

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

AGENDA DATE: November 8, 2022
PUBLIC HEARING DATE: December 6, 2022

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Nina Rodriguez, (915) 212-1561

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 changing the zoning of Lots 25 through 32, Block 15, Highland Park Subdivision, City of El Paso, El Paso County, Texas from R-5 (Residential) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

The proposed rezoning 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: South of Detroit Avenue and East of Murchison Drive
Applicant: T.J. Karam, PZRZ22-00028

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone the subject property to allow apartment use. City Plan Commission recommended 5-0 to approve the proposed rezoning on October 6, 2022. As of November 1, 2022, the Planning Division received one (1) email in support to the rezoning 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 CHANGING THE ZONING OF LOTS 25 THROUGH 32, BLOCK 15, HIGHLAND PARK SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO A-O (APARTMENT/OFFICE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

Pursuant to Section 20.04.360 of the El Paso City Code, the zoning of **Lots 25 through 32, Block 15, Highland Park Subdivision**, located in the City of El Paso, El Paso County, Texas, be changed from **R-5 (Residential)** to **A-O (Apartment/Office)**, more particularly described herein as Exhibit "A" as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

The penalties for violating the standards imposed through this rezoning ordinance are found in Section 20.24 of the El Paso City Code.

ADOPTED this _____ day of _____ 2022.


THE CITY OF EL PASO

Oscar Leeser, Mayor

ATTEST:

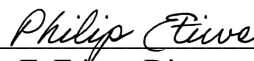
Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Joyce Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

(Exhibit "A" on the following page)

ORDINANCE NO. _____

22-1007-2982 | 1206733_2

Detroit and Michigan

JG

Zoning Case No: PZRZ22-00028



PRECISION LAND SURVEYORS

10441 VALLE DE ORO DR.

El Paso, Texas 79927

Ph# (915) 222-5227

Being Lots 25 through 32,
Block 15, Highland Park Subdivision,
City Of El Paso, El Paso County, Texas
August 5, 2022

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being Lots 25 through 32, Block 15, Highland Park Subdivision, City Of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

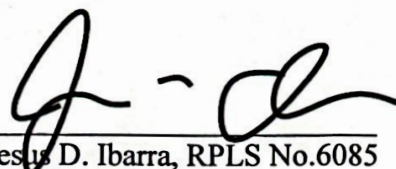
Commencing for reference at a found city monument at the monument line intersection of Detroit Street with the monument line of Cotton Street, (said monument line being 10 foot north of the centerline of Detroit Street and 10 foot west of the centerline of Cotton Street), from which a found city monument at the monument line intersection of Grand View Avenue with the monument line of Cotton Street, (said monument line being 10 foot north of the centerline of Grand View Avenue and 10 foot west of the centerline of Cotton Street) bears South 00°00'00" East a distance of 1,650.20 feet (record 1,650.00 feet), thence along the monument line of Detroit Street, North 90°00'00" West a distance of 695 feet to a point, thence leaving said monument line, South 00°00'00" West a distance of 45.00 feet to a found 5/8" rebar at the south right of way of Detroit Street and the "TRUE POINT OF BEGINNING".

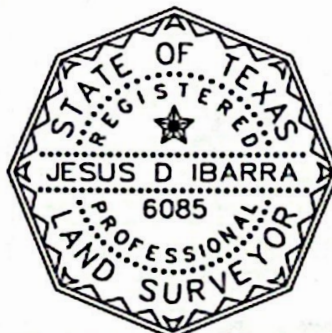
Thence leaving said right of way, South 00°00'00" East a distance of 120.00 feet to a found 5/8" rebar with with cap "5372";

Thence, North 90°00'00" West a distance of 200.00 feet to a found 5/8" rebar with with cap "4869";

Thence, North 00°00'00" East a distance of 120.00 feet to a point at the south right of way of Detroit Street, from which a found 5/8" rebar (bent) bears South 88°16'20" East a distance of 0.19 feet;

Thence along said right of way, North 90°00'00" East a distance of 200.00 feet to "TRUE POINT OF BEGINNING" and containing in all 24,000 square feet or 0.5510 acres of land more or less.


