



City of El Paso Agenda Summary Form

Submitted On: Jun 10, 2026, 01:06PM EDT

City Clerk

Department / Council Office	Planning and Inspections
Agenda Date	May 12, 2026
Public Hearing Date	June 23, 2026
Email of User Submitting Form	gonzalezag@elpasotexas.gov
Contact Person	Kevin W. Smith (915) 212-1566
2nd Contact Person	Alejandra Gonzalez (915) 212-1506
District(s) Affected	District 1
Agenda Item	An Ordinance changing the zoning of a portion of Tract 6, Laura E. Mundy Survey No. 237, City of El Paso, El Paso County, Texas from R-5/c (Residential/conditions) to C-3/c (Commercial/conditions), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: East of Desert North Boulevard and North of Transmountain Road Applicant: EP Transmountain Residential, LLC Case Number: PZRZ25-00023
Issue Statement	This item proposes to rezone the subject property East of Desert North Boulevard and North of Transmountain Road from R-5/c (Residential/conditions) to C-3/c (Commercial/conditions) to allow for a public utility facility and other retail establishment. The request is being reviewed in accordance with El Paso City Code Title 20 - Zoning and Plan El Paso, the City's Comprehensive Plan. City Plan Commission (CPC) unanimously recommended approval with modified conditions of the request.
Background	The applicant is requesting to rezone the subject property from R-5/c (Residential/conditions) to C-3/c (Commercial/conditions) to allow for the use of a public utility service and other retail establishment. 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. Staff and City Plan Commission recommend conditions to safeguard the property and surrounding development from negative impacts to residents. As of April 28 2026, the Planning Division has not received any communication in support or opposition to the rezoning request. See attached staff report for additional information.
Council Options	Approve Approve with Conditions - CPC recommendation Deny - Staff recommendation
Committee Review and/or Recommendation	City Plan Commission recommended 6-0 to approve with modified conditions of the proposed rezoning on February 26, 2026.
Community and Stakeholder Outreach (if applicable, as an attachment) – please include	There are no registered neighborhood associations applicable to the subject property. Public notices were sent to all property owners within 300 feet of the subject property.
Related City Policies	El Paso City Code Title 20 - Zoning, Plan El Paso
Prior Council Action	N/A
The City Attorney's Office has reviewed the documents and signed off on the necessary forms	Yes
Amount and Source of Funding	N/A
Enter the elected official's name followed by the amount donated.	Mayor - Renard U. Johnson - \$15,000 District 1 - Alejandra Chavez - \$4,500 District 2 - Josh Acevedo - \$500 District 3 - Deanna Maldonado-Rocha - \$1,000 District 6 - Art Fierro - \$3,500 District 8 - Chris Canales - \$1,000
For More Information	Luis Zamora, Chief Planner (915) 212-1552 ZamoraLF@elpasotexas.gov

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 6, LAURA E. MUNDY SURVEY NO 237, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5/C (RESIDENTIAL/CONDITIONS) TO C-3/C (COMMERCIAL/CONDITIONS), 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 6, Laura E. Mundy Survey No. 237, 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/c (Residential/conditions)** to **C-3/c (Commercial/conditions)**, 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 in proximity to residential zoned areas 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. *The following uses are restricted:*
 - *Automobile (sales, service, storage & rental)*
 - *Bus (sales, service, storage & rental)*
 - *Contractor yard (small)*
 - *Home improvement center*
 - *Industrial equipment repair*
 - *Light truck (sales, service, storage & rental)*
 - *Transportation terminal, Type A*
2. *That a detailed site development plan be reviewed and approved per City Code prior to the issuance of certificates of occupancy or certificates of completion.*
3. *A twenty-foot (20') 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 line abutting residential 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.*
4. *Commercial truck loading and unloading area for deliveries shall be located no closer than fifty feet (50') to residential zone districts.*

5. *No building shall be constructed closer than fifty feet (50') to the property lines adjacent to residential zone districts.*
6. *No heavy truck ingress or egress shall be permitted to the south of the property.*
7. *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.*
8. *No outdoor amplified sound is permitted.*

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:

Kevin Smith for

Philip F. Etiwe, Director
 Planning & Inspections Department

EXHIBIT "A"

Prepared for: Southwest Land Development Services Inc.
March 17, 2026

METES AND BOUNDS DESCRIPTION

Description of a parcel of land, being a portion of Tract 6, Laura E. Mundy Survey No. 237, City of El Paso, El Paso County, Texas and being more particularly described by Metes and Bounds as follows:

Commencing for reference a found ½" rebar with cap marked TX 5152 for the centerline intersection of Tony Conde Drive Enchanted Pass Dr. Thence along the centerline of Tony Conde Drive North 89°34'22" East a distance of 500.71 feet to a point; Thence leaving said centerline North 03°12'50" East a distance of 32.35 feet to a set ½" rebar with cap marked TX 5152 on the northerly right of way line of Tony Conde Drive for the **"TRUE POINT OF BEGINNING"**

Thence along said right of way line, 220.93 feet along the arc of a curve to the right which has a radius of 2968.00 feet a central angle of 04°15'54" a chord which bears South 86°54'22" West a distance of 220.88 feet to a set 1/2" rebar with cap marked TX 5152;

Thence along said right of way line 88.14 feet along the arc of a curve to the right which has a radius of 600.00 feet a central angle of 08°24'59" a chord which bears North 86°45'11" West a distance of 88.06 feet;

