

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

DEPARTMENT:

AGENDA DATE:

PUBLIC HEARING DATE:

CONTACT PERSON NAME:

PHONE NUMBER:

2nd CONTACT PERSON NAME:

PHONE NUMBER:

DISTRICT(S) AFFECTED:

STRATEGIC GOAL:

SUBGOAL:

SUBJECT:

BACKGROUND / DISCUSSION:

COMMUNITY AND STAKEHOLDER OUTREACH:

PRIOR COUNCIL ACTION:

AMOUNT AND SOURCE OF FUNDING:

REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:

NAME	AMOUNT (\$)

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

DEPARTMENT HEAD: Philip Tiive

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 228, SUNRISE ACRES SUBDIVISION, 8701 GATEWAY SOUTH BOULEVARD, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO C-2 (COMMERCIAL), AND IMPOSING CONDITIONS. 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, that the zoning of a portion of Tract 228, Sunrise Acres Subdivision, 8701 Gateway South Boulevard, *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-4 (Residential) to **C-2 (Commercial)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

1. *That a ten-foot (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at twenty feet (20') on center along property lines adjacent to residential zone districts or uses. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy or certificates of completion. Existing structures or pavement located within such buffer, shall not be required to be removed to comply with this requirement until such structure or pavement is removed.*
2. *That a minimum 500-foot distance between property lines be required between any establishments meeting both of the following criteria;*
 - a. *Establishment deriving 51 % or more of their income from the sale of alcoholic beverages for on-premise consumption; and*
 - b. *Providing outdoor amplified sound.*

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 _____, 2026.

THE CITY OF EL PASO

ATTEST:

Renard U. Johnson
Mayor

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

Russel T. Abeln

Russell T. Abeln
Senior Assistant City Attorney

APPROVED AS TO CONTENT:

Philip F. Etiwe

Philip F. Etiwe, Director
Planning & Inspections Department

EXHIBIT "A"

DORADO ENGINEERING GROUP

2717 E. YANDELL DR. EL PASO, TEXAS 79903 (915) 562-0002 FAX (915) 562-7743

8107 GATEWAY SOUTH BLVD

**Portion of Tract 228,
Sunrise Acres Subdivision**

Metes and Bounds description of a Portion of Tract 228, Sunrise Acres Subdivision, City of El Paso, County of El Paso, Texas, and being more particularly described as follows:

Commencing at a city monument located at the centerline intersection of Sunrise Drive and Gateway South Boulevard, Thence leaving said centerline intersection and along the centerline of Sunrise Drive, South $88^{\circ} 49'00''$ West, a distance of twenty five and no hundredths (25.00) feet to a point, thence leaving said centerline of Sunrise Drive, North $01^{\circ}11'00''$ West a distance of thirty and no hundredths (30.00) feet to the Southeasterly corner, said corner lying on the northerly Right-of-Way line of Sunrise Drive being the point of beginning for this description;

Thence South $88^{\circ}49'00''$ West along the northerly Right-of Way line of Sunrise Drive a distance of one hundred forty and no hundredths (140.00) feet to the southwesterly corner of the parcel being described;

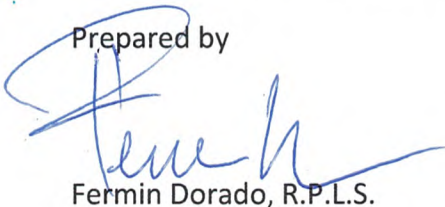
Thence North $01^{\circ}11'00''$ West along the westerly line of the parcel being described a distance of eighty nine and fifty hundredths (89.50) feet to the northwesterly corner of the parcel being described;

Thence North $88^{\circ}49'00''$ East along the northerly line of the parcel being described a distance of one hundred forty and no hundredths (140.00) feet to the northeasterly corner of the parcel being described, said corner also lying on the westerly Right-of-Way line of Gateway South Boulevard;

Thence South $01^{\circ}11'00''$ East along the westerly Right-of-Way line of Gateway South Boulevard a distance of eighty nine and fifty hundredths (89.50) feet for the southeasterly corner, said corner lying on the northerly Right-of-Way line of Sunrise Drive, said corner also being the Point of Beginning.

Said parcel contains 12,530.00 square feet or 0.2876 acres of land more or less.

Prepared by


Fermin Dorado, R.P.L.S.



July 23, 2024



EXHIBIT "A"

TRACT 228

SCALE: 1"=20'

SUNRISE DRIVE

(60.0' R.O.W.)

S 88°49'0" W 25.00

TXDOT
MARKER

S 1°11'0" E 30.00

ROCK
LANDSCAPE

ROCK
LANDSCAPE

ROCK
LANDSCAPE

30' DWY

20.10'

S 88°49'0" W 40.00

20' DWY

ROCK
LANDSCAPE

GATE

EXIST. SWK

EXIST. CURB

GATEWAY SOUTH BLVD

DIRT

EXIST. SWK

DIRT

EXIST. CURB

EXIST. SWK

DIRT

EXIST. CURB

EXIST. SWK

EXISTING HOUSE

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19.10

34.60

CONC

35.80

CAR
PORT

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STEPS

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8701 Gateway South

City Plan Commission — October 9, 2025 **REVISED**

REZONING



CASE NUMBER: PZRZ24-00016
CASE MANAGER: Jose Beltran, (915) 212-1607, BeltranJV@elpasotexas.gov
PROPERTY OWNER: DeLa Riva Properties, Inc
REPRESENTATIVE: John Cook
LOCATION: 8701 Gateway South Blvd. (District 2)
PROPERTY AREA: 0.29 acres
REQUEST: Rezone from R-4 (Residential) to C-2/c (Commercial)
RELATED APPLICATIONS: Special Permit Application PZST25-00006
PUBLIC INPUT: One (1) letter in support received as of October 2, 2025

SUMMARY OF REQUEST: The applicant is requesting to rezone the subject property from R-4 (Residential) to C-2 (Commercial) to allow for a contractor's yard, with a watchman dwelling and professional office.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL WITH CONDITIONS** of the request. This recommendation is based on the proposed zoning district's compatibility with commercial uses in the surrounding area and is consistent with *Plan El Paso*, the City's adopted Comprehensive Plan and the G-3, Post-War Future Land Use designation. **The recommended conditions are as follows:**

1. That a ten-foot (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at twenty feet (20') on center along property lines adjacent to residential zone districts or uses. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy or certificates of completion. Existing structures or pavement located within such buffer, shall not be required to be removed to comply with this requirement until such structure or pavement is removed.
2. That a minimum 500-foot distance between property lines be required between any establishments meeting both of the following criteria:
 - a. Establishment deriving 51 % or more of their income from the sale of alcoholic beverages for on-premise consumption; and
 - b. Providing outdoor amplified sound.

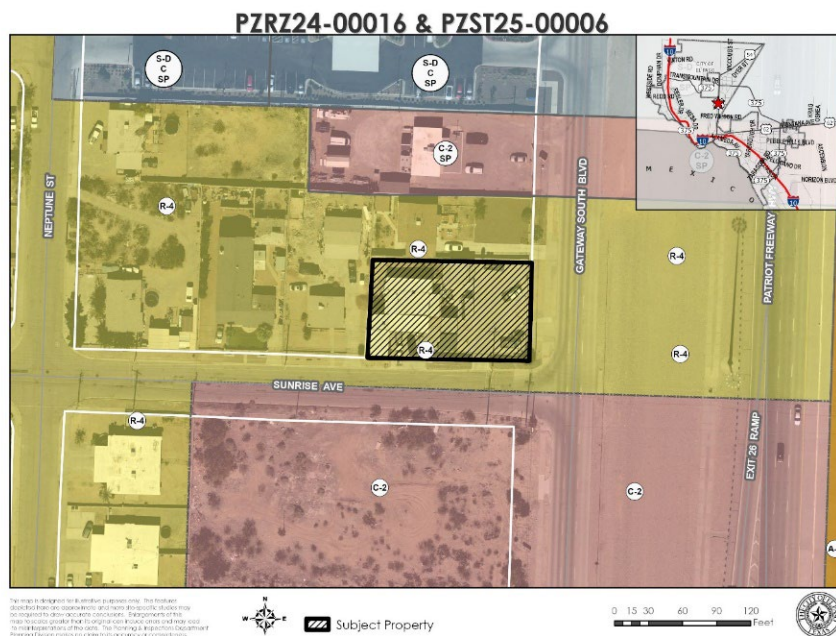


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone the subject property from R-4 (Residential) to C-2 (Commercial) to allow for the use of a contractor's yard (small) (via a Special Permit), with a resident watchman dwelling and a professional office. The subject property is approximately 0.29 acres in size. The proposed layout shows a 1,280 square foot building with a maximum height of 14 feet to be used as a professional office and a 660 square foot building with a maximum height of 10 feet to be used as a resident watchman dwelling along with proposed storage structures, landscaping, and parking. Access to the subject property will be from Sunrise Avenue. Vehicular access from Gateway South Boulevard will be subject to approval from the Texas Department of Transportation (TxDOT). The proposed layout and detailed site development plan are being reviewed for compliance with Title 20 of the El Paso City Code and is binding as part of the related Special Permit request.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed rezoning is compatible with adjacent commercial uses along Gateway South Boulevard. Conditions are being recommended to protect adjacent residential properties from negatively being impacted by the proposed zoning district. Properties to the north are zoned C-2/sp (Commercial/special permit), S-D/c/sp (Special Development/conditions/special permit) and R-4 (Residential), consisting of a contractor's yard, a hotel, a church and a single-family dwelling. To the east across Gateway South Boulevard is US Highway 54. Properties to the south are zoned C-2/c (Commercial/conditions) and C-3/c (Commercial/conditions) consisting of vacant lots and a professional office. Properties to the west are zoned R-4 (Residential) and consist of single-family dwellings. The nearest school is Park Elementary, located 0.63 miles away and the nearest park is Sunrise Park, located 0.30 miles away.

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:	
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 subject property and the proposed zoning district meet the intent of the G-3, Post-War Future Land Use designation of <i>Plan El Paso</i>. The proposed development will provide additional commercial uses along Gateway South Boulevard.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>C-2 (Commercial) District: The purpose of the district is to accommodate establishments providing goods and services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the district will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.</p>	<p>Yes. The proposed C-2 (Commercial) zoning district would allow the integration of the proposed development with surrounding C-2 (Commercial), C-3 (Commercial) and S-D (Special Development) zoning districts. The proposed rezoning will serve to expand the existing commercial zoning along Gateway South Boulevard. Conditions are being recommended to protect adjacent residential properties from negatively being impacted by the proposed zoning district.</p>
<p>Preferred Development Locations: Located along an arterial (or greater street classification) or the</p>	<p>Yes. The subject property is located along Gateway South Boulevard and US Highway 54, which are</p>

COMPLIANCE WITH <i>PLAN EL PASO</i>/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
intersection of two collectors (or greater street classification). The site for proposed rezoning is not located mid-block, resulting in it being the only property on the block with an alternative zoning district, density, use and/or land use.	designated as a major arterial and a freeway, respectively in the City's Major Thoroughfare Plan (MTP). The proposed rezoning will permit the expansion of commercial uses along the corridor while buffering residential zoning districts
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.	No. The proposed development is not within any historic districts or study area plan boundaries.
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	The proposed development is not anticipated to pose any adverse effects on the community.
Natural Environment: Anticipated effects on the natural environment.	The subject property does not involve any greenfield or environmentally sensitive land or arroyo disturbance.
Stability: Whether the area is stable or in transition.	The area has been in transition the last 10 years with several rezonings to allow for commercial uses. Properties to the north and south along Gateway South Boulevard have undergone rezonings from R-4 (Residential) to C-3 (Commercial), C-2 (Commercial) and S-D (Special Development) to allow for a contractor's yard, hotel and commercial retail.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The subject property is located along Gateway South Boulevard and US Highway 54 which are designated as a major arterial and a freeway, respectively in the City's Major Thoroughfare Plan (MTP). Residential use is no longer suitable for the property as commercial zoning is expanding along Gateway South Boulevard.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Access to the subject property is proposed from Sunrise Avenue (a local road) which connects to Gateway South Boulevard (a major arterial), and is appropriate for the proposed commercial use. Sidewalks are currently present along Gateway South Boulevard and the applicant will be providing a 5-foot sidewalk abutting the subject property along Sunrise Avenue. There are no bus stops located within walking distance (0.25 miles) of the subject property. The closest bus stop is located 0.52 miles away from the subject property on Hercules Avenue.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: Staff recommends the included conditions to ensure compatibility with existing surrounding residential developments.

PUBLIC COMMENT: The subject property lies within the boundaries of the Sunrise Neighborhood Association which was notified of the rezoning request by the applicant. Public notices were sent to property owners within 300 feet on September 26, 2025. The Planning Division has received one (1) letter in support from the public of the request.

RELATED APPLICATIONS: A Special Permit application (PZST25-00006) is running concurrently with this rezoning request to allow for the use of a contractor's yard (small) in the proposed C-2 (Commercial) zoning district. Approval of the special permit will be dependent on the review and approval of the rezoning.

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.
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. **(Staff Recommendation)**
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.

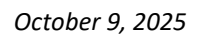
ATTACHMENTS:

1. Future Land Use Map
2. Detailed Site Development Plan
3. **Department Comments**
4. Neighborhood Notification Boundary Map
5. Letter in Support

PZRZ24-00016 & PZST25-00006



G A T E W A Y S O U T H B L V D



ATTACHMENT 3

Planning and Inspections Department - Planning Division

Staff recommends **APPROVAL WITH CONDITIONS** of the request. This recommendation is based on the proposed zoning district's compatibility with commercial uses in the surrounding area and is consistent with *Plan El Paso*, the City's adopted Comprehensive Plan and the G-3, Post-War Future Land Use designation. The recommended conditions are as follows:

1. *That a ten-foot (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at twenty feet (20') on center along property lines adjacent to residential zone districts or uses. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy or certificates of completion. Existing structures or pavement located within such buffer, shall not be required to be removed to comply with this requirement until such structure or pavement is removed.*
2. *That a minimum 500-foot distance between property lines be required between any establishments meeting both of the following criteria:*
 - a. *Establishment deriving 51 % or more of their income from the sale of alcoholic beverages for on-premise consumption; and*
 - b. *Providing outdoor amplified sound.*

Planning and Inspections Department – Plan Review & Landscaping Division

No comments to provide.

Planning and Inspections Department – Land Development

TXDOT review and approval are required of the proposed subdivision for drainage and access requirements at the time of grading permit.

It is recommended harvesting area on the property.

Note: comments to be addressed at the permitting stage.

Fire Department

No adverse comments.

Police Department

No comments received.

Environment Services

Please ensure a 36 ft. Trash truck has a clear path to empty the dumpster.

Sun Metro

No comments received.

Streets and Maintenance Department

Transportation Engineering

No objections to the application.

Streets Lighting:

Street Lights Department does not object to this request.

Gateway South Blvd. is a Texas Department of Transportation (TXDOT) right-of-way (ROW).

Street Lights Department requires that all projects that involve a roadway are to be evaluated for lighting requirements based on the City of El Paso Street Design Manual (SDM) and the Design Standards for Construction (DSC) according to City of El Paso Codes (cited below). While developing a project or construction area the existing street illumination system shall be protected and preserved. Complete survey for street illumination system shall be shown on plans. Any change on existing street illumination systems shall be coordinated with Street Lights Department.

For the development of a project a complete set of plans shall be submitted to Street Lights Department for review showing the minimum requirements for street illumination proposals**. The submission shall contain but shall not necessarily be limited to plans indicating the location on the premises of all lighting fixtures, both proposed and existing on the site***. The description of all lighting fixtures, both proposed and existing. Photometric data. Plans shall show street illumination design and details. El Paso city code is applicable to this process, Street Design Manual (SDM)* and any other applicable standards or requirements of the city.

City of El Paso Codes to be followed:

*Title 19 - 19.16.010 - Streetlighting.

**18.18.190 – Submission contents.

*** 19.02.040 Criteria for approval.

Contract Management:

For all proposed improvements within the city right-of-way (ROW), please follow DSC and include construction detail information.

Signs and Markings:

If any work encroaches in City ROW:

All construction plan set submittals and all work shall be in compliance with all applicable City of El Paso Municipal Code, Ordinances, Design Standards for Construction (DSC), Americans with Disabilities Act (ADA), Texas Accessibility Standards (TAS), and Texas Department of Licensing and regulation (TDLR), Street Design Manual (SDM), and all applicable state and federal rules and regulations. The city may refer to TXDOT specs and standards as may be required or not covered by DSC or SDM.

Typical – Identify and differentiate City Of El Paso ROW from TXDOT ROW.

Gateway South is TxDot R.O.W.

El Paso Water

There is an existing 24-inch diameter water main that extends along Sunrise Drive, located approximately 15-feet south of the northern 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.

There is an existing 12-inch diameter water main that extends along Gateway South Boulevard, located approximately 10-feet east of the western right of way line. This main is available for service.

Previous water pressure reading from fire hydrant #03138, located at the intersection of Sunrise Avenue and Gateway South Boulevard has yielded a static pressure of 50 (psi), a residual pressure of 48 (psi), and a discharge of 750 (gpm).

EPWater records indicate an existing 3/4-inch water meter serving the subject property with service address of 8701 Gateway South Boulevard.

Water

EPWater-PSB does not object to this request.

Sanitary Sewer

There is an existing 12-inch diameter sanitary sewer main that extends along Sunrise Drive located approximately 33-feet south of the northern right-of-way line. This main is available for service. There is an existing 8-inch diameter sanitary sewer main that extends along Gateway South Boulevard located 13-feet east of the west right-of-way line. This main is available for service.

General

EPWater-PSB 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:

EPWater-SW had previously reviewed this proposal and has no objections to the rezoning & special permit request.

El Paso County 911 District

The 911 District has no comments or concerns regarding this rezoning.

Texas Department of Transportation

TXDOT comments are to remove driveway on US 54 since it does not meet current spacing requirements from the intersection. Additionally, use curb to close the opening and match existing parkway along US 54.

El Paso County Water Improvement District #1

No comments received.

El Paso Electric

We have no comments for 8701 Gateway South Boulevard.

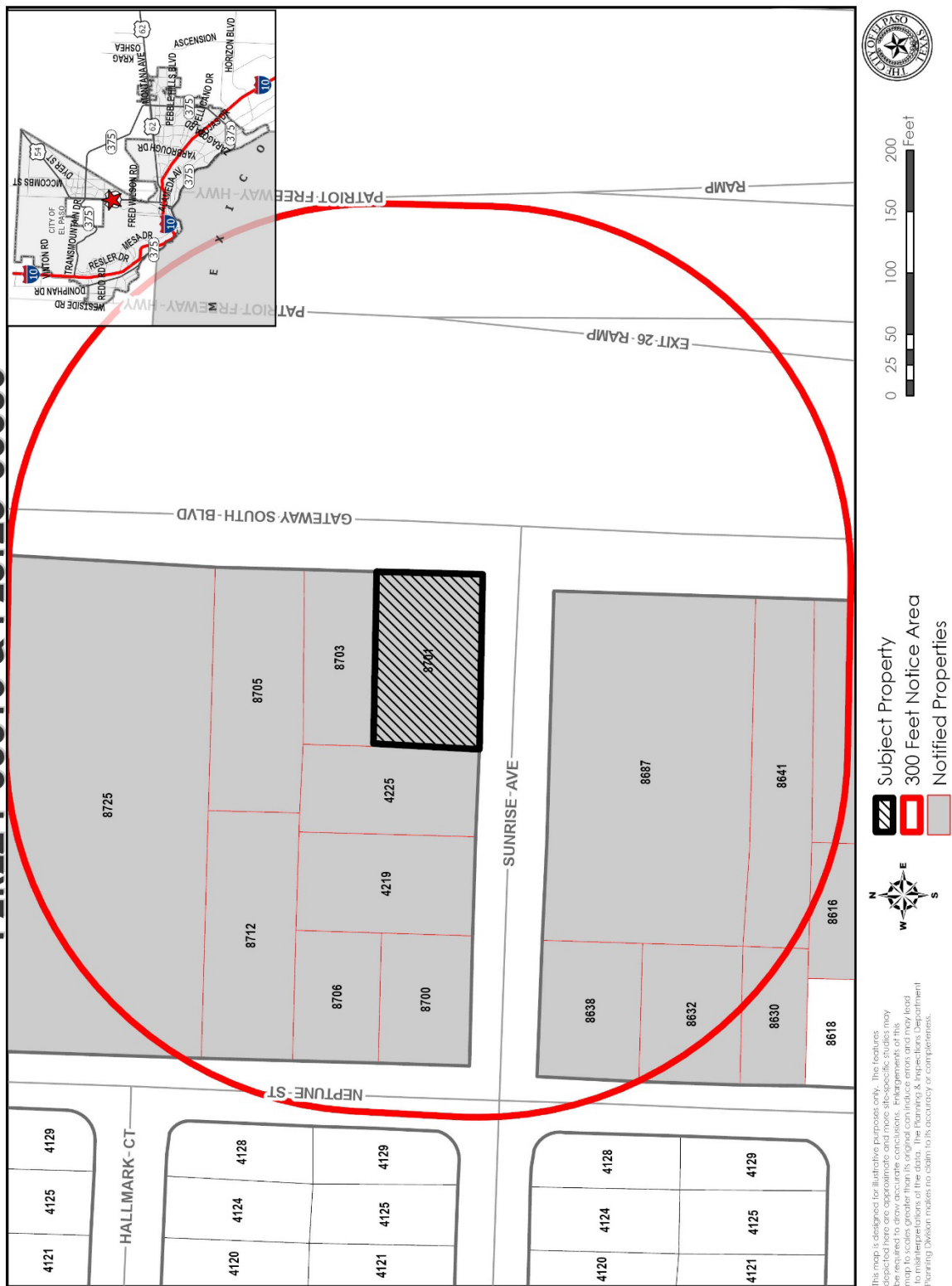
Texas Gas Service

Texas Gas Service has a service line at 8701 Gateway South Blvd.

Disclaimer: Texas Gas Service does not allow permanent structures nor trees to be installed on top of TGS gas mains or service lines. If a conflict is anticipated, the developer, contractors or owner representative should contact TGS to relocate the gas main and/or service at the developer's expense.

ATTACHMENT 4

PZRZ24-00016 & PZST25-00006



ATTACHMENT 5

Mr. David Delgado
4225 Sunrise Avenue
El Paso, TX 79904

Mike DelaRiva
8701 Gateway South Blvd
El Paso, TX 79904

April 25, 2025

RE: Rezoning and Special Permit

Dear Mr. DelaRiva:

Thank you for your recent letter asking for my support of your applications for a change of zoning and a special permit to operate a contractor's yard on your property located at 8701 Gateway South Blvd. We also understand that you are requesting our support to allow the non-conforming structure abutting the southeastern boundary of our property. We further understand the City of El Paso has no record of building permits being issued for that structure.

You have our complete support for the zoning change to C2, for the special permit to operate a contractor's yard, and for a waiver of the setback requirements between our property.

Please let us know if you need anything from us going forward to support you in your efforts.

Sincerely,



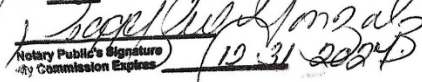
David Delgado Jr.

Owner—4225 Sunrise Avenue, El Paso, TX 79904



State of TX
County of EL PASO

Sworn to and subscribed before me on
the 28 day of April, 2025


Notary Public's Signature
My Commission Expires 12-31-2027

