance of 103.00 feet, to a point for a corner;

THENCE, South 72° 57' 41" East, a distance of 67.10 feet to a point for a corner;

THENCE, South 76° 55' 00" East, a distance of 239.96 feet to a point for a corner;

THENCE North 28° 32' 00" East, a distance of 176.38 feet to a point for a corner;

THENCE North 13° 05' 00" East, a distance of 215.00 feet to a point for a corner, said point being on the southerly right of way line of Murchison Street;

THENCE, South 76° 55' 00" East, along said right of way line a distance of 3.20 feet to the True Point Of Beginning of this description

Said parcel of land contains 27,40322 acres (1,193,684.349 square feet) of land more or less.

PASSED AND APPROVED this 5 day of February, 1976.

[Signature]
Mayor (Pro Tem)

5691
ATTEST: *[Signature]*

City Clerk

FEB 9 1976

73-3673 City Clerk

DEPT OF RECORDS

7
K

AN ORDINANCE AMENDING ORDINANCE NO.
5193, WHICH REZONED A PORTION OF H. F.
FISHER SURVEY 293, THE PENALTY BEING
AS PROVIDED IN SECTION 25-10 OF THE EL
PASO CITY CODE

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That the zoning of a portion of Fisher Survey 293, as more particularly described below, be changed to A-O within the meaning of the Zoning Ordinance, and the zoning map of the City be revised accordingly:

The parcel of land herein described is a portion of H. F. Fisher Survey No. 293, El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

Commencing at a point on the centerline of Murchison Street, said point also being a point of curvature and a city monument; thence South 13° 05' 00" West, a distance of 40.00 feet to a point on the southerly right of way line of Murchison Street, said point being the TRUE POINT OF BEGINNING of this description;

THENCE along the southerly right of way line of Murchison Street, the following courses:

511.29 feet along the arc of a curve to the left having a radius of 540.00 feet, a central angle of 54° 15' 00", and a chord which bears North 75° 57' 30" East, a distance of 492.41 feet to a point for a tangent;

North 48° 50' 00" East, a distance of 684.11 feet to a point for a curve.

238.37 feet along the arc of a curve to the left having a radius of 540.00 feet, a central angle of 25° 17' 30", and a chord which bears North 36° 11' 15" East, a distance of 236.44 feet to a point for a corner, said point being on the easterly boundary line of H. F. Fisher Survey No. 293;

73-3673

See Ord. 5193 for contract

THENCE, due South, along said boundary line a distance of 1461.27 feet to a point for a corner, said point being on the southerly boundary line of H. F. Fisher Survey No. 293;

THENCE, due West, along said boundary line, a distance of 968.28 feet, to a point for a corner;

THENCE, due North, a distance of 80.00 feet, to a point for corner;

THENCE, due West, a distance of 500.00 feet to a point for corner;

THENCE, due North, a distance of 118.00 feet to a point for a corner;

THENCE, due West, a distance of 161.35 feet to a point for a corner, said point being on the easterly boundary line of Richmar Unit 2;

THENCE, along the easterly boundary line of Richmar Unit 2, the following courses:

NORTH 27° 40' 00" East, a distance of 17.07 feet to a point for a corner;

NORTH 19° 40' 00" East, a distance of 103.00 feet, to a point for a corner;

NORTH 11° 40' 00" East, a distance of 103.00 feet, to a point for a corner;

THENCE, South 72° 57' 41" East, a distance of 67.10 feet to a point for a corner;

THENCE, South 76° 55' 00" East, a distance of 239.96 feet to a point for a corner;

THENCE North 28° 32' 00" East, a distance of 176.38 feet to a point for a corner;

THENCE North 13° 05' 00" East, a distance of 215.00 feet to a point for a corner, said point being on the southerly right of way line of Murchison Street;

THENCE, South 76° 55' 00" East, along said right of way line a distance of 3.20 feet to the True Point Of Beginning of this description

Said parcel of land contains 27,40322 acres (1,193,684.349 square feet) of land more or less.