Thence along said right of way line 84.38 feet along the arc of a curve to the left which has a radius of 1000.00 feet a central angle of 04°50'04" a chord which bears North 84°57'44" West a distance of 84.35 feet;

Thence 46.35 feet along the arc of a curve to the right which has a radius of 55.00 feet a central angle of 48°16'53" a chord which bears North 63°14'20" West a distance of 44.99 feet to a set 1/2" rebar with cap marked TX 5152;

Thence 73.56 feet along the arc of a curve to the right which has a radius of 110.00 feet a central angle of 38°18'46" a chord which bears North 19°56'30" West a distance of 72.19 feet to a set 1/2" rebar with cap marked TX 5152 on the easterly right of way line of Enchanted Pass Dr.;

Thence along the easterly right of way line of Enchanted Pass Drive the following 6 courses;

33.31 feet along the arc of a curve to the left which has a radius of 1000.00 feet a central angle of 01°54'30" a chord which bears North 01°44'22" West a distance of 33.31 feet to a set 1/2" rebar with cap marked TX 5152;

62.14 feet along the arc of a curve to the right which has a radius of 600.00 feet a central angle of 05°56'03" a chord which bears North 00°16'24" East a distance of 62.12 feet to a set 1/2" rebar with cap marked TX 5152;

North 03°14'26" East a distance of 132.04 feet to a set 1/2" rebar with cap marked TX 5152;

61.00 feet along the arc of a curve to the right which has a radius of 1500.00 feet a central angle of 02°19'48" a chord which bears North 04°24'20" East a distance of 61.00 feet to a set 1/2" rebar with cap marked TX 5152;


61.70 feet along the arc of a curve to the left which has a radius of 1500.00 feet a central angle of 02°21'24" a chord which bears North 04°23'32" East a distance of 61.70 feet to a set 1/2" rebar with cap marked TX 5152;

North 03°12'50" East a distance of 450.00 feet to a set 1/2" rebar with cap marked TX 5152;

Thence leaving said right of way line, South 86°47'10" East a distance of 465.00 feet to a set 1/2" rebar with cap marked TX 5152;

Thence, South 03°12'50" West a distance of 862.74 feet to the **TRUE POINT OF BEGINNING** and containing 408,669 Square Feet or 9.38 acres of land more or less.

Note: A drawing of even date accompanies this description.


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



job #725-24

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

TRACT 6 LAURA E.
MUNDY 237
EP TRANSMOUNTAIN LLC
FILE# 20100085150

NOTES: SET 1/2" REBAR WITH CAPS MARKED TX 5152 ON ALL CORNERS UNLESS OTHERWISE NOTED.

A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS DRAWING.

S86°47'10"E 465.00'

LINE TABLE		
LINE	LENGTH	BEARING
L1	32.35'	N03°12'50"E
L2	132.04'	N03°14'26"E

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	2968.00'	220.93'	110.51'	220.88'	S86°54'22"W	4°15'54"
C2	600.00'	88.14'	44.15'	88.06'	N86°45'11"W	8°24'59"
C3	1000.00'	84.38'	42.21'	84.35'	N84°57'44"W	4°50'04"
C4	55.00'	46.35'	24.65'	44.99'	N63°14'20"W	48°16'53"
C5	110.00'	73.56'	38.21'	72.19'	N19°56'30"W	38°18'46"
C6	1000.00'	33.31'	16.65'	33.31'	N01°44'22"W	1°54'30"
C7	600.00'	62.14'	31.10'	62.12'	N00°16'24"E	5°56'03"
C8	1500.00'	61.00'	30.51'	61.00'	N04°24'20"E	2°19'48"
C9	1500.00'	61.70'	30.85'	61.70'	N04°23'32"E	2°21'24"

TRACT 6
LAURA E. MUNDY 237
EP TRANSMOUNTAIN LLC
FILE# 20100085150

TRACT 6 LAURA E.
MUNDY 237
EP TRANSMOUNTAIN LLC
FILE# 20100085150

ENCHANTED PASS DR.

TONY CONDE DRIVE

FND. 1/2" REBAR WITH CAP MARKED TX 5152

ENCHANTED HILLS 7
FILE# 20250090310
CERTIFICATION

THIS PLAT REPRESENTS A SURVEY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF BASED ON THE FACTS EXISTING AT TIME OF THIS SURVEY.

RON R. CONDE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS LICENSE NO. 5152

JOB # 725-24

DATE: MARCH 17, 2026

FIELD: M.S.

OFFICE: C.C.



BEING A PORTION OF TRACT 6,
LAURA E. MUNDY SURVEY NO. 237
CITY OF EL PASO, EL PASO COUNTY, TEXAS

CONDE INC.
6080 SURETY SUITE 100
EL PASO, TEXAS 79905, FIRM#10078100

CADD FILE: S:\SU\W\EPECO REZONING

SCALE: 1"=100'

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North Desert and Transmountain

City Plan Commission — February 26, 2026

CASE NUMBER:	PZRZ25-00023
CASE MANAGER:	Alejandra González, (915) 212-1506, GonzalezAG@elpasotexas.gov
PROPERTY OWNER:	EP Transmountain Residential, LLC
REPRESENTATIVE:	Conde, Inc.
LOCATION:	Generally East of North Desert Blvd. and North of Transmountain Rd. (District 1)
PROPERTY AREA:	9.38 acres
REQUEST:	Rezone from R-5/c (Residential/conditions) to C-3/c (Commercial/conditions)
RELATED APPLICATIONS:	None
PUBLIC INPUT:	None received as of February 19, 2026

SUMMARY OF REQUEST: The applicant is requesting to rezone the subject property from R-5/c (Residential/conditions) to C-3/c (Commercial/conditions) to allow for the use of a public utility service and other retail establishment.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **DENIAL** of the C-3 (Commercial) rezoning request. The proposed C-3 (Commercial) zoning district and allowed uses are not appropriate for the property in relation to proposed adjacent single-family development and has the potential to negatively impact the character of the area.

