

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

AGENDA DATE: August 16, 2022
PUBLIC HEARING DATE: September 13, 2022

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Luis Zamora, (915) 212-1552

DISTRICT(S) AFFECTED: District 8

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 Lot 1, Block 1, Shadow Mountain Unit 2, City of El Paso, El Paso County, Texas from C-1 (Commercial) to G-MU (General Mixed Use) and approving a Master Zoning Plan, and amending the Master Zoning Plan approved on July 19, 2016, by Ordinance No. 18541 for the rezoning to G-MU (General Mixed Use) of Lot 1, Block 1, Shadow Mountain, 201 Shadow Mountain Drive, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

The proposed rezoning and master zoning plan amendment 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: 201 Shadow Mountain Dr.
Applicant: Meyers Group, Oswaldo Hernandez, PZRZ22-00007

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone and a master zoning plan amendment to allow mixed use development. City Plan Commission recommended unanimously 6-0 to approve the proposed rezoning and master zoning plan amendment on July 14, 2022. As of August 9, 2022, the Planning Division has received one (1) letter of opposition to the rezoning request with the same person providing public comment at the City Plan Commission hearing. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES ___ NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division
SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD: Kevin Smith for Philip Etiwe

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 1, BLOCK 1, SHADOW MOUNTAIN UNIT 2, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-1 (COMMERCIAL) TO G-MU (GENERAL MIXED USE) AND APPROVING A MASTER ZONING PLAN, AND AMENDING THE MASTER ZONING PLAN APPROVED ON JULY 19, 2016, BY ORDINANCE NO. 18541 FOR THE REZONING TO G-MU (GENERAL MIXED USE) OF LOT 1, BLOCK 1, SHADOW MOUNTAIN, 201 SHADOW MOUNTAIN DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, on July 19, 2016, the City Council approved Ordinance No. 18541, which rezoned approximately 4.17 acres to G-MU (General Mixed Use); and,

WHEREAS, as part of approving the rezoning of the land to G-MU (General Mixed Use), a Master Zoning Plan was submitted and approved in accordance with the city code; and,

WHEREAS, the property owner wishes to make a major amendment to the Master Zoning Plan approved on July 19, 2016; and,

WHEREAS, the city code requires that major amendments to approved Master Zoning Plans must follow the same procedural and notice requirements required for the initial approval of the Master Zoning Plan;

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 *Lot 1, Block 1, Shadow Mountain Unit 2, City of El Paso, El Paso County, Texas*, be changed from **C-1 (Commercial)** to **G-MU (General Mixed Use)** and approving a Master Zoning Plan, as defined in Section 20.04.200, such land uses allowed as being reflected in the Master Zoning Plan attached as Exhibit “A” and the Master Zoning Report attached as Exhibit “B” incorporated herein for all purposes, and that the Master Zoning Plan previously approved by Ordinance No. 18541 on July 19, 2016 for property legally described as Lot 1, Block 1, Shadow Mountain, 201 Shadow Mountain Drive, City of El Paso, El Paso County, Texas be amended as reflected by Master Zoning Plan in Exhibit “A” which is incorporated herein for all purposes, and that the zoning map of the City of El Paso be revised accordingly.

The Penalties for violating the standards imposed through this rezoning ordinance are found in Chapter 20.24 of the El Paso City Code.

(Signatures Begin on Following Page)

ORDINANCE NO. _____

PZRZ22-00007

ADOPTED this _____ day of _____, 2022.


THE CITY OF EL PASO:

ATTEST:

Oscar Leeson
Mayor

Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:

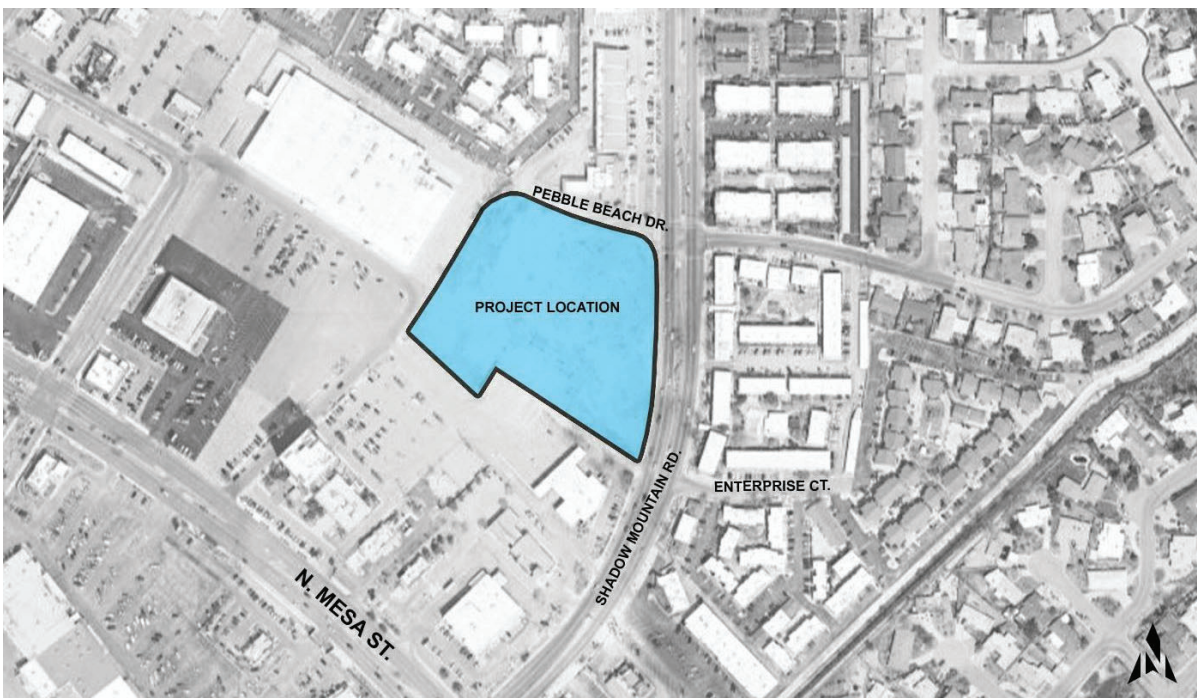
 for

Philip F. Etiwe, Director
Planning & Inspections Department

ORDINANCE NO. _____

22-1007-2938|1189035
PZRZ22-00007 201 Shadow Mountain | Ordinance
RTA

PZRZ22-00007



Required Documentation List

- a. Legal Description:
BLK 1 SHADOW MOUNTAIN LOT 1 & BLK 1 SHADOW MOUNTAIN #2 LOT 1.

- b. Location and arrangement of structures: As shown on plan.

- c. Size and use of Structures:

SIZE AND USE OF STRUCTURES									
	1st. FLR.	2nd. FLR.	3rd. FLR.	4th. FLR.	5th. FLR.	6th. FLR.	7th. FLR.	TOTAL	
BUILDING (A)	10,745	11,637	11,637	11,637				45,656	
BUILDING (A1)	13,376	17,345	17,345	17,345				65,411	
BUILDING (B)	14,272	14,272	14,272	14,272				57,088	
BUILDING (C)	16,005	16,005	16,005	16,005				64,020	
BUILDING (D)	16,384	16,384	16,384					49,152	
RETAIL	2,559							2,559	
RESTAURANT	7,108							7,108	
PARKING GARAGE (E)	28,900	28,900	37,557	37,557	37,557	5,718	22,685	198,874	
STAIRS	2,160							2,160	
ELEVATORS	500							500	
GARBAGE	1,103							1,103	
BLDG. FOOTPRINT	96,728								
TOTAL CONSTRUCTION								493,631 SQ. FT.	

MULTIFAMILY UNIT COUNT				
	1-BEDROOM	2-BEDROOM	3-BEDROOM	TOTAL
BUILDING A	35	12		47
BUILDING A1	33	29		62
BUILDING B	32	20	4	56
BUILDING C	37	27		64
BUILDING D	28	36		64
TOTAL	165	124	4	293

- d. Lot lines with dimensions of areas:
See distances on plan: 200,915 sq. ft. +/-

- e. Required yards and setbacks: None.

- f. Landscape: 65,817 sq. ft. = 32.8% of property.

- g. Open spaces: As shown on plan.

LANDSCAPING		
	MINIMUM SQ. FT.	ACTUAL SQ. FT.
OPEN SPACES	15,430 SQ.FT. = 15%	65,817 SQ.FT. = 32.8%

200,915 sq.ft (Lot Area) - 96,728 sq.ft.(Bldg. Footprint)= 104,187 sq.ft. X 0.15= 15,628 sq.ft.

- h. Curb cuts and driveways: As shown on plan

- i. Pedestrian ways and sidewalks: As shown on plan.

- j. Parking Calculation Table:
On-Site Parking: 525 Garage + 35 Surface = 560

PARKING REQUIREMENT - RESIDENTIAL				
APARTMENT UNIT	COUNT	SPACE PER UNIT	REQUIRED SPACES	PROVIDED SPACES
1 BEDROOM	165	1.5	248	
2 BEDROOM	124	2	248	
3 BEDROOM	4	2	8	
TOTAL	297		504	504

PARKING REQUIREMENT - COMMERCIAL (AUTOMOBILE & LIGHT TRUCK)							
OCCUPANCY	AREA	MIN. 1/GFA	MIN. REQ.	MAX. 1/GFA	MAX. REQ.	PROVIDED	
RESTAURANT	7,108	1/144	49	1/100	71	49	
LOW-VOLUME RETAIL	2,569	1/360	7	1/250	10	7	
TOTAL			56		81	56	

PARKING SPACES MIN. REQUIRED:	560	PARKING SPACES PROVIDED:	560
ON-STREET PARKING:	N/A	PARKING REDUCTION:	0
MIN. ACCESSIBLE PARKING SPACES:		2% OF 560=	11 SPACES
MIN. VAN ACCESSIBLE PARKING SPACES:		1/6 OF 11=	2 SPACES

	PARKING SPACES ON SITE	TOTAL LAND	TOTAL CONSTRUCTION
	504 + 56= 560	200,915 SQ.FT.	493,631 SQ.FT.
FAR	96,728 SF. / 200,915 SF= 0.48		

PARKING REQUIREMENT (HEAVY TRUCK TRAILER)			
OCCUPANCY	AREA	GFA	REQUIRED
RESIDENTIAL	285,281	NONE	0
COMMERCIAL	9,677	1/50,000	0

BICYCLE PARKING SPACES			
	REQUIRED PARKING	5% OF REQ. BICYCLE SPACES REQ.	BICYCLE SPACES PROV.
TOTAL	560	560 X .05	28

- k. On-Site Parking areas, loading/ unloading berths where applicable, number and size of on-site parking spaces: As shown on plan and matrix .

- l. Storm Water Drainage: Underground as shown on plan.

- m. Retaining Walls: As shown on plan.

- n. Screening Walls, Fences: as shown on plan.

- o. Utility rights-of-way, easements: as shown on plan.

- p. Architectural design of buildings:

- Exterior elevations as referenced on

- plan (Sheets A02 & A03).