PASSED AND APPROVED this 5 day of February

[Signature]
Mayor (Pro Tem)

ATTEST: *[Signature]*

73-3673 City Clerk

City Clerk, certify that the zoning map has been revised to reflect the amendment of ordinance 5691 By *[Signature]* Date 3-10-76

I CERTIFY THAT THE FOLLOWING ZONING MAPS HAVE BEEN REVISED: A.O. 3-8-76 COUNCIL 3-8-76 CHAIRMAN 3-8-76 CONTROL 3-8-76 *[Signature]*

TO

2/9/76 DATE

ZONING SECTION

LAND PLANNING

MAPPING SECTION

Paul H. H. 2-8-76

E.D.P. SECTION

ADVANCE SECTION

REPRODUCE:

no

RETURN TO:

ib

By (Date):

ozap

FILED :

ORDINANCE NO:

5691 (Amends Ord. 5193-1/15/73)

DATE:

2/5/76

CONTRACT:

Yes

CASE NO.:

(122.3613) 73-3673

NOTES:

ATTACHMENT 5

Planning and Inspections Department - Planning Division

Recommend approval.

Planning and Inspections Department – Plan Review & Landscaping Division

Recommend approval.

Planning and Inspections Department – Land Development

No objection to request.

Fire Department

Recommend approval. Check maximum number of occupants (A1, A2 or A3 Categories) Life safety systems would be required.

Police Department

No comments received.

Environmental Services

No comments received.

Streets and Maintenance Department

TIA not required for this application.

Sun Metro

No comments received.

El Paso Water

El Paso Water (EPWater) does not object to this request.

Water:

There is an existing 4-inch diameter water main that extends along the north side of Grandview Ave. approximately 19-feet south of and parallel to the northern right-of-way line of Grandview Ave. This water main is available for service.

EPWater records indicate there is one 1-inch meter serving the subject property, 1837 Grandview Ave.

Previous water pressure from fire hydrant #5584 located at the southeast intersection of Golden Hill Terrace and Grandview Ave., has yielded a static pressure of 90 psi, a residual pressure of 64 psi, and a discharge of 1,210 gallons per minute. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer, and relief valve, to be set for pressure as desired by the customer. The 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 that along the north side of Golden Hill Terrace approximately 20-feet south of parallel to the northern right-of-way line of Golden Hill Terrace. This sanitary sewer main is available for service.

There is an existing 8-inch diameter sanitary sewer main that extends along the east side of Laurel St. approximately 25-feet west of and parallel to the eastern right-of-way line of Laurel St. This sanitary sewer main is available for service.

General:

An application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd floor. 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 EPWater-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.

Stormwater:

No objections to this proposal.

Texas Department of Transportation

No comments received.

