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

AGENDA DATE: August 16, 2022
PUBLIC HEARING DATE: August 30, 2022

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

Jorge Olmos, (915) 212-1607

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 vacating a 1,947 square-foot portion of Grandview Avenue located within Block 7, Highland Park Addition, City of El Paso, El Paso County, Texas.

Subject Property: 1901 Grandview Ave.

Applicant: Physician Reliance, LLC SURW22-00003

BACKGROUND / DISCUSSION:

The applicant is requesting to vacate portion of right-of-way (ROW) to address an encroachment of an existing rock wall. The proposed vacation of the right-of-way (ROW) will not impact the pedestrian or automobile passage through Grandview Avenue. The City Plan Commission recommended 8-0 to approve the proposed right-of-way (ROW) vacation on March 10, 2022. The applicant has provided funds in the amount of \$4,844, the amount of the appraised market value of the right-of-way (ROW) being vacated. 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? X YES NO				
PRIMARY DEPARTMENT: Planning & Inspections, Planning Division SECONDARY DEPARTMENT: N/A				

DEPARTMENT HEAD: Philip Clive				

ORDINANCE NO.	
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AN ORDINANCE VACATING A 1,947 SQUARE-FOOT PORTION OF GRANDVIEW AVENUE LOCATED WITHIN *BLOCK 7, HIGHLAND PARK ADDITION,* CITY OF EL PASO, EL PASO COUNTY, TEXAS

WHEREAS, the abutting property owner has requested vacation of a 1,947 SQUARE-FOOT PORTION OF GRANDVIEW AVENUE located within *Block 7, Highland Park Addition*, City of El Paso, El Paso County, Texas; and,

WHEREAS, after public hearing the City Plan Commission has recommended a vacation of a 1,947 square foot portion of Grandview Avenue located within *Block 7, Highland Park Addition*, City of El Paso, El Paso County, Texas, and the City Council finds that said 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, in consideration of the receipt by the City of El Paso of TWENTY-FIVE AND 00/DOLLARS (\$25.00) and other good and valuable consideration, the sufficiency of which is acknowledged, a 1,947 square foot portion of a Grandview Avenue located within *Block 7*, *Highland Park Addition*, City of El Paso, El Paso County, Texas, as further described in the attached metes and bounds description identified as Exhibit "A" and made a part hereof by reference, be and is hereby vacated, closed and abandoned.

In addition, the City Manager is authorized to sign an instrument quitclaiming all of the City's right, title and interest in and to such vacated right of way to Physician Reliance, LLC.

ADOPTED this day of	
	THE CITY OF EL PASO:
	Oscar Leeser
ATTEST:	Mayor
Laura D. Prine City Clerk	
APPROVED AS TO FORM:	APPROVED AS TO CONTENT:
hosel Ta	Philip Tiwe
Russell T. Abeln	Philip Tiwe Philip F. Etiwe, Director
Assistant City Attorney	Planning and Inspections Department

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.

QUITCLAIM DEED

That in consideration of the receipt by t	
and other valuable consideration, the sufficience PASO, has released and quitclaimed and by Physician Reliance, LLC (the "Grantee"), and to the property which was vacated, clepassed and approved by the City Council of the OF GRANDVIEW AVENUE OUT OF BLOOF EL PASO, EL PASO COUNTY, TEXA	the CITY OF EL PASO of Ten Dollars (\$10.00) by of which is acknowledged, THE CITY OF EL these presents does release and quitclaim unto all its rights, title, interest, claim and demand in osed and abandoned by Ordinance No, are City of El Paso and described as A PORTION OCK 7, HIGHLAND PARK ADDITION, CITY AS, which is more fully described in the attached whibit "A" and in the attached survey identified rence.
WITNESS the following signatures an	nd seal thisday of, 2022.
	CITY OF EL PASO:
ATTEST:	Tomás González, City Manager
Laura D. Prine, City Clerk	
*	
APPROVED AS TO FORM:	APPROVED AS TO CONTENT:
hosel Ta	Philip Ctive Philip F. Etiwe, Director
Russell T. Abeln	
Assistant City Attorney	Planning and Inspections Department

