

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

AGENDA DATE: May 9, 2023
PUBLIC HEARING DATE: June 6, 2023

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Saul Pina, (915) 212-1612

DISTRICT(S) AFFECTED: District 1

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 the North ½ of Tract 23 and the South 25 feet of Tract 24, Crossroads Subdivision, 5037 Crossroads Drive, 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: 5037 Crossroads Drive
Applicant: Paar Partners LLC, PZRZ23-00007

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone from R-5 (Residential) to A-O (Apartment/Office) to allow for proposed apartments. City Plan Commission recommended 8-0 to approve the proposed rezoning on April 6, 2023. As of May 2, 2023, the Planning Division received two (2) emails 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. 019513

AN ORDINANCE CHANGING THE ZONING OF THE NORTH ½ OF TRACT 23 AND THE SOUTH 25 FEET OF TRACT 24, CROSSROADS SUBDIVISION, 5037 CROSSROADS DRIVE, 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 the North ½ of Tract 23 and the South 25 feet of Tract 24, Crossroads Subdivision, 5037 Crossroads Drive, located in the City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached Exhibit “A”, incorporated by reference, be changed from R-5 (Residential) to A-O (Apartment/Office), 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 6 day of June, 2023.


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

ORDINANCE NO. 019513

HQ 23-723 | Tran #491585 | P&I
5037 Crossroad Drive.- Rezoning Ordinance Partial Lot No Conditions
JG

Zoning Case No: PZRZ23-00007

EXHIBIT "A"

Prepared for: Aaron Barraza
March 28, 2023

METES AND BOUNDS DESCRIPTION

Description of a parcel of land, being the North ½ of Tract 23 and the South 25 feet of Tract 24, Crossroads Subdivision as recorded in Volume 8, Page 44, Plat Records, City of El Paso, El Paso County, Texas and being more particularly described by Metes and Bounds as follows:

Commencing for reference at an existing City of El Paso brass disk monument located at the centerline intersection of Crossroads Drive and Pansy Road, from which an existing City of El Paso brass disk monument at the centerline intersection of Pansy Road and Conley Road bears, South 90°00'00" West a distance of 459.95 feet; Thence along the centerline of Crossroads Drive, North 00°00'00" East a distance of 255.04 feet to a point; Thence leaving said centerline, South 90°00'00" West a distance of 30.00 feet to a found chiseled x on concrete for the intersection of the westerly right of way line of Crossroads Drive with the common line of those parcels of land described in clerks file no. 20220061317 and file no. 20220098109, Real Property Records of El Paso County, Texas for the **"TRUE POINT OF BEGINNING"**

Thence along said westerly right of way line of Crossroads Drive, South 00°00'00" West a distance of 75.00 feet to a found chiseled x on concrete on the common line of those parcels of land described in clerks file no. 20130086147 and file no. 20220098109, Real Property records of El Paso County, Texas;

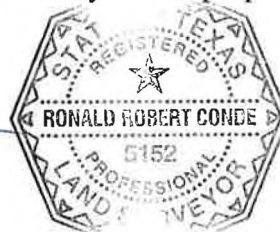
Thence leaving said right of way line, North 90°00'00" West a distance of 200.00 feet to a point on the common line of those parcels of land described in clerks file no. file no. 20220098109 and Volume 840, Page 1515, Real Property records of El Paso County, Texas;

Thence along said line, North 00°00'00" East a distance of 75.00 feet to a point on the common line of those parcels of land described in clerks file no. 20220061317 and file no. 20220098109, Real Property records of El Paso County, Texas;

Thence along said line, South 90°00'00" East a distance of 200.00 feet to the **TRUE POINT OF BEGINNING"** and containing 15,000 Sq. Ft. or 0.3444 acres of land more or less.

Note: Above description prepared from a survey of this property performed on November 21, 2022.


Ron R. Conde
R.P.L.S. No. 5152



CONDE INC
ENGINEERING / LAND SURVEYING / PLANNING
6080 SURETY DRIVE / SUITE 100 / EL PASO, TEXAS 79905
(915) 592-0283 FAX (915) 592-0286 FIRM# 10078100

5037 Crossroads Drive

City Plan Commission — April 6, 2023

REZONING



CASE NUMBER: PZRZ23-00007 **Revised**
CASE MANAGER: Saul Pina, (915) 212-1612, PinaSJ@elpasotexas.gov
PROPERTY OWNER: Paar Partners LLC
REPRESENTATIVE: Ricardo Aaron Barraza & Paulina Huerta Tolentino
LOCATION: 5037 Crossroads Dr. (District 1)
PROPERTY AREA: 0.34 acres
REQUEST: Rezone from R-5 (Residential) to A-O (Apartment/Office)
RELATED APPLICATIONS: None
PUBLIC INPUT: Two (2) emails in support as of March 30, 2023

SUMMARY OF REQUEST: The applicant is requesting to rezone the subject property from R-5 (Residential) to A-O (Apartment/Office) to allow for the use of apartments (5 or more units).