- q. Trash dumpsters receptacles: as shown on plan.



06-13-2022

PLANNING & INSPECTIONS DEPARTMENT
PLANNING DIVISION
MAJOR MZP AMENDMENT
APPROVED BY CITY COUNCIL
DATE
08/15/2022
Eugenio Mesta
APPLICANT
Kevin Smith
EXECUTIVE SECRETARY, CITY PLAN COMMISSION
CITY MANAGER

STORM WATER LEGEND	
	STORM WATER RUNOFF FLOW ARROW
	STORM INLET
STORM DRAINAGE NOTE: THE DIFFERENCE BETWEEN THE DEVELOPED AND UNDEVELOPED RUNOFF WILL BE RETAINED ON SITE VIA UNDERGROUND RETENTION SYSTEMS.	

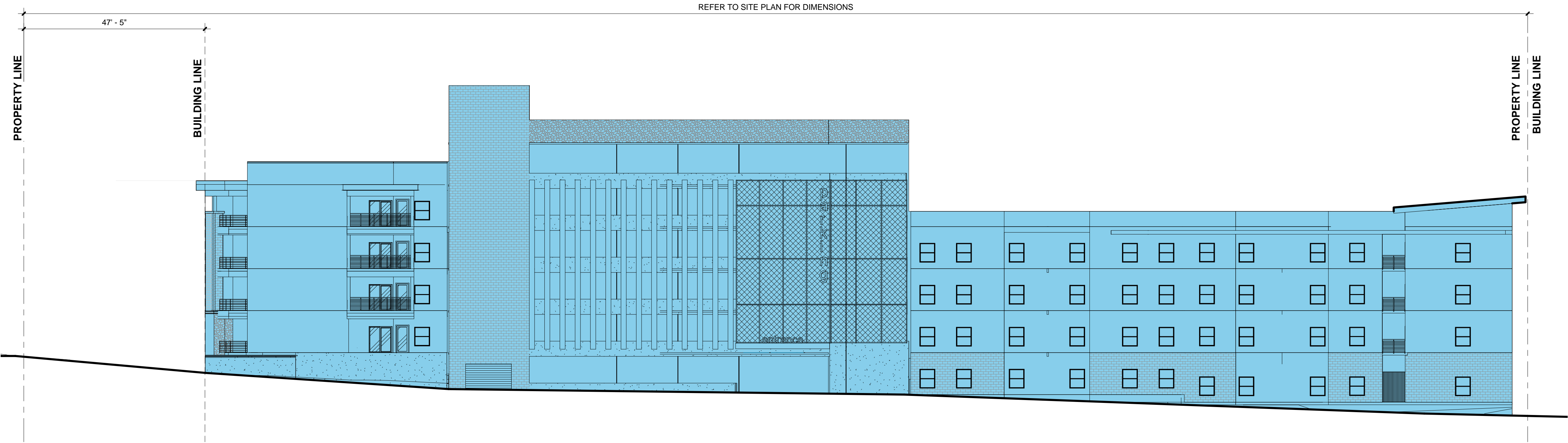
1 MASTER ZONING PLAN
1" = 30'-0"



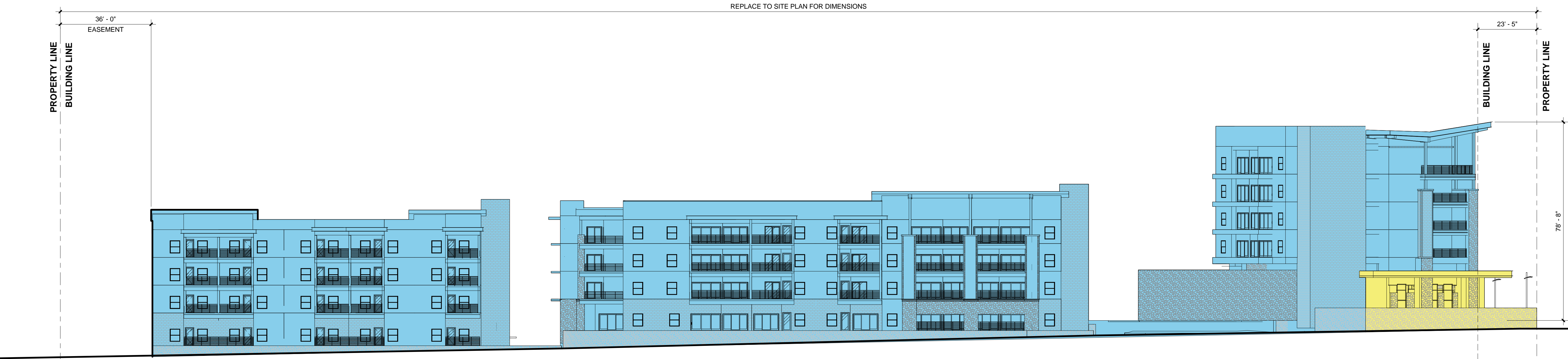
① EAST ELEVATION- SHADOW MOUNTAIN
1/16" = 1'-0"



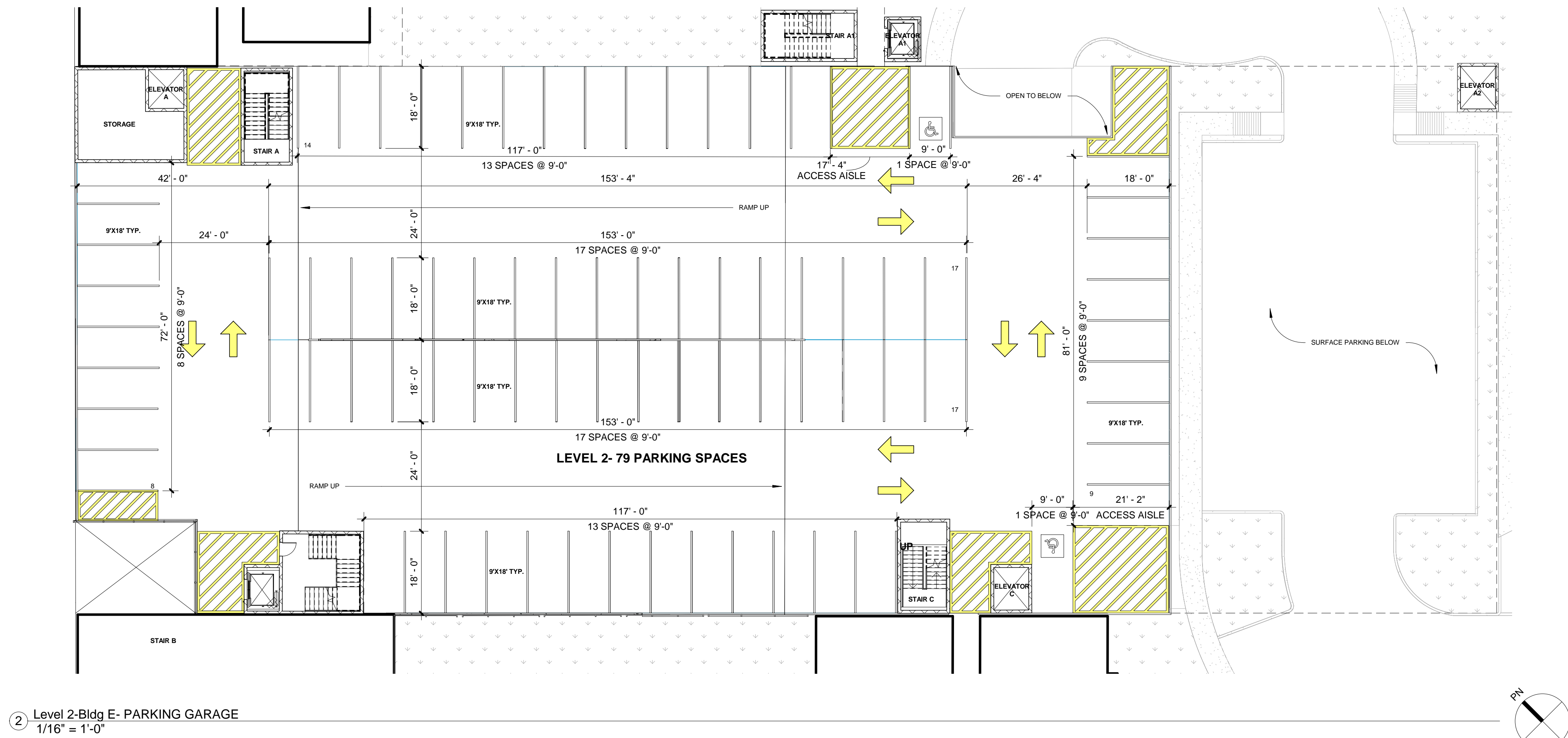
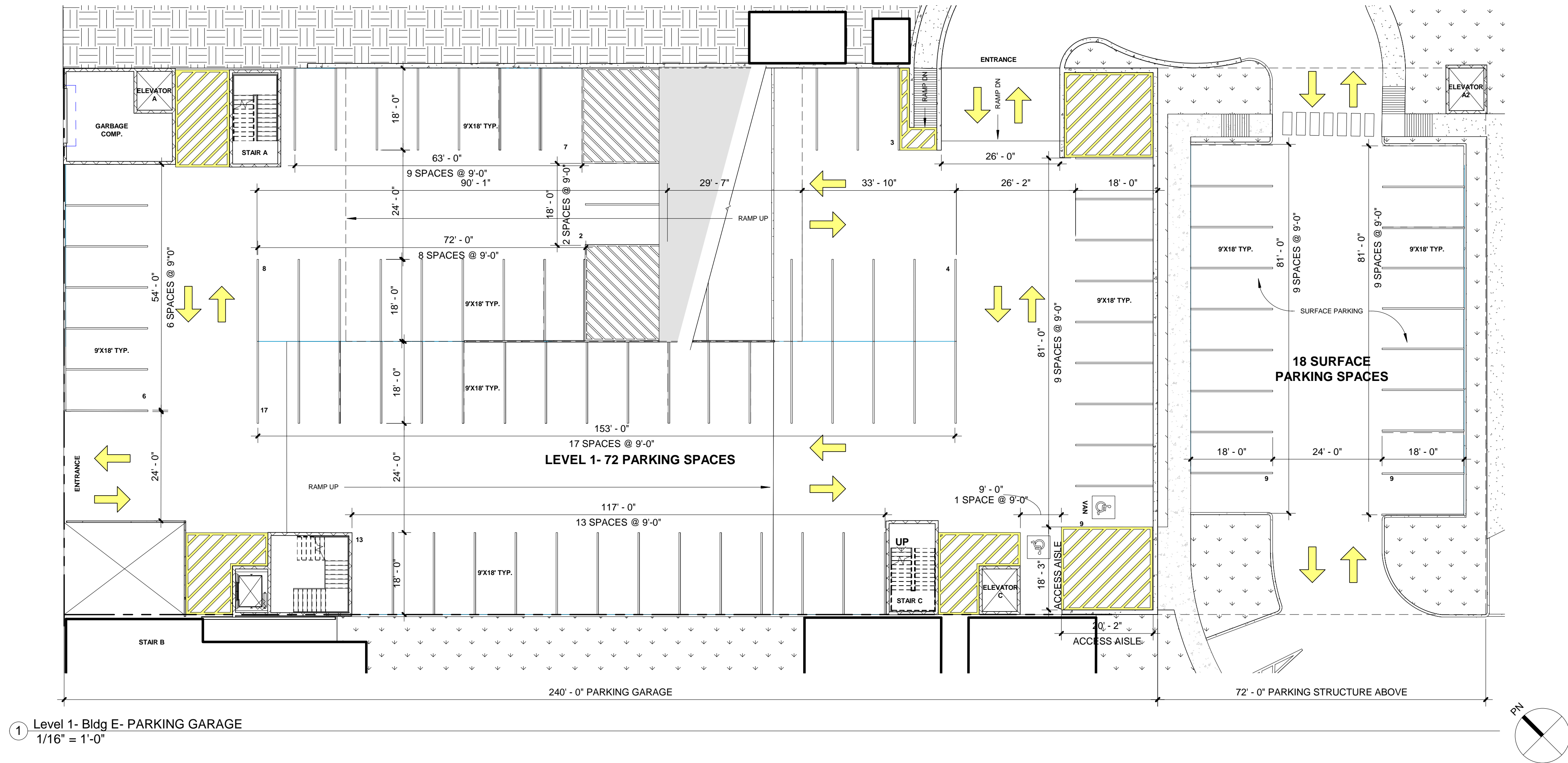
② NORTH ELEVATION- PEBBLE BEACH
1/16" = 1'-0"