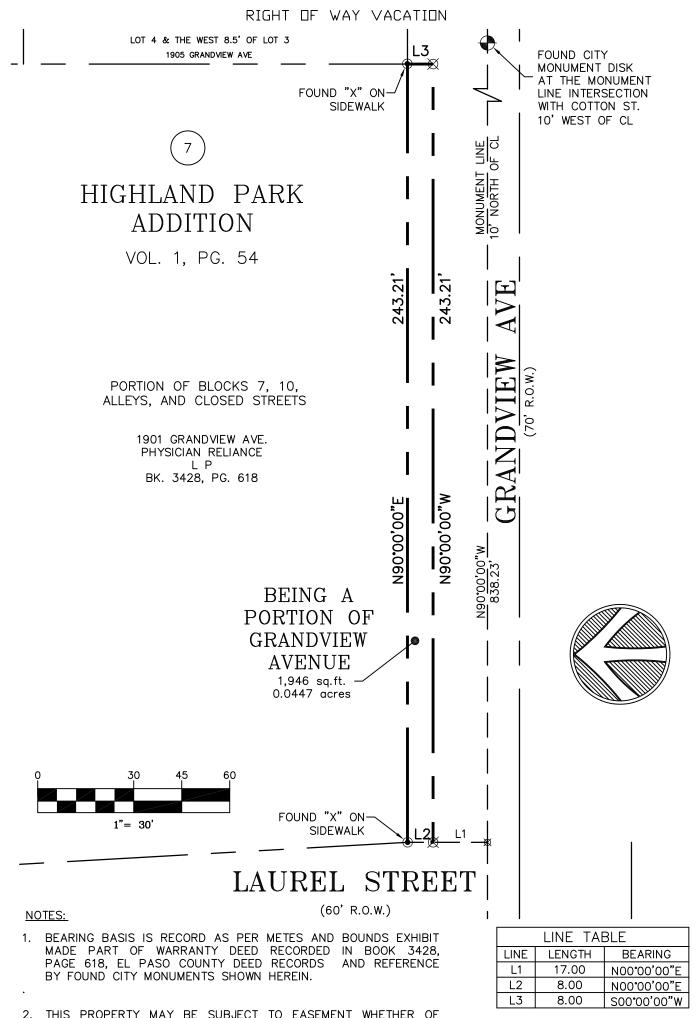
ORDINANCE NO. 22-1007-2913 | 1178403

THE STATE OF TEXAS }

ACKNOWLEDGMENT

THE STATE OF TEXAS)
COUNTY OF EL PASO)
This instrument is acknowledged before me on this day of
Notary Public, State of Texas Notary's Printed or Typed Name:
My Commission Expires:
AFTER FILING RETURN TO: Physician Reliance, LLC 0101 Woodlock Forest

The Woodlands, Texas 77380



THIS PROPERTY MAY BE SUBJECT TO EASEMENT WHETHER OF RECORD NOT. (NOT SHOWN).

A METES AND BOUN ACCOMPANIES THIS PLAT. BOUNDS DESCRIPTION OF EVEN DATE



CERTIFICATION

THEREBY CERTIFY THAT THIS MAP WAS MADE FROM AN ACTUAL ON THE GROUND SURVEY AND THAT THE MONUMENTATION SHOWN HEREON WERE FOUND AND/OR PLACED UNDER MY PERSONAL SUPERVISION. A ALSO CERTIFY THAT THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION II SURVEY.

