

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

AGENDA DATE: May 9, 2023
PUBLIC HEARING DATE: May 23, 2023

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 0.081 acre portion of Oregon Street right-of-way, located within Alexander Addition, City of El Paso, El Paso County, Texas

Subject Property: Oregon Street
Applicant: University of Texas at El Paso, SURW22-00010

BACKGROUND / DISCUSSION:

The applicant is requesting to vacate a portion of Oregon Street right-of-way (ROW) that begins at the intersection of Glory Road and extends the length of Oregon until Robinson Avenue, in order to allow for the development of the lot. The right-of-way consists of existing parking and unimproved land. The proposed vacation of the right-of-way (ROW) will not impact the passage of traffic through Oregon Street. The City Plan Commission recommended 8-0 to approve the proposed right-of-way (ROW) vacation on June 16, 2022. The applicant has provided funds in the amount of \$15,000.00, the amount of the appraised market value of the right-of-way 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? YES NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division

SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD:

Philip Etiwe

ORDINANCE NO. _____

AN ORDINANCE VACATING A 0.081 ACRE PORTION OF OREGON STREET RIGHT-OF-WAY, LOCATED WITHIN *ALEXANDER ADDITION*, CITY OF EL PASO, EL PASO COUNTY, TEXAS

WHEREAS, the abutting property owner has requested vacation of a 0.081 PORTION OF OREGON STREET RIGHT-OF-WAY located within *Alexander Addition*, City of El Paso, El Paso County, Texas; and

WHEREAS, after public hearing the City Plan Commission has recommended a vacation of a 0.081 acre portion of OREGON STREET RIGHT-OF-WAY located within *Alexander 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, 0.081 acre portion of Oregon Street right-of-way located within *Alexander 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 the University of Texas System.

ADOPTED this _____ day of _____, 2023.

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. _____

EXHIBIT A

Property description: A 0.034-acre portion of Oregon Street right-of-way, Alexander Addition, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a 0.034-acre portion of Oregon Street right-of-way, Alexander Addition, El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

COMMENCING at a city monument at the intersection of the monument lines of Kansas Street (70-foot right-of-way, Alexander Addition) and Cincinnati Avenue (70-foot right-of-way, Alexander Addition), said monument lines lying 10.00 feet east and 10.00 feet north of the respective centerlines of Kansas Street and Cincinnati Avenue, from which a city monument at the intersection of the monument lines of Kansas Street and University Avenue (70-foot right-of-way, Alexander Addition) bears South 37°37'00" East, a distance of 1649.72 feet, said monument lines lying 10.00 feet east and 10.00 feet north of the respective centerlines of Kansas Street and University Avenue; Thence, South 52°23'00" West, along the monument line of Cincinnati Avenue, a distance of 1035.00 feet to the westerly right-of-way of Oregon Street (70-foot right-of-way, Alexander Addition), said right-of-way also being the easterly vacated right-of-way of Cincinnati Avenue (Ordinance 3612, September 8, 1966, El Paso County, Texas), from which a chiseled "crow's foot" found at the intersection of the westerly right-of-way of Oregon Street and the northerly right-of-way of Robinson Avenue (70-foot right-of-way, Alexander Addition) bears South 37°37'00" East, a distance of 305.00 feet; Thence, North 37°37'00" West, along said right-of-way of Oregon Street, a distance of 25.00 feet to the northerly vacated right-of-way of Cincinnati Avenue for the **POINT OF BEGINNING** of this description;

THENCE, North 37°37'00" West, continuing along said right-of-way, a distance of 260.00 feet to a P-K nail with shiner found on the southerly right-of-way of Glory Road (70-foot right-of-way, Alexander Addition);

THENCE, North 52°23'00" East, a distance of 6.98 feet to the westerly edge of a 6-inch concrete curb;

THENCE, South 38°55'11" East, along said curb, a distance of 7.10 feet to the westerly edge of a 7-foot concrete sidewalk;

THENCE, South 37°24'46" East, along said sidewalk, a distance of 152.36 feet to the southerly edge of a 6-inch concrete curb;

THENCE, South 53°50'03" West, along said curb, a distance of 3.11 feet;

THENCE, South 37°39'32" East, continuing along said curb, a distance of 93.52 feet to a P.I. of the southerly edge of a concrete sidewalk;

THENCE, North 56°06'38" East, along said sidewalk, a distance of 3.70 feet to the westerly edge of a 6-inch concrete curb;