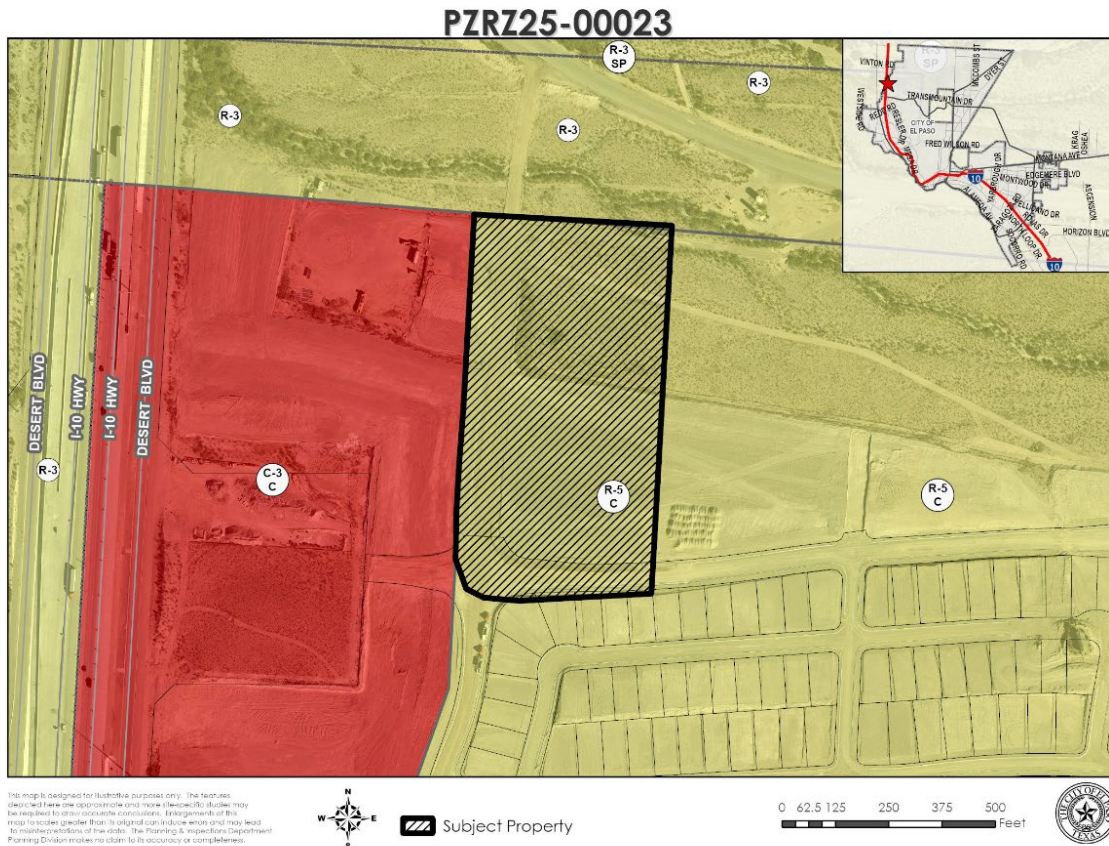


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone the subject property from R-5/c (Residential/conditions) to C-3/c (Commercial/conditions) to allow for public utility service and other retail establishment. The size of the property is 9.38 acres and is currently vacant. The conceptual site plan shows a site for a proposed electric substation and four (4) retail buildings with vehicular traffic access via future roadways. The conceptual plan is not being reviewed for conformance and is not binding.

PREVIOUS CASE HISTORY: Ordinance No. 19286 (attachment 3), dated February 1, 2022, rezoned the subject property from R-MU (Residential Mixed Use) to R-5 (Residential) for a proposed residential development and imposed the following applicable condition to Parcel 1:

4. That prior to the issuance of certificates of occupancy for Parcel 1, 2, and 3, the rezonings for the properties identified as “future commercial” on Exhibit B be submitted and processed by the City.

Note: Condition has been fulfilled.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed zoning district is not compatible with proposed residential development as per platted single-family lots to the south and the adjacent proposed park to the east. The proposed C-3 (Commercial) zoning district has the potential to allow uses not suitable or desired in the area, such as heavy automotive and transportation uses, that can negatively impact the character of the adjacent residential neighborhood. Possible conditions to the rezoning were considered to protect adjacent single-family development, but were deemed excessive due to the proposal’s incompatibility.