1-5-2022 JESUS D. IBARRA RPLS#6085, FIRM#10194184



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PRECISION LAND SURVEYORS

10441 VALLE DE ORO DR.

El Paso, Texas 79927 Ph# (915) 222-5227

Being a portion of Grandview Avenue, Block 7, Highland Park Addition, City of El Paso, El Paso County, Texas January 5, 2022;

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Grandview Avenue, Block 7, Highland Park Addition, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at found city monument disk at the monument line intersection of Grandview Avenue (70 foot right of way), 10 feet north of centerline and Cotton Street (70 foot right of way), 10 foot west of centerline, thence along the Grandview Avenue monument line, North 90°00'00" West a distance of 838.23 feet to a point, thence leaving said monument line, North 00°00'00" East a distance of 17.00 feet to a point at the easterly right of way of Laurel Street (70 foot right of way)and the "TRUE POINT OF BEGINNING".

Thence along said right of way, **North 00°00'00" East** a distance of **8.00 feet** to a found "X" on sidewalk;

Thence leaving said right of way, **South 90°00'00" East** a distance of **243.21 feet** to a found X on sidewalk;

Thence, **South 00°00'00" West** a distance of **8.00 feet** to a point at the northerly right of way of Grandview Avenue;

Thence along said right of way, North 90°00'00" West a distance of 243.21 feet to "TRUE POINT OF BEGINNING" and containing in all 1,946 square feet or 0.0447 acres of land more or less.

Jesus D. Ibarra, RPLS No.6085

January 5, 2022



Grandview ROW Vacation

City Plan Commission — March 10, 2022 – REVISED



CASE MANAGER: Jorge Olmos, (915) 212-1607, OlmosJA@elpasotexas.gov

PROPERTY OWNER: Physician Reliance, LLC

REPRESENTATIVE: Quantum Engineering Consultants

LOCATION: West of Cotton St and North of I-10 (District 8)

PROPERTY AREA: 0.0447 acres
ZONING DISTRICT(S): R-5 (Residential)

SUMMARY OF RECOMMENDATION: Staff recommends **APPROVAL** of the Grandview Right-of-Way (ROW) Vacation.



Figure A: Proposed plat with surrounding area



DESCRIPTION OF REQUEST: The applicant, who is the abutting property owner, proposes to vacate a 0.0447 acre portion of Grandview Avenue. This request will remedy the existing encroachment of a wall into City right-of-way. The right-of-way is currently paved, with no utility infrastructure.

CASE HISTORY/RELATED APPLICATIONS: N/A

NEIGHBORHOOD CHARACTER: Surrounding neighborhood characteristics are identified in the following table.

Surrounding Zoning and Use				
North	C-1 C (Commercial/condition) / Medical office			
South	R-5 (Residential) / Residential development			
East	R-5 (Residential) / Residential development			
West	A-O SC (Apartment and Office/special contract) / Medical facility			
Nearest Public Facility and Distance				
Park	Murchison Rogers Park (0.34 miles)			
School Armendariz Middle School (0.33 miles)				
Plan El Paso Designation				
G-3, Post-War				
Impact Fee Service Area				
N/A				

PUBLIC COMMENT: Notices of the proposed right-of-way vacation were sent on February 25, 2022 to all property owners within 300 feet of the subject property. As of March 3, 2022, staff has not received any communication regarding this request.

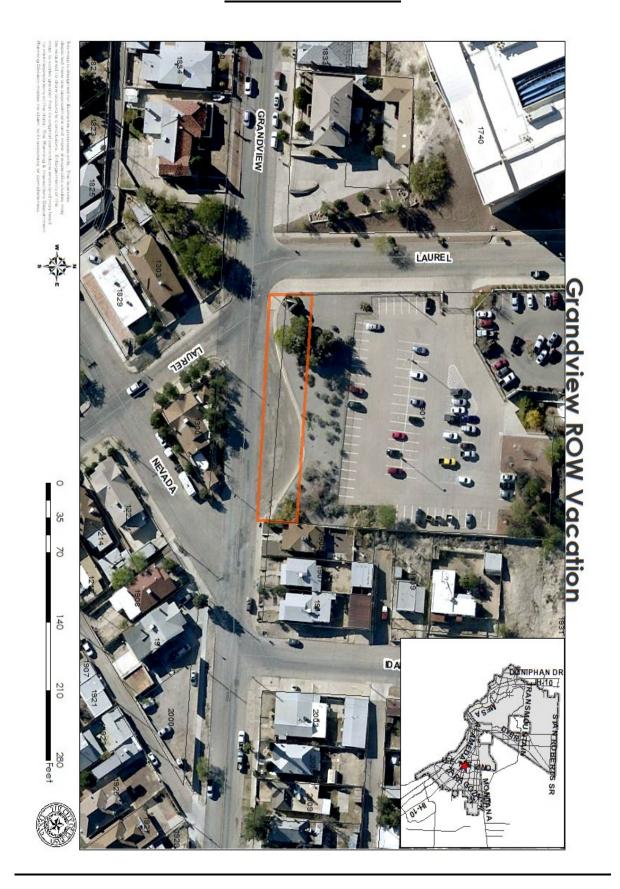
CITY PLAN COMMISSION OPTIONS:

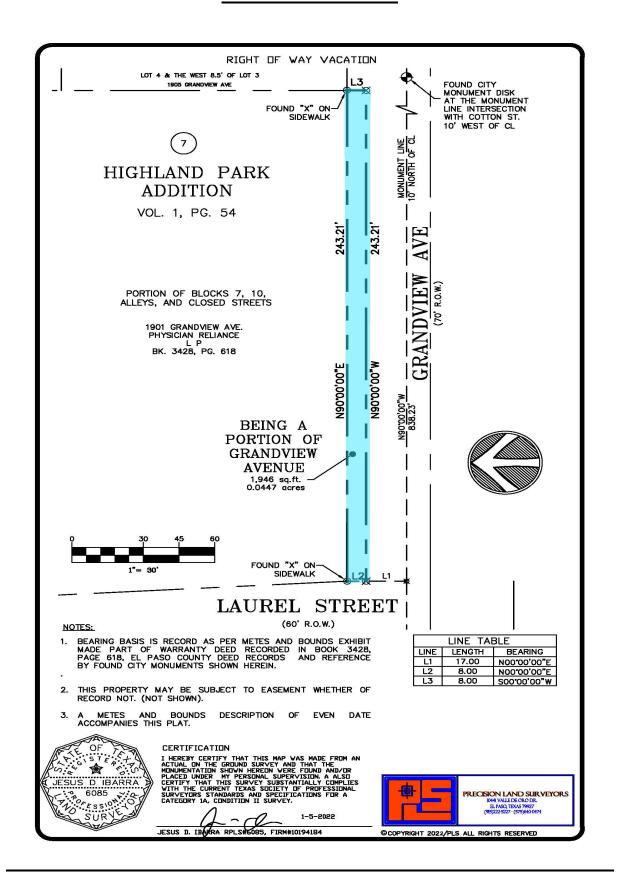
The City Plan Commission (CPC) has the authority to advise City Council on right-of-way vacation requests. When a request is brought forward to the CPC for review, the Commission may take any of the following actions:

- 1. **Recommend Approval**: The CPC finds that the proposed vacation request is in conformance with all applicable requirements of Title 19 of the El Paso City Code. (Staff Recommendation)
- 2. **Recommend Approval with Conditions:** The CPC may recommend that City Council impose additional conditions on approval of the request that bring the request into conformance with all applicable requirements of Title 19 of the El Paso City Code.
- 3. **Recommend Denial:** The CPC finds that the proposed request is not in conformance with all applicable requirements of Title 19 of the El Paso City Code.

ATTACHMENTS:

- 1. Aerial Map
- 2. Survey
- 3. Metes and Bounds Description
- 4. Application
- 5. Department Comments
- 6. Letters of Opposition
- 7. Letter of Opposition







PRECISION LAND SURVEYORS

10441 VALLE DE ORO DR. El Paso, Texas 79927 Ph# (915) 222-5227

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Jesus D. Ibarra, RPLS No.6085 January 5, 2022 JESUS D IBARRA D