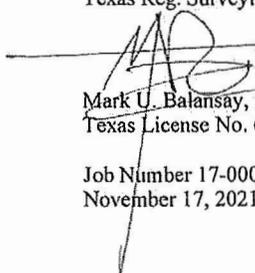
THENCE, South 38°18'13" East, along said curb, a distance of 6.86 feet;

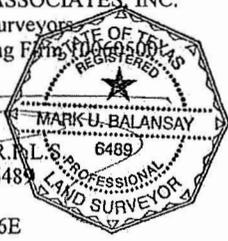
THENCE, South 52°23'00" West, a distance of 7.33 feet to the **POINT OF BEGINNING** of this description.

Said parcel of land contains 0.034 acres (1,478 square feet) of land more or less.

NOTE: A PLAT OF EVEN DATE HERewith ACCOMPANIES THIS DESCRIPTION.

ROBERT SEIPEL ASSOCIATES, INC.
Professional Land Surveyors
Texas Reg. Surveying Firm


Mark U. Balansay, R.L.S.
Texas License No. 6489



Job Number 17-0006E
November 17, 2021

EXHIBIT A

Property description: A 0.047-acre portion of Oregon Street right-of-way, Alexander Addition, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a 0.047-acre portion of Oregon Street right-of-way, Alexander Addition, El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

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THENCE, North 37°37'00" West, along said right-of-way, a distance of 25.00 feet to the northerly vacated right-of-way of Cincinnati Avenue, from which a P-K nail with shiner found at the intersection of the southerly right-of-way of Glory Road (70-foot right-of-way, Alexander Addition) and the westerly right-of-way of Oregon Street bears North 37°37'00" West, a distance of 260.00 feet;

THENCE, North 52°23'00" East, a distance of 7.33 feet to the westerly edge of a 6-inch concrete curb;

THENCE, South 38°18'13" East, a distance of 12.40 feet to the westerly edge of a 7-foot concrete sidewalk;

THENCE, South 37°36'12" East, along said sidewalk, a distance of 201.35 feet to a P.I. of the westerly edge of a concrete apron;

THENCE, South 12°18'36" West, along said apron, a distance of 6.60 feet to the easterly edge of a 6-inch concrete curb;

THENCE, South 38°24'56" East, along said curb, a distance of 63.95 feet to the southerly edge of a concrete sidewalk;

THENCE, North 54°46'38" East, along said sidewalk, a distance of 1.86 feet to the easterly edge of a 6-inch concrete curb;

THENCE, South 37°08'35" East, along said curb, a distance of 47.99 feet;

THENCE, South 52°23'00" West, a distance of 4.74 feet to a chiseled "crow's foot" found at the intersection of the northerly right-of-way of Robinson Avenue (70-foot right-of-way, Alexander Addition) and the westerly right-of-way of Oregon Street;

THENCE, North 37°37'00" West, along said right-of-way of Oregon Street, a distance of 305.00 feet to the **POINT OF BEGINNING** of this description.

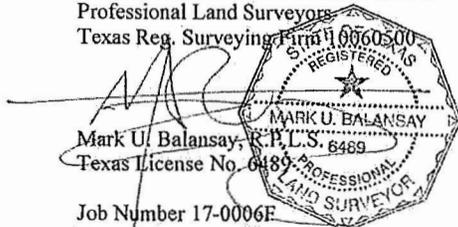
Said parcel of land contains 0.047 acres (2,033 square feet) of land more or less.

NOTE: A PLAT OF EVEN DATE HERewith ACCOMPANIES THIS DESCRIPTION.

ROBERT SEIPEL ASSOCIATES, INC.

