

Montoya and Desert

City Plan Commission — May 8, 2025

REZONING



CASE NUMBER: PZR25-00005
CASE MANAGER: Saul J. G. Pina, (915) 212-1604, PinaSJ@elpasotexas.gov
PROPERTY OWNER: Charles Patrick Mitchell
REPRESENTATIVE: Del Rio Engineering
LOCATION: North of Montoya Ln., and West of S. Desert Blvd. (District 1)
PROPERTY AREA: 9.62 acres
REQUEST: 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)
PUBLIC INPUT: One (1) call in opposition, received as of May 1, 2025

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.

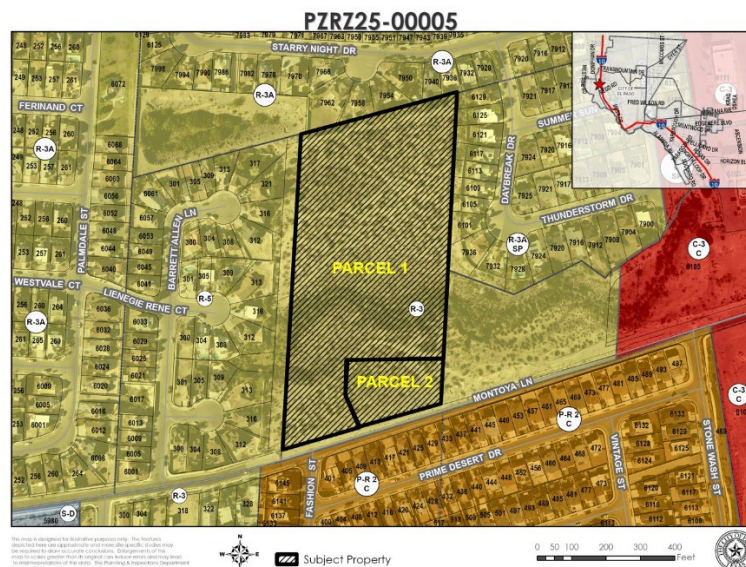


Figure A. Subject Property & Immediate Surroundings

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.

| 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: | |
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| 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>G3, Post-war: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.</p> | <p>Yes, the proposed 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>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>P-R II (Planned Residential II): 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>C-1 (Commercial) District: 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> |

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| districts will permit location of business and professional offices and retail category uses within adjacent residential areas of medium and high densities. | |
| 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. | 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. |
| THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS: | |
| Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small area plans, including land-use maps in those plans. | No. The subject property is not located in a special designation or study area plan. |
| Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning. | None. There are no anticipated adverse impacts. Any necessary improvements will be coordinated to safeguard neighboring properties. |
| Natural Environment: 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. |
| Stability: 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. |
| Socioeconomic & Physical Conditions: 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 May 1, 2025, the Planning Division received one (1) call in opposition, to the rezoning request, mainly citing concerns for increased traffic.

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:

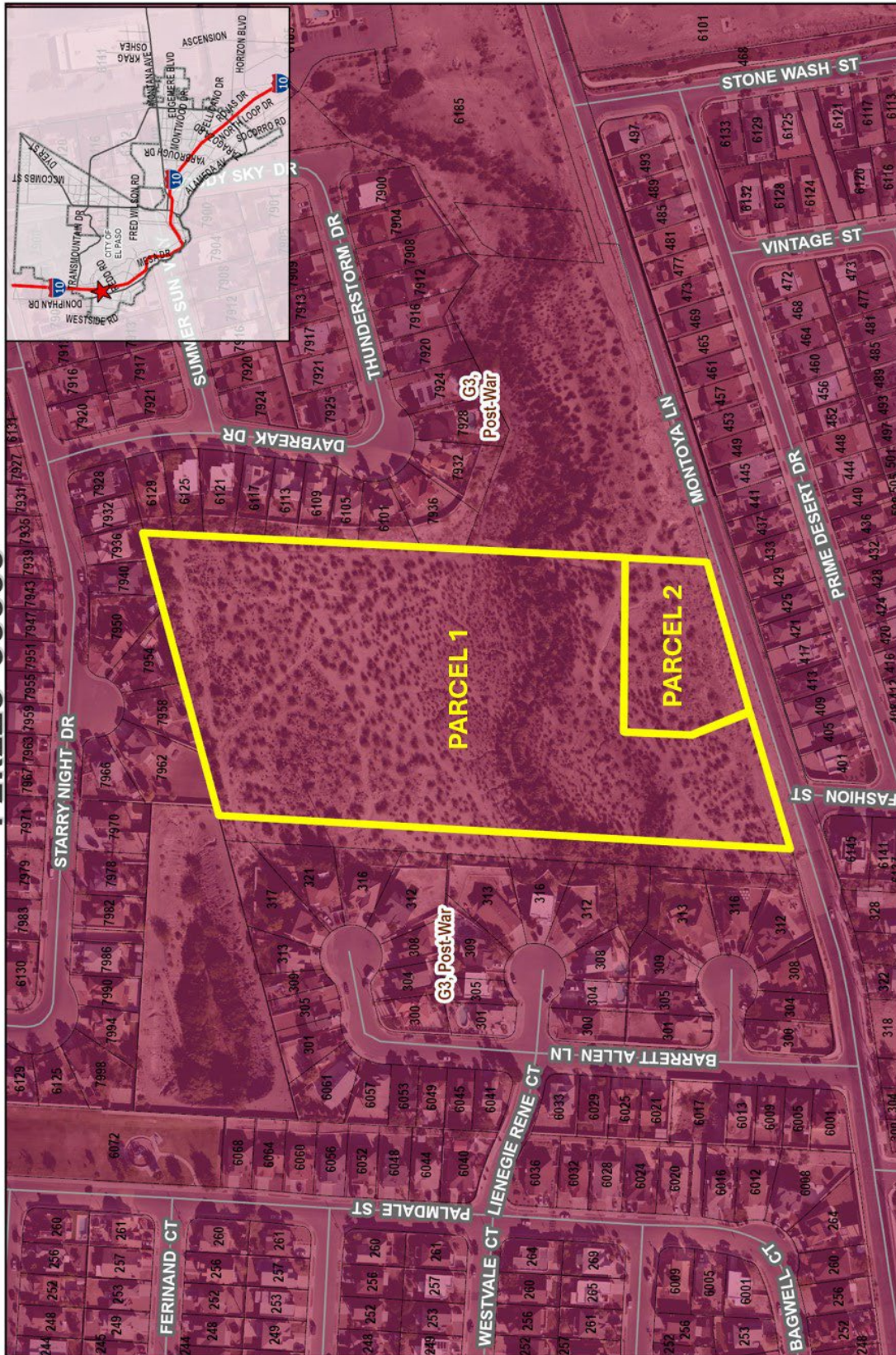
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan.
2. **Recommend Approval 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

