

ORDINANCE NO. 019402

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*

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*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.

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ADOPTED this 8th day of November, 2022.

THE CITY OF EL PASO:



Oscar Leeser  
Mayor



ATTEST:



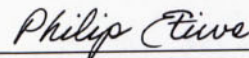
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:



Russell T. Abeln  
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etwie, Director  
Planning & Inspections Department

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22-1007-2940.001|1189111  
Zoning Condition Release PZCR22-00001 1837 Grandview | Ordinance Release  
RTA

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;

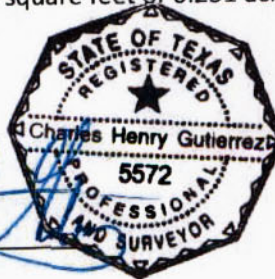
**Thence**, South 03°27'48" West, a distance of 64.90 feet to a point on the zoning line of R-5 and A-O Special Contract, according to the City of El Paso's Planning Department Zoning Map;

**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.

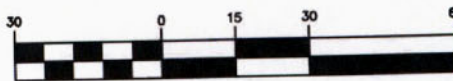
A survey plat of even date accompanies this description.



**EXHIBIT "A"**

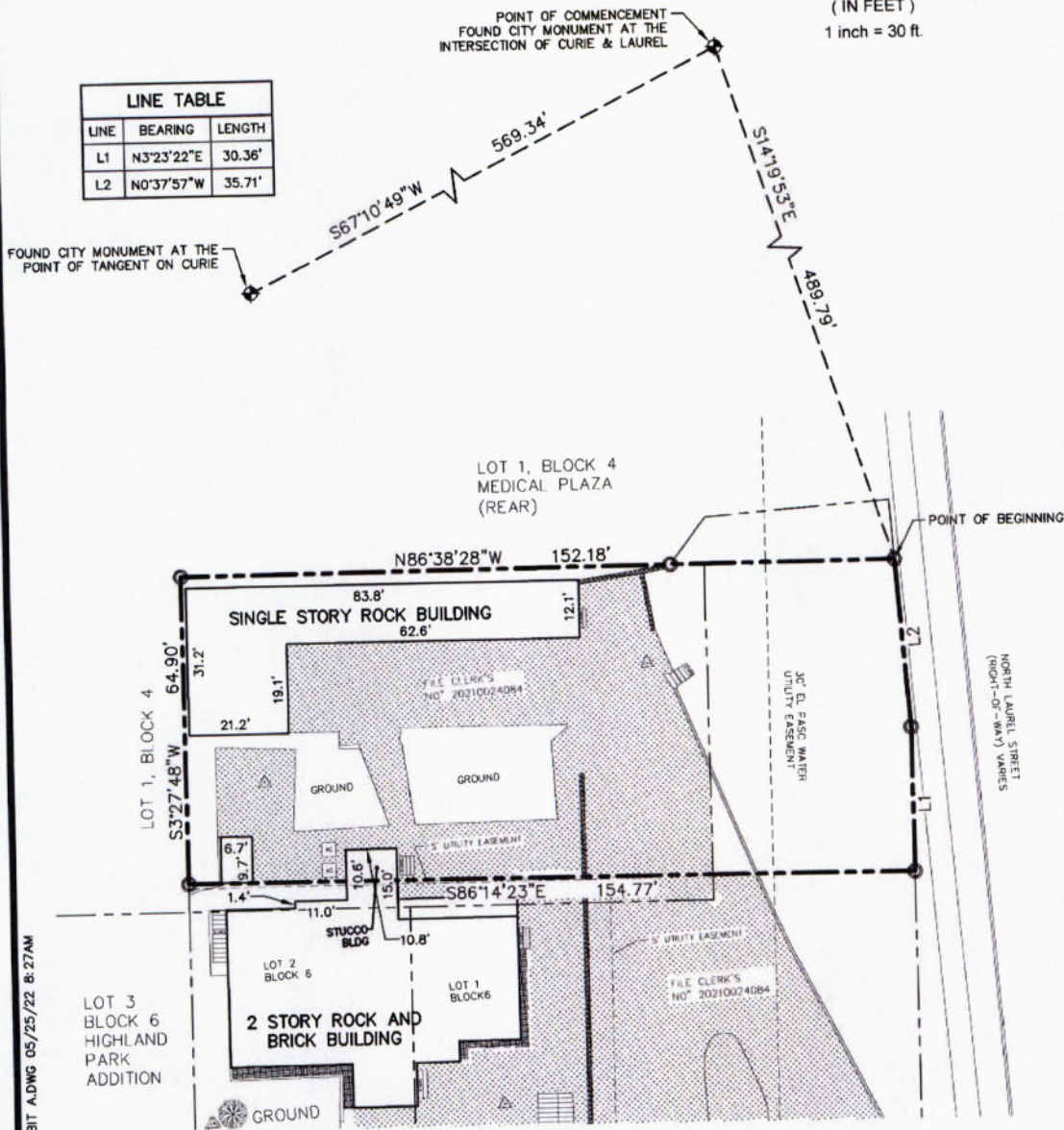
**NOTES:**

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\view 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.



05-29-2022

FILING INFORMATION	CERTIFICATION	BOUNDARY SURVEY	FUEL FARM
DATE: MAY 25, 2022 FIELD: C.G. OFFICE: J.P.H. FILE: 051022-2 SCALE: 051022-2 MCP Exhibit A 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	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: LIEV 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