Moreover, the proposed uses of public utility service facility and other retail can be achieved on less intense commercial zoning districts without introducing other uses that can negatively impact residential areas, or the uses can be developed on existing C-3 (Commercial) zoned property to the west and along Interstate 10. The area and surrounding properties are proposed to be developed as a single-family subdivision with abutting properties to the north and east zoned R-3 (Residential) and R-5 (Residential); property to the south zoned R-5/c (Residential/conditions); and properties to the west zoned C-3/c (Commercial/conditions). The closest school is Canutillo High School located 4.0 miles away and the closest park is Enchanted Hills Park #3 located 1.6 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-4, Suburban (Walkable): This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. 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 C-3 (Commercial) zoning district meet the G-4, Suburban (Walkable) Future Land use designation of <i>Plan El Paso</i>.</p>

<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>C-3 (Commercial) District: The purpose of these districts is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities.</p>	<p>No. While the proposed zoning district would match that of adjacent property to the west, the proposed zoning district is not compatible with adjacent residential zoning districts to the North, East, and South.</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 located mid-block, resulting in it being the only property on the block with an alternative zoning district, density, use and/or land use.</p>	<p>No. While the subject property is adjacent to property zoned C-3 (Commercial), the proposed rezoning would allow a higher intensity zoning district to continue to extend into single-family zoned areas. Additionally, the subject property is proposed at the corner of future roadways being the proposed Tony Conde Drive and Enchanted Pass Drive, but immediately adjacent to residential zoned property without properly transitioning in intensity.</p>
<p>THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:</p>	
<p>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.</p>	<p>None. The proposed development is not within any historic districts or study area plan boundaries.</p>
<p>Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.</p>	<p>The proposed C-3 (Commercial) zoning district has the potential to allow uses not suitable or desired in close proximity to residential development, such as heavy automotive and transportation uses, which can negatively impact the character of the adjacent residential neighborhood.</p>