El Paso County Water Improvement District #1

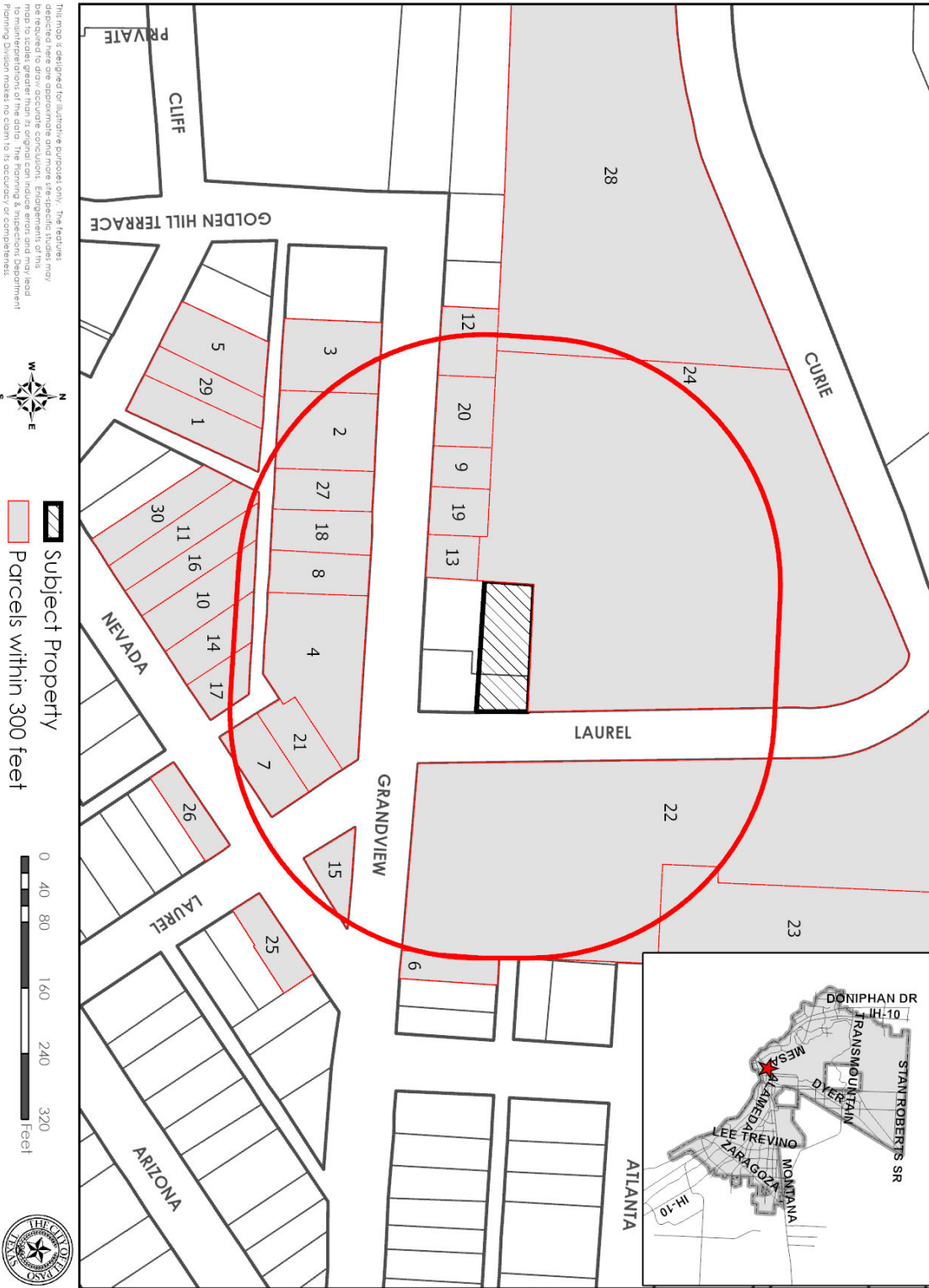
Not within the boundaries of EPCWID1.

El Paso County 911 District

No comments/concerns regarding this zoning.

ATTACHMENT 6

PZCR22-00001



ATTACHMENT 7



Office of the Bishop

Diocese of El Paso Catholic Pastoral Center

January 28, 2022.

City Plan Commission
c/o Planning and Inspections Department – Planning Division,
1st Floor, City 3,
801 Texas Avenue,
El Paso TX 79901.

Dear City Plan Commission,

This letter is written in support of The Encuentro Project. The Encuentro Project invites small groups, usually numbering around 12 members to experience the unique aspects of the life of their Binational Community and on the process, they establish lasting bonds with our community. This project has 501c.3 status and is also a Texas non-profit corporation. I am pleased to offer this letter of support, and I encourage your consideration.

The property is located at 1837 Grandview Ave. El Paso, Texas 79902. The house originally served as a convent for the Sisters of St. Joseph of Concordia, Kansas. It had a special zoning exception as a convent. Once the house was sold, it lost that designation.

This designation will be of a great impact as it would certainly help make the point of the benefit of such a faith-based educational and experiential border immersion program. Also, because participants encounter El Paso leaders, learn about and visit key places in El Paso, shop and eat at restaurants.

In order for The Encuentro Project to continue their missionary work and provide various services, a change of zoning is required. I urge your support of their request for The Encuentro Project to continue providing much needed religious, humanitarian, educational and shelter for those in need amongst us.

Sincerely in Christ,

Most Reverend Mark J. Seitz, D.D.
Bishop of El Paso

499 St. Matthews Street • El Paso Texas 79907 • Ph. (915) 872-8419 • Fax (915) 872-8409