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the rezoning request. This recommendation is based on the consistency of the request with *Plan El Paso*, the City's adopted Comprehensive Plan, for the G-3, Post-War future land use designation.

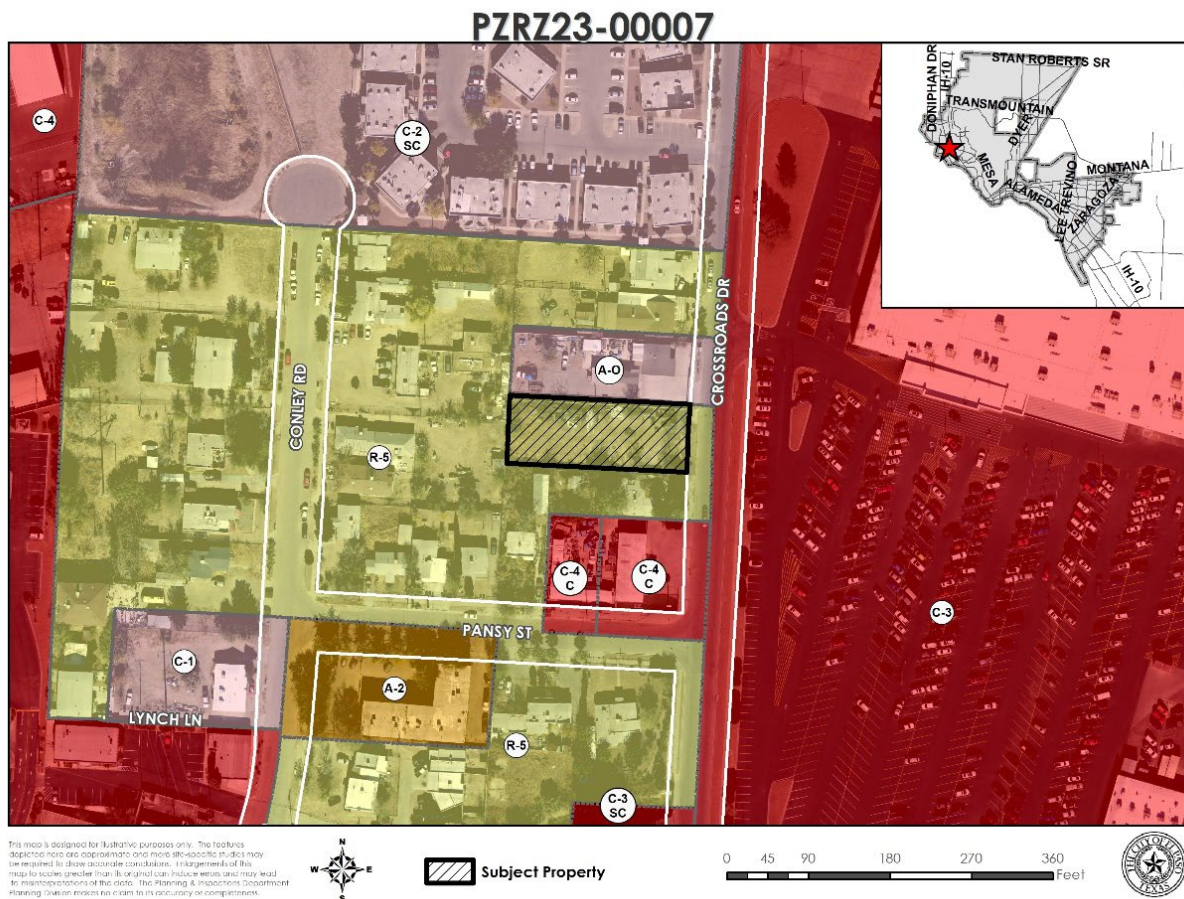


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone the subject property from R-5 (Residential) to A-O (Apartment/Office) to allow for the use of apartments (5 or more units). The subject property is approximately 0.34 acres in size. The conceptual site plan shows six (6) proposed buildings, each ranging from 540 to 670 square feet. The proposed development will have twelve (12) units in total and will include (12) proposed parking spaces. Per A-O (Apartment/Office) zoning, a maximum density of twenty (20) units is allowed on the subject property. Main access to the subject property is provided from Crossroads Drive.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed rezoning is consistent with the various residential uses in the area and development would be accessible to various commercial establishments within the immediate vicinity. Properties to the north include multi-family dwellings zoned A-O (Apartment/Office); to the west and south are single and multi-family dwellings zoned R-5 (Residential); and to the east is a warehouse club establishment zoned C-3 (Commercial). The nearest school, DaVinci School for Science and the Arts, is located 2 miles and the nearest park, White Spur Park, is located 1 mile in proximity to the subject property.

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 supplement the limited housing stock and add missing civic and commercial uses.</p>	<p>Yes. The proposed development is compatible with the future land use designation as it will integrate well with the mixed residential uses and nearby commercial establishments within 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 proposed zoning is compatible with surrounding zoning as the proposed medium-density use will integrate with the various types of residential uses, allowing for a mixture of housing types in the area.</p>