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.

ATTACHMENT 2



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.

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

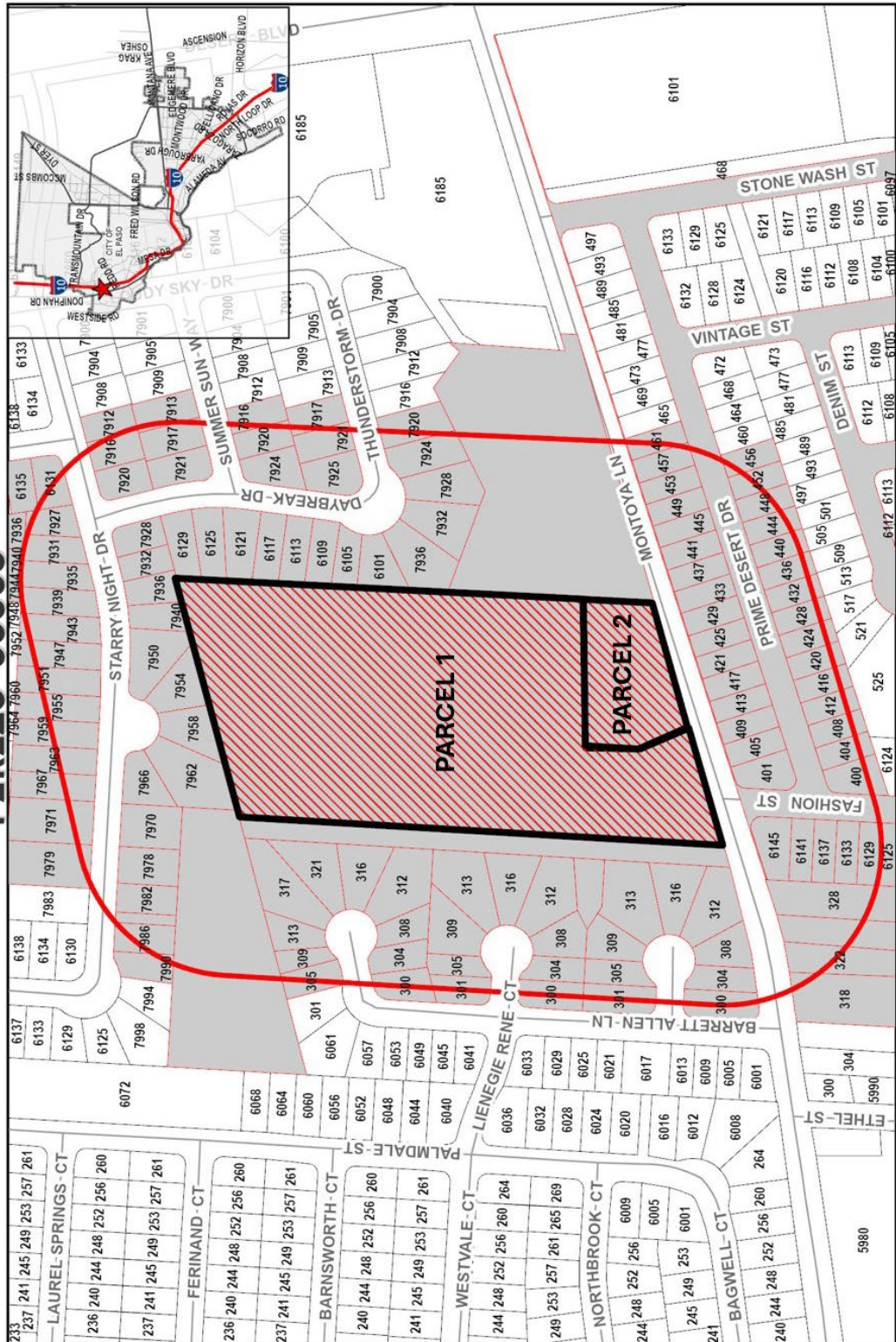
No comments received.

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 relied upon for any legal or financial decisions. The map is not a guarantee of accuracy and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.