Professional Land Surveyors

Texas Reg. Surveying Firm # 0060500



Job Number 17-0006F

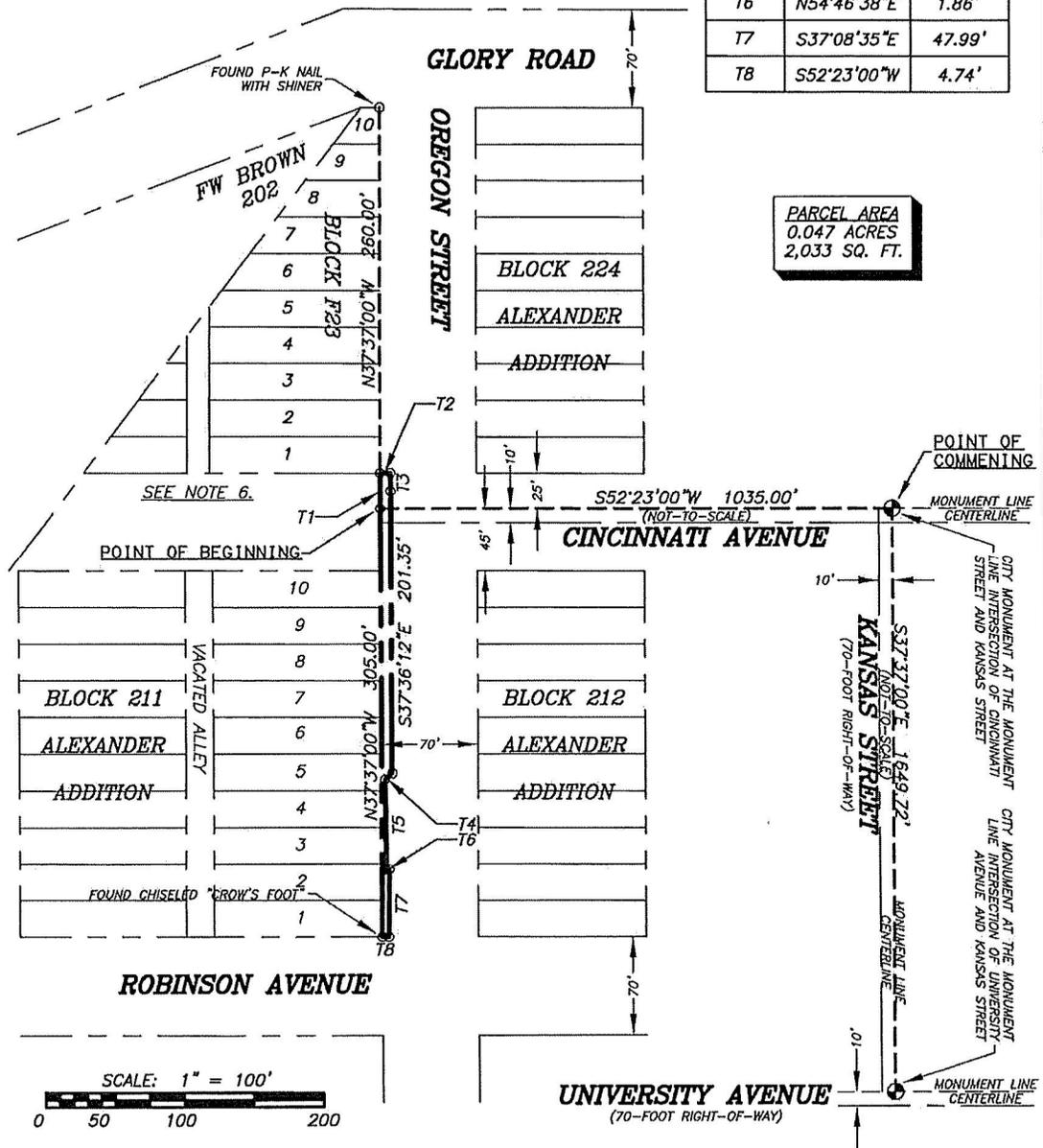
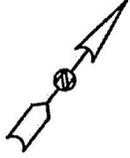
November 17, 2021

EXHIBIT B

NOTES:

1. THE PLAT OF ALEXANDER ADDITION IS NOT FILED OF RECORD.
2. BEARINGS ARE BASED ON THE PLAT OF UNIVERSITY CENTER RECORDED IN BOOK 23, PAGE 35, PLAT RECORDS, EL PASO COUNTY, TEXAS.
3. CORNERS HAVE NOT BEEN SET UNLESS OTHERWISE INDICATED.
4. THIS SURVEY WAS MADE WITHOUT BENEFIT OF A CURRENT TITLE REPORT AND MAY BE SUBJECT TO EASEMENTS OR OTHER RESTRICTIONS OF RECORD.
5. A NARRATIVE METES AND BOUNDS DESCRIPTION OF EVEN DATE HERewith ACCOMPANIES THIS PLAT.
6. CINCINNATI AVENUE VACATED BY CITY OF EL PASO ORDINANCE 3612, DATED SEPTEMBER 8, 1966.
7. PER EL PASO CENTRAL APPRAISAL DISTRICT OWNER OF BLOCK F23 AND BLOCK 211, ALEXANDER ADDITION IS UNIVERSITY OF TEXAS.