 Jesus D. Ibarra, RPLS No.6085
 August 5, 2022

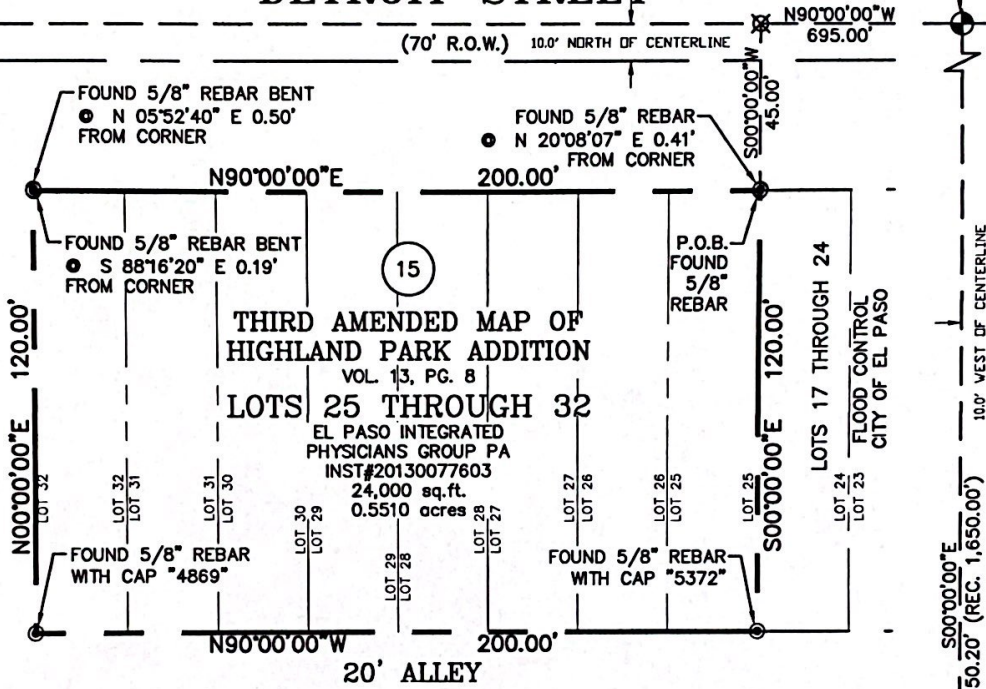


EXHIBIT

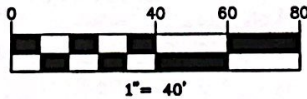
BEING LOTS 25-32, BLOCK 15, HIGHLAND PARK SUBDIVISION,
AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY,
TEXAS, ACCORDING TO THE PLAT THEREOF FILED IN VOLUME
1, PAGE 54, EL PASO COUNTY PLAT RECORDS

P.O.C.
FOUND CITY
MONUMENT DISK AT
THE MONUMENT LINE
INTERSECTION WITH
THE MONUMENT LINE
OF COTTON ST.

DETROIT STREET



15
 THIRD AMENDED MAP OF
 HIGHLAND PARK ADDITION
 VOL. 13, PG. 8
 LOTS 25 THROUGH 32
 EL PASO INTEGRATED
 PHYSICIANS GROUP PA
 INST#20130077603
 24,000 sq.ft.
 0.5510 acres



NOTES:

1. BEARING BASIS IS RECORD FOR HIGHLAND PARK SUBDIVISION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF FILED IN VOLUME 1, PAGE 54, EL PASO COUNTY PLAT RECORDS AND REFERENCE BY FOUND CITY MONUMENTS SHOWN HEREIN.
2. THIS PROPERTY MAY BE SUBJECT TO EASEMENT WHETHER OF RECORD NOT. (NOT SHOWN).
3. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.

FOUND CITY
 MONUMENT DISK AT
 THE MONUMENT LINE
 INTERSECTION OF
 GRAND VIEW AVE.
 WITH THE MONUMENT
 LINE OF COTTON ST.

OWNER INFORMATION:

GEO ID: H45399901508100
 EL PASO INTEGRATED
 PHYSICIANS GROUP PA
 4532 N MESA ST STE 2A
 EL PASO TX 79912-6286



CERTIFICATION

I HEREBY 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. I 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.