<p>Preferred Development Locations: Located along an arterial (or greater street classification) or the intersection of two collectors (or greater street classification). The site for proposed rezoning is not</p>	<p>Yes. The subject property has access to Crossroads Drive, which is designated as a local road in the City's Major Thoroughfare Plan. The classification of this road is appropriate for the proposed development as it</p>

REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
located mid-block, resulting in it being the only property on the block with an alternative zoning district, density, use and/or land use.	connects to adjacent residential neighborhoods and other commercial establishment on the area.
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 area plans, including land-use maps in those plans.	None. The property is not located within any historic districts nor any other special designation areas.
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	None. There are no anticipated adverse impacts.
Natural Environment: Anticipated effects on the natural environment.	None. The proposed development does not involve green field or environmentally sensitive land or arroyo disturbance.
Stability: Whether the area is stable or in transition.	Yes. The area is stable and has maintained mixed residential zoning and uses.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	None.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Primary access is proposed from Crossroads Drive, a road classified as local on the City of El Paso’s Major Thoroughfare Plan (MTP) and is adequate for the proposed development. The proposed development is accessible for pedestrian traffic as it provides sidewalks along Crossroads Drive and is serviced by various bus routes within walking distance. The closest bus stop is along Crossroads Drive and is 0.05 miles away from the subject property. Crossroads Drive connects to Mesa Street, a major arterial under the same plan, and provides accessibility to nearby commercial establishments in the area.

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

PUBLIC COMMENT: The subject property lies within the Upper Valley Neighborhood Association. Public notice was sent to property owners within 300 feet of the subject property on March 24, 2023. As of March 30, 2023, the Planning Division received two (2) emails in support to the request.

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:

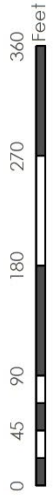
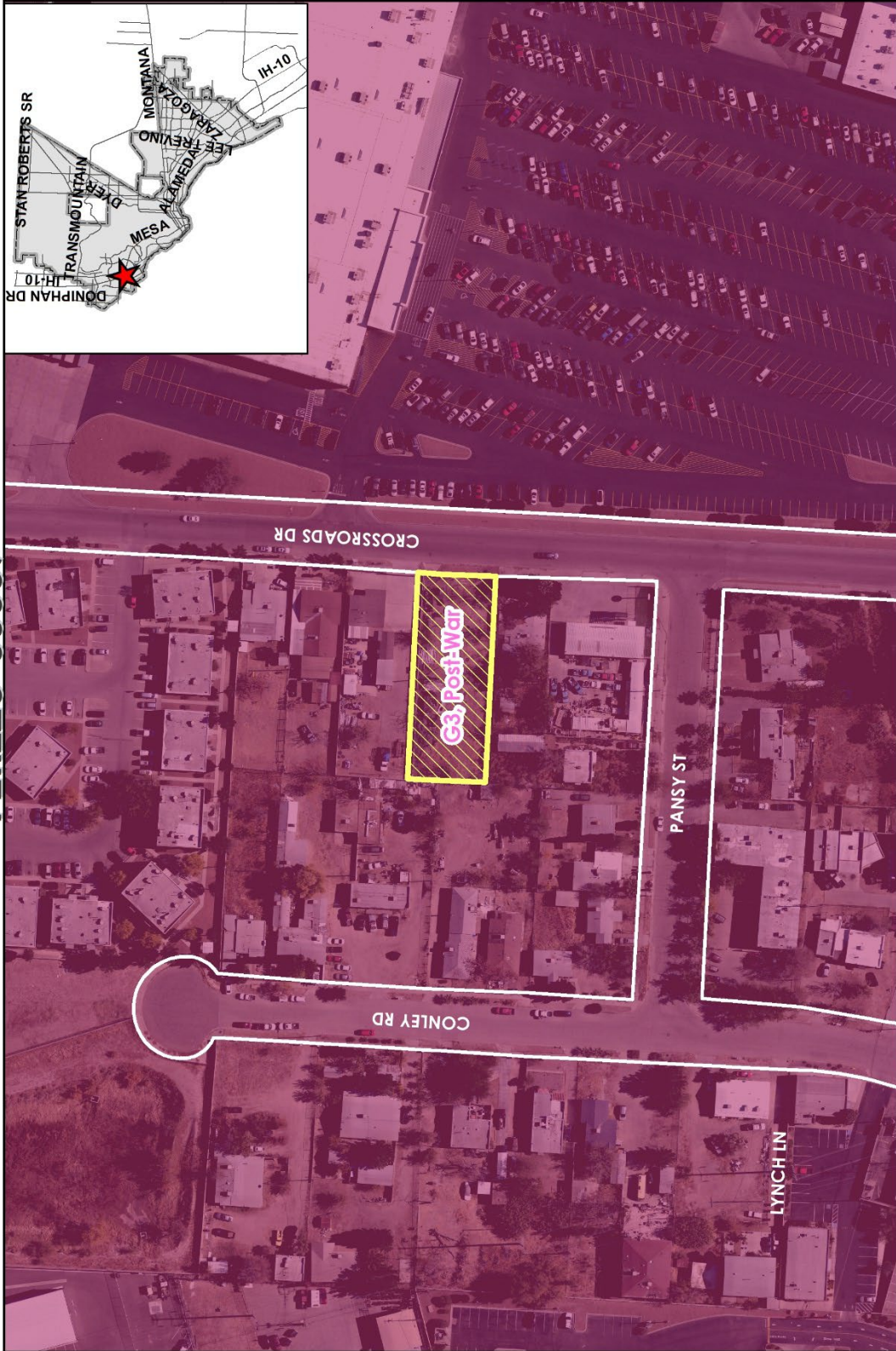
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**
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. Conceptual Plan
3. Department Comments
4. Neighborhood Notification Boundary Map
5. **Public Input**

ATTACHMENT 1

PZR23-00007

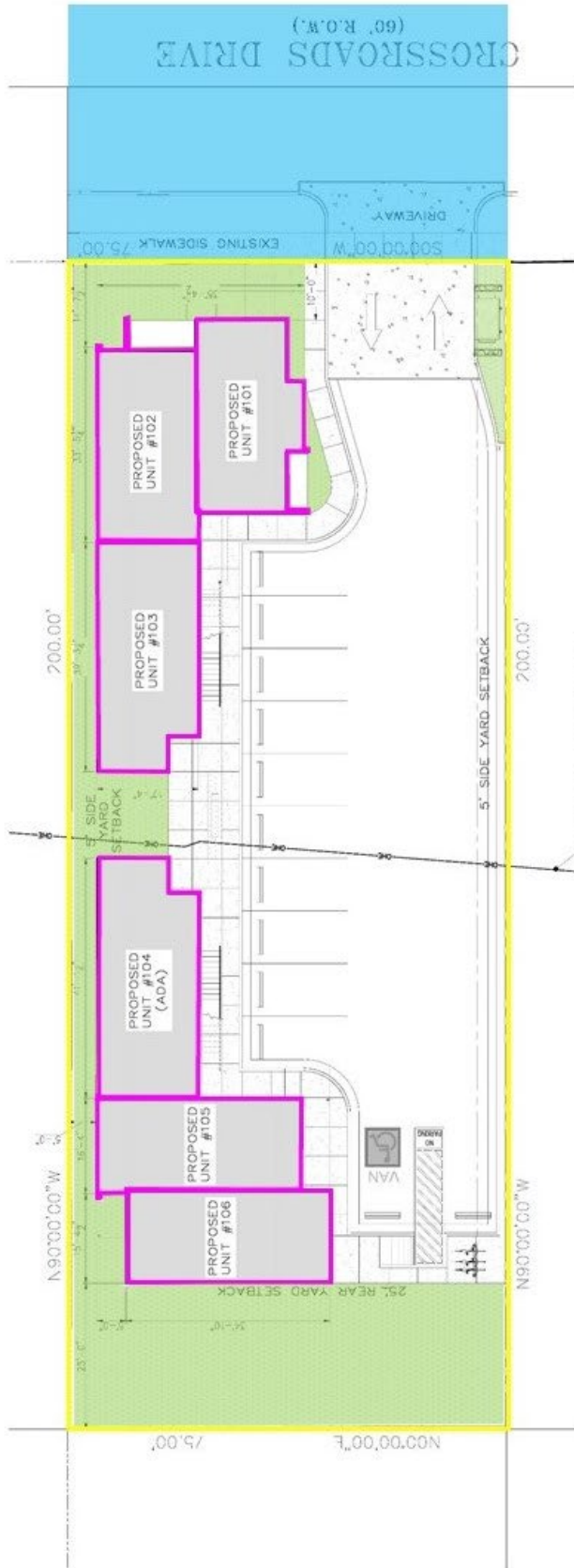


Subject Property



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. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to accuracy or completeness.

ATTACHMENT 2



ELECTRIC EASEMENT OF UNSPECIFIED WIDTH ON PLAT

01 ↑ **5037 CROSSROADS DR., EL PASO, TX. 79932**
 LEGAL DESCRIPTION: CROSS ROADS N 1/2 OF TR 23 & S 25 FT OF TR 24 (15025 SQ FT)
 SCALE: 1" = 10'-0"

ATTACHMENT 3

Planning and Inspections Department - Planning Division

Staff recommends approval of the rezoning request.

Planning and Inspections Department – Plan Review & Landscaping Division

Recommend approval:

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. Driveway width in residential area shall be 12' minimum to 24' maximum.
2. Recommend harvesting area on the lot.

Note: Comments will be addressed during the permitting stage

Fire Department

Recommend Approval: No adverse comments.

Police Department

No comments provided.

Environment Services

No comments provided.

Streets and Maintenance Department

No objections to the rezoning request.

Sun Metro

No comments provided.

El Paso Water Utilities

No objections to the rezoning request.

Water:

There is an existing 6-inch diameter water main that extends along Crossroads Dr., located approximately 20-feet east of the west right-of-way line. This main is available for service.

There is an existing 30-inch diameter water transmission main that extends along Crossroads Dr., located approximately 30-feet east of the west 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 #6239, located on the northwest corner of Crossroads Dr. and Pansy Rd., has yielded a static pressure of 68 (psi), a residual pressure of 58 (psi), and a discharge of 978 (gpm).

Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main that extends along Crossroads Dr., located approximately 15-feet east of the west right-of-way line. This main is available for service.

General:

New water and sanitary sewer services will require paving cuts on Crossroads Dr.

EPWater 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 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:

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 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.

Texas Department of Transportation

No comments provided.

El Paso 9-1-1 District

No comments/concerns regarding the rezoning request.

El Paso County Water Improvement District

No comments provided.

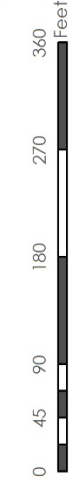
El Paso Electric



There is a ten-foot (10) wide easement for the existing electrical line. Contact the engineering department at (915) 351-4224 for information regarding a possible line relocation.

Note: Comments will be addressed during the permitting stage

ATTACHMENT 4

PZR23-00007



 **Subject Property**
 **300 Feet Buffer**



This map is designed for illustrative purposes only. The features depicted here are approximate and do not constitute a survey. No warranty is made by the City of El Paso as to the accuracy of this map. Enlargements of this map to scales greater than its original can induce error and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.

ATTACHMENT 5

From: [james.armstrong](#)
To: [Pina, Saul J.](#)
Subject: Rezoning crossroad
Date: Tuesday, March 28, 2023 1:40:59 PM

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Saul Pina

I support the rezoning to A-O at 5037 Crossroads Drive 79932

Leonor Armstrong
9153071920

Sent from my iPhone

From: [Tony Flores](#)
To: [Pina, Saul J.](#)
Cc: tonyflores1969@icloud.com
Subject: Rezoning of 5037 Crossroads Drive 79932
Date: Wednesday, April 5, 2023 2:14:42 PM

You don't often get email from tflores79932@gmail.com. [Learn why this is important](#)

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Mr. Pina,

My name is Antonio Flores - I own a few properties on Conley Rd and a house on Pansy Ct. I'm writing you this letter to let you know that I support the proposed rezoning of the property at 5037 Crossroads.

Thank you and please let me know if you have any questions or concerns.

Antonio Flores