### 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:	
<del></del>	

BACKGROUND / DISCUSSION:		
COMMUNITY AND STAKEHOLDER OUTREACH:		
PRIOR COUNCIL ACTION:		
THICK GOONGLE ACTION:		
AMOUNT AND SOURCE OF FUNDING:		
REPORTING OF CONTRIBUTION OR DONATION TO CITY O	COUNCIL:	
NAME	AMOUNT (\$)	
NAME	AMOUNT (#)	
*************************	'HORIZATION*************	
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DEPARTMENT HEAD:  Philip Ctiws		

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

<b>ORDINANCE NO.</b>	

AN ORDINANCE CHANGING THE ZONING OF THE PROPERTY DESCRIBED AS THE WEST 10 FEET OF LOT 22. ALL OF LOT 23. AND THE EAST 5 FEET OF LOT 24. BLOCK 17, COTTON ADDITION, 2320 MONTANA AVENUE, CITY OF EL PASO, EL PASO COUNTY, **TEXAS FROM** (APARTMENT) TO S-D A-2 (SPECIAL DEVELOPMENT), PURSUANT TO SECTION 20.04.360, AND APPROVING DETAILED SITE DEVELOPMENT PLAN PURSUANT TO SECTION 20.04.150 OF THE CITY AND 20.10.360  $\mathbf{EL}$ **PASO** CODE TO ALLOW FOR A BOUTIOUE AS PERMITTED IN THE S-D (SPECIAL DEVELOPMENT) ZONE DISTRICT. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Ana M. Lujan, (Owner) has applied for a rezoning of property from A-2 (Apartment) to S-D (Special Development) per Section 20.04.360 of the El Paso City Code; and,

**WHEREAS,** Owner has also applied for approval of a detailed site development plan pursuant to Sections 20.04.150 and 20.10.360 of the El Paso City Code for a boutique use with reductions to the district area and side yard setback, which requires approval from both City Plan Commission and City Council; and,

**WHEREAS,** a public hearing was held for the rezoning and detailed site plan requests at a City Plan Commission meeting; and,

**WHEREAS,** City Plan Commission has recommended approval of the subject rezoning and detailed site development plan; and,

**WHEREAS**, the rezoning and detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval; and,

**WHEREAS**, the City Council of the City of El Paso finds that the application conforms to all requirements of the El Paso City Code.

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

- 1. Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning of the west 10 feet of Lot 22, all of Lot 23 and the east 5 feet of Lot 24, Block 17, Cotton Addition, 2320 Montana Avenue, City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached Exhibit "A", be changed from A-2 (Apartment) to S-D (Special Development), as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.
- 2. That the property described above be subject to the following condition which is necessitated by and attributable to the increased density 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:

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- 3. Pursuant to the requirements of the El Paso City Code, the City Council hereby approves the detailed site development plan submitted by the Owner, to allow a boutique, district area reduction and side setback reduction as permitted under the **S-D** (**Special Development**) district regulations of 20.04.150 and 20.10.360.
- 4. A copy of the approved detailed site development plan, signed by the Owner, the City Manager, and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference for all purposes.
- 5. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **S-D** (**Special Development**) District regulations.
- 6. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **S-D** (**Special Development**) district. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.
- 7. The approval of this detailed site development plan shall automatically be void if construction on the property is not started in accordance with the attached plan Exhibit "B" within four (4) years from the date hereof.
- 8. The penalties for violating the standards imposed through this ordinance are found in Section 20.24 of the El Paso City Code.

ADOPTED this day of	, 2025.
	THE CITY OF EL PASO
ATTEST:	Renard U. Johnson Mayor
Laura D. Prine City Clerk	
APPROVED AS TO FORM:	APPROVED AS TO CONTENT:
Leus deintrick	Philip Etiws
Jesus A. Quintanilla	Philip F. Etiwe, Director
Assistant City Attorney	Planning & Inspections Department
<b>ORDINANCE NO.</b> HQ25-5388 Tran#615771 P&I RTA	Zoning Case No: PZRZ25-00002

2320 Montana Drive Ordinance Rezoning

Page 2 of 3

#### **AGREEMENT**

By execution hereof, Ana M. Lujan ("Owner"), referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan attached to same Ordinance, and in accordance with the standards identified in the S-D (Special Development) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 6 day of August , 2025.

OWNER: Ana M. Lujan

By: Ana M. Lujan

Owner

(Print name & Title)

ACKNOWLEDGEMENT

THE STATE OF TEXAS )

COUNTY OF EL PASO )

This instrument is acknowledged before me on this 6 day of August , 2025, by Ana M. Lujan , in his legal capacity on behalf of Ana M. Lujan.

My Commission Expires:

Notary Public, State of Texas

JOANNA YVETTE SILVA Notary 10 #13284243 My Commission Expires December 29, 2028

Zoning Case No: PZRZ25-00002

### Barragan & Associates Inc.

10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax (915) 591-5706

#### DESCRIPTION

**Description** of a portion of land being the West 10 Feet of Lot 22, all of Lot 23, and the East 5 feet of Lot 24, Block 17, Cotton Addition, an addition to the City of El Paso, El Paso County, Texas, being the same property described in Instrument No. 20240086880, Real Property Records of El Paso County, Texas, and being more particularly described as follows:

COMMENCING, at a found Original City Monument on the monument line of Montana Avenue and Palm Street at a 10-foot offset northeast, WHENCE, a found Original City Monument on monument line of Montana Avenue and Poplar Street at a 10-foot offset northeast, bears N 56° 10' 58" E, along said monument line of Montana Avenue, a distance of 470.00 feet; THENCE, N 56° 10' 58" E, along said monument line of Montana Avenue, a distance of 245.00 feet to a point; THENCE, S 33° 49' 02" E, leaving said monument line of Montana Avenue, a distance of 46.00 feet to a point on the southerly right-of-way line of Montana Avenue and on northerly common corner of parcels described in Instrument No. 20240086880 and Instrument No. 20090036611, Real Property Records of El Paso County, Texas, said point being the POINT OF BEGINNING of this description;

**THENCE,** N 56° 10' 58" E, along said southerly right-of-way line of Montana Avenue, a distance of 40.00 feet to a point on the northerly common corner of parcels described in Instrument No. 20240086880 and Instrument No. 20240017432, Real Property Records of El Paso County, Texas;

**THENCE,** S 33° 49' 02" E, leaving said southerly right-of-way line of Montana Avenue along the common line of said parcels described in Instrument No. 20240086880 and Instrument No. 20240017432, a distance of 120.00 feet to a point on the southerly common corner of said parcels described in Instrument No. 20240086880, and Instrument No. 20240017432, and on the northerly right-of-way line of an 18-foot alley;

**THENCE**, S 56° 10' 58" W, along said northerly right-of-way line of an 18-foot alley, a distance of 40.00 feet to a point on the southerly common corner of parcels described in Instrument No. 20240086880 and Instrument No. 20090036611;

**THENCE**, N 33° 49' 02" W, leaving said northerly right-of-way line of an 18-foot alley along the common line of said parcels described in Instrument No. 20240086880 and Instrument No. 20090036611, a distance of 120.00 feet to the **POINT OF BEGINNING** of this description and containing in all 0.11 acres more or less.

#### NOTES:

- This property may be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
- 2. Bearings shown are grid bearings derived from RTK Observations to the Texas CO-OP Network. Referred to the Texas Coordinate System (NAD 83) Central Zone. Distances are ground.
- 3. This description is not intended to be a subdivision process which may be required by the local or state code, and it is the client's/owner's responsibility to comply with this code if required.
- 4. A Parcel Plan of even date accompanies this Parcel.