J. Ibarra
 8-5-2022
 JESUS D. IBARRA RPLS#6085, FIR#10194184



PRECISION LAND SURVEYORS
 8048 VALLI EX C/O DR.
 EL PASO, TEXAS 79927
 (951)221-5277

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South of Detroit Avenue and East of Murchison Drive

City Plan Commission — October 6, 2022 **REVISED**

REZONING

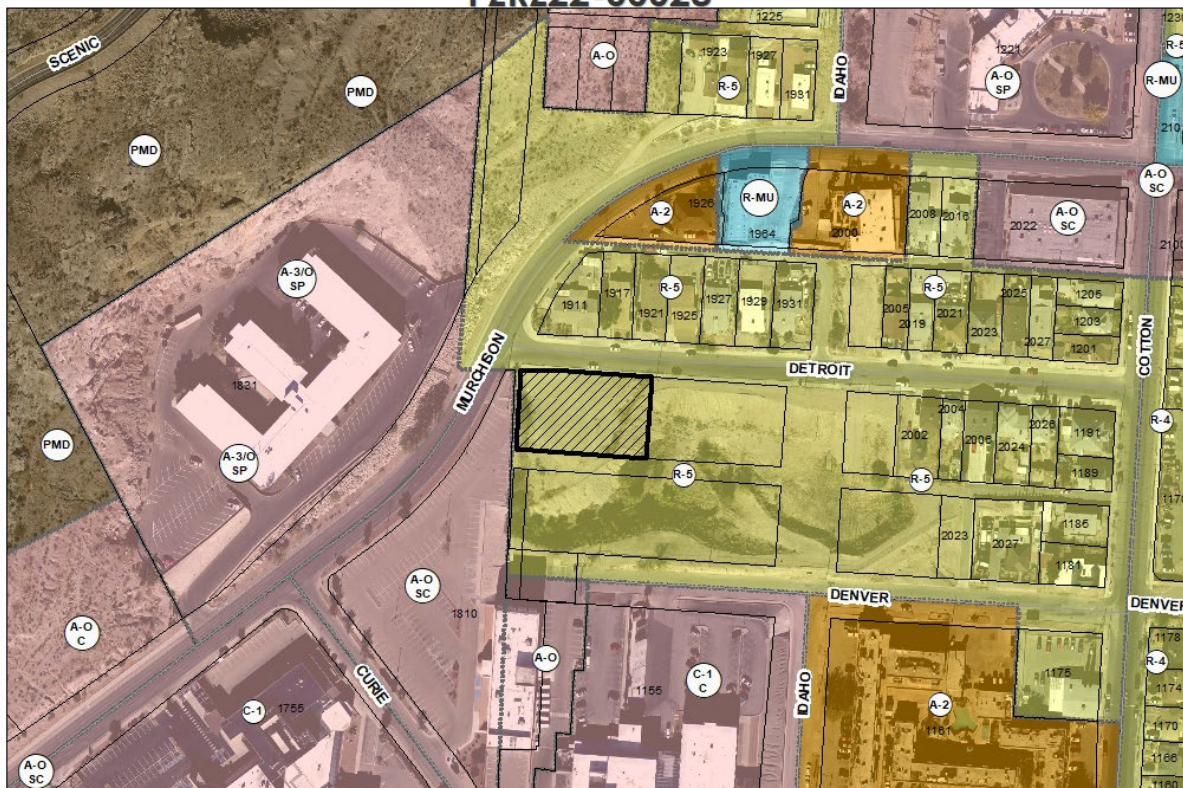


CASE NUMBER: PZRZ22-00028
CASE MANAGER: Nina Rodriguez, (915) 212-1561, RodriguezNA@elpasotexas.gov
PROPERTY OWNER: El Paso Intergraded Physicians Group, P.A.
REPRESENTATIVE: T.J. Karam
LOCATION: South of Detroit Avenue and East of Murchison Drive (District 8)
PROPERTY AREA: 0.55 acres
REQUEST: Rezone from R-5 (Residential) to A-O (Apartment/Office)
RELATED APPLICATIONS: N/A
PUBLIC INPUT: One (1) email in support as of **October 5, 2022**

SUMMARY OF REQUEST: The applicant is requesting a rezone from R-5 (Residential) to A-O (Apartment/Office) to allow for apartments.