<p>Natural Environment: Anticipated effects on the natural environment.</p>	<p>None. There are no anticipated effects on the natural environment.</p>
<p>Stability: Whether the area is stable or in transition.</p>	<p>The area is in transition as is being developed into a residential subdivision along Northwestern Drive and as commercial developments along Interstate 10. The properties to the south at Hunter Foster Drive were rezoned from R-5 (Residential) to C-2 (Commercial) in 2022. Furthermore, the corner lot to the south along Northwestern Drive and Hunter Foster Drive was rezoned from R-5 (Residential) to C-1 (Commercial) in 2025.</p>
<p>Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.</p>	<p>None.</p>

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The proposed development will have future access to proposed roadways. Additionally, the subject property will need to provide adequate infrastructure at the time of platting and prior to development. No public transit facilities exist within walking distance (0.25 miles) of the subject property.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: Planning staff recommends denial of the proposed C-3 (Commercial) request due to incompatibility with the adjacent residential districts and not meeting the character of future development. Staff has considered imposing conditions, but were found to be excessive and possibly getting into contract zoning in order to protect the nearby residential zone areas. Some of the conditions considered include restricting uses, implementing buffers and setbacks, and limiting commercial truck ingress and egress.

PUBLIC COMMENT: There are no registered neighborhood association applicable to the subject property. As required, public notices were mailed to property owners within 300 feet on February 13, 2026. As of February 19, 2026 the Planning Division has not received any other communication in support or opposition 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:

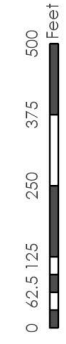
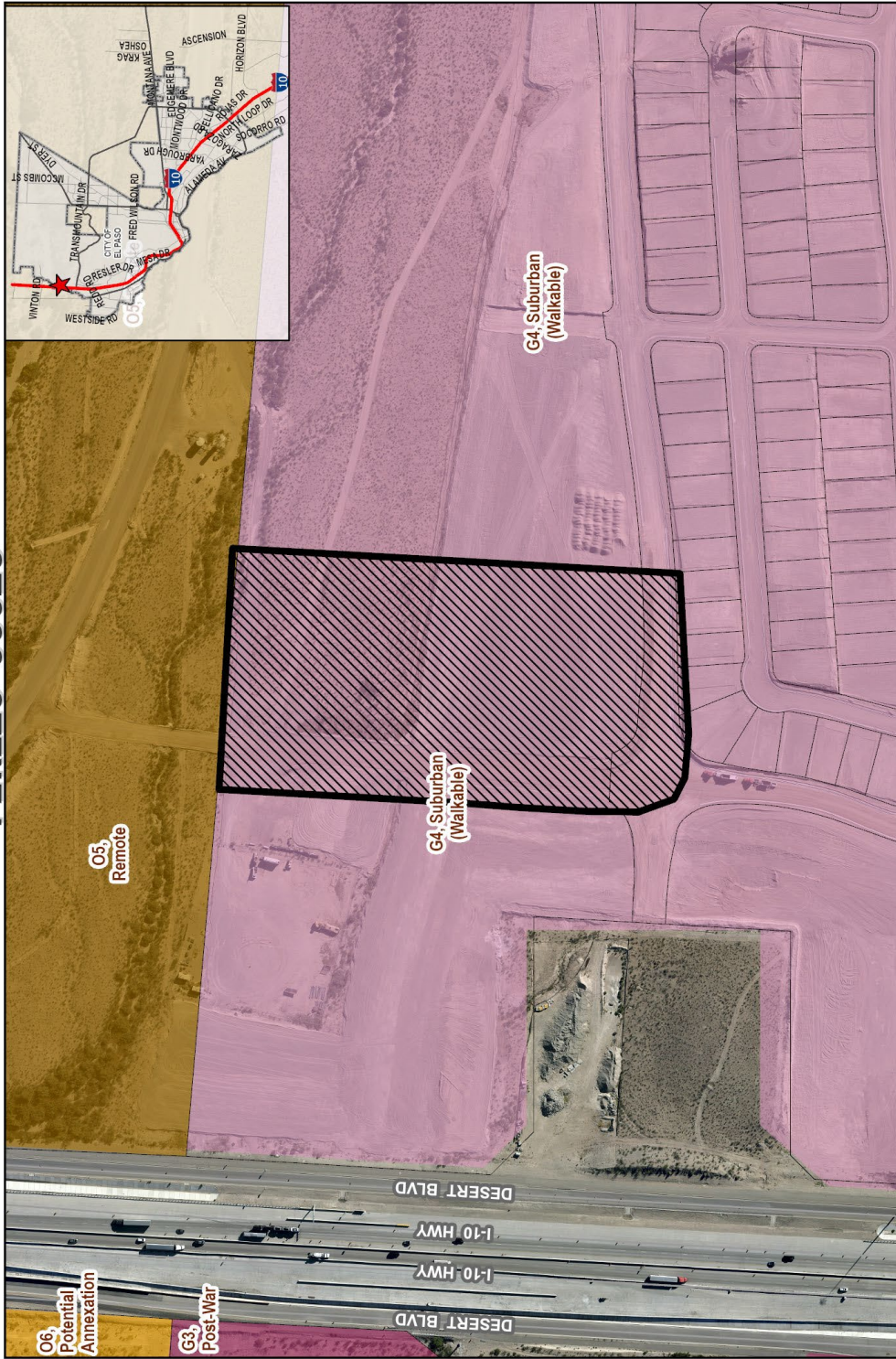
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan.
2. **Recommend Approval of the rezoning request With Modifications** to bring the request into conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.
3. **Recommend Denial** of the rezoning request, finding that the request does not conform to the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

