

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



**REVISED**  
12:50 pm, Aug 27, 2025

**DEPARTMENT:** Planning and Inspections

**AGENDA DATE:** 8/19/25

**PUBLIC HEARING DATE:** 9/3/25

**CONTACT PERSON NAME:** Philip F. Etiwe

**PHONE NUMBER:** (915) 212-1553

**2nd CONTACT PERSON NAME:** Saul J. G. Pina

**PHONE NUMBER:** (915) 212-1604

**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 following real property known as: Parcel 1: A Portion of Tract 3A, S.A. & M.G. Railway Company Survey No. 266, City of El Paso, El Paso County, Texas from R-3 (Residential) to PR-II (Planned Residential II); and, Parcel 2: A Portion of Tract 3A, S.A. & M.G. Railway Company Survey No. 266, City of El Paso, El Paso County, Texas from R-3 (Residential) to C-1 (Commercial); and imposing conditions. 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: North of Montoya Ln., and West of Desert Blvd.  
Applicant: Charles Patrick Mitchell, PZRZ25-00005

**BACKGROUND / DISCUSSION:**

The applicant is requesting to rezone the subject property into two (2) separate zoning district. The request is to change the zoning of Parcel 1 from R-3 (Residential) to PR-II (Planned Residential II) to allow for the use of single-family dwellings and to change the zoning of Parcel 2 from R-3 (Residential) to C-1 (Commercial) to allow for a retail establishment. City Plan Commission denied (7-0) the proposed rezoning on May 8, 2025. As of May 27, 2025, the Planning Division received one (1) call in opposition of the rezoning request. In addition, three (3) in-person comments opposing the rezoning were made at the City Plan Commission meeting on May 8, 2025. The applicant submitted an appeal on May 15, 2025. See attached staff report for additional information.

**COMMUNITY AND STAKEHOLDER OUTREACH:**

The subject property is located within the Upper Valley Neighborhood Association and the Montoya Heights Community Improvement Association, which the applicant contacted. In addition, the applicant met with these same associations and the Enchanted Hills Neighborhood Association on March 26, 2025, for further outreach. Notices were sent to property owners within 300 feet of the subject property on April 25, 2025 and August 6, 2025. As of August 25, 2025, the president of the Montoya Neighborhood Association provided an email in support of the rezoning request. See attached staff report for additional information.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:**

N/A

NAME	AMOUNT (\$)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

*Philip Fivis*

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

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY KNOWN AS:

**PARCEL 1: A PORTION OF TRACT 3A, S.A. & M.G. RAILWAY COMPANY SURVEY NO. 266, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-3 (RESIDENTIAL) TO PR-II (PLANNED RESIDENTIAL II); AND,**

**PARCEL 2: A PORTION OF TRACT 3A, S.A. & M.G. RAILWAY COMPANY SURVEY NO. 266, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-3 (RESIDENTIAL) TO C-1 (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 *Parcel 1: A portion of Tract 3A, S.A. & M.G. Railway Company Survey No. 266*, 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; and, *Parcel 2: A portion of Tract 3A, S.A. & M.G. Railway Company Survey No. 266*, 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 as listed for **PARCEL 1: FROM R-3 (Residential) TO PR-II (Planned Residential II); PARCEL 2: FROM R-3 (Residential) TO C-1 (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 residents of the City:

*The following conditions apply to Parcel 2:*

- 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 the 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.*
- 2. A Detailed Site Development Plan shall be reviewed and approved as per El Paso City Code prior to issuance of any certificates of occupancy or certificates of completion.*
- 3. That no outdoor amplified sound be permitted within the property.*
- 4. That a minimum 500-foot distance be required between any establishments deriving 51% or more of their income from the sale of alcoholic beverages for on-premise consumption.*

ORDINANCE NO. \_\_\_\_\_

HQ25-5034|Trans#612058|P&I  
Ordinance Multiple Parcels w/Condition  
JAQ

**Zoning Case No: PZRZ25-00005**

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 \_\_\_\_\_, **2025**.


**THE CITY OF EL PASO**

\_\_\_\_\_  
**Renard U. Johnson**  
Mayor


**ATTEST:**

\_\_\_\_\_  
**Laura D. Prine,**  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**Jesus A. Quintanilla**  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
**Philip F. Etiwe, Director**  
Planning & Inspections Department

## EXHIBIT "A"

### PROPERTY DESCRIPTION

#### Tract 3-A-3 (PR-II Zone)

Description of a parcel of land being a portion of Tract 3-A-3, S.A. & M.G. Railway Company Survey No. 266, City of El Paso, El Paso County, Texas, map of said Survey No. 266 on file at the El Paso Central Appraisal offices, and lying in that parcel recorded in Clerk's File #20240057590 (and previously in volume 1905, Page 1000), and described as follows;

Commencing for reference at a 1/2" rebar with cap stamped "5152" found at the northwesterly corner of the Montoya Terrace Subdivision (recorded in book 79, page 88, Plat records of El Paso County), said rebar also marking the southwesterly corner of the Sunset View Subdivision (recorded in book 76, page 65, Plat records of El Paso County); Thence, with the common boundary line between said Montoya Terrace Subdivision and Sunset View Subdivision, North 72°02'10" East a distance of 483.30' to a 1/2" rebar found at the northeasterly corner of Lot 37 (E.P.EC. ROW), Block 2, of said Montoya Terrace Subdivision, also being the northwesterly corner of this parcel, and being the "Point Of Beginning";

Thence, continuing with the southerly boundary line of said Sunset View Subdivision, also being the northerly boundary line of said Tract 3-A-3, North 72°03'31" East (North 72°02'10" East record) a distance of 489.14' (489.20' record) to a PK nail set at the northeasterly corner of said Tract 3-A-3, also being the northwest corner of Lot 36, Block 8, Sunset View Unit Two Subdivision (recorded in book 78, page 06, Plat records of El Paso County), and being the northeasterly corner of this parcel;

Thence, along the east boundary line of said Tract 3-A-3, also being the west boundary line of said Block 8, Sunset View Unit Two and the west boundary line of Tract 3-A-2 (described in 1905, page 996), South 00°00'00" East a distance of 758.10' to the southeast corner of this parcel, from which a 1/2" rebar found at the southeasterly corner of said Tract 3-A-3, and lying on the Northerly Right-Of-Way line of Montoya Lane (60' wide) bears South 00°00'00" East a distance of 129.85', and being the southeasterly corner of this parcel;

Thence, leaving the boundary line between said Tracts 3-A-2 and 3-A-3, North 90°00'00" West a distance of 301.31' to an angle point;

Thence, South 00°00'00" West a distance of 73.47' to a point of curvature;

Thence, 26.97' along the arc of a curve to the left, having a radius of 74.00', a central angle of 20°52'52", and a chord bearing South 10°26'26" East a distance of 26.82' to the point of termination of this curve;

Thence, South 20°52'52" East a distance of 133.71' to the northerly Right-Of-Way of Montoya Lane, from which a 1/2" rebar found at the southeasterly corner of said Tract 3-A-3, and lying on the Northerly Right-Of-Way line of Montoya Lane bears North 69°07'00" East a distance of 266.29';

Thence, along said northerly Right-Of-Way line of said Montoya Lane, South 69°07'00" West a distance of 231.78' to a 5/8" rebar found at the southwesterly corner of said Tract 3-A-3 and also marking the southeasterly corner of said Lot 37 (E.P.EC. ROW), and being the southwesterly corner of this parcel;

Thence, along the common boundary line between said Tract 3-A-3 and Montoya Terrace Subdivision, North 00°00'00" West (bearing basis) a distance of 914.82' (914.24' record) to the "Point Of Beginning" and containing 367,168 sq. ft. or 8.4290 acres.

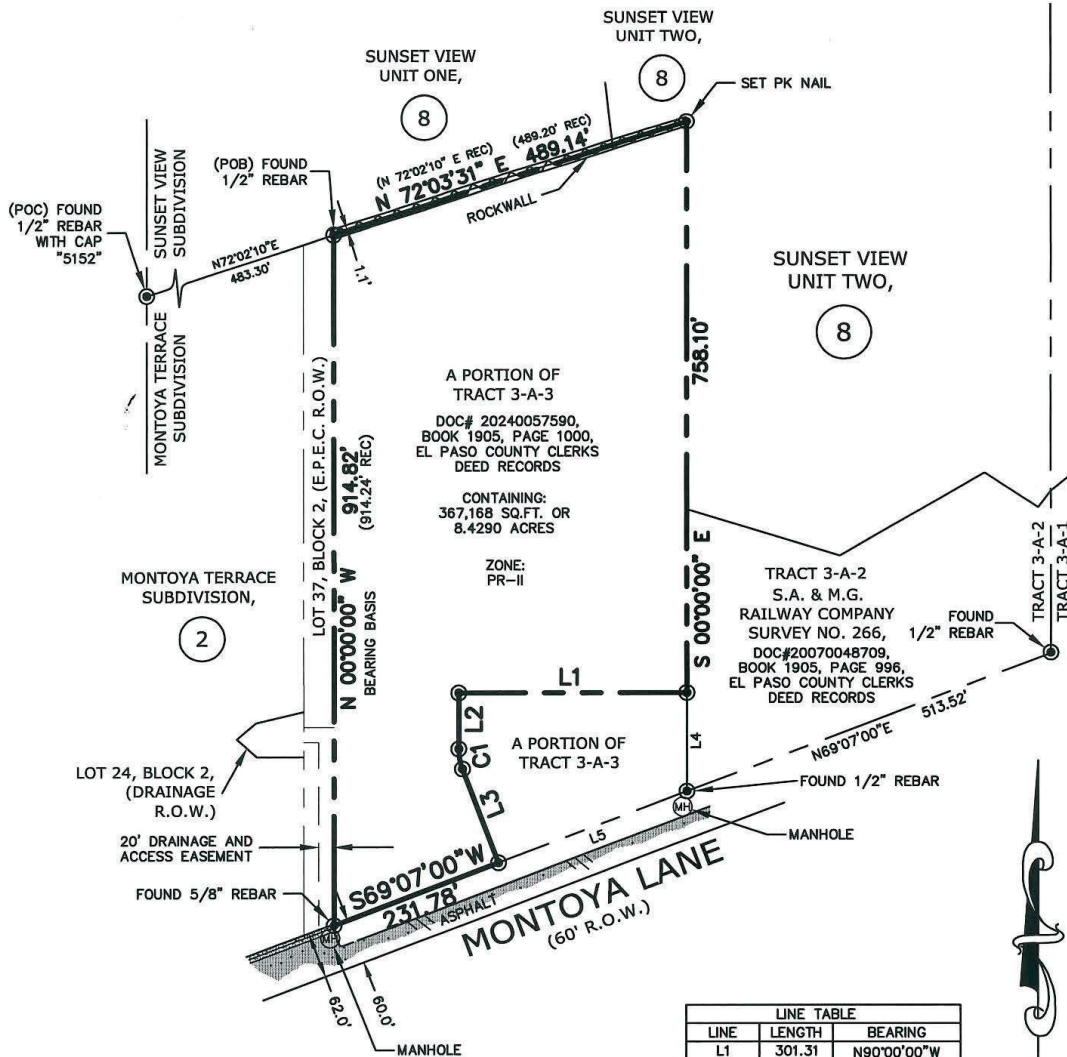
Based on a field survey performed under my supervision and dated 10/09/2024

John A Eby, Texas R.P.L.S. 5372 NM PLS 17779

Paso Del Norte Surveying Inc.  
13998 Bradley Road  
El Paso, TX. 79938  
915-241-1841 TBPELS FIRM #10001200



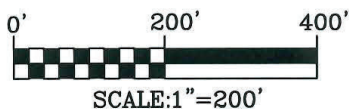




NOTES:  
THIS SURVEY WAS COMPLETED WITHOUT THE  
BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY  
BE EASEMENTS, OR OTHER MATTERS, NOT SHOWN.

LINE TABLE		
LINE	LENGTH	BEARING
L1	301.31	N90°00'00"W
L2	73.47	S00°00'00"W
L3	133.71	S20°52'52"E
L4	129.85	S00°00'00"E
L5	266.29	N69°07'00"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CH. BEARING	CHORD
C1	26.97	74.00	20°52'52"	S10°26'26"E	26.82



#### CERTIFICATION

I HEREBY CERTIFY THAT THIS BOUNDARY AND IMPROVEMENT SURVEY IS  
BASED ON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION AND  
COMPLIES WITH THE CURRENT STANDARDS OF THE TEXAS BOARD OF  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

JOHN A EBY TX-5372 NM-17779



A PORTION OF TRACT 3-A-3, AS DESCRIBED BY  
METES AND BOUNDS  
S.A. & M.G. RAILWAY COMPANY SURVEY NO. 266,  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

FIRM ZONE: X PANEL#: 480212-0125-B DATED: 9/4/1991

DATE OF SURVEY: 2/11/2025 OFFICE: EA FIELD: JAE, AG

PASO DEL NORTE SURVEYING INC.

13998 BRADLEY ROAD, EL PASO, TEXAS 79938

PH. 915-241-1841  
FAX 915-855-6925  
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TBPELS FIRM #10001200

## PROPERTY DESCRIPTION

### Tract 3-A-3 (C1-Commercial Zone) (PARCEL 2)

Description of a parcel of land being a portion of Tract 3-A-3, S.A. & M.G. Railway Company Survey No. 266, City of El Paso, El Paso County, Texas, map of said Survey No. 266 on file at the El Paso Central Appraisal offices, and lying in that parcel recorded in Clerk's File #20240057590 (and previously in volume 1905, Page 1000), and described as follows;

Commencing for reference at a 1/2" rebar with cap stamped "5152" found at the northwesterly corner of the Montoya Terrace Subdivision (recorded in book 79, page 88, Plat records of El Paso County), said rebar also marking the southwesterly corner of the Sunset View Subdivision (recorded in book 76, page 65, Plat records of El Paso County); Thence, with the common boundary line between said Montoya Terrace Subdivision and Sunset View Subdivision, North  $72^{\circ}02'10''$  East a distance of 483.30' to a 1/2" rebar found at the northeasterly corner of Lot 37 (E.P.EC. ROW), Block 2, of said Montoya Terrace Subdivision; Thence, along the southerly boundary line of said Sunset View Subdivision, also being the northerly boundary line of said Tract 3-A-3, North  $72^{\circ}03'31''$  East (North  $72^{\circ}02'10''$  East record) a distance of 489.14' (489.20' record) to a PK nail set at the northeasterly corner of said Tract 3-A-3; Thence, along the east boundary line of said Tract 3-A-3, also being the west boundary line of said Block 8, Sunset View Unit Two and the west boundary line of Tract 3-A-2 (described in 1905, page 996), South  $00^{\circ}00'00''$  East a distance of 758.10', to the northeast corner of this parcel, and being the "Point Of Beginning";

Thence, continuing with said east boundary line of said Tract 3-A-3, also being the west boundary line of said Tract 3-A-2 (described in 1905, page 996), South  $00^{\circ}00'00''$  East a distance of 129.85' to a 1/2" rebar found at the southeasterly corner of said Tract 3-A-3, and lying on the Northerly Right-Of-Way line of Montoya Lane (60' wide), and being the southeasterly corner of this parcel;

Thence, along said northerly Right-Of-Way line of said Montoya Lane, South  $69^{\circ}07'00''$  West a distance of 266.29' to the southwesterly corner of this parcel;

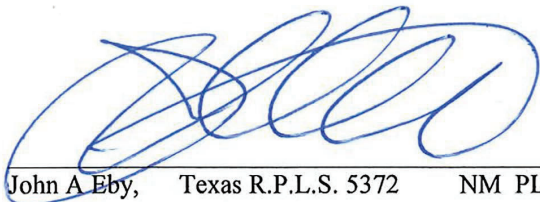
Thence, leaving the northerly Right-Of-Way line of said Montoya Lane, North  $20^{\circ}52'52''$  West a distance of 133.71' to a point of curvature;

Thence, 26.97' along the arc of a curve to the right, having a radius of 74.00', a central angle of  $20^{\circ}52'52''$ , and a chord bearing North  $10^{\circ}26'26''$  West a distance of 26.82' to the point of termination of this curve;

Thence, North  $00^{\circ}00'00''$  West a distance of 73.47' to the northwest corner of this parcel;

Thence, South  $90^{\circ}00'00''$  East a distance of 301.31' to the "Point Of Beginning" and containing 52,293 sq. ft. or 1.2005 acres.

Based on a field survey performed under my supervision and dated 10/09/2024



John A Eby, Texas R.P.L.S. 5372 NM PLS 17779

Paso Del Norte Surveying Inc.  
13998 Bradley Road  
El Paso, TX. 79938  
915-241-1841  
TBPELS FIRM #10001200





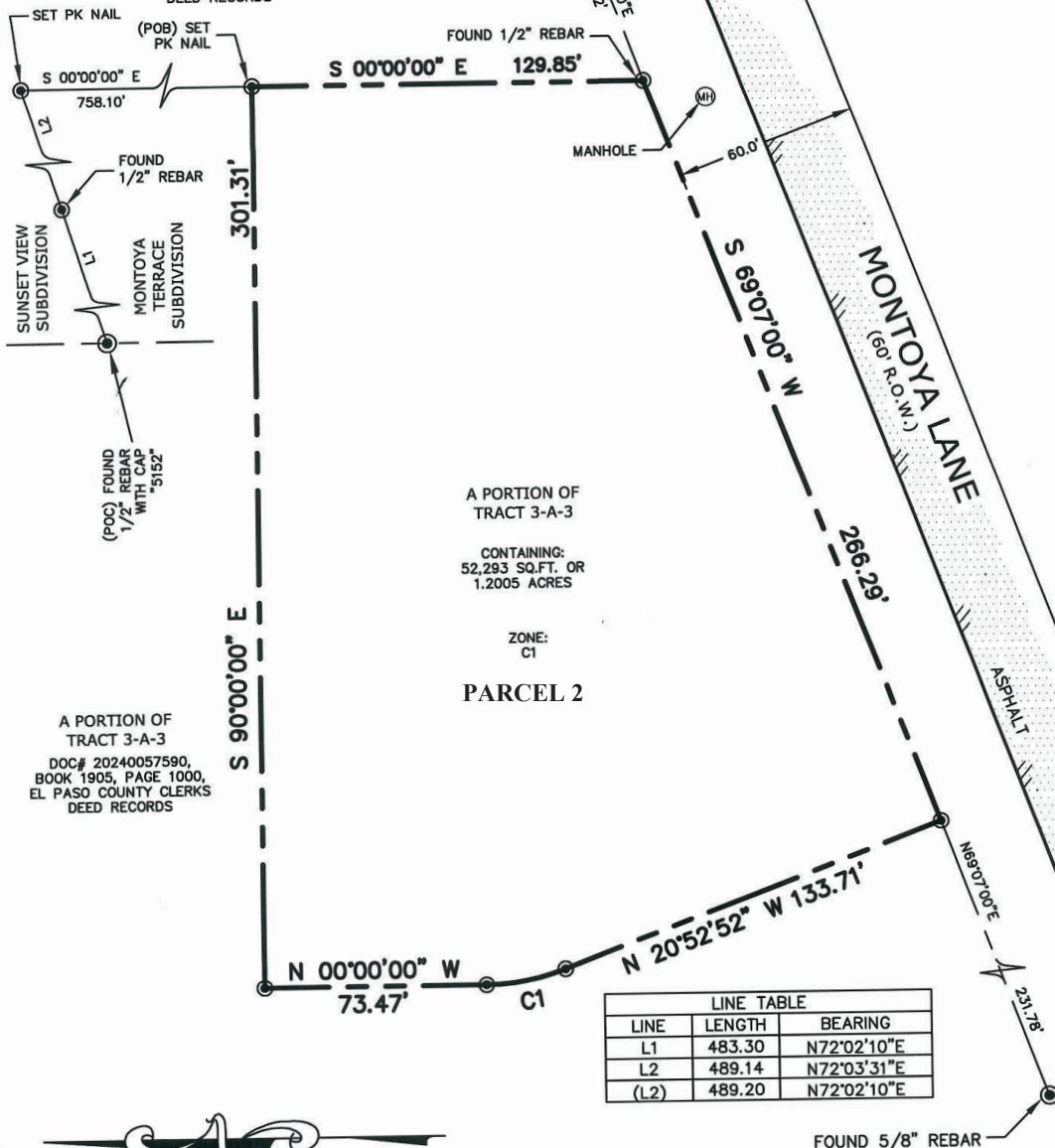
TRACT 3-A-1  
TRACT 3-A-2

FOUND  
1/2" REBAR

REVISED 10/06/2024  
REVISED 4/29/2025

TRACT 3-A-2  
S.A. & M.G. RAILWAY COMPANY  
SURVEY NO. 266,  
DOC#20070048709,  
BOOK 1905, PAGE 998,  
EL PASO COUNTY CLERKS  
DEED RECORDS

NOTE:  
THIS SURVEY WAS COMPLETED WITHOUT  
THE BENEFIT OF AN ABSTRACT OF  
TITLE. THERE MAY BE EASEMENTS, OR  
OTHER MATTERS, NOT SHOWN.



SCALE:1"=50'

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CH. BEARING
C1	26.97	74.00	20°52'52"	N10°26'26"W

LINE TABLE		
LINE	LENGTH	BEARING
L1	483.30	N72°02'10"E
L2	489.14	N72°03'31"E
(L2)	489.20	N72°02'10"E

#### CERTIFICATION

I HEREBY CERTIFY THAT THIS BOUNDARY AND IMPROVEMENT SURVEY IS  
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PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

JOHN A EBY TX-5372 NM-17779



TBPELS FIRM #10001200

A PORTION OF TRACT 3-A-3,  
S.A. & M.G. RAILWAY COMPANY SURVEY NO. 266,  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

FIRM ZONE: X PANEL#: 480212-0125-B DATED: 9/4/1991

DATE OF SURVEY: 2/11/2025 OFFICE: EA FIELD: JAE, AG

PASO DEL NORTE SURVEYING INC.

13998 BRADLEY ROAD, EL PASO, TEXAS 79938

PH. 915-241-1841  
FAX 915-855-6925  
© COPYRIGHT



# Montoya and Desert

City Council — September 3, 2025 **(REVISED)**



<b>CASE NUMBER:</b>	<b>PZR25-00005</b>
<b>CASE MANAGER:</b>	Saul J. G. Pina, (915) 212-1604, <a href="mailto:PinaSJ@elpasotexas.gov">PinaSJ@elpasotexas.gov</a>
<b>PROPERTY OWNER:</b>	Charles Patrick Mitchell
<b>REPRESENTATIVE:</b>	Del Rio Engineering
<b>LOCATION:</b>	North of Montoya Ln., and West of S. Desert Blvd. (District 1)
<b>PROPERTY AREA:</b>	9.62 acres
<b>REQUEST:</b>	To rezone Parcel 1 from R-3 (Residential) to PR-2 (Planned Residential II) To rezone Parcel 2 from R-3 (Residential) to C-1 (Commercial)
<b>PUBLIC INPUT:</b>	One (1) call in opposition of the rezoning request, with three (3) in-person comments in opposition and one (1) email in support of the rezoning request.

**SUMMARY OF REQUEST:** The applicant is requesting to rezone the subject property into two (2) separate zoning districts. The request is to change the zoning of Parcel 1 from R-3 (Residential) to PR-II (Planned Residential II) to allow for the use of single-family dwellings and to change the zoning of Parcel 2 from R-3 (Residential) to C-1 (Commercial) to allow for a retail establishment.

**SUMMARY OF STAFF'S RECOMMENDATION:** Staff recommends **APPROVAL WITH CONDITIONS** 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 G3, Post-War future land use designation.

The following conditions apply to Parcel 2:

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 the 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.
2. A Detailed Site Development Plan shall be reviewed and approved as per El Paso City Code prior to issuance of any certificates of occupancy or certificates of completion.
3. That no outdoor amplified sound be permitted within the property.
4. That a minimum 500-foot distance be required between any establishments deriving 51% or more of their income from the sale of alcoholic beverages for on-premise consumption.

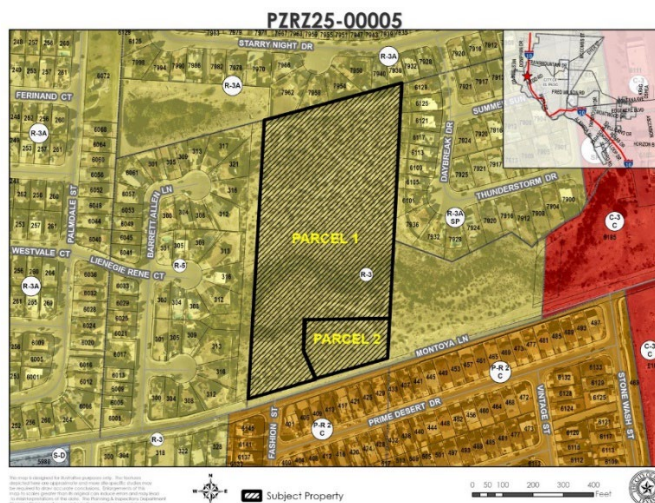


Figure A. Subject Property & Immediate Surroundings

**DESCRIPTION OF REQUEST:** The applicant is requesting to rezone the subject property into two (2) separate zoning districts. The request is to change the zoning of Parcel 1 from R-3 (Residential) to PR-II (Planned Residential II) to allow for the use of single-family dwellings and to change the zoning of Parcel 2 from R-3 (Residential) to C-1 (Commercial) to allow for a retail establishment. The property is approximately 9.62 acres in size. The conceptual site plan shows Parcel 1 with a total of 76 residential dwellings and Parcel 2 with two (2) buildings to be used for retail. Primary access to the proposed development is from Montoya Lane. The conceptual plan is not under review for zoning requirements as per Title 20 of the El Paso City Code and is not binding.

**COMPATIBILITY WITH NEIGHBORHOOD CHARACTER:** The location of the proposed rezoning is in character with the existing zoning, due to the predominant residential and commercial uses in the area. Properties to the north are single-family dwellings, zoned R-3A (Residential); properties to the south are single-family dwellings, zoned P-R 2/c (Planned Residential II/conditions); properties to the east are vacant and single-family dwellings and are zoned R-3 (Residential); and properties to the west are R-5 (Residential), zoned single-family dwellings. The nearest school, William C. Herrera Elementary School, is 1.1 miles and the nearest park, Mesa Vista Park, is 0.4 miles in proximity to the proposed development.

<b>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:</b>	
<b>Criteria</b>	<b>Does the Request Comply?</b>
<p><b>Future Land Use Map:</b> Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p><b>G3, Post-war:</b> 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 zone change is compatible with the Future Land Use Designation due to its location, which permits the addition of residential uses and integration of light-neighborhood commercial uses.</p>
<p><b>Compatibility with Surroundings:</b> The proposed zoning district is compatible with those surrounding the site:</p> <p><b>P-R II (Planned Residential II):</b> The purpose of this district is to encourage planned developments as a means of creating a superior living environment through unified planning and building operations at higher residential densities. The regulations of the district are designed to encourage variety in housing needed to meet changing housing demands and to provide adequate community facilities well-located with respect to needs; to protect the natural beauty of the landscape; to encourage preservation and more efficient use of open space; to offer an opportunity for design flexibility; and encourage innovations which may result in improved relationships between uses of different types and between land uses and transportation facilities.</p> <p><b>C-1 (Commercial) District:</b> The purpose of this district is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood convenience goods and services that serve day-to-day needs. The regulations of the</p>	<p>Yes, the proposed zoning change is compatible with both proposed residential and commercial uses as they will integrate with the surrounding area to be developed which includes PR-II (Planned Residential II), R-3A (Residential), R-5 (Residential), and C-3 (Commercial) zones. Moreover, the proposed zoning change will allow mixed-use type development of the vacant property.</p>

districts will permit location of business and professional offices and retail category uses within adjacent residential areas of medium and high densities.	
<b>Preferred Development Locations:</b> 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 located mid-block, resulting in it being the only property on the block with an alternative zoning district, density, use and/or land use.	Yes. The subject property is located between Doniphan Drive and South Desert Boulevard, two major roadways classified as 'freeway' and 'major arterial' in the City's Major Thoroughfare Plan. Being Montoya Lane, the point of access to the proposed development, this roadway not only will sustain residential and commercial traffic from neighboring areas but will permit localized traffic from the proposed development.
<b>THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:</b>	
<b>Historic District or Special Designations &amp; Study Area Plans:</b> Any historic district or other special designations that may be applicable. Any adopted small area plans, including land-use maps in those plans.	No. The subject property is not located in a special designation or study area plan.
<b>Potential Adverse Effects:</b> Potential adverse effects that might be caused by approval or denial of the requested rezoning.	None. There are no anticipated adverse impacts. Any necessary improvements will be coordinated to safeguard neighboring properties.
<b>Natural Environment:</b> Anticipated effects on the natural environment.	Yes. The proposed development is located within an arroyo and may require measures to be addressed at a later development stage. This is to avoid any impact to the surrounding properties.
<b>Stability:</b> Whether the area is stable or in transition.	Yes. The area has been stable with no other rezoning in the area in the last ten (10) years.
<b>Socioeconomic &amp; Physical Conditions:</b> Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	No. Changing the property's zoning would not affect residential development, as the current R-3 (Residential) zoning district allows residential zoning to remain.  Commercial development aligns best with roads of higher classification. With Montoya Lane classified as a 'collector,' the subject property is well-suited for light-neighborhood commercial uses that do not impact residential zoning and uses. Extending light-commercial development in this area would be appropriate.

**ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE:** Access is proposed from Montoya Lane, a roadway classified as a collector on the City of El Paso's Major Thoroughfare Plan (MTP) and is adequate for the proposed development. Additional improvements will provide pedestrian accessibility and improve traffic flow. There are no bus stops serving the area.

**SUMMARY OF DEPARTMENTAL REVIEW COMMENTS:** Other development requirements, such as a traffic impact analysis and a detailed site development plan, will be required during later phases of the development process.

**PUBLIC COMMENT:** The subject property is located within the Upper Valley Neighborhood Association and the Montoya Heights Community Improvement Association, which the applicant contacted. Notices were sent to property owners within 300 feet of the subject property on April 25, 2025. As of August 5, 2025, the Planning Division received one (1) call in opposition of the rezoning request, with three (3) in-person comments in opposition at the City Plan Commission meeting on May 8, 2025. Additionally, the President of the Montoya Neighborhood Association provided an email in support of the rezoning 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.
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.

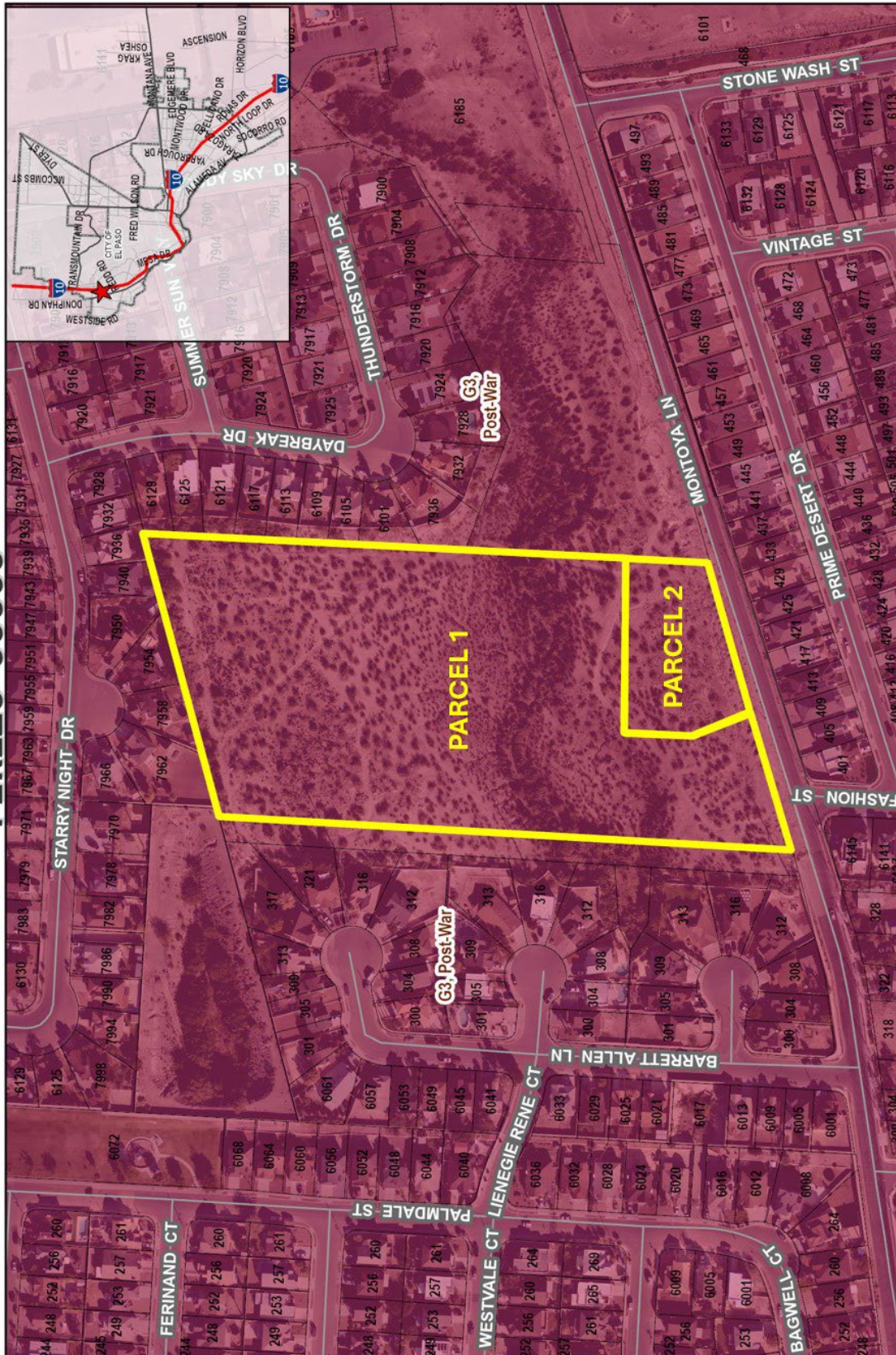
### **ATTACHMENTS:**

1. Future Land Use Map
2. Conceptual Site Plan
3. Department Comments
4. Neighborhood Notification Boundary Map
5. **Public Input**



# ATTACHMENT 1

PZR25-00005



 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 its accuracy or completeness.



[illegible]

# **ATTACHMENT 3**

## **Planning and Inspections Department - Planning Division**

Staff recommends **APPROVAL WITH CONDITIONS** 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 G3, Post-War future land use designation. The conditions are the following:

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 the 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.
2. A Detailed Site Development Plan shall be reviewed and approved as per El Paso City Code prior to issuance of any certificates of occupancy or certificates of completion.
3. That no outdoor amplified sound be permitted within the property.
4. That a minimum 500-foot distance be required between any establishments deriving 51% or more of their income from the sale of alcoholic beverages for on-premise consumption.

## **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. The retention of all storm-water runoff discharge volume is required within this subdivision's limits in compliance with all provisions of (Muni-Code 19.19.010A, DSC, and DDM Section 11.1).
2. Clarify how all stormwater will be managed (upstream desilting). Show proposed drainage flow patterns on the site plan and identify the discharge and storage locations for all stormwater runoff with approximate location of areas subject to inundation or stormwater overflow. Show water management methods, such as the preservation of greenspace, rain 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.
3. Applicant shall comply with the requirements of Preservation of Natural Arroyos (Section 19.19.010.F).
4. Pond requires a maintenance access road and gated entrance ramp. Label if public or private pond.

***Note: Comments to be addressed during the platting and grading permit stage prior to construction.***

## **Fire Department**

Recommend Approval. No adverse comments.

## **Streets and Maintenance Department**

### **Transportation Engineering Department**

TIA is required. Scope meeting to be scheduled.

## **Transportation Engineering Department**

- TIA approved on conclusions and recommendations.
- Include cross section roadway of Montoya Lane to property line limits.

## **Street Lights Department**

No objection to the request.

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 Section**

1. Include civil plans following DSC and City of El Paso Municipal Codes.
2. Ensure that driveways comply with Municipal Code Chapter 13.12
3. When installing sidewalks, ensure compliance with Municipal Code Chapter 19.21 governing sidewalks and Chapter 13.04.020 specifying sidewalk standards.

#### **Sun Metro**

Currently does not affect Sun Metro transit operations or services.

#### **El Paso Water**

EPWater-PSB does not object to this request.

#### **Water:**

There is an existing 8-inch diameter water main that extends along Montoya Lane. It is approximately 42 feet north of the south right-of-way line. This water main is available to provide service.

Previous water pressure from fire hydrant #11431, located south of Montoya Lane, fronting the property. Has yielded a static pressure of 64 psi, a residual pressure of 58 psi, and a discharge of 769 gallons per minute.

#### **Sewer:**

There is an existing 8-inch diameter sanitary sewer main that extends along the northside of Montoya Lane. This sanitary sewer main is available to provide service.

#### **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:**

- The proposed ponding area shown shall have enough capacity to hold the developed runoff for a designated 100-yr. storm event. Label the pond as “Private”.
- At the improvement plan stage, provide protection to the subdivision from all offsite storm water runoff that may have an adverse impact on any improvements and convey the existing watercourse through the subdivision.

**El Paso County 911 District**

The 911 District has no comments or concerns.

**El Paso Electric**

We have no comments for Montoya-Desert.

**Texas Gas Service**

In reference to case PZRZ25-00005 - Montoya–Desert, Texas Gas Service will need an easement to provide gas service to this apartment complex.

***Note: Comments to be addressed during the platting and detailed site development plan stage.***

**El Paso County Water Improvement District No. 1**

No comments received.

**Police Department**

No comments received.

**Environment Services**

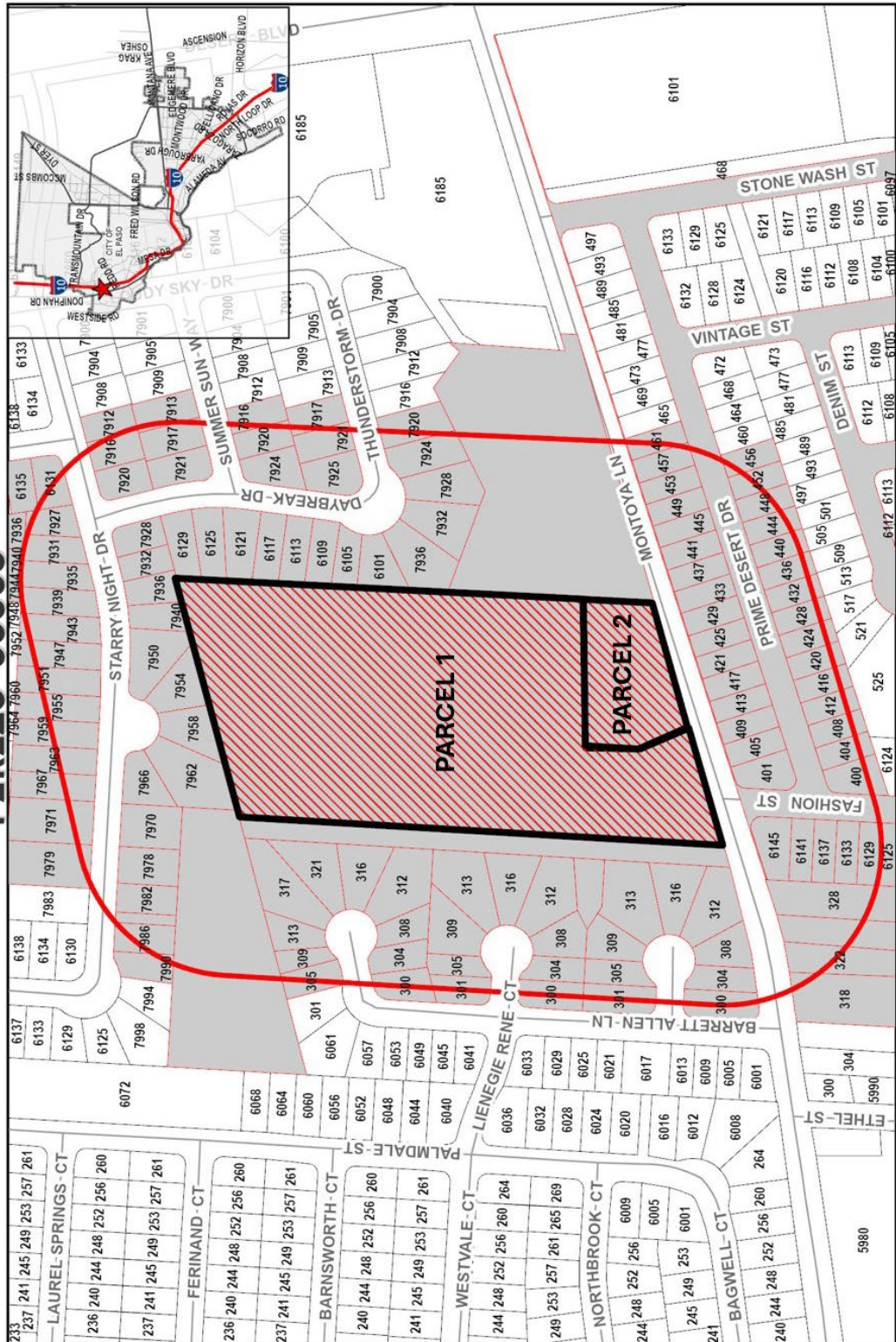
No comments received.

**Texas Department of Transportation**

No comments received.

# ATTACHMENT 4

PZR25-00005



Subject Property  
300 Feet Notice Area  
Notified Properties



This map is designed for illustrative purposes only. The features shown on this map are not intended to be used for any other purpose. The map is not a survey and should not be used for any legal or financial purposes. The map is not a guarantee of accuracy and may be subject to change without notice. The map is not a representation of the City of Las Vegas and its policies. The map is not a representation of the City of Las Vegas and its policies. The map is not a representation of the City of Las Vegas and its policies.

## **ATTACHMENT 5**

**From:** [robert.sandoval](#)  
**To:** [District 1 CityRep](#); [sal@delrioengineering.net](#); [Pina, Saul J.](#); [Acosta, Gladys](#)  
**Cc:** [Hilda Matthews](#); [Nadia Antowan](#); [Pete Sandoval](#); [Arturo Villarreal](#); [Manuel Molina](#); [Barbar Leavy](#); [robert.sandoval](#)  
**Subject:** Proposed Montoya Terrance Estates J25-001  
**Date:** Monday, August 25, 2025 4:15:21 PM

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Ms. Chavez,

It is our understanding Montoya lane and West of Desert Blvd. Rezoning , will be coming up on September 3rd Before City Council for final consideration for rezoning. Montoya Association and its members have had numerous meeting with Mr. Sal Masoud, PE Principal Engineer Del Rio Engineering. Proposed project of 76 single Family and a C-1 with 1.2 acres of commercial area was explained. Developing a total of 9.63 acres of land within our neighborhood. Some of our members visited a similar development that sits within the Westside on Westwind Drive. We were very impressed with the size of units and spacious entrances and exits within units. Our members expressed concerns of additional traffic within our neighborhood, plus the widening of Montoya Drive were units will be built. Our concerns have been satisfied with Traffic study that was done and information we received on adding additional lane to street plus sidewalks. At this time will would like to submit full support in the approval of re-zoning request before City Council.

Robert Sandoval President of Montoya Association and its members. If any additional information is needed to support this e-mail, please do not hesitate to call me at 915-497-6607. Thank you