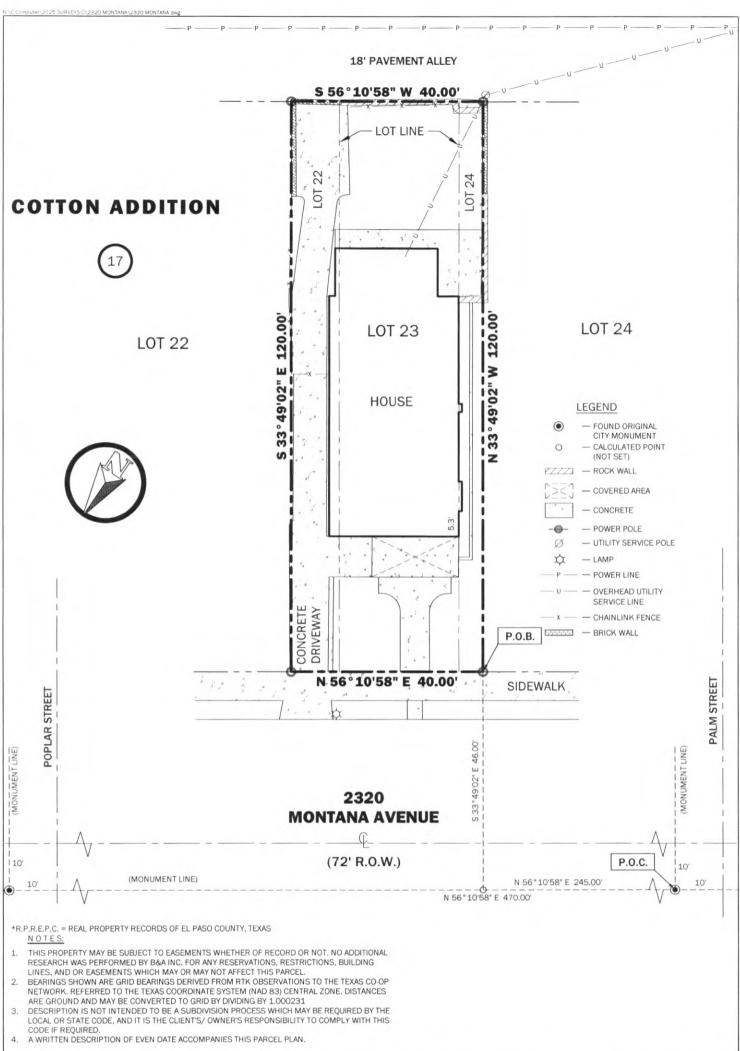
Benito Barragan TX R.P.L.S 5615

Barragan and Associates Inc.

Texas Surveying Firm # 10151200

July 22, 2025

Job No. 250716-10





LAND PLANNING & SURVEYING TEXAS SURVEYING FIRM# 10151200 10950 Pellicano Dr. Building-F, El Paso, TX 79935 Fax (915) 591-5706 Phone (915) 591-5709

### PARCEL PLAN

THE WEST 10 FEET OF LOT 22, ALL OF LOT 23 AND THE EAST 5 FEET OF LOT 24, BLOCK 17, COTTON ADDITION, AN ADDITION TO THE CITY OF EL PASO. EL PASO COUNTY, TEXAS. AREA 0.11 ACRES ±

Job No.