6085

SURVE

DocuSign Envelope ID: 652A8465-C795-430D-A845-7420F9CFEFD9



VACATION PUBLIC EASEMENTS AND RIGHTS-OF-WAY APPLICATION

	Date:01/27/2022	File No			
١.	APPLICANTS NAME Physician Reliance,	LLC			
	ADDRESS 10101 Woodloch Forest Dr. The	Woodlands TX ZIP CODE 77380 TELEPHONE			
	Request is hereby made to vacate the following: (check one)				
	Street Alley Easeme	ent Other Other			
	Street Name(s) Grandview Ave	Subdivision Name Highland Park			
	Abutting Blocks None	Abutting Lots None			
	Reason for vacation request: An existing rockwall property of Physician Reliance, LLC is abutting city ROW. The purpose of the vacation is so that the wall can be located within Physician Reliance, LLC property.				
	Surface Improvements located in subject property to be vacated: None Paving Curb & Gutter Power Lines/Poles Fences/Walls Structures Other				
i.	Underground Improvements located in the existing rights-of-way: None Telephone Electric Gas Water Sewer Storm Drain Other				
ő.	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				
3.	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		
	N/A	N/A	N/A		
	procedure for Requesting Vacations and t fee. It is further understood that acceptant	understands that the processing of this Application will be that no action on processing will be taken without payment of the of this application and fee in no way obligates the City to ation is granted will be determined by the City of El Paso an be recommended for Council action.	of the non-refundable processing grant the Vacation. I/We		
	The undersigned acknowledges that he or the City confirming these representations	she is authorized to do so, and upon the City's request will a	provide evidence satisfactory to		
	The granting of a vacation request shall n any applicable City of the hard by:	not be construed to be a waiver of or an approval of any viola	tion of any of the provisions of		
	OWNER SIGNATURE Name OE845E88E0884E7	REPRESENTATIVE SIGNATURE:	100		
	REPRESENTATIVE (PHONE): 915-532	-7272			
	REPRESENTATIVE (E-MAIL): quantum	n@qeceng.com			
	NOTE: SUBMITTAL OF AN APPLI	OATION DOES NOT CONSTITUTE ACCEPTANCE FOR TREVIEWS THE APPLICATION FOR ACCURACY			

Planning & Inspections Department 811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890| (915) 212-0085

Planning and Inspections Department- Planning Division

1. Provide proof of ownership for all abutting properties.

Planning and Inspections Department-Land Development Division

- 1. Verify if sidewalk connectivity is needed in this row portion.
- 2. Verify compliance with ADA requirements.

Parks and Recreation Department

No objections.

El Paso Police Department

No objections.

Fire Department

Recommend approval.

Streets and Maintenance Department

TIA is not required.

El Paso Water

EPWater does not object to this request.

Water:

There is an existing 6-inch diameter water main that extends along the northside of Grandview Ave. approximately 19 feet south of the northern right-of-way. This main is available for service.

Sanitary Sewer:

There is an existing 8-inch diameter sewer main that extends along the north side of Grandview Ave. approximately 29.5 feet south of the northern right-of-way. This main is available for service.

There is an existing 8-inch diameter sewer main that extends along the east side of Laurel St. approximately 25 feet west of the eastern right-of-way, that does bisect the northern part of the property. This main is available for service.

General:

EPWater requires a new service application to provide additional service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current 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.

Texas Gas

No comments received.

El Paso Electric

No comments received.

El Paso County 911 District

No comments received.

Texas Department of Transportation

No comments received.

El Paso County

No comments received.

El Paso County Water Improvement District #1

Project not within the boundaries of EPCWID1.

Sun Metro

No comments received.

Capital Improvement Department

No comments received.

From: TERRY ODONNELL
To: Olmos, Jorge A.

Subject: Texas oncology Grandview case

Date: Wednesday, March 9, 2022 10:29:58 AM

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OlmosJA@elpasotexas.gov.

Case number

SURW22-00003 Texas Oncology Grandview ROW vacation

By; Teresa M. Odonnell 1300 N. Laurel St. El Paso, TX 79902 Todon38804@aol.com

Petition against proposal of parking lot expansion at Texas Oncology Cancer Treatment Center "Grandview" Location

The existing lower level of parking-lot at this Texas Oncology location is currently not ever at capacity. Less than half of the spaces are occupied daily. Further, none of the spaces are occupied on weekends and evenings. Therefore, expansion seems unnecessary.

The walk to the facility would be uphill and far for any patient or visitor to consider hiking.

^{*}Existing Parking

*Dangers to the immediate homes

The traffic on the Grandview, Curry Dr and Laurel St. Intersection is quite high to accommodate more activity.

The runoff from storm water from impermeable proposed parking lot may cause flash flooding conditions and damage to immediate housing.

-Picture provided of runoff in front of our street on Laurel.

If more visitors are anticipated, a higher rate of unknown vehicles parking across from neighboring homes could face potential personal danger such as crime, muggings etc.

There is also the danger that somebody will bang into ones car while backing out.

*Bus Stop

Will the bus stop be moved? It is currently at this precise intersection locale.

*The Historical Tree

The beautiful large historical pine tree is the last remaining object from the former site of the Henry Trost St. Jospeh's Sanatorium built in 1928.

https://www.henrytrost.org/buildings/st-josephs-sanatorium-baldwin/

The historical tree may be over 100 years old. It is in excellent condition for its age and its location beautifies the neighborhood. This tree is the only natural barrier from this neighborhood before entering the adjoining commercial hospital centers.

This tree could very well be nominated to the Historical Trees of Texas and recognized as an El Paso landmark. Texas Historic Tree Coalition (TxHTC)

Is this tree an endangered tree or protected pine species by the State? It could be! Trying to gather information if possible.

*Wildlife

This tree is and has been a home for many years of native birds including owls.

Adding additional parking and traffic to this area's neighbors would highly effect their livelihood and existence.

The immediate negative community impact is very high!

Mr. Olmos, I highly appreciate the time you are taking to listen to our concerns and grievances. Please let me know if I could supply you with any more pictures or information that I may be able to supply with this case.



Planning and Inspections

MAYOR

10 de marzo del 2022

CITY COUNCIL

Aviso Publico de la Comisión de Planeamiento de la Ciudad

District 1

District 2

Peter Svarzbein

Estimado Residente de El Paso:

Grandview ROW Vacation

Alexsandra Annello

Esta carta es para notificarle que la Comisión de Planeamiento de la Ciudad de El Paso considerará una solicitud para desocupar una porción de Grandview Ave que es generalmente localizada al Oeste de Cotton St y Norte de I-10. La propiedad es de aproximadamente 0.0447 acres en tamaño.

Propietario: Physician Reliance. LLC Cassandra Hernandez Descripción Legal de la Propiedad: A portion of Grandview Avenue, Block 7, Highland Park Addition, City of El Paso, El Paso County, Texas Caso: SURW22-00003 Texas Oncology

District 4 Joe Molinar

Lugar: 300 N. Campbell, 1st Floor City Council Chambers, El Paso, Texas, 79901**

District 5 Isabel Salcido

Fecha Y Hora: 10 de marzo del 2022 a la 1:30 PM

Claudia L. Rodriguez

Si tiene alguna duda o si desea expresar su preocupación, escriba una carta dirigida a la Comisión de Planeamiento de la Ciudad (c/o Planning and Inspections Department, Planning Division, PO Box 1890, El Paso, TX 79950-1890), mande un correo electrónico a OlmosJA@elpasotexas.gov, o llame al (915) 212-1607. La carta o correo electrónico debe de incluir el número del caso, su nombre y dirección, y su opinión acerca del caso. La reunión se puede ver en vivo en línea utilizando el proceso descrito a continuación.

District 7 Henry Rivera

District 8 Cissy Lizarraga

**Miembros del público pueden comunicarse con la Comisión de Planeamiento de la Ciudad durante el comentario público, y sobre artículos de la agenda llamando gratis al número: 1-915-213-4096 o por llamada gratuita al 1-833-664-9267. A la indicación, por favor marcar el siguiente número de Conferencia: 829 435 214#.

CITY MANAGER Tommy Gonzalez

**Adicionalmente, miembros del publico pueden ver la junta por medio de los siguientes medios: Por medio de la página web de la Ciudad: http://www.elpasotexas.gov/videos Por medio de YouTube: https://www.youtube.com/user/cityofelpasotx/videos

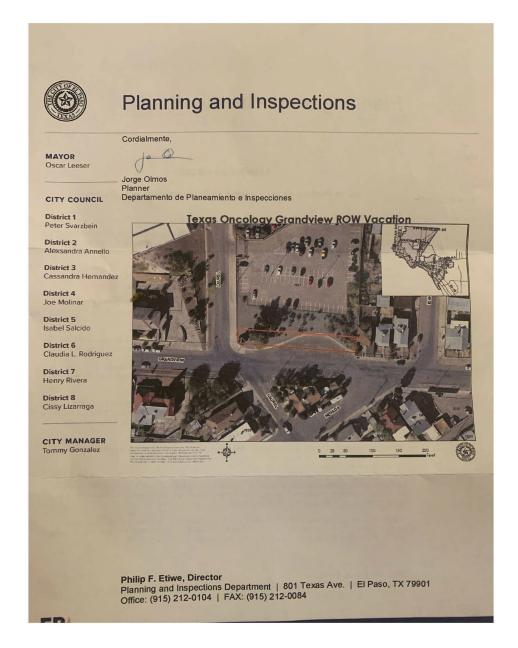
Intérpretes de lengua de señas serán proveídos para la audiencia a pedido. Las solicitudes deben ser hechas al Departamento de Planeamiento e Inspecciones por lo menos 24 horas antes de la fecha y tiempo de la audiencia al (915) 212-1569.

Copias de este aviso/agenda serán proveídas en Braille, impresión grande, o cinta de audio a pedido. Las solicitudes deben ser hechas al Departamento de Planeamiento e Inspecciones por lo menos 48 horas antes de la fecha y tiempo de la audiencia al (915) 212-1569.

Philip F. Etiwe, Director

Planning and Inspections Department | 801 Texas Ave. | El Paso, TX 79901 Office: (915) 212-0104 | FAX: (915) 212-0084





Mr. Olmos, please advise if there's any other information I can provide and if you have received this email. How much time do we have to compile more evidence and information?

 From:
 Linda Maser

 To:
 Olmos, Jorge A.

 Subject:
 Re: SURW22-0003 Maser

Date: Tuesday, March 8, 2022 12:37:17 PM

[You don't often get email from fuss1724@yahoo.com. Learn why this is important at http://aka.ms/LearnAboutSenderIdentification.]

CAUTION: This email originated from outside of the City of El Paso. Do not click links or open attachments unless you recognize the sender and know the content is safe. If suspicious, use Phish Alert or forward to SpamReport@elpasotexas.gov.

Correction that tree is over 100 years old when the St. Joseph sanatorium was there I will be attaching a picture of the beautiful tree

Sent from my iPhone

> On Mar 8, 2022, at 12:35 PM, Linda Maser <fuss1724@yahoo.com> wrote:

> Good evening sir concerning the El Paso cancer treatment center parking. We have lived there for over 50 years and they have several empty parking spots in their property there's no need to make parking there. The need has been to repave it it is eroded. I contact the city abo about two years ago concerning the repavement but they advised me that it was private property of theirs. The traffic going towards the hospitals is very busy and when cars would park they would need to reverse and would cause a lot of danger reversing. The tree that is on the property is over 60 years old and would not be right to tear down such a beautiful tree just for unnecessary parking we have several pictures of it when the Saint Joseph psychiatric hospital was there. The hospital was torn down in 1971. That tree is one of the oldest ones in El Paso. As children route we remember our father hooking up several water hoses to water that beautiful tree our home is directly across the street where they want to put this parking. There's very very unnecessary parking. Thank you for your attention in this matter God bless you

> Sent from my iPhone

SURW22-00003 14 March 10, 2022