ATTACHMENTS:

1. Future Land Use Map
2. Generalized Plot Plan
3. Ordinance No. 19286, dated February 1, 2022
4. Department Comments
5. Neighborhood Notification Boundary Map

ATTACHMENT 1

PZR25-00023

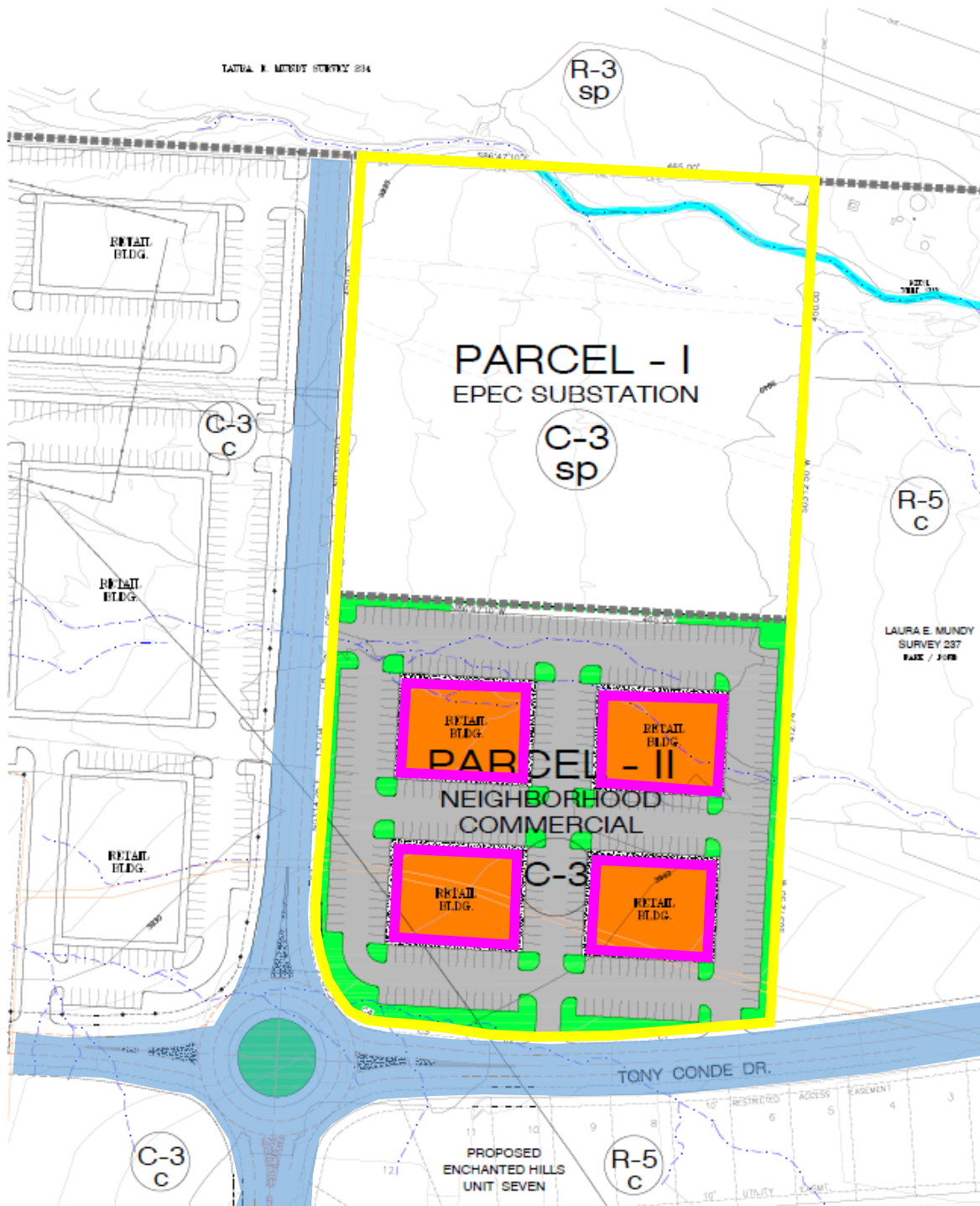


Subject Property



The 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 incorrect conclusions. The City of El Paso Planning Department Planning Division makes no claim to its accuracy or completeness.

ATTACHMENT 2



ATTACHMENT 3

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019286

ORDINANCE NO. _____

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

PARCEL 1: A PORTION OF TRACTS 4B, 4B1, 5A, 5A1, AND 6, LAURA E. MUNDY SURVEY 237; TRACTS 9B AND 9B1, LAURA E. MUNDY SURVEY NO. 238; AND PORTION OF ENCHANTED HILLS UNIT FIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-MU (RESIDENTIAL MIXED USE) TO R-5 (RESIDENTIAL) AND,

PARCEL 2: A PORTION OF TRACTS 9B, 9B1, AND 9B2, LAURA E. MUNDY SURVEY NO. 238; AND PORTION OF LOTS 2 THRU 5, 9 THRU 12, AND 21 THRU 24, BLOCK 23, ENCHANTED HILLS 5, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-3 (RESIDENTIAL), R-5/SP (RESIDENTIAL/SPECIAL PERMIT), AND R-MU (RESIDENTIAL MIXED USE) TO C-2 (COMMERCIAL); AND,

PARCEL 3: A PORTION OF TRACT 9B2, LAURA E. MUNDY SURVEY NO. 238, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-3 (RESIDENTIAL) TO C-3 (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 Tracts 4B, 4B1, 5A, 5A1, and 6, Laura E. Mundy Survey 237; Tracts 9B and 9B1, Laura E. Mundy Survey No. 238; and portion of Enchanted Hills Unit Five, 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 Tracts 9B, 9B1, and 9B2, Laura E. Mundy Survey No. 238; and portion of Lots 2 thru 5, 9 thru 12, and 21 thru 24, Block 23, Enchanted Hills 5, 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 3*: a portion of Tract 9B2, Laura E. Mundy Survey No. 238, 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-MU (RESIDENTIAL MIXED USE) TO R-5 (RESIDENTIAL); **PARCEL 2:** FROM R-3 (RESIDENTIAL), R-5/SP (RESIDENTIAL/SPECIAL PERMIT), AND R-MU (RESIDENTIAL MIXED USE) TO C-2 (COMMERCIAL); and **PARCEL 3:** FROM R-3 (RESIDENTIAL) TO C-3 (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 increase of use intensity generated by the change of zoning in order to protect the health, safety and welfare of the residents of the City:

ORDINANCE NO. **019286** Zoning Case No: PZRZ21-00024
Rezoning Ordinance | PZRZ21-00024 | Northwestern | Hunter Foster | Enchanted Pass
21-1007-2823 | 1133725 | EAS

1. On Parcel 2, 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 thirty feet (30') 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.
2. That a detailed site development plan shall be reviewed and approved per the El Paso City Code prior to the issuance of building permits for Parcel 2.
3. That a detailed site development plan shall be reviewed and approved per the El Paso City Code prior to the issuance of building permits for Parcel 3.
4. That prior to the issuance of certificates of occupancy for Parcel 1, 2, and 3, the rezonings for the properties identified as "future commercial" on Exhibit B be submitted and processed by the City.

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 1st day of February, 2022.



ATTEST:

Laura D. Prine
 Laura D. Prine
 City Clerk

THE CITY OF EL PASO:
Oscar Lesser
 Oscar Lesser
 Mayor

APPROVED AS TO FORM:

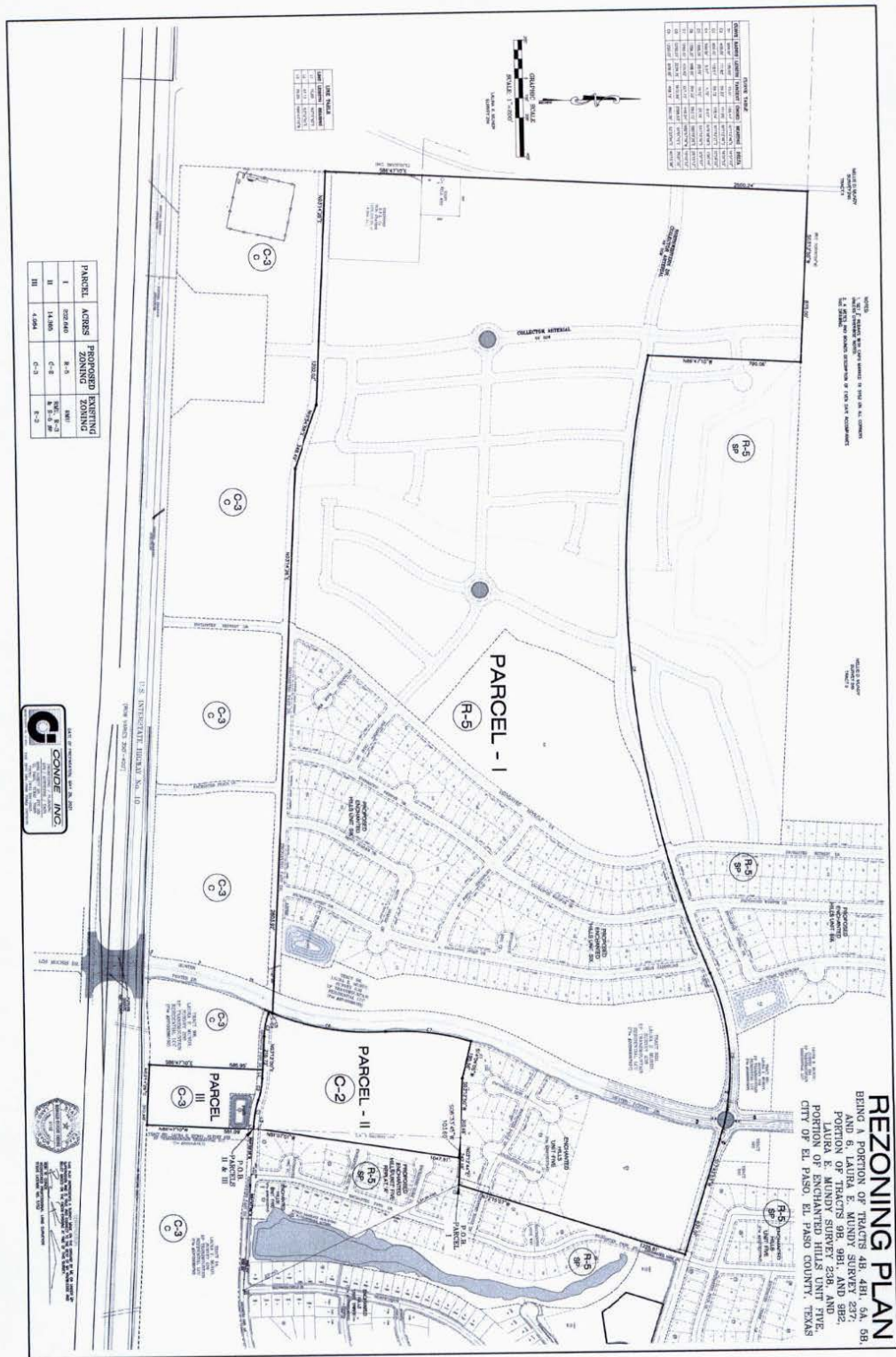
Evy A. Sotelo
 Evy A. Sotelo
 Assistant City Attorney

APPROVED AS TO CONTENT:

Philip F. Etiwe
 Philip F. Etiwe, Director
 Planning & Inspections Department

019286

ORDINANCE NO. _____ **Zoning Case No:** PZRZ21-00024
 Rezoning Ordinance | PZRZ21-00024 | Northwestern | Hunter Foster | Enchanted Pass
 21-1007-2823 | 1133725 | EAS



ATTACHMENT 4

Planning and Inspections Department - Planning Division

Staff recommends to consider a request to a low intensity commercial district for the property to allow for the proper transition from existing C-3 (Commercial) zoned property along Interstate 10 into existing R-5 (Residential) zoned property to the east and south of the subject property.

Staff reviewed the request to C-3 (Commercial) and identified the following potential conditions to safeguard adjacent properties as part of such request:

1. Restrict the following uses:
 - Automobile (sales, service, storage & rental)
 - Automotive repair garage
 - Bus (sales, service, storage & rental)
 - Contractor yard (small)
 - Home improvement center
 - Industrial equipment repair
 - Light truck (sales, service, storage & rental)
 - Material sales (building & construction)
 - Motor vehicle repair, major
 - Transportation terminal, Type A
2. A detailed site development plan prior to certificates of occupancy or completion.
3. A twenty-foot (20') landscaped buffer abutting residential districts or uses.
4. Commercial truck loading and unloading area for deliveries shall be located no closer than 50-feet (50') to residential zone districts.
5. No buildings shall be constructed closer than fifty (50) feet to the property lines adjacent to residential zone districts.
6. No heavy truck ingress or egress shall be permitted to and from the south of the property.
7. 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.
8. No outdoor amplified sound is permitted.

Staff recommends **DENIAL** of the C-3 (Commercial) rezoning request as the proposed C-3 (Commercial) zoning district and conditions considered are not appropriate for the property in relation to existing platted lots for single-family and other proposed development as per the Enchanted Hills Land Study. This can potentially lead the way into contract zoning and still not address possible future nuisances to the single-family residential areas.

Additionally, per Streets and Maintenance Department either a TIA is required or that a TIA deferral to the subdivision plat is granted.

Planning and Inspections Department – Plan Review & Landscaping Division

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

Planning and Inspections Department – Land Development

No objections to proposed rezoning.

Fire Department

No adverse comments.

Police Department

No comments received.

Environment Services

No comments.

Sun Metro

No comments received.

Streets and Maintenance Department

Traffic & Transportation Engineering

As per City Code 19.18.010.B.1.B, greater than 100 peak hour trips, therefore a TIA is required.

As per City Code 19.18.010.B.4, applicant may request a deferral to a TIA study if development generates less than 500 peak hour trips and for the property proposed for rezoning has not yet been platted a formal letter for such a request is required for the designee (City Traffic Engineer).

Streets Lighting:

North Desert 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 subdivision 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 objection on proposed rezoning.

El Paso Water

EPWater does not object to this request.

The Owner/Developer of Enchanted Hills Unit 7 will be entering into a Development Agreement with the El Paso Water – Public Service Board (EPWater-PSB) to construct, 8-inch diameter water mains and 8-inch diameter sanitary sewer mains to provide service to this property. The Developer’s utility contractor will install the required water and sanitary sewer mains which will be available for permanent service once EPWater-PSB issues a Letter of Final Acceptance of the facilities.

The subject property is located within the City of El Paso Westside Impact Fee Service Area. Impact fees will be assessed at the time of plat and collected after the El Paso Water receives an application for water and/or sanitary sewer services.

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:

No comments received.

El Paso County 911 District

No comments or concerns regarding this zoning.

Texas Department of Transportation

No comments received.

El Paso County Water Improvement District #1

No comments received.

Texas Gas Service

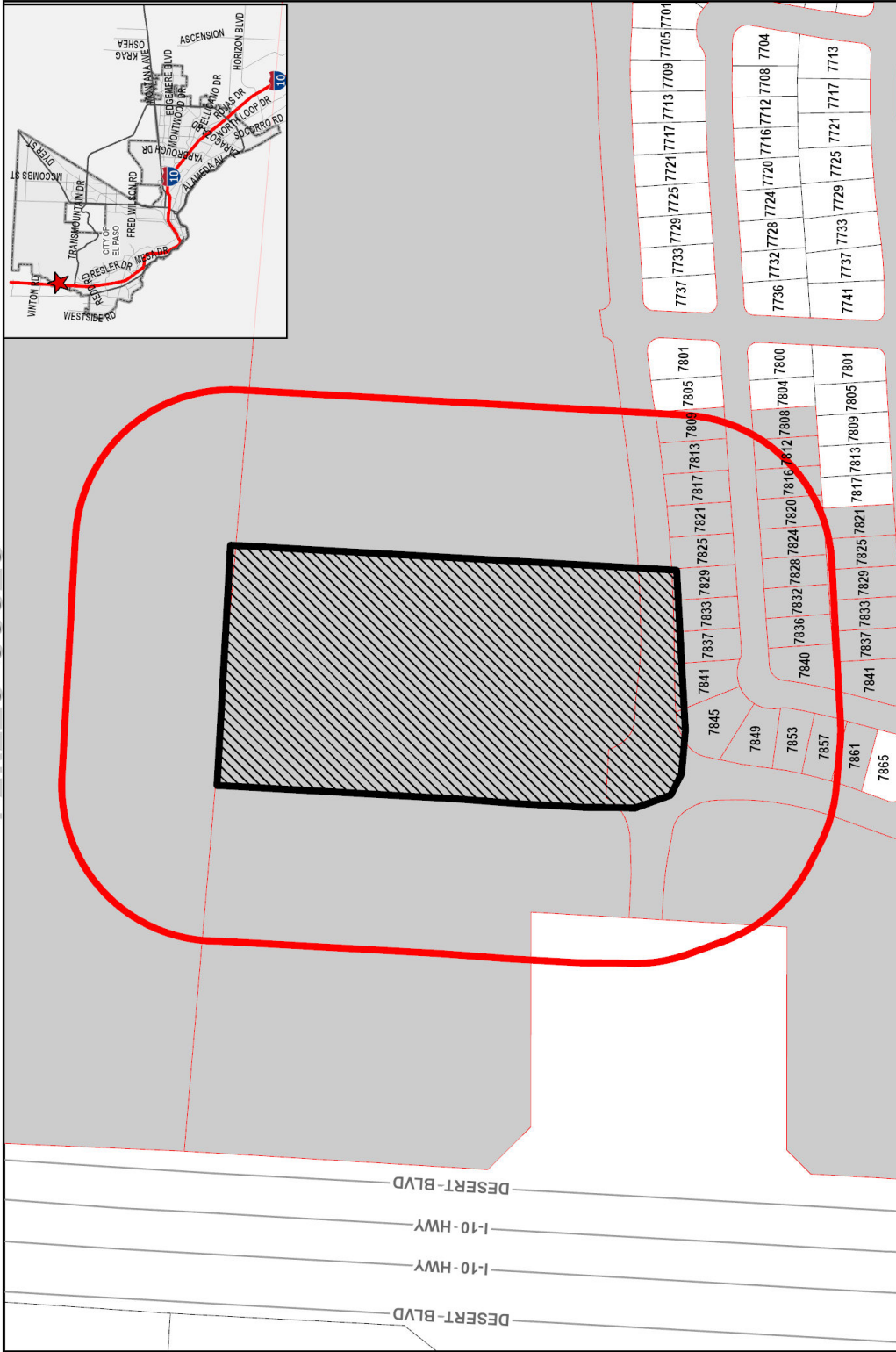
No comments.

El Paso Electric

Please have the developer note a 10' wide easement around the proposed Parcel II for future development.

ATTACHMENT 5

PZR25-00023



-  Subject Property
-  300 Feet Notice Area
-  Notified Properties



This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required. The map is not intended to be used as a legal document and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.