LINE TABLE		
LINE #	BEARING	DISTANCE
T1	N37°37'00"W	25.00'
T2	N52°23'00"E	7.33'
T3	S38°18'13"E	12.40'
T4	S12°18'36"W	6.60'
T5	S38°24'56"E	63.95'
T6	N54°46'38"E	1.86'
T7	S37°08'35"E	47.99'
T8	S52°23'00"W	4.74'



PARCEL AREA
0.047 ACRES
2,033 SQ. FT.



ROBERT SEIPEL ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

1845 NORTHWESTERN DR., SUITE C EL PASO, TX 79912 915-877-1928

REVISED: 02-16-22



A 0.047-ACRE PORTION OF OREGON STREET RIGHT-OF-WAY,
ALEXANDER ADDITION, EL PASO, EL PASO COUNTY, TEXAS.

TEXAS REG. SURVEYING FIRM 10060500

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DATE:	11-17-21
SCALE:	1" = 100'
DRAWN BY:	MUB
CHK'D BY:	FC
FB:	432
FILE #:	17-0006F
REVISED:	02-16-22

Oregon Street Right-of-Way Vacation

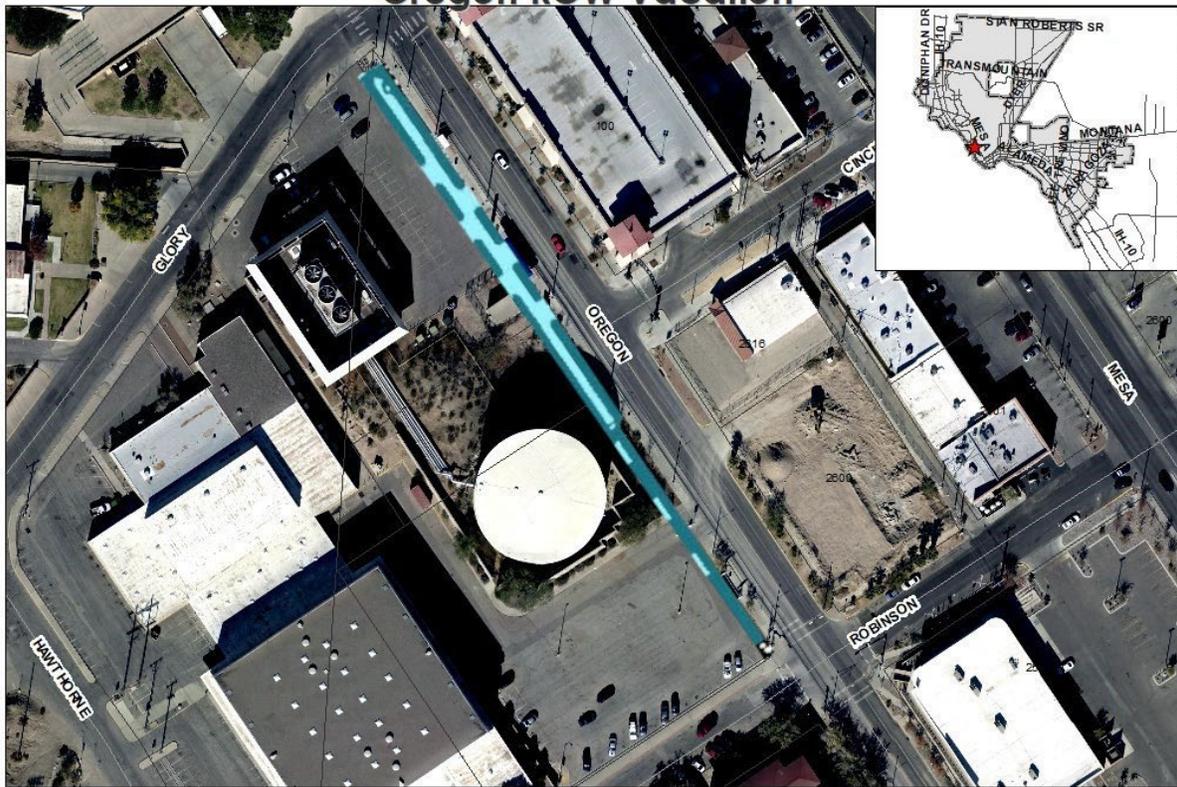


City Plan Commission — June 16, 2022 — **REVISED**

CASE NUMBER/TYPE: SURW22-00010 – RIGHT-OF-WAY VACATION
CASE MANAGER: Jorge Olmos, (915) 212-1607, OlmosJA@elpasotexas.gov
PROPERTY OWNER: University of Texas System
REPRESENTATIVE: Susan Avena
LOCATION: West of Mesa Street and south of Sun Bowl Drive (District 8)
PROPERTY AREA: 0.081 acres
ZONING DISTRICT(S): R-4 (Residential)
PUBLIC INPUT: No opposition received as of 6/9/2022