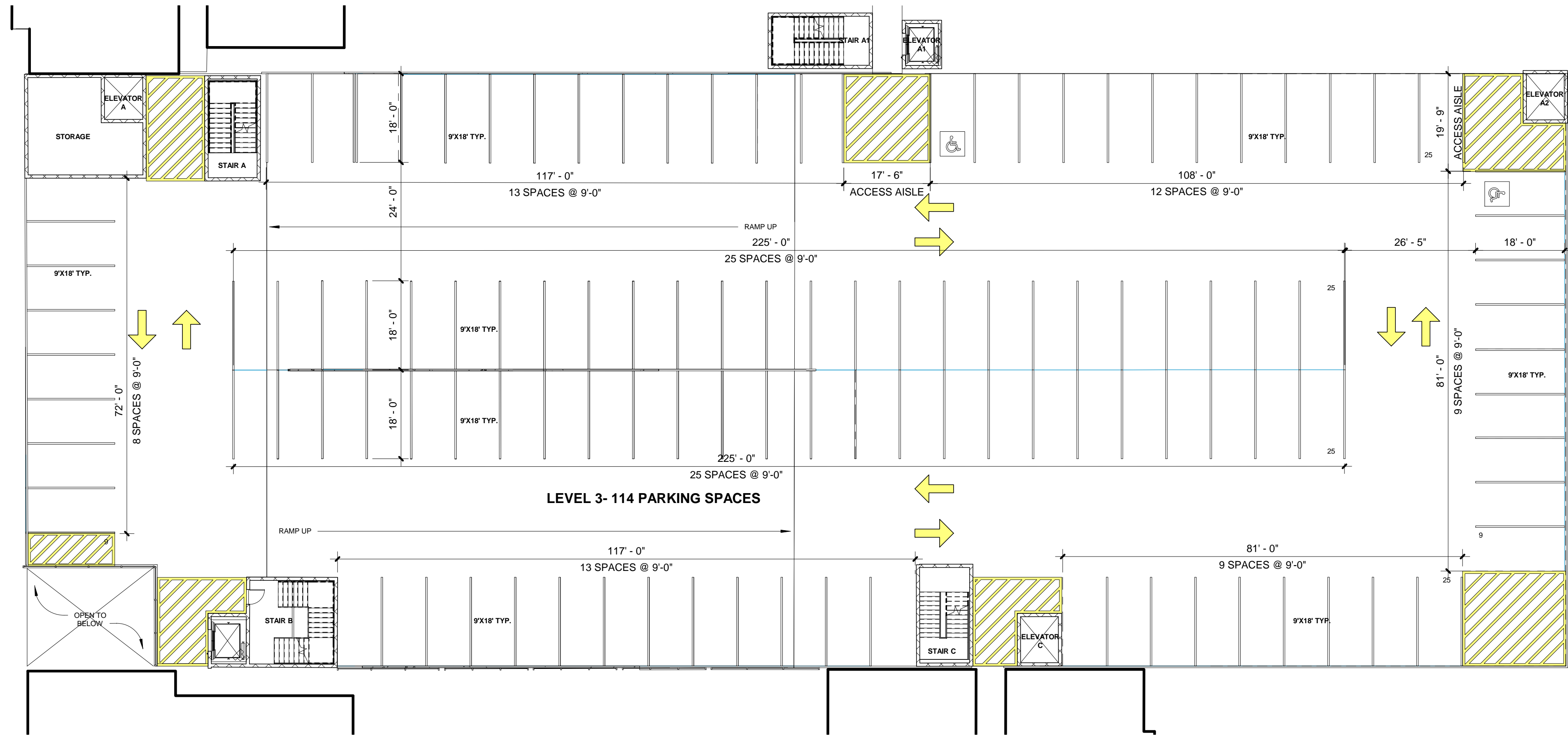


① WEST ELEVATION
1/16" = 1'-0"

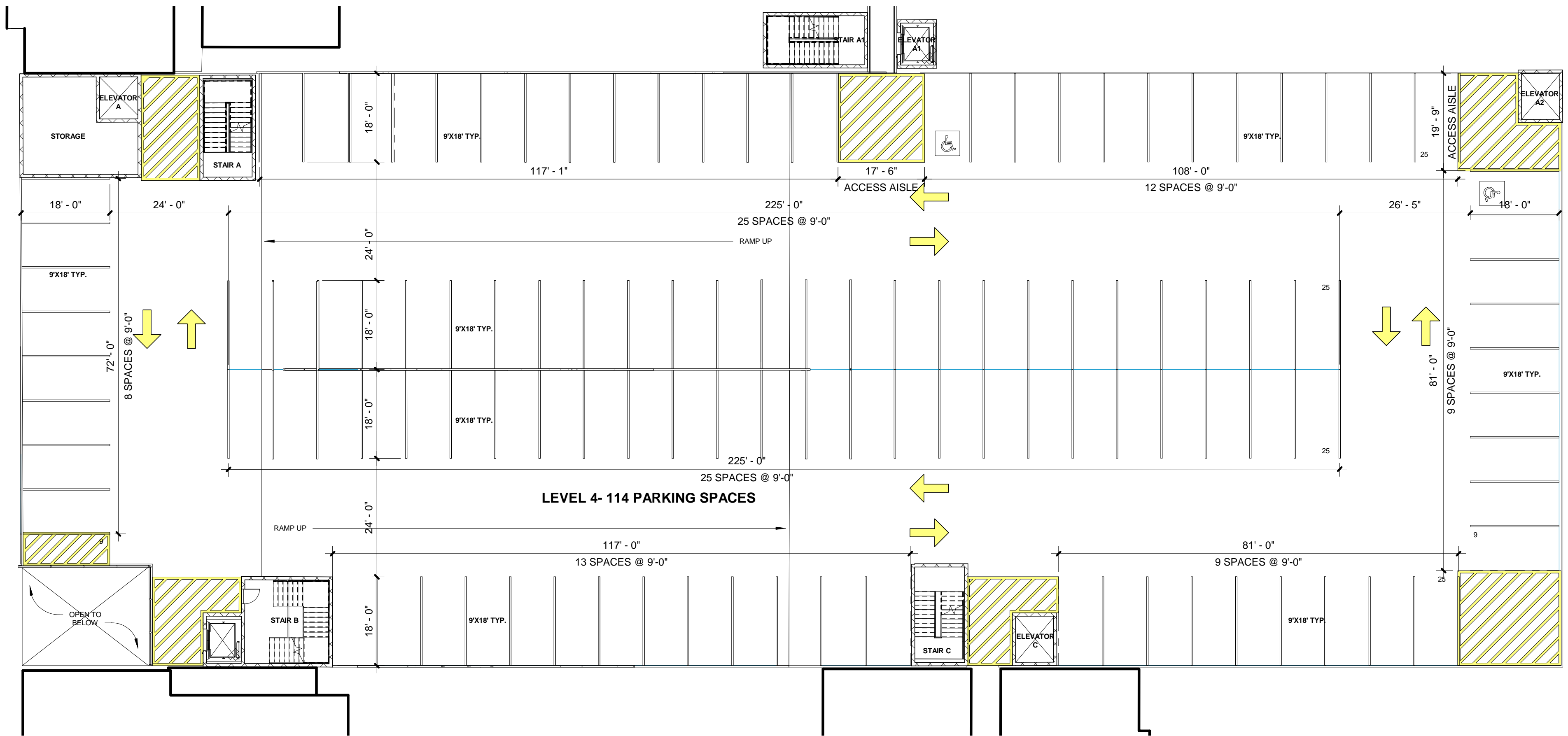
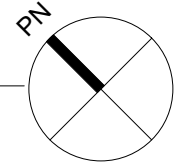


② SOUTH ELEVATION
1" = 20'-0"