716-10

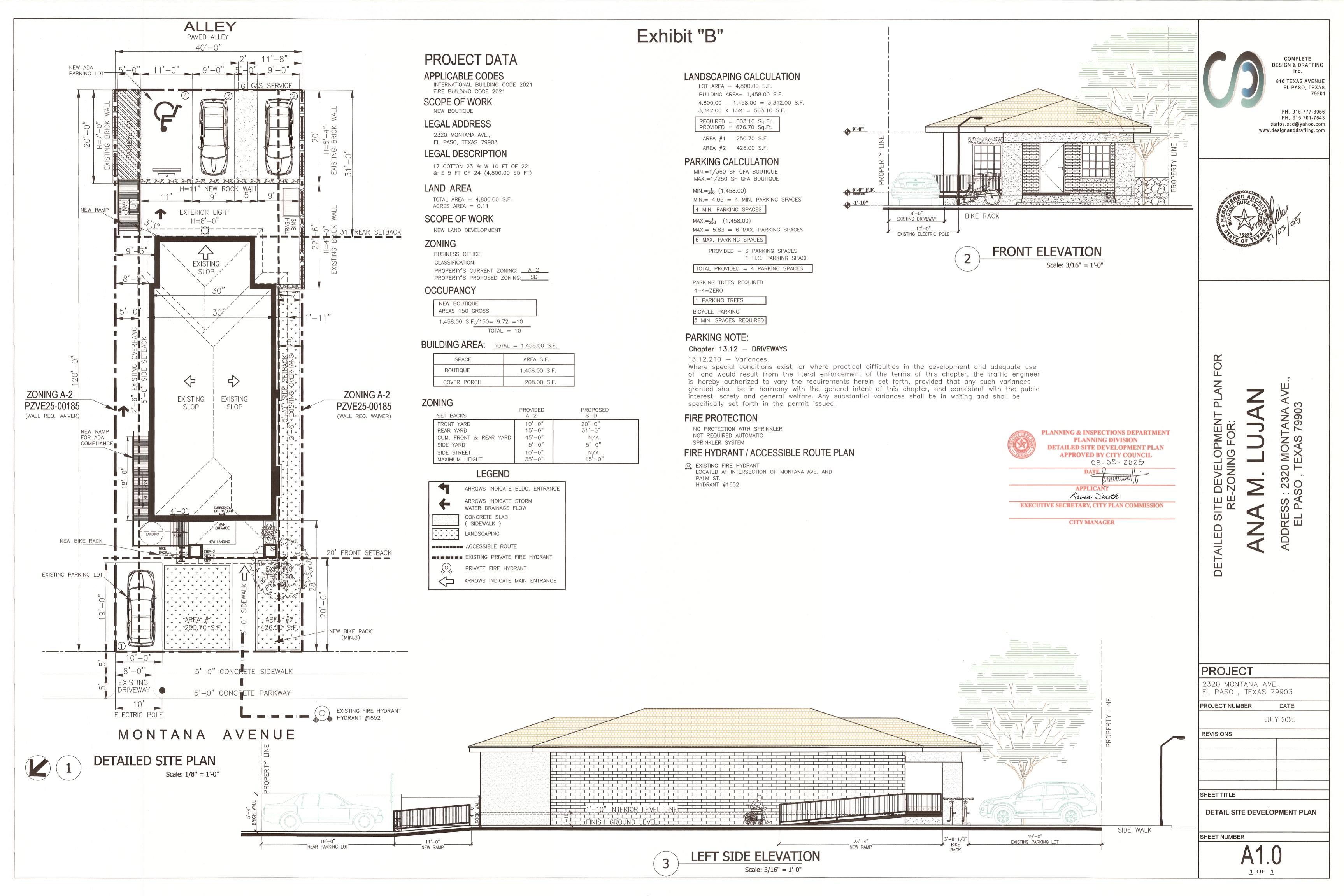
Prepared by and under my supervision.

Copy Rights ©

Scale: 1" = 20' Date: 7/22/2025 Drawn By: NS

Field: JM

N/A N/A



### 2320 Montana

City Plan Commission — July 17, 2025

CASE NUMBER: PZRZ25-00002 (REVISED)

CASE MANAGER: Blanca Perez, (915) 212-1561, PerezBM@elpasotexas.gov

**PROPERTY OWNER:** Ana M. Lujan **REPRESENTATIVE:** Vanessa Duran

**LOCATION:** 2320 Montana Ave. (District 8)

**PROPERTY AREA:** 0.11 acres

**REQUEST:** Rezone from A-2 (Apartment) to S-D (Special Development) and

Approval of Detailed Site Development Plan with reduction to

minimum district area and side yard setback

**RELATED APPLICATIONS:** None

PUBLIC INPUT: Received two (2) calls of inquiry and one (1) call in support as of July

10, 2025.