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

Oregon ROW Vacation



This map is designed for illustrative purposes only. The features depicted here are approximate and more detailed studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original computer screen and may lead to misrepresentation of the data. The Planning & Inspection Department Planning Division makes no claim to its accuracy or completeness.



0 40 80 160 240 320 Feet



Figure A: Proposed plat with surrounding area

DESCRIPTION OF REQUEST: The applicant proposes to vacate a portion of Oregon Street ROW located west of Oregon Street and between Glory Road and Robinson Avenue. The area requested to be vacated is 0.081 acres in size and consists of existing parking and unimproved land. The sidewalk along Oregon Street is to remain. The applicant is requesting to vacate ROW in order to allow for the development of the land.

CASE HISTORY/RELATED APPLICATIONS: N/A

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

Surrounding Zoning and Use	
North	C-1 (Commercial) / Special event venue
South	R-4 (Residential) / Student housing
East	G-MU (General Mixed Use), A-O (Apartment/office), S-D (Special Development) / Parking garage, commercial development
West	R-4 (Residential) / UTEP facilities
Nearest Public Facility and Distance	
Park	Billy Rogers Arroyo Park (0.50 miles)
School	El Paso High School (0.90 miles)
Plan El Paso Designation	
G-2, Traditional Neighborhood (Walkable)	
Impact Fee Service Area	
N/A	

PUBLIC COMMENT: Notices of the proposed right-of-way vacation were sent on June 1, 2022 to all property owners within 200 feet of the subject property. As of June 9, 2022, staff has not received communication regarding this request.

CITY PLAN COMMISSION OPTIONS:

The City Plan Commission 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:

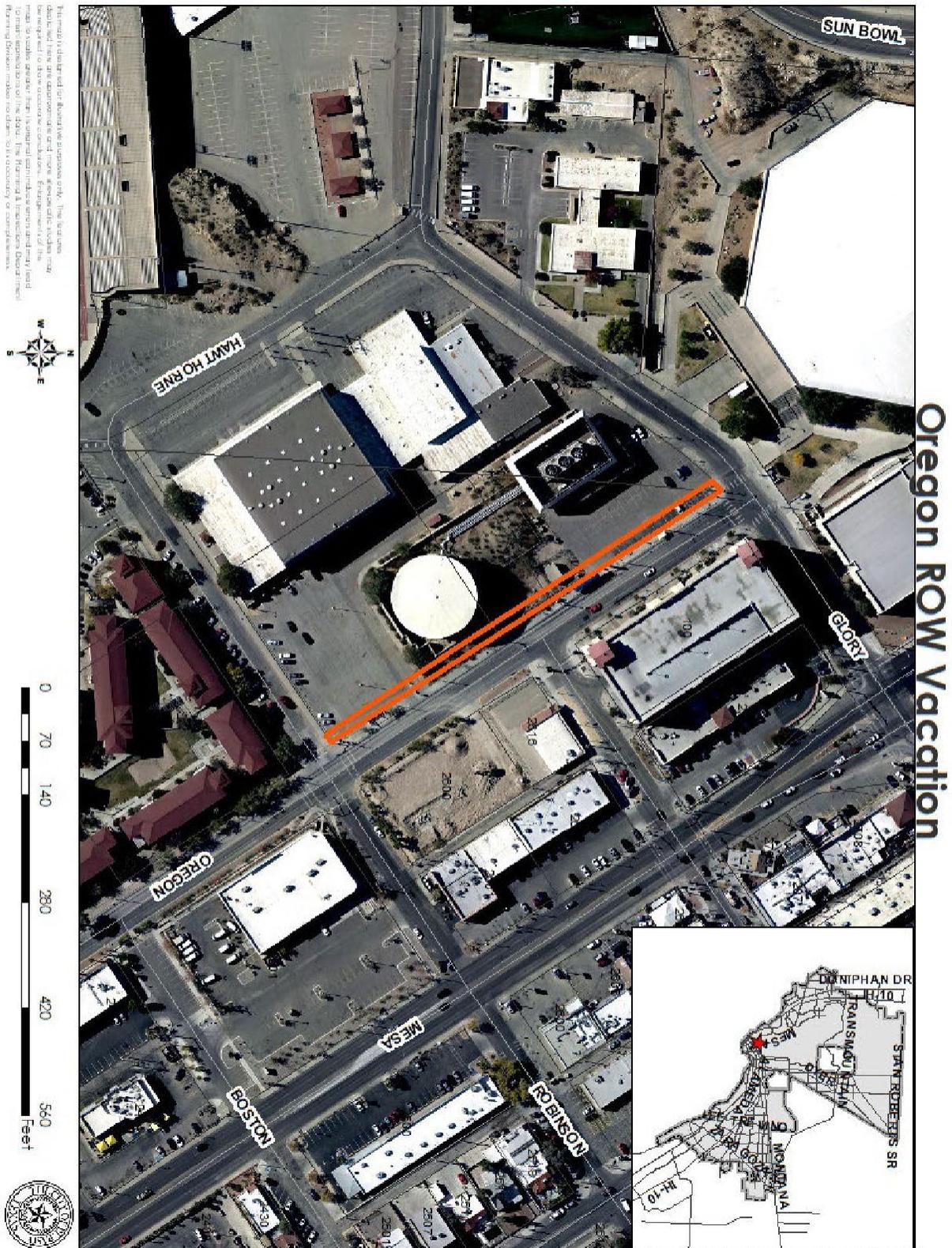
1. **Recommend Approval:** The CPC finds that the proposed vacation request is in conformance with all applicable requirements of Title 19 of the El Paso City Code. **(Staff Recommendation)**
2. **Recommend Approval with Conditions:** The CPC may recommend that City Council impose additional conditions 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

ATTACHMENT 1

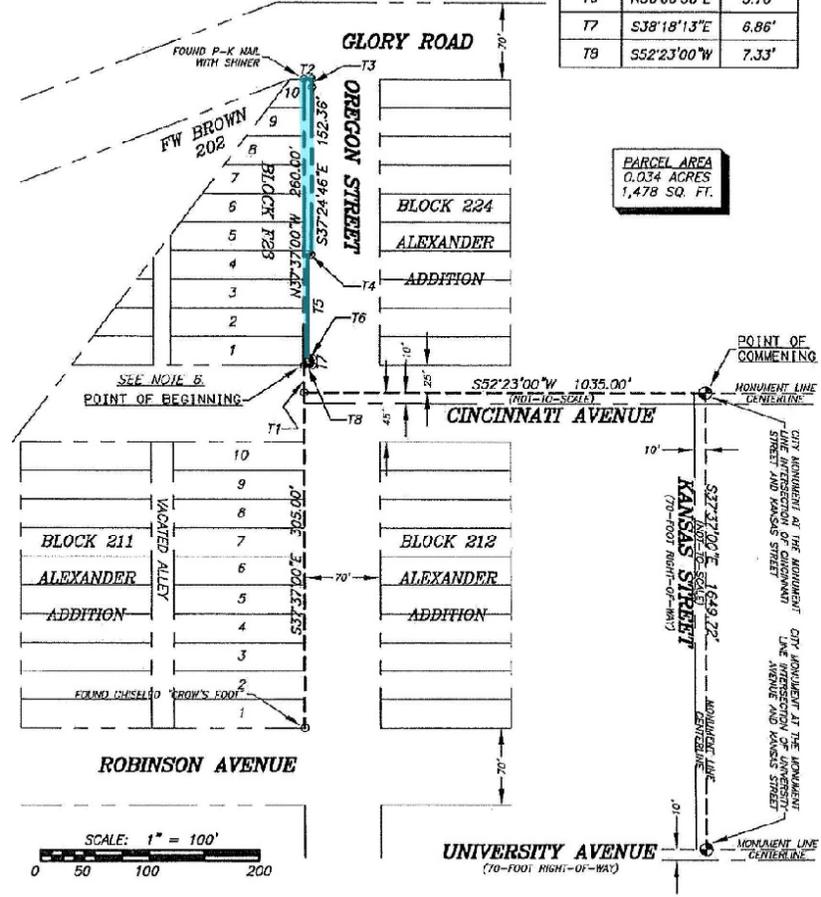


ATTACHMENT 2

NOTES:

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5. A NARRATIVE METES AND BOUNDS DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS PLAT.
6. CINCINNATI AVENUE VACATED BY CITY OF EL PASO ORDINANCE .3612, DATED SEPTEMBER 8, 1986.
7. PER EL PASO CENTRAL APPRAISAL DISTRICT OWNER OF BLOCK F23 AND BLOCK 211, ALEXANDER ADDITION IS UNIVERSITY OF TEXAS.

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REVISED: 02-16-22

A 0.034-ACRE PORTION OF OREGON STREET RIGHT-OF-WAY, ALEXANDER ADDITION, EL PASO, EL PASO COUNTY, TEXAS.

TEXAS REG. SURVEYING FIRM 10060500

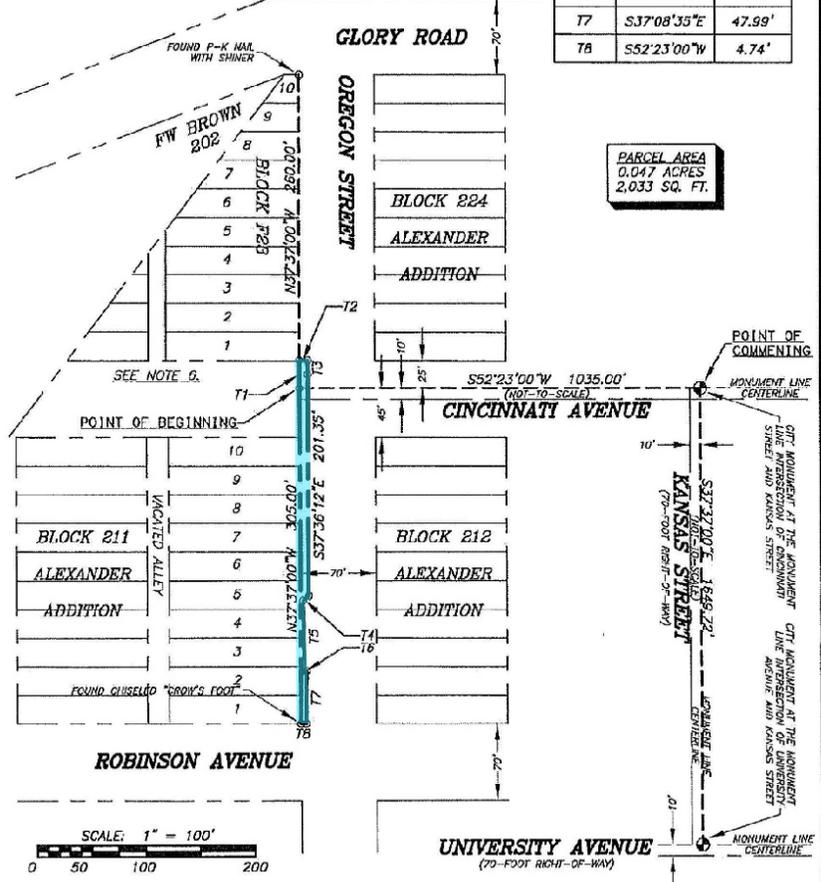
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DATE: 11-17-21
SCALE: 1" = 100'
DRAWN BY: MJB
CHK'D BY: FC
FB: 432
FILE #: 17-0006E
REVISED: 02-16-22

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REVISED: 02-16-22



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ATTACHMENT 3

EXHIBIT A

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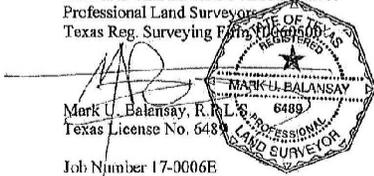
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ROBERT SEIPEL ASSOCIATES, INC.
Professional Land Surveyors
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Mark U. Balansay, R.L.S.
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November 17, 2021

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THENCE, North 54°46'38" East, along said sidewalk, a distance of 1.86 feet to the easterly edge of a 6-inch concrete curb;

THENCE, South 37°08'35" East, along said curb, a distance of 47.99 feet;

THENCE, South 52°23'00" West, a distance of 4.74 feet to a chiseled "crow's foot" found at the intersection of the northerly right-of-way of Robinson Avenue (70-foot right-of-way, Alexander Addition) and the westerly right-of-way of Oregon Street;

THENCE, North 37°37'00" West, along said right-of-way of Oregon Street, a distance of 305.00 feet to the **POINT OF BEGINNING** of this description.