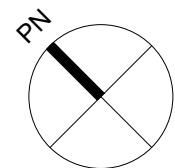


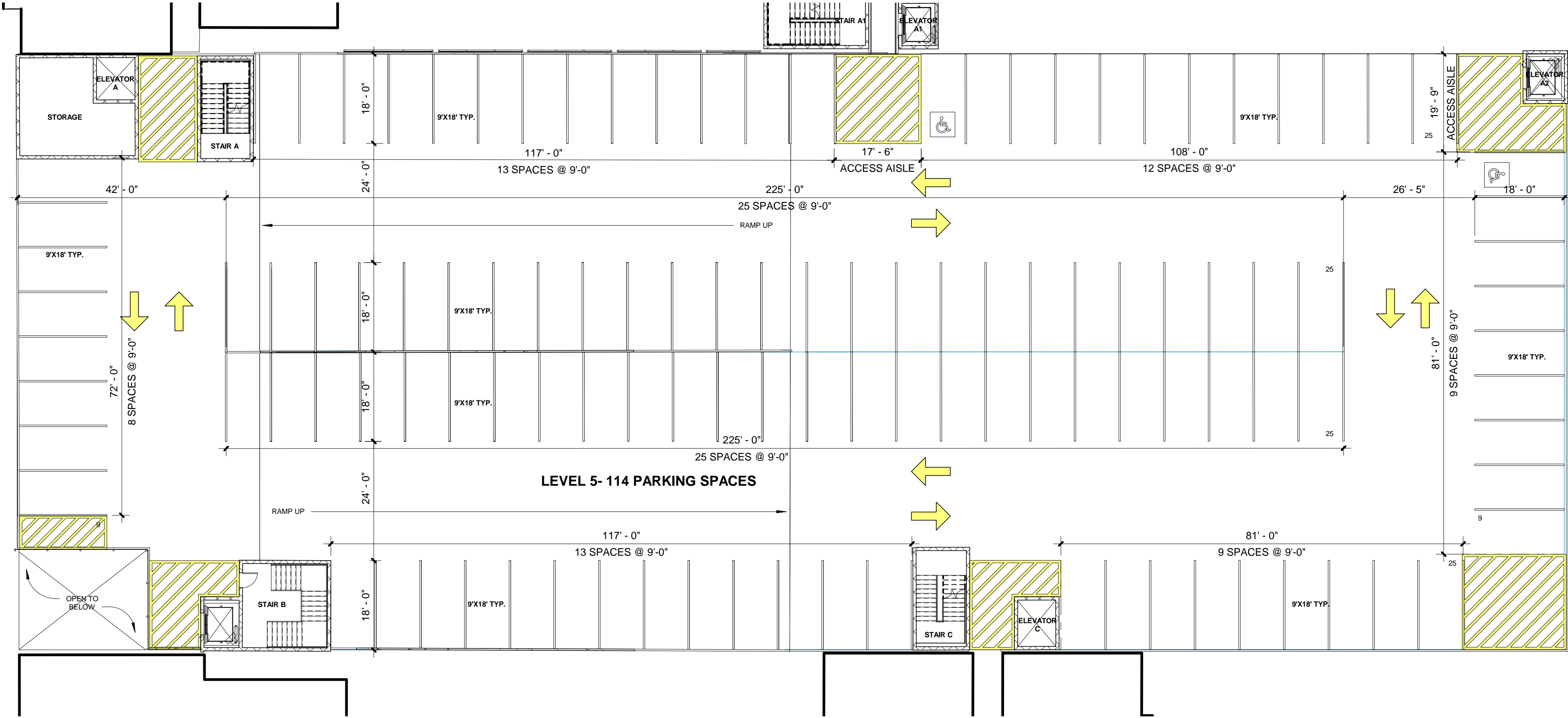


① Level 3- Bldg E- PARKING GARAGE
1/16" = 1'-0"

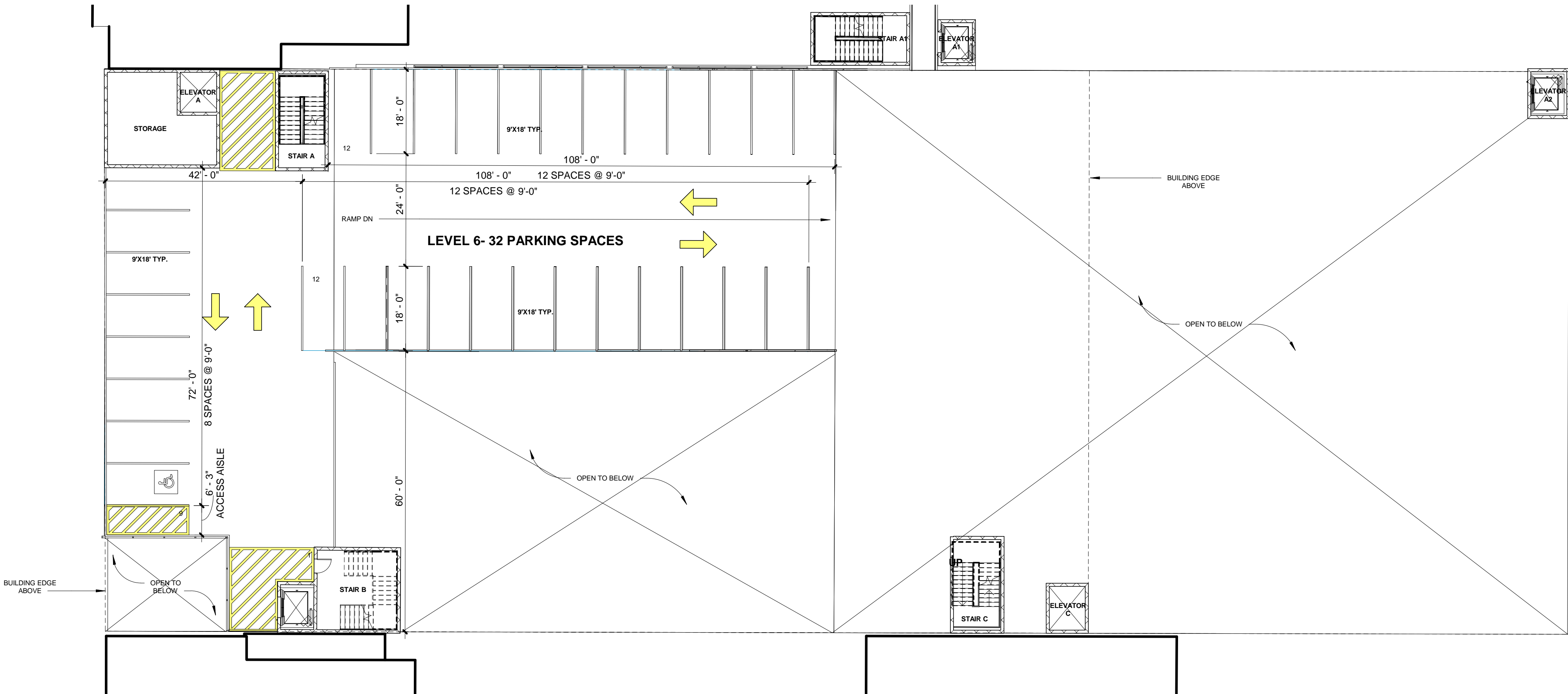
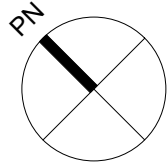


② Level 4- Bldg E- PARKING GARAGE
1/16" = 1'-0"

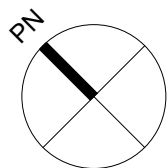


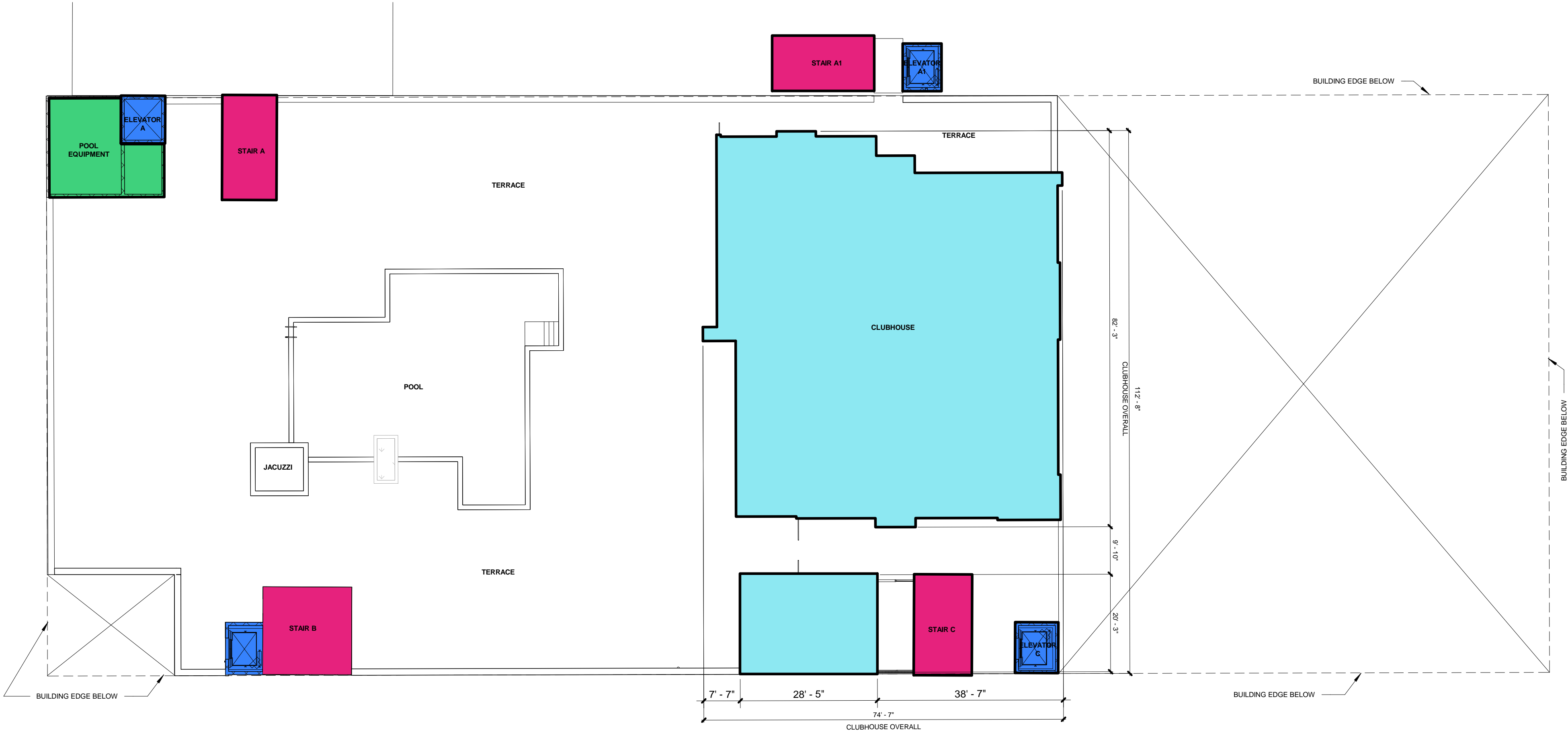


① Level 5- Bldg E- PARKING GARAGE
1/16" = 1'-0"



② Level 6- Bldg E- PARKING GARAGE
1/16" = 1'-0"





① Level 7- Bldg E- ROOFTOP CLUBHOUSE
1/16" = 1'-0"

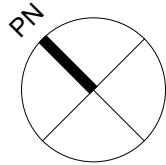


EXHIBIT "B"



PLANNING & INSPECTIONS DEPARTMENT
PLANNING DIVISION
MAJOR MZP AMENDMENT
APPROVED BY CITY COUNCIL

Master Zoning Plan for a General Mixed-Use

AVERY AT SHADOW MOUNTAIN

8.2.22
DATE
APPLICANT
Kevin Smith
EXECUTIVE SECRETARY, CITY PLAN COMMISSION

CITY MANAGER

I. Purpose and Intent:

The purpose of this project and new Master Zoning Plan is to strengthen the existing neighboring community where there is a current mixture of uses, including retail, apartments, restaurant, parking garage, ballroom clubhouse, terrace, and pool. Being located close to Sunland Park Mall, Coronado Shopping Center, and the Mesa Street and Sunland Park corridor is a plus. This new district will enhance the neighborhood; promote walkable communities and the City of El Paso Comprehensive Plan and Smart Growth Objectives and initiatives throughout the city.

These Objectives will be followed with these outlined initiatives:

Accommodate an innovative designed project that promotes multi-family, and retail uses in West El Paso.