**SUMMARY OF REQUEST:** The applicant is requesting to rezone the subject property from A-2 (Apartment) to S-D (Special Development) with reduction to minimum district area and side setback to allow for the proposed use of a boutique.

**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-2, Traditional Neighborhood future land use designation.

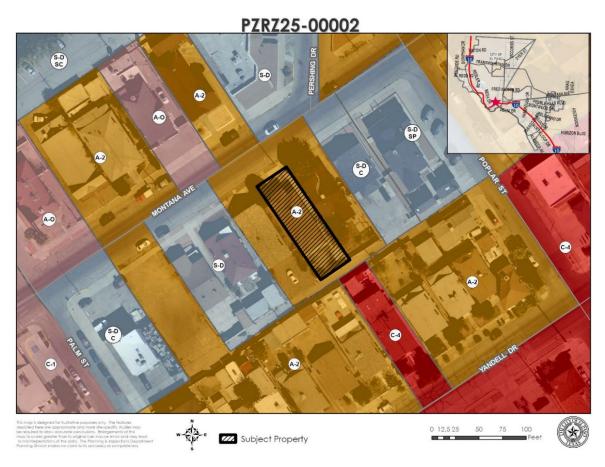


Figure A. Subject Property & Immediate Surroundings

**DESCRIPTION OF REQUEST:** The applicant is requesting to rezone the subject property from A-2 (Apartment) to S-D (Special Development) and approval of a Detailed Site Development Plan with reduction to minimum district area and reduction to side yard setback to allow for the proposed use of a boutique. The subject property is approximately 0.11 acres in size. The Detailed Site Development Plan shows an existing 1,458 square-foot single-family dwelling to be repurposed as a boutique. The site plan is compliant with the minimum required vehicular and bicycle parking spaces, providing four (4) vehicle spaces and three (3) bicycle spaces. Vehicular access to the subject property is proposed from Palm Street and Popular Street via the rear alley while providing pedestrian access from the public sidewalk along Montana Avenue.

**COMPATIBILITY WITH NEIGHBORHOOD CHARACTER:** The proposed rezoning is compatible with surrounding commercial and residential uses and zoning districts. Properties to the south and east are zoned A-2 (Apartment) and C-4 (Commercial) and are developed with single-family residences. The properties to the north are zoned A-2 (Apartment) and S-D (Special Development) and are developed with multi-family dwellings and an office use, respectively, while the property to the west also contains an office and is zoned A-2 (Apartment). The nearest school, Young Women's Academy, is located approximately 0.7 miles from the subject property, and the closest park, Roger Brown Park, is approximately 0.5 miles away.

# 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

# **Future Land Use Map:** Proposed zone change is compatible with the Future Land Use designation for the property:

G-2, Traditional Neighborhood: 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 face streets; schools, parks, and small shops are integrated with residential areas. This sector is wellsuited 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.

#### **Does the Request Comply?**

Yes. The subject property and proposed development align with the intent of the G-2, Traditional Neighborhood Future Land Use designation as outlined in *Plan El Paso*.

**Compatibility with Surroundings:** The proposed zoning district is compatible with those surrounding the site:

S-D (Special Development) District: The purpose of this district is to provide an opportunity for mixeduse projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. The regulations of this district are designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. For the purpose of this district, older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.

Yes. The proposed S-D (Special Development) zoning district is compatible with the surrounding S-D (Special Development), A-2 (Apartment), and C-4 (Commercial) zoning districts and supports the integration of small-scale commercial uses within an established residential context. Rezoning the subject property to S-D (Special Development) contributes to the existing mix of uses in the area while preserving the neighborhood's character.

Preferred Development Locations: Is the property in a	Yes. The subject property is designated G-2, Traditional		
preferred development location identified in Plan El	Neighborhood per <i>Plan El Paso</i> , which supports a mix		
Paso?	of residential and small-scale commercial uses.		
THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER			
EVALUATING THE FOLLOWING FACTORS:			
Historic District or Special Designations & Study Area	None. The proposed development is not within any		
<b>Plans:</b> Any historic district or other special designations	historic district or study area plan boundaries.		
that may be applicable. Any adopted small areas plans,			
including land-use maps in those plans.			
Potential Adverse Effects: Potential adverse effects	The proposed development is not anticipated to pose		
that might be caused by approval or denial of the	any adverse effects on the community.		
requested rezoning.			
Natural Environment: Anticipated effects on the	The subject property does not involve green field or		
natural environment.	environmentally sensitive land arroyo disturbance.		
<b>Stability:</b> Whether the area is stable or in transition.	The area is stable with no rezoning in the past 10 years.		
Socioeconomic & Physical Conditions: Any changed	None. The proposed development is located within a		
social, economic, or physical conditions that make the	stable, established area of the city characterized by a		
existing zoning no longer suitable for the property.	mix of professional offices, business uses, and both		
	single-family and multi-family dwellings. The		
	development is compatible with the existing land use		
	pattern and is not anticipated to negatively impact the		
	surrounding neighborhood.		

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property fronts Montana Avenue, a major arterial as classified in the City's Major Thoroughfare Plan (MTP). Vehicular access is proposed from a rear alley connecting Palm Street and Popular Street, with pedestrian access from the existing public sidewalk along Montana Avenue. Five (5) bus stops are located within a 5-minute walking distance (0.25 miles), the closest being approximately 0.05 miles away at Montana Avenue and Poplar Street. The roadway's existing infrastructure supports walkability and is suitable for the proposed development.

**SUMMARY OF DEPARTMENTAL REVIEW COMMENTS:** No adverse comments were received form reviewing departments.

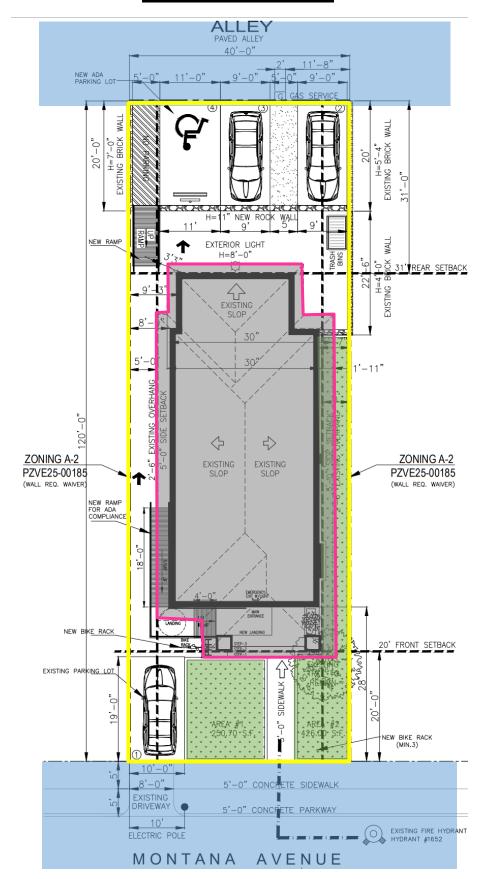
**PUBLIC COMMENT:** The subject property is located within the boundaries of the Sunrise Civic Group, El Paso Central Business Association, and Five Points Development Association. The applicant notified these organizations of the proposed rezoning. Public notices were mailed to property owners within 300 feet of the subject property on July 3, 2025. As of July 10, 2025, the Planning Division has received two (2) calls of inquiry and one (1) call in support of the rezoning request.

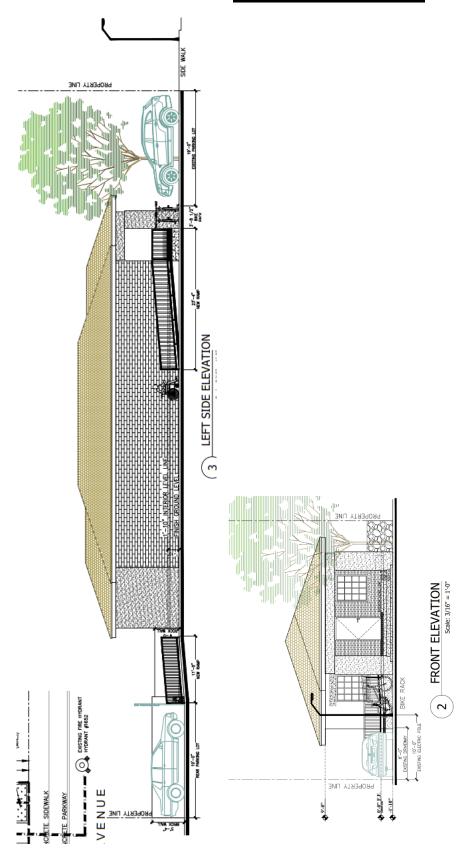
**CITY PLAN COMMISSION OPTIONS:** The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

- 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. (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.

- 1. Future Land Use Map
- 2. Detailed Site Development Plan
- 3. Elevations
- 4. Department Comments
- 5. Neighborhood Notification Boundary Map







#### Planning and Inspections Department - Planning Division

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-2, Traditional Neighborhood future land use designation.

#### Planning and Inspections Department - Plan Review & Landscaping Division

No objections to requested rezoning.

#### Planning and Inspections Department - Land Development

Comments at the time of Grading Permit: Provide and label note "All existing and proposed sidewalks, barrier free ramps, handicap parking, driveway crosswalks, driveways and accessible routes shall comply with A.D.A./T.A.S. and city of El Paso requirements. Existing infrastructure not complying shall be removed and replaced to meet standards".

#### **Fire Department**

No adverse comments.

#### **Police Department**

No comments provided.

#### **Environment Services**

No comments provided.

#### **Sun Metro**

Does not affect Sun Metro transit services and operations.

#### **Streets and Maintenance Department**

#### **Traffic & Transportation Engineering:**

No TIA is required. No objections to application.

#### **Streets Lighting:**

No objections to 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:**

No comments provided.

#### El Paso Water

EPWater-PSB does not object to this request.

#### **EPWU-PSB Comments**

There is an existing 6-inch diameter water main that extends along the alley between Montana Avenue and Yandell Street. It is approximately 3 feet south of the property. This water main is available to provide service.

Previous water pressure from fire hydrant #01652, located at the northwest corner of Montana Avenue and Palm Street, has yielded a static pressure of 108 psi, a residual pressure of 100 psi and a discharge of 1,138 gallons per minute. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

EPWater records indicate an active 3/4-inch meter serving the subject property. The service address for this meter is 2320 Montana Avenue.

#### **Sanitary Sewer**

There is an existing 8-inch diameter sanitary sewer main that extends along the alley between Montana Avenue and Yandell Street. It is located approximately 6 feet south of the property. This sanitary sewer main is available to provide service.

#### General

EPWater 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 recommends using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavement) to reduce the amount of developed stormwater runoff.

#### **El Paso County 911 District**

No comments or concerns regarding this zoning.

#### **Texas Department of Transportation**

No comments provided.

#### El Paso County Water Improvement District #1

No comments provided.

#### **Texas Gas Service**

Texas Gas Service has an active service line in the back, tie into the main located in the alley.