Said parcel of land contains 0.047 acres (2,033 square feet) of land more or less.

NOTE: A PLAT OF EVEN DATE HERewith ACCOMPANIES THIS DESCRIPTION.

ROBERT SEIPEL ASSOCIATES, INC.
Professional Land Surveyors
Texas Reg. Surveying Firm 16090500


Mark U. Balansay, R.P.L.S., 6489
Texas License No. 6489
Job Number 17-0006F
November 17, 2021

ATTACHMENT 4



VACATION PUBLIC EASEMENTS AND RIGHT'S-OF-WAY APPLICATION

Date: February 17, 2022 File No.

1. APPLICANTS NAME: Board of Regents of The University of Texas System, for the use and benefit of The University of Texas at El Paso

ADDRESS 210 West 7th Street, Austin, Texas ZIP CODE 78701 TELEPHONE 512-499-4333

2. Request is hereby made to vacate the following: (check one)

Street [X] Alley [] Easement [] Other []

Street Name(s) Portions of Oregon Street* Subdivision Name Alexander Addition

Abutting Blocks Blocks F-23 and 211 Abutting Lots Lots 1-10, Block F-23 and Lots 1-10, Block 211 (see attached Exhibit A)

3. Reason for vacation request: Parking

4. Surface Improvements located in subject property to be vacated:

None [X] Paving [] Curb & Gutter [] Power Lines/Poles [] Fences/Walls [] Structures [] Other []

5. Underground Improvements located in the existing rights-of-way: ** (see limitation below)

None [X] Telephone [] Electric [] Gas [] Water [] Sewer [] Storm Drain [] Other []

6. Future use of the vacated right-of-way:

Yards [] Parking [X] Expand Building Area [] Replat with abutting Land [] Other []

7. Related Applications which are pending (give name or file number):

Zoning [] Board of Adjustment [] Subdivision [] Building Permits [] Other []

8. Signatures: All owners of properties which abut the property to be vacated must appear below with an adequate legal description of the properties they own (use additional paper if necessary).

Table with 3 columns: Signature, Legal Description, Telephone. Row 1: Geoffrey Richards, See attached Exhibit B, (512) 499-4333

The undersigned Owner/Applicant/Agent understands that the processing of this Application will be handled in accordance with the procedure for Requesting Vacations and that no action on processing will be taken without payment of the non-refundable processing fee.

The undersigned acknowledges that he or she is authorized to do so, and upon the City's request will provide evidence satisfactory to the City confirming these representations.

The granting of a vacation request shall not be construed to be a waiver of or an approval of any violation of any of the provisions of any applicable City ordinances.

OWNER SIGNATURE: Geoffrey Richards, Executive Director of Real Estate, The University of Texas System. REPRESENTATIVE SIGNATURE: Gregory McNicol, AVP Facilities Management, The University of Texas at El Paso.

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

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

ATTACHMENT 5

Planning and Inspections Department- Planning Division

No adverse comments, recommend approval.

Planning and Inspections Department- Land Development Division

No comments received.

Parks and Recreation Department

No comments received.

Sun Metro

No comments received.

Fire Department

No comments received.

Streets and Maintenance

Department

Any improvements must conserve a sidewalk width of at least 5 feet within City R.O.W.

Capital Improvement Department

No comments received.

El Paso Water

EPWater has reviewed the above reference street vacation request and provide the following comments:

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

Water:

There is an existing 12-inch diameter water main that extends along Oregon St., located approximately 22-feet west of the east right-of-way line. This main is available for service.

There is an existing 24-inch diameter water transmission main that extends along Oregon St., located approximately 30-feet west of the east right-of-way line. No direct service connections are allowed to this main as per the El Paso Water – Public Service Board (EPWater-PSB) Rules and Regulations.

Previous water pressure from fire hydrant #1861, located on the southeast corner of the intersection of Oregon St. and Cincinnati Ave., has yielded a static pressure of 106 (psi), a residual pressure of 90 (psi), and a discharge of 1,061 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 Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer: There are no existing sanitary sewer mains along Oregon St.

General:

EPWater requires a new service application to provide 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: EPWater – SW has reviewed the request described above and has no objections to vacating a portion of the street.

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

No comments received.