SUMMARY OF STAFF'S RECOMMENDATION: The Staff recommends **APPROVAL** of the rezoning request based on its consistency with *Plan El Paso*, the City's Comprehensive Plan and the G-2, Traditional Neighborhood (Walkable) future land use designation.

PZRZ22-00028



This map is designed for illustrative purposes only. The features depicted here are approximate and more definitive studies may be required to draw accurate conclusions. Enhancements of the map to visible greater than its original scale may lead to misinterpretation of the data. The Planning & Inspection Department Planning Division makes no claim to its accuracy or completeness.



Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone a 0.55-acre vacant property from R-5 (Residential) to A-O (Apartment/Office) to allow for apartments. The conceptual plan shows three (3) detached 2-story apartment complexes, providing a combined total of twenty-six (26) apartment units. The development requires twenty-six (26) parking spaces, and the applicant is providing twenty-seven (27) parking spaces which includes two (2) ADA parking spaces. Access to the subject property is proposed from Detroit Avenue.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed apartment use and A-O (Apartment/Office) district is compatible with the R-5 (Residential) and other A-O (Apartment/Office) districts in the immediate area and is in character with the areas surrounding the subject property. The property west of the subject property is a medical office use zoned A-O/sc (Apartment/Office/special contract). The adjacent properties to the north, south, and east are zoned R-5 (Residential) and consist of vacant lots and single-family dwellings. The subject property is located off Murchison Drive at the Southeast corner of Detroit Avenue. There are existing sidewalks along Detroit Avenue. Rezoning the subject property to an A-O (Apartment/Office) district for apartment use, will provide more diverse residential options for the surrounding community. The distance to the nearest school, Armendariz Middle School, is approximately 0.25 miles and the distance to the nearest park, Tom Lea Lower Park, is 0.75 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-2, Traditional Neighborhood (Walkable): This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly faced streets; schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan</p>	<p>Yes. The proposed development is compatible with the future land use designation. The reduced setbacks and higher density allowances of an A-O zoning district aligns with the goals of the G-2, Traditional Neighborhood (Walkable) future land use designation of the area.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>A-O (Apartment/Office) District: The purpose of these 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>	<p>Yes. The adjacent property to the east of the subject property is zoned A-O/sc (Apartment/Office/special contract), and adjacent properties to the north, west, and south are zoned R-5 (Residential). Beyond adjacent properties, there a number of other A-O (Apartment/Office) zoning districts in the surrounding area. The proposed A-O (Apartment/Office) zoning district is compatible with surrounding zoning districts. Rezoning the subject property from R-5 (Residential) to A-O (Apartment/Office) would provide more density and more diverse residential and office uses in the future.</p>
<p>Preferred Development Locations: Property is designated G-1, G-2, O-7 or identified as being within a</p>	<p>The subject property is located in a G-2, Traditional Neighborhood (Walkable) future land use designation, which is a preferred location for higher density</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:	
"Local Transfer Center", "RTS Stops" or "Future Compact Neighborhood".	developments. Changing the zoning designation of the subject property allows for an increase in density and more types of residential uses than allowed in R-5 (Residential) districts. This has the potential to provide the area with more housing units and flexible uses to meet a wider range of needs for the community.
THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
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.	This property does not fall within any historic districts, special designations, or study plan areas.
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	There are no anticipated adverse impacts.
Natural Environment: Anticipated effects on the natural environment.	The subject property does not involve green field or environmentally sensitive land or arroyo disturbance.
Stability: Whether the area is stable or in transition.	There has been some transition within the last 10 years in the nearby area. North of the subject property there is a property that was rezoned in 2015 from R-5 (Residential) to R-MU (Residential/Mixed Use) and another one rezoned in 2019 from A-2 (Apartment) to R-MU (Residential/Mixed Use). To the south of the subject property is another property that was rezoned in 2019 from R-5 (Residential) to C-1/c (Commercial/condition). This area supports high density development.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The adjacent property to the west is already zoned A-O/sc (Apartment/Office/special contract), along with other A-O (Apartment/Office) zoning districts in surrounding area. Rezoning the subject property from R-5 (Residential) to A-O (Apartment-Office) will expand the permissibility of residential and office uses already allowed in the surrounding area.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Access to the subject property is proposed from Detroit Avenue which is classified as a local street, which connects to Murchison Street which is classified as a major arterial per the City of El Paso's Major Thoroughfare Plan (MTP) and is adequate to support the proposed use of apartments. There are existing sidewalks along Detroit Avenue. The proposed development is within walking distance of local schools. The nearest bus stop to the subject property is at 2201 Murchison Drive along Cotton Street between Murchison Street and Detroit Avenue, and is located 0.18 miles from the subject property.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No adverse comments were received for the rezoning request from the reviewing departments.

PUBLIC COMMENT: The subject property lies within the boundaries of the Central El Paso Community Organization, Golden Hills Neighborhood Association, El Paso Central Business Association, and the Sunrise Civic Group. Property owners within 300 feet of the subject property were notified of the rezone request on September 23, 2022. The Planning Division received one (1) email in support of the rezoning request from the Sunrise Civic Group (Attachment 5).

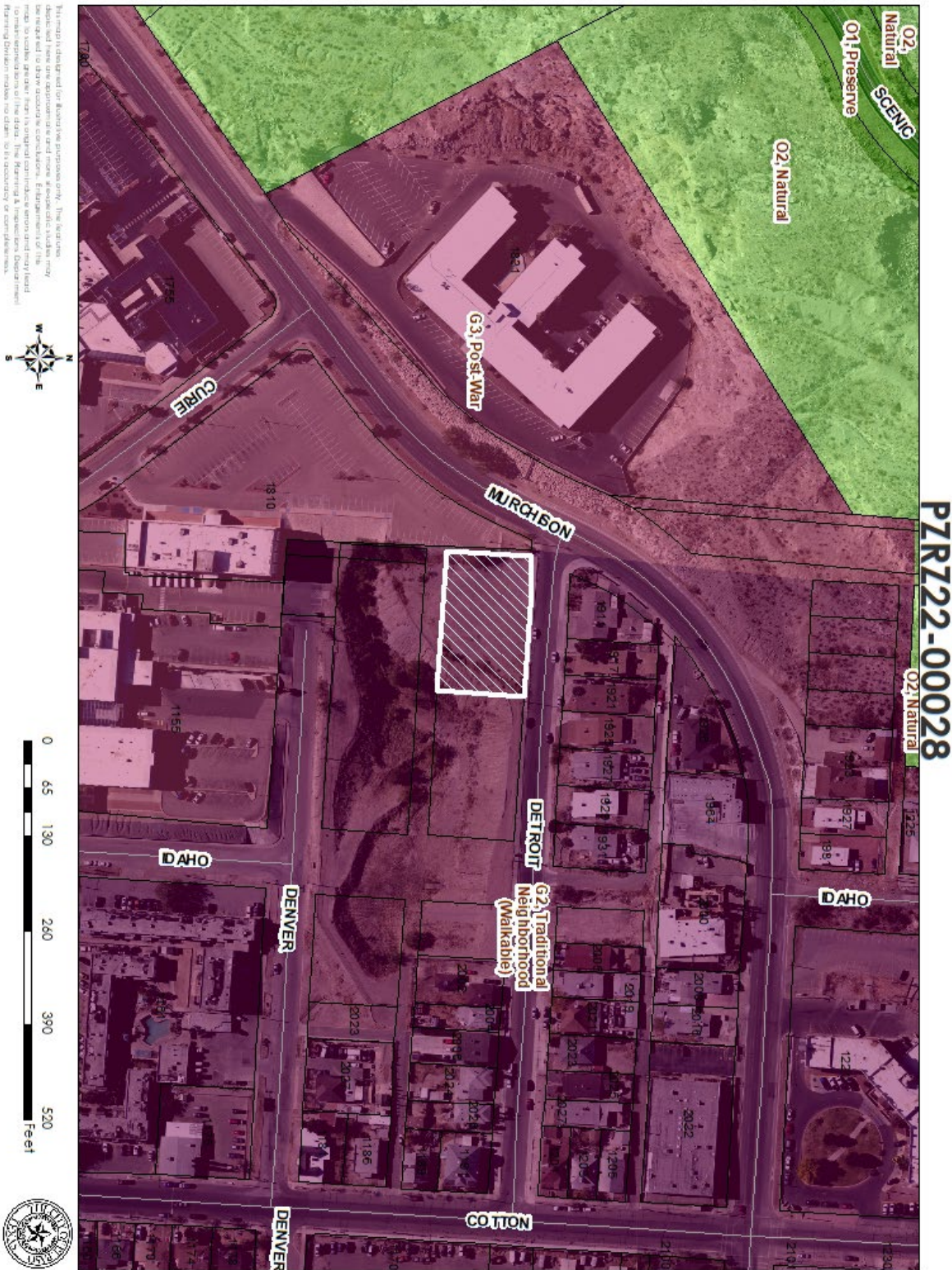
CITY PLAN COMMISSION OPTIONS: The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

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.

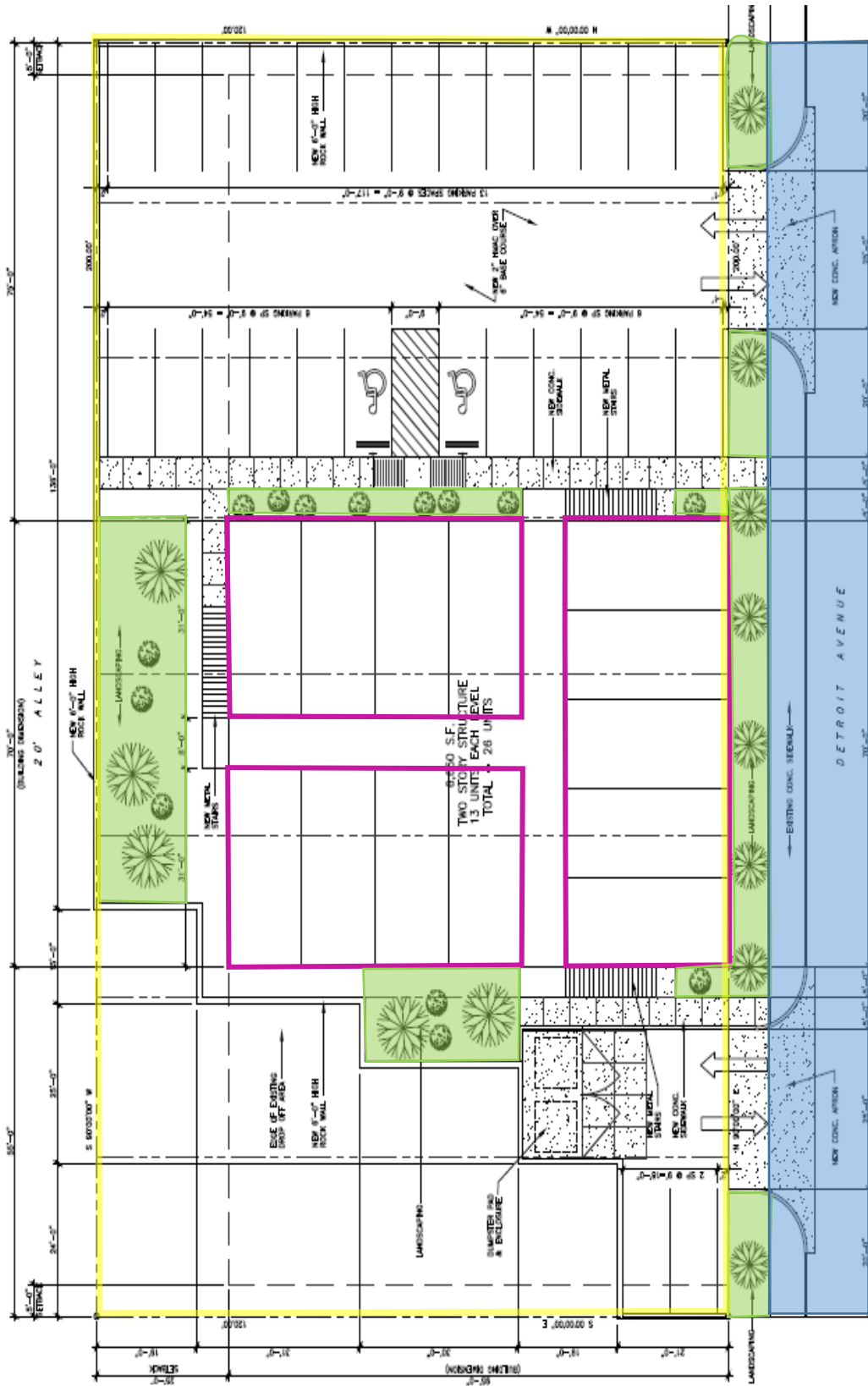
ATTACHMENTS:

1. Future Land Use Map
2. Generalized Plot Plan
3. Department Comments
4. Neighborhood Notification Boundary Map

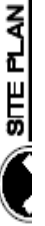
ATTACHMENT 1



ATTACHMENT 2



LEGAL DESCRIPTION
 LOT 25 THROUGH 31, SUBJ. 13 B. 1963,
 IN PART COUNTY, TOWN



ATTACHMENT 3

Planning and Inspections Department - Planning Division

Recommend approval.

Planning and Inspections Department – Plan Review & Landscaping Division

The generalized site plan is not being reviewed for conformance due to conceptual nature. No objections to proposed rezoning. At the time of submittal for building permit, the project will need to comply with all applicable provisions of the ICC, TAS and Municipal Code

Planning and Inspections Department – Land Development

Recommend approval.

1. Show proposed drainage flow patterns on the site plan and identify the discharge and/or storage location(s) for all storm-water runoff within the subdivision. Avoid erosion of slopes by surface stormwater runoff at development stage.

Note: Concerns will be addressed at the permitting stage.

Fire Department

Recommend approval, no adverse comments.

Police Department

No comments received.

Environmental Services Department

No comments received.

Streets and Maintenance Department

The Streets and Maintenance Department has no objections.

1. A TIA will not be required.

Sun Metro

No comments received.

El Paso Water

EPWater does not object to this request.

EPWU-PSB Comments

1. There is an existing 6-inch diameter water main that extends along Detroit Ave., located approximately 19.5 feet south of the northern right-of-way line. This main is available for service.
2. Previous water pressure readings conducted on fire hydrant #05562 located on northwest corner of Detroit Avenue and Idaho St. have yielded a static pressure of 42 pounds per square inch (psi), residual pressure of 40 psi, discharge of 943 gallons per minute.

Sanitary Sewer

There is an existing 8-inch diameter sanitary sewer main that extends along Detroit Ave. This main is available for service.

General

EP Water requires a new service application to provide services 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 EP Water 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:

As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also encourages the use of nonstructural storm water management such as the preservation of greenspace, water harvesting, and other conservation efforts, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, and Subparagraph A-2 & A-5.

Dam No. 9 is located directly east of the site. No filling or modifications can be made to the eastern end of the property; this could reduce the capacity of the dam and could be detrimental to this site.

Note: Coordination with El Paso Water – Stormwater to happen at the permitting stage.

Texas Department of Transportation

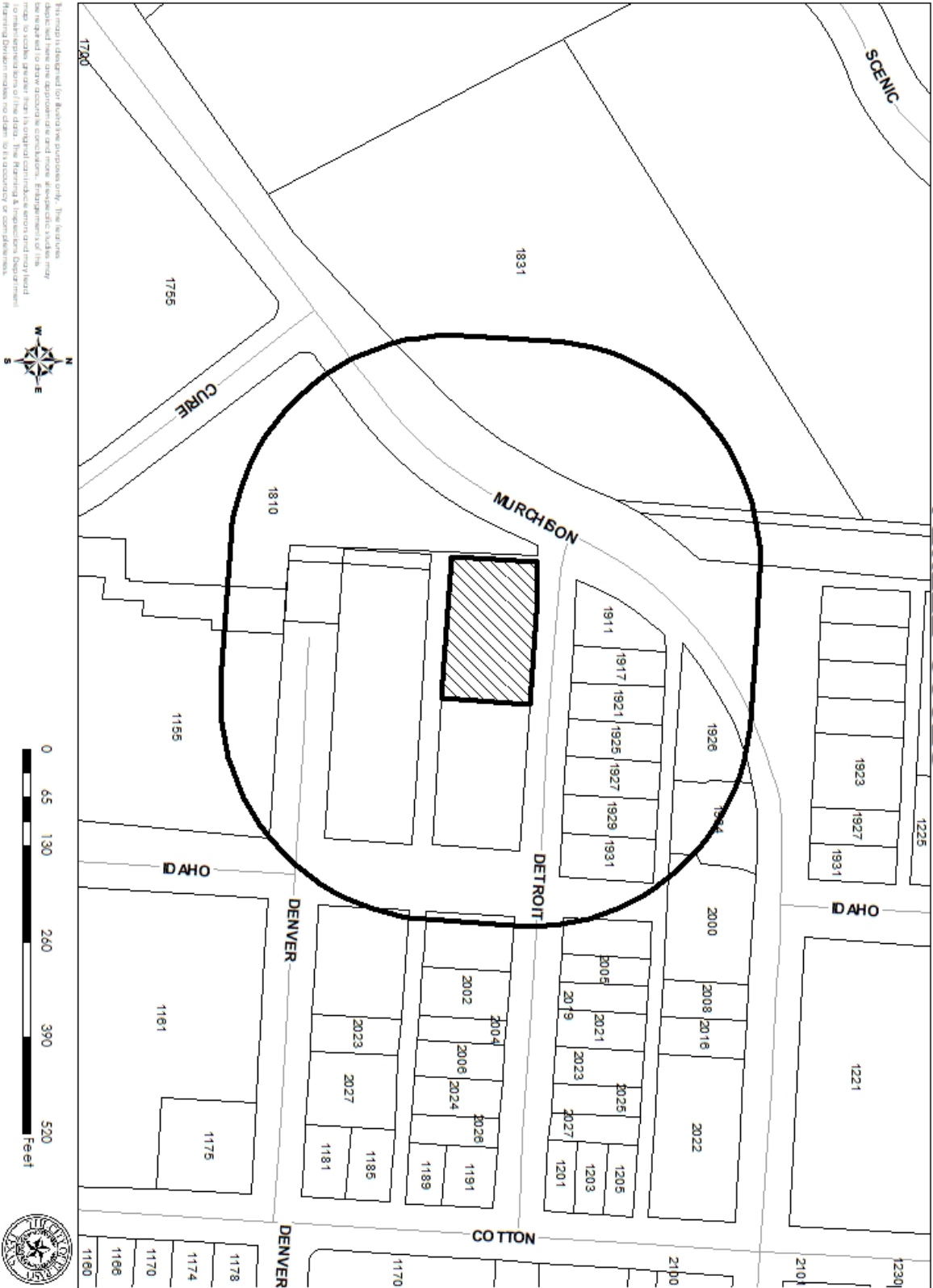
No comments received.

El Paso County Water Improvement District 1

No comments received.

ATTACHMENT 4

PZR22-00028



ATTACHMENT 5

From: [TJ Karam](#)
To: [Rodriguez, Nina A.](#)
Subject: Fwd: Rezoning Application Neighborhood Letter
Date: Thursday, September 29, 2022 8:41:56 AM

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.

Email from neighborhood association
Thank you!

TJ Karam
915-204-0095

The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

----- Forwarded message -----
From: **Suzanne Dipp** <suzdipp@gmail.com>
Date: Tue, Aug 9, 2022 at 11:40 AM
Subject: Re: Rezoning Application Neighborhood Letter
To: TJ Karam <tjkaram1@gmail.com>
Cc: **Angie Nickey** <anickey@elp.rr.com>

Hello TJ!

I've been traveling so excuse the late response. I think your apartment complex will make a [great](#) use of that land. The views are great too!

Hope you and your family are well.

Best,

Suzanne

On Thu, Aug 4, 2022 at 11:20 AM TJ Karam <tjkaram1@gmail.com> wrote:

Hi Suzanne and Angie

As per rezoning application requirements.

I am representing the property owner for the vacant parcel on Detroit Ave near the corner of Murchison Dr. The property id is H453-999-0150-8100.

Please find the attached notification letter. Feel free to call me with any questions.

Thank you!

TJ Karam
915-204-0095

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