Provide a center that promotes compatible uses, retail and multifamily housing, to have a relationship with the existing neighborhood promoting Public Transportation linkages with the rest of Downtown, the Medical Center, Mid-Town, Sunland Park, and Westside Walmart;

Continue with the redevelopment patterns that the City of El Paso is promoting.

Demonstrate that these trends are economically and socially feasible in West El Paso.

II. Objective:

This District will accommodate an innovative Multi-family Living with retail and interior open spaces, ballroom, clubhouse, terrace, and swimming pool while providing individual structured parking.

III. Characteristics:

Description: The district will replace an empty land lot of 4.59 acres with a modern building that will house approximately 2,500 square feet of retail space, over 65,000 square feet of common open space, 293 apartment dwelling units with all of its amenities, parking garage, including pool, fitness center, clubhouse, etc.

AVERY- SHADOW MOUNTAIN MIXED-USE TABLE			
BUILDING	USE	AREA	MAX. BLDG. HEIGHT
A	APARTMENTS	45,656	65 FT.
A1	APARTMENTS	65,411	65 FT.
B	APARTMENTS	57,088	65 FT.
C	APARTMENTS	64,020	65 FT.
D	APARTMENTS	49,152	79 FT.
	RETAIL	2,559	79 FT.
	RESTAURANT	7,108	79 FT.
E	PARKING GARAGE	198,874	79 FT.
TOTAL PARKING SPACES PROVIDED:			560

The site is designed as an urban infill plan that allows the introduction of public pedestrian and vehicle or circulation from neighboring communities, both commercial and residential, through the site. The site's design promotes, accommodates, and implements vehicular and pedestrian circulation connecting Mesa to Shadow Mountain via a connector aligned with Pebble Beach Drive.

The shaded and landscaped pedestrian circulation will be landscaped with Xeriscaping and shadow trees aligned within the hardscape. The project allows for green pocket parks, outdoor public seating, and congregating areas. There is a pocket park for the retail and another pocket park with public art to enter the residential lobby on Pebble Beach Dr. Extension.

The purely pedestrian connection is made through an open pedestrian promenade that connects the residential lobby and commercial on Shadow Mountain and connects pedestrian movement to the retail area.

The building is designed to blend in with the colors, hues, and tones of the ridges and Shadow Mountain. The building has shades and tones of browns and bronze and ochre and red colors similar to the sunset of El Paso over the Rio Grande River.

The concept is to design buildings that are unique to El Paso.

The amenity xeriscaping landscaped terraces and pool deck promotes and allows for the open shaded and natural assembly for the residential community congregation area, which is open 360 degrees.

The community residential area promotes and allows open views to Shadow Mountain and the Rio Grande and El Paso and Juarez in the background.

IV Access:

This neighborhood center will have retail access along Shadow Mountain Drive and Pebble Beach. Each unit will be located in the main tower and have its own parking in an attached parking garage. Access to the parking garage will be from Pebble Beach Drive, where an entrance ramp to the five-story parking garage will be located. Pedestrian access will be from a pedestrian bridge that connects the tower to the parking garage.

Setbacks

- Principal Front (Shadow Mountain): 0' Setback.
- Secondary Front (Pebble Beach DR): 0' Setback.
- Side: 0' Setback.
- Rear: 0' Setback.

Density:

- 293 Residential units

MULTIFAMILY UNIT COUNT				
	1-BEDROOM	2-BEDROOM	3-BEDROOM	TOTAL
BUILDING A	35	12		47
BUILDING A1	33	29		62
BUILDING B	32	20	4	56
BUILDING C	37	27		64
BUILDING D	28	36		64
TOTAL	165	124	4	293

Landscaping

- 65,817 sf

Parking

- 560 Parking Spaces Total

PARKING REQUIREMENT- RESIDENTIAL				
APARTMENT UNIT	COUNT	SPACE PER UNIT	REQUIRED SPACES	PROVIDED SPACES
1 BEDROOM	165	1.5	248	
2 BEDROOM	124	2	248	
3 BEDROOM	4	2	8	
TOTAL	297		504	504

PARKING REQUIREMENT- COMMERCIAL (AUTOMOBILE & LIGHT TRUCK)						
OCCUPANCY	AREA	MIN. 1/GFA	MIN. REQ.	MAX. 1/GFA	MAX. REQ.	PROVIDED
RESTAURANT	7,108	1/144	49	1/100	71	49
LOW- VOLUME RETAIL	2,569	1/360	7	1/250	10	7
TOTAL			56		81	56

PARKING SPACES MIN. REQUIRED:	560	PARKING SPACES PROVIDED:	560
ON-STREET PARKING:	N/A	PARKING REDUCTION:	0
MIN. ACCESSIBLE PARKING SPACES:	2% OF 560= 11 SPACES		
MIN. VAN ACCESSIBLE PARKING SPACES:	1/6 OF 11= 2 SPACES		

	PARKING SPACES ON SITE	TOTAL LAND	TOTAL CONSTRUCTION
	504 + 56= 560	200,915 SQ.FT.	493,631 SQ.FT.
FAR	96,728 SF. / 200,915 SF= 0.48		

PARKING REQUIREMENT (HEAVY TRUCK TRAILER)			
OCCUPANCY	AREA	GFA	REQUIRED
RESIDENTIAL	285,281	NONE	0
COMMERCIAL	9,677	1/50,000	0

BICYCLE PARKING SPACES				
	REQUIRED PARKING	5% OF REQ.	BICYCLE SPACES REQ.	BICYCLE SPACES PROV.
TOTAL	560	560 X .05	28	30

Sub Districts: N/A

Phasing: One Phase

Floor Area Ratio:

- .48:1

Special Privilege: N/A

IV Relationship with Plan for El Paso

This district will enhance the neighborhood's economic and social vitality. It will follow the overall City of El Paso's goals to revitalize the city and promote higher densities and mixed uses per the Smart Growth initiatives.

The existing surroundings have a tight walkable community with schools, churches, and retail within walking distance. This district will strengthen it by providing a modern and additional retail, multi-family that will enhance the neighborhood.

Avery Mix Use Table							
		Set Backs				Ceiling Height	Maximum Building Height
Use	Min. Area SF.	Front	Back	N. Side	S.Side		
Commercial Uses						15'-0"	25'-0"
ART GALLERY	400	0	0	0	0	15'-0"	25'-0"
ATHLETIC FACILITY	400	0	0	0	0	15'-0"	25'-0"
AUTOMATED TELLER MACHINE ATM	400	0	0	0	0	15'-0"	25'-0"
BAKERY	400	0	0	0	0	15'-0"	25'-0"
BANK	400	0	0	0	0	15'-0"	25'-0"
BARBER SHOP	400	0	0	0	0	15'-0"	25'-0"
BEAUTY SALON	400	0	0	0	0	15'-0"	25'-0"
BILLIAR AND POOL HALL	400	0	0	0	0	15'-0"	25'-0"
BINGO HALL	400	0	0	0	0	15'-0"	25'-0"
BOOKSTORE	400	0	0	0	0	15'-0"	25'-0"
BOUTIQUE	400	0	0	0	0	15'-0"	25'-0"
BREAD AND BAKERY PRODUCT MANF	400	0	0	0	0	15'-0"	25'-0"
BREWERY	400	0	0	0	0	15'-0"	25'-0"
CAFETERIA		0	0	0	0	15'-0"	25'-0"
CLINIC	400	0	0	0	0	15'-0"	25'-0"
COURIER & MESSAGE SERVICE	400	0	0	0	0	15'-0"	25'-0"
COMMUNITY RECREATIONAL FACILITY	400	0	0	0	0	15'-0"	25'-0"
COMPUTER ELECTRONIC PRODUCT ASSE.	400	0	0	0	0	15'-0"	25'-0"
CREDIT UNION	400	0	0	0	0	15'-0"	25'-0"
DELICATESSEN	400	0	0	0	0	15'-0"	25'-0"
ELECTRONIC EQUIPMENT REPAIR	400	0	0	0	0	15'-0"	25'-0"
EXERCISE FACILITY (INDOOR)	400	0	0	0	0	15'-0"	25'-0"
FLOWER SHOP	400	0	0	0	0	15'-0"	25'-0"
FINANCIAL INSTITUTION	400	0	0	0	0	15'-0"	25'-0"
GOVERNAMENTAL USE	400	0	0	0	0	15'-0"	25'-0"
HOBBY STORE	400	0	0	0	0	15'-0"	25'-0"
HOME IMPROVEMENT CENTER	400	0	0	0	0	15'-0"	25'-0"
							25'-0"

CONTINUED							
ICE SKATING FACILITY	400	0	0	0	0	15'-0"	25'-0"
ICE CREAM PARLOR	400	0	0	0	0	15'-0"	25'-0"
LAUNDRY COMMERCIAL	400	0	0	0	0	15'-0"	25'-0"
LAUNDRY ROOM	400	0	0	0	0	15'-0"	25'-0"
MASSAGE PARLOR	400	0	0	0	0	15'-0"	25'-0"
MOVIE THEATRE(INDOOR)	400	0	0	0	0	15'-0"	25'-0"
MUSIC STORE	400	0	0	0	0	15'-0"	25'-0"
NIGHTCLUB,BAR,COCKTAIL LOUNGE	400	0	0	0	0	15'-0"	25'-0"
OFFICE, PROFESSIONAL	400	0	0	0	0	15'-0"	25'-0"
ON SITE PARKING	400	0	0	0	0	15'-0"	25'-0"
OPEN SPACE(COMMON,PUBLIC OR PRIV.)	400	0	0	0	0	15'-0"	25'-0"
OTHER RETAIL ESTABLISHMENT(HIGH VOLUME)	400	0	0	0	0	15'-0"	25'-0"
OTHER RETAIL ESTABLISHMENT(LOW VOLUME)	400	0	0	0	0	15'-0"	25'-0"
PARK, PLAYGROUND	400	0	0	0	0	15'-0"	25'-0"
RESTAURANT(DRIVE IN OR WALK IN)	400	0	0	0	0	15'-0"	25'-0"
RESTAURANT SIT DOWN	400	0	0	0	0	15'-0"	25'-0"
SHOE REPAIR SHOP	400	0	0	0	0	15'-0"	25'-0"
SPECIALTY SHOP	400	0	0	0	0	15'-0"	25'-0"
SPORTING GOODS STORE	400	0	0	0	0	15'-0"	25'-0"
STUDIO,DANCE	400	0	0	0	0	15'-0"	25'-0"
STUDIO,PHOTOGRAPHY	400	0	0	0	0	15'-0"	25'-0"

Parking							
GARAGE OR LOT PARKING (COMERCIAL)	50,000	0	0	0	0	7'-6"	85'-0"
GARAGE OR LOT PARKING (PRIVATE)	50,000	0	0	0	0	7'-6"	85'-0"

Residential Uses							
MULTI-FAMILY	400	0	0	0	0	9'-0"	85'-0"
CONDOMINIUMS	400	0	0	0	0	9'-0"	85'-0"

201 Shadow Mountain Drive

City Plan Commission — July 14, 2022 **REVISED**



CASE NUMBER: PZRZ22-00007
CASE MANAGER: Luis Zamora, (915) 212-1552, ZamoraLF@elpasotexas.gov
PROPERTY OWNER: MG Shadow Mountain LLC
REPRESENTATIVE: Sergio Mesta
LOCATION: 201 Shadow Mountain Dr. (District 8)
PROPERTY AREA: 4.59 acres
REQUEST: Rezone from C-1 (Commercial) to G-MU (General Mixed-Use) and approval of major amendment to an approved Master Zoning Plan
RELATED APPLICATIONS: None
PUBLIC INPUT: One (1) letter in opposition as of July 11, 2022.

SUMMARY OF REQUEST: The applicant is requesting to rezone a portion of the property from C-1 (Commercial) to G-MU (General Mixed Use) and approval of a major amendment to an approved Master Zoning Plan (MZIP) to allow for mixed-use development.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the request. The proposed development is in keeping with the policies of the G-4, Suburban (Walkable) Land Use Designation of *Plan El Paso*, the City's adopted Comprehensive Plan.

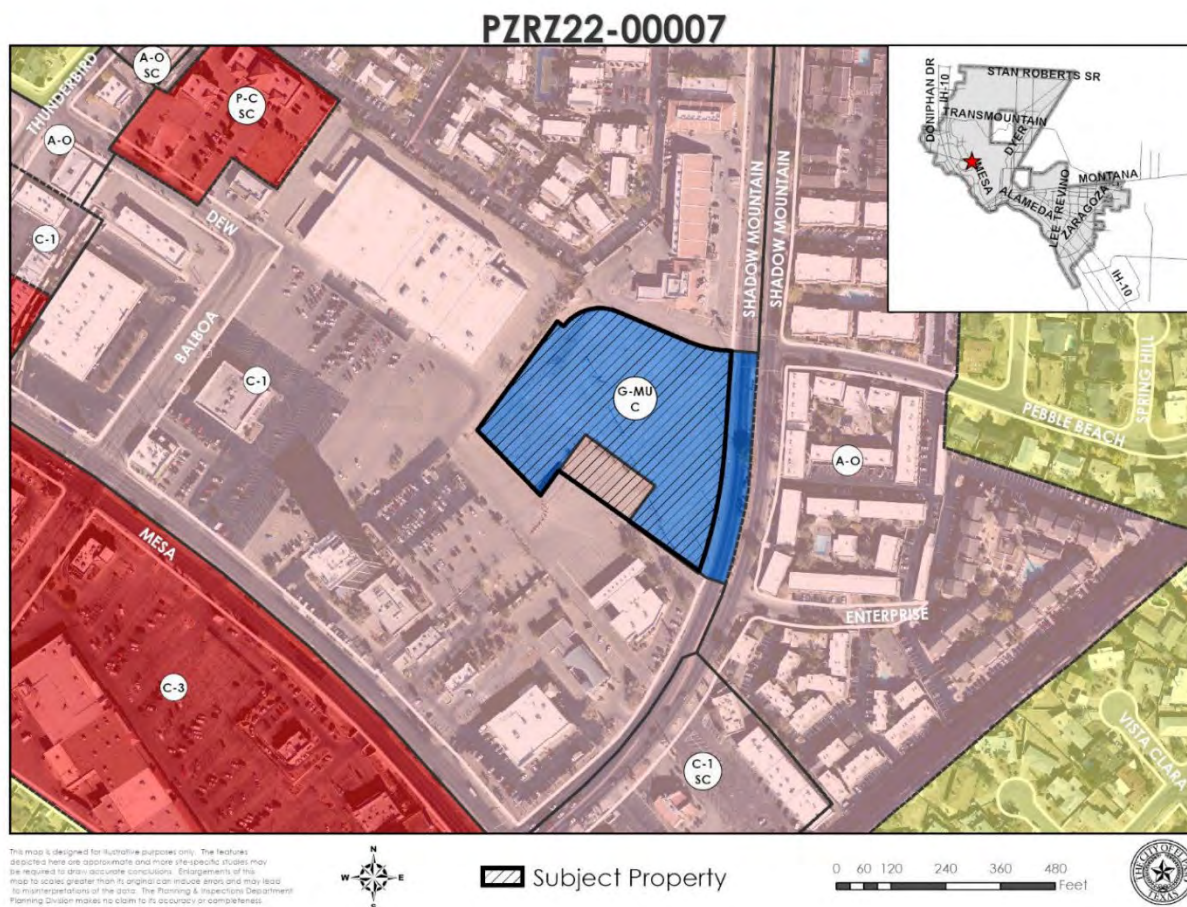


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone a portion of the property from C-1 (Commercial) to G-MU (General Mixed Use) and approval of a major amendment to an approved Master Zoning Plan (MZIP) to allow for mixed use development of a 96,728 square-foot building consisting of 493,631 square feet of gross floor area (GFA) that includes 293 apartment units ranging from one-bedroom to three-bedrooms, a clubhouse, a 7,108 square-foot restaurant, 2,559 square-feet of retail space, and a parking garage with 560 parking spaces and 30 bicycle spaces. Maximum building height is 78 feet 8 inches. Main access is through Shadow Mountain Drive.

PREVIOUS CASE HISTORY: Ordinance No. 18541 (attachment 4), passed July 19, 2016, rezoned a portion of the subject property from C-1 (Commercial) to G-MU (General Mixed Use) along with approval of a Master Zoning Plan and imposing the following conditions:

1. Existing restrictive covenants and utility easement encroachments shall be addressed prior to the issuance of any building permits.

Note: Condition to be met prior to development.

2. Traffic mitigation fees are to be paid prior to the issuance of any building permits.

Note: Condition to be met prior to development.

The previous rezoning (PZR215-00039) and approved Master Zoning Plan consisted of the following:

Property Size: 4.17 Acres
 Building Size: 68,548 square feet (building footprint) / 775,602 square feet (gross floor area)
 Building Height: 256 feet (22 stories)
 Units: 219 Hotel Units and 228 Apartment Units
 Retail Area: 42,000 square feet

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed mixed-use development is compatible with the surrounding neighborhood and is in character with adjacent commercial uses. Properties to the north, south, and west are zoned C-1 (Commercial) consisting of shopping centers, restaurants, and a bank. Properties to the east across Shadow Mountain Dr. are zone A-O (Apartment/Office) and consist of apartments. The closest school is Western Hills Elementary located 0.71 miles and the closest park is Snow Heights Park located 0.57 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	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 proposed mixed-use development will supplement the limited housing options and add commercial uses to the nearby area.</p>

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:	
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>G-MU (General Mixed Use): The purpose of this district is to accommodate, encourage and promote innovatively designed developments involving the combining and mixing of uses allowed in various zoning districts with appropriate regulations, which together form an attractive and harmonious unit of the city. The regulations of this district are intended to allow for large-scale developments that are able to function as individual neighborhoods or an integrated collection (two or more) of individual neighborhoods supported by civic, commercial and recreational uses; as small-scale developments requiring flexibility because of unique design characteristics; or as transitional areas between dissimilar land uses. It is intended that the district regulations permit flexibility and encourage more creative, efficient and aesthetically desirable design and placement of land uses.</p>	<p>Yes. The proposed zoning district is compatible with the adjacent C-1 (Commercial) and A-O (Apartment/Office) zoning districts, which consist of commercial, retail, restaurant, and apartment uses.</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>Yes. The subject property has access to Shadow Mountain Drive, which is designated as a Major Arterial per the El Paso Major Thoroughfare Plan (MTP). In addition, it is close to Mesa Street, which is also designated as a Major Arterial.</p>
THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
<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>The subject property is not located within any historic districts, other special designations, or areas with adopted study area plans.</p>
<p>Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.</p>	<p>No adverse effects are anticipated.</p>
<p>Natural Environment: Anticipated effects on the natural environment.</p>	<p>The subject property lies within the Hillside Development Area. There are no anticipated effects on the natural environment. The Open Space Advisory Board (OSAB) recommended approval on July 7, 2022.</p>
<p>Stability: Whether the area is stable or in transition.</p>	<p>The area is stable with no rezonings in the vicinity in the last 10 years, besides the subject property previous rezoning.</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 property has access to Shadow Mountain Drive, which is classified as a Major Arterial per the El Paso Major Thoroughfare Plan (MTP). The classification of this road is appropriate for the density of the proposed development. Sun Metro bus route 14 serves the Shadow Mountain corridor. There are Rapid Transit System (RTS) facilities within 0.39 miles from the subject

property along Mesa Street, which is served by the Mesa Street Brio route along with regular bus service from bus route 15.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No adverse comments from reviewing departments. The request complies with El Paso City Code Section 20.04.200, Master Zoning Plan.

PUBLIC COMMENT: The subject property does not lie within any neighborhood associations. The applicant did notify the Coronado Hills Neighborhood Association, Mesa Hills Neighborhood Association, Thunderbird Estates Neighborhood Associations, and Upper Mesa Hills Neighborhood Association of the rezoning request. In addition, the applicant met with District 1 constituents on March 29, 2022. Notices were sent all property owners within 300 feet of subject property on June 30, 2022. As of July 11, 2022, one (1) letter in opposition has been received.

RELATED APPLICATIONS: None.

CITY PLAN COMMISSION OPTIONS:

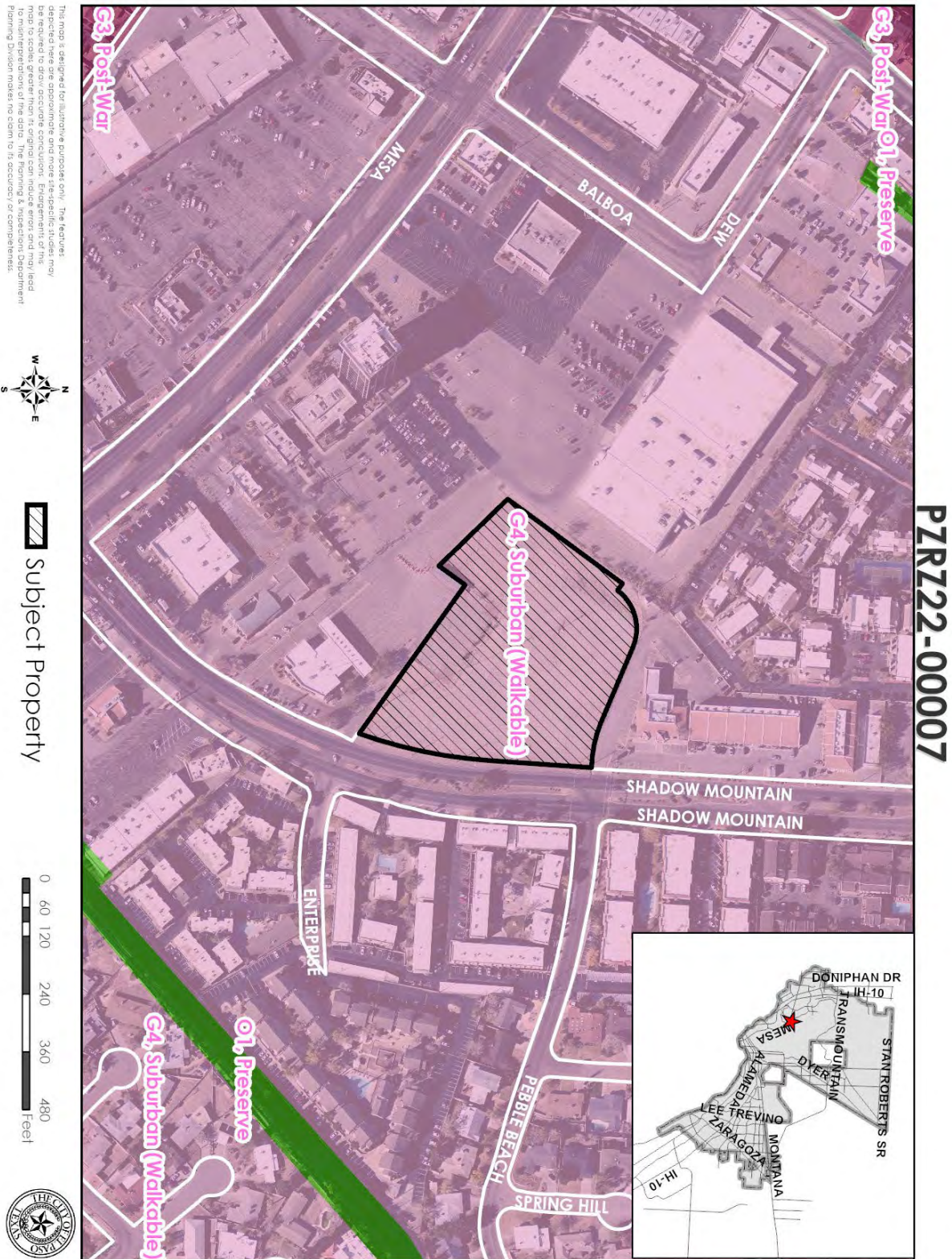
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

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.

ATTACHMENTS:

1. Future Land Use Map
2. Master Zoning Plan
3. Master Zoning Plan Report
4. Ordinance No. 18541
5. Department Comments
6. Neighborhood Notification Boundary Map
7. Communication in Opposition

ATTACHMENT 1



ATTACHMENT 2

STORM WATER LEGEND
STORM WATER RUNOFF FLOW ARROW
STORM INLET
STORM DRAINAGE NOTE: THE DIFFERENCE BETWEEN THE STORM DRAINAGE DRAINAGE WILL BE RETAINED ON SITE AND UNDERGROUND RETENTION SYSTEMS.



PEBBLE BEACH DR.

SHADOW MOUNTAIN DR.



Required Documentation List

- a. Legal Description:
Block 1, Shadow Mountain, Lot 1 & 2, Avery at Shadow Mountain, Inc. d/b/a T.

b. Size and shape of the site.

TOTAL AREA USE OF STRUCTURES		TOTAL AREA USE OF STRUCTURES		TOTAL AREA USE OF STRUCTURES	
BUILDING AREA	USE	BUILDING AREA	USE	BUILDING AREA	USE
10,000	RESIDENTIAL	10,000	RESIDENTIAL	10,000	RESIDENTIAL
5,000	COMMERCIAL	5,000	COMMERCIAL	5,000	COMMERCIAL
2,000	INDUSTRIAL	2,000	INDUSTRIAL	2,000	INDUSTRIAL
1,000	RECREATION	1,000	RECREATION	1,000	RECREATION
500	UTILITY	500	UTILITY	500	UTILITY
100	OTHER	100	OTHER	100	OTHER
TOTAL		TOTAL		TOTAL	
18,500		18,500		18,500	

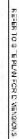
c. Proposed site and structure, showing the location of the site and structure.

LANDSCAPING		LANDSCAPING		LANDSCAPING	
LANDSCAPING	USE	LANDSCAPING	USE	LANDSCAPING	USE
10,000	RESIDENTIAL	10,000	RESIDENTIAL	10,000	RESIDENTIAL
5,000	COMMERCIAL	5,000	COMMERCIAL	5,000	COMMERCIAL
2,000	INDUSTRIAL	2,000	INDUSTRIAL	2,000	INDUSTRIAL
1,000	RECREATION	1,000	RECREATION	1,000	RECREATION
500	UTILITY	500	UTILITY	500	UTILITY
100	OTHER	100	OTHER	100	OTHER
TOTAL		TOTAL		TOTAL	
18,500		18,500		18,500	

REQUIRED PARKING		REQUIRED PARKING		REQUIRED PARKING	
REQUIRED PARKING	USE	REQUIRED PARKING	USE	REQUIRED PARKING	USE
10,000	RESIDENTIAL	10,000	RESIDENTIAL	10,000	RESIDENTIAL
5,000	COMMERCIAL	5,000	COMMERCIAL	5,000	COMMERCIAL
2,000	INDUSTRIAL	2,000	INDUSTRIAL	2,000	INDUSTRIAL
1,000	RECREATION	1,000	RECREATION	1,000	RECREATION
500	UTILITY	500	UTILITY	500	UTILITY
100	OTHER	100	OTHER	100	OTHER
TOTAL		TOTAL		TOTAL	
18,500		18,500		18,500	

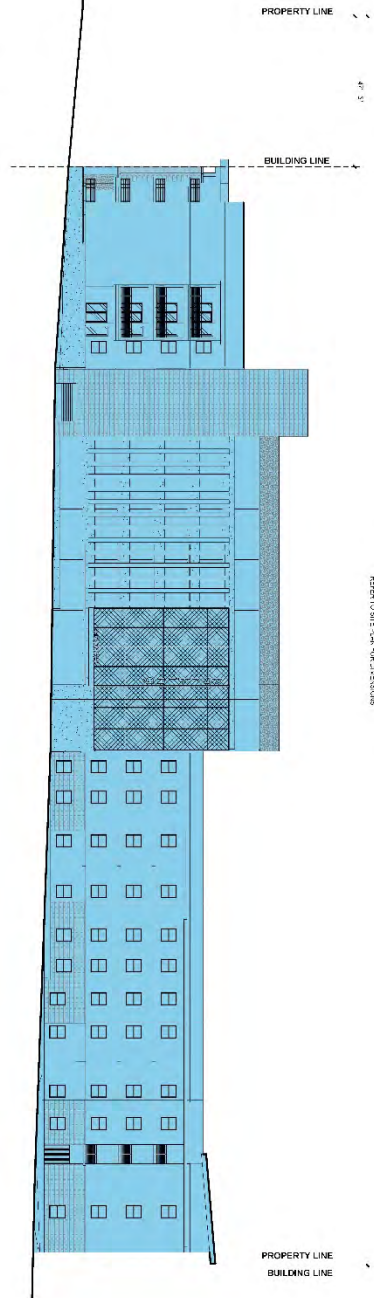
REQUIRED PARKING		REQUIRED PARKING		REQUIRED PARKING	
REQUIRED PARKING	USE	REQUIRED PARKING	USE	REQUIRED PARKING	USE
10,000	RESIDENTIAL	10,000	RESIDENTIAL	10,000	RESIDENTIAL
5,000	COMMERCIAL	5,000	COMMERCIAL	5,000	COMMERCIAL
2,000	INDUSTRIAL	2,000	INDUSTRIAL	2,000	INDUSTRIAL
1,000	RECREATION	1,000	RECREATION	1,000	RECREATION
500	UTILITY	500	UTILITY	500	UTILITY
100	OTHER	100	OTHER	100	OTHER
TOTAL		TOTAL		TOTAL	
18,500		18,500		18,500	

RETURN TO SITE PLAN FOR DETAILS



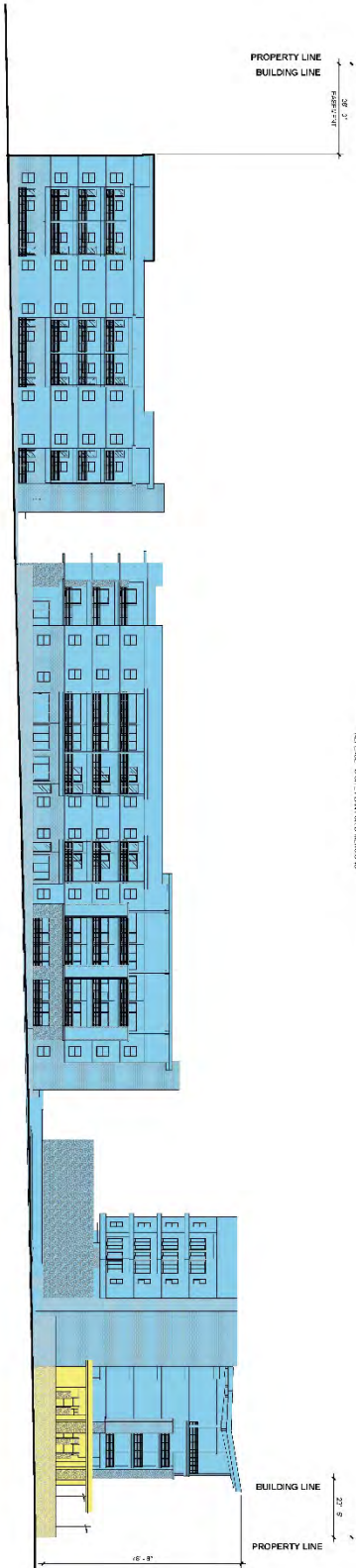
2. NORTH ELEVATION - PEÑÍSLE BEACH
1/8" = 1'-0"





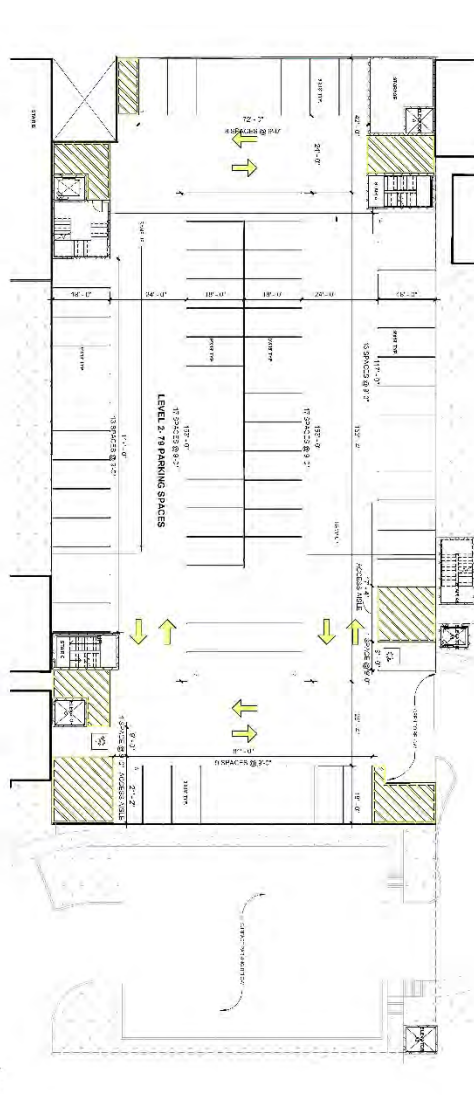
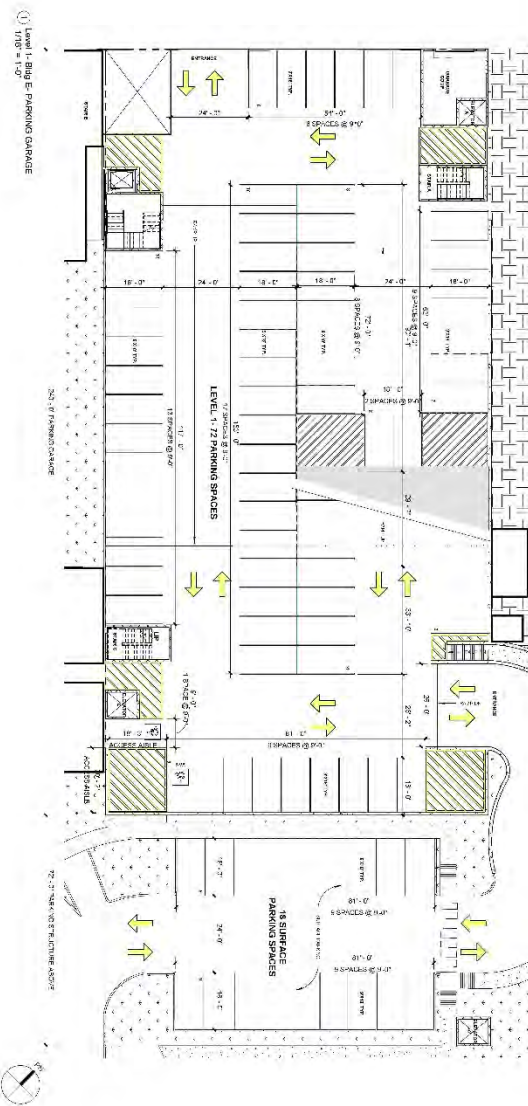
① WEST ELEVATION
 1/10" = 1'-0"

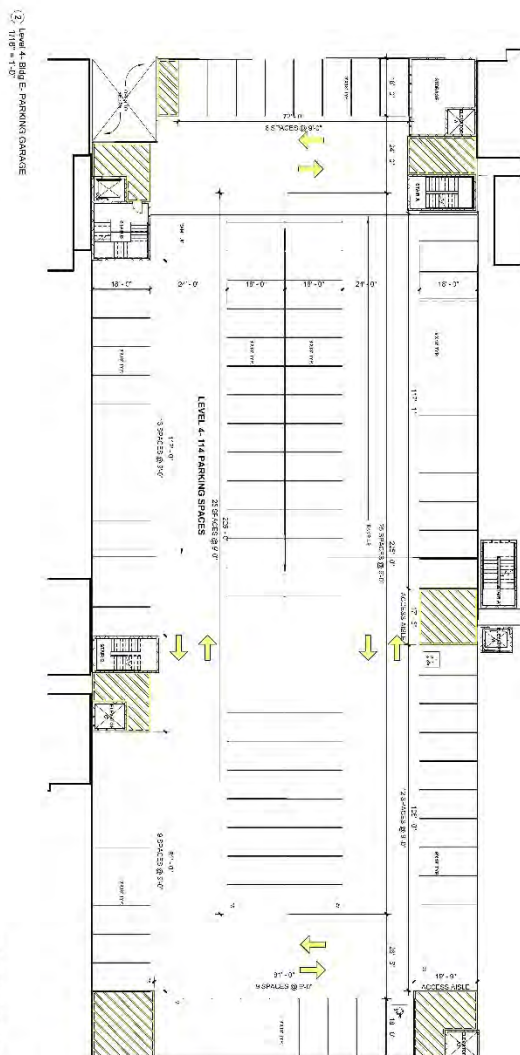
REFER TO SHEET A01 FOR DETAILS



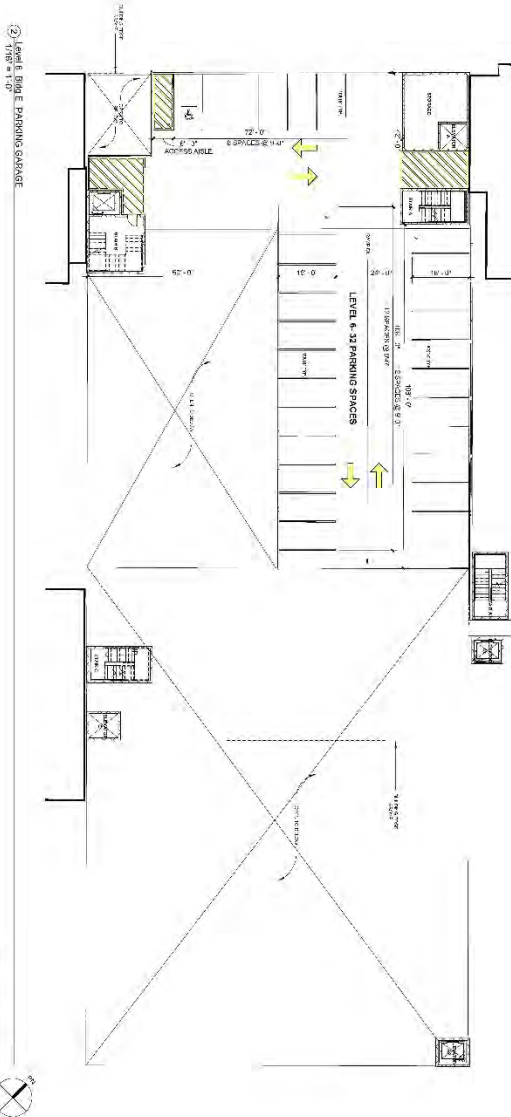
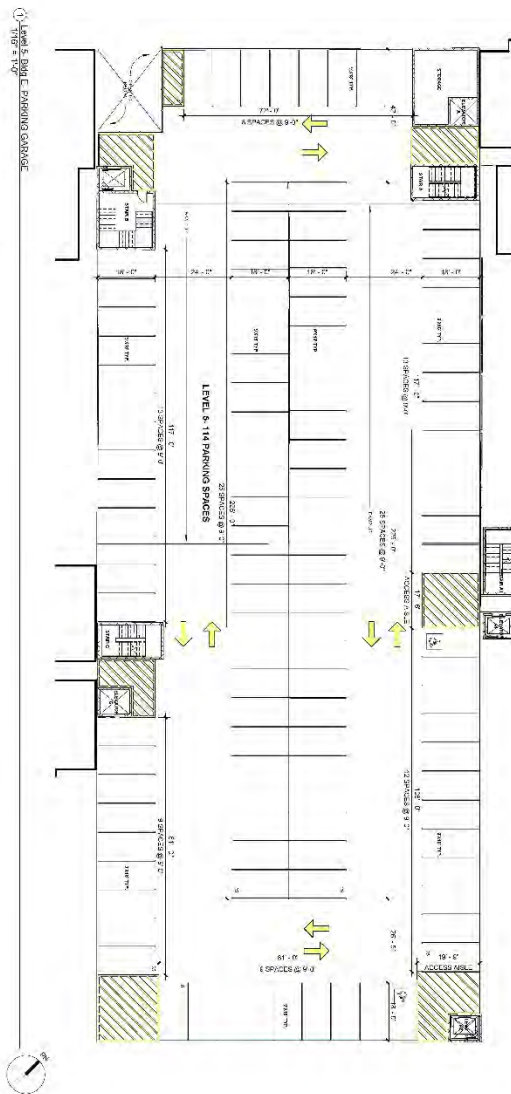
② SOUTH ELEVATION
 1/10" = 1'-0"







A05





① Level 7 Rooftop Clubhouse
Type = 107



ATTACHMENT 3

Master Zoning Plan for a General Mixed-Use

AVERY AT SHADOW MOUNTAIN

I. Purpose and Intent:

The purpose of this project and new Master Zoning Plan is to strengthen the existing neighboring community where there is a current mixture of uses, including retail, apartments, restaurant, parking garage, ballroom clubhouse, terrace, and pool. Being located close to Sunland Park Mall, Coronado Shopping Center, and the Mesa Street and Sunland Park corridor is a plus. This new district will enhance the neighborhood; promote walkable communities and the City of El Paso Comprehensive Plan and Smart Growth Objectives and initiatives throughout the city.

These Objectives will be followed with these outlined initiatives:

Accommodate an innovative designed project that promotes multi-family, and retail uses in West El Paso.

Provide a center that promotes compatible uses, retail and multifamily housing, to have a relationship with the existing neighborhood promoting Public Transportation linkages with the rest of Downtown, the Medical Center, Mid-Town, Sunland Park, and Westside Walmart;

Continue with the redevelopment patterns that the City of El Paso is promoting.

Demonstrate that these trends are economically and socially feasible in West El Paso.

II. Objective:

This District will accommodate an innovative Multi-family Living with retail and interior open spaces, ballroom, clubhouse, terrace, and swimming pool while providing individual structured parking.

III. Characteristics:

Description: The district will replace an empty land lot of 4.59 acres with a modern building that will house approximately 2,500 square feet of retail space, over 65,000 square feet of common open space, 293 apartment dwelling units with all of its amenities, parking garage, including pool, fitness center, clubhouse, etc.

AVERY- SHADOW MOUNTAIN MIXED-USE TABLE			
BUILDING	USE	AREA	MAX. BLDG. HEIGHT
A	APARTMENTS	45,656	65 FT.
A1	APARTMENTS	65,411	65 FT.
B	APARTMENTS	57,088	65 FT.
C	APARTMENTS	64,020	65 FT.
D	APARTMENTS	49,152	79 FT.
	RETAIL	2,559	79 FT.
	RESTAURANT	7,108	79 FT.
E	PARKING GARAGE	198,874	79 FT.
TOTAL PARKING SPACES PROVIDED:			560

The site is designed as an urban infill plan that allows the introduction of public pedestrian and vehicle or circulation from neighboring communities, both commercial and residential, through the site. The site's design promotes, accommodates, and implements vehicular and pedestrian circulation connecting Mesa to Shadow Mountain via a connector aligned with Pebble Beach Drive.

The shaded and landscaped pedestrian circulation will be landscaped with Xeriscaping and shadow trees aligned within the hardscape. The project allows for green pocket parks, outdoor public seating, and congregating areas. There is a pocket park for the retail and another pocket park with public art to enter the residential lobby on Pebble Beach Dr. Extension.

The purely pedestrian connection is made through an open pedestrian promenade that connects the residential lobby and commercial on Shadow Mountain and connects pedestrian movement to the retail area.

The building is designed to blend in with the colors, hues, and tones of the ridges and Shadow Mountain. The building has shades and tones of browns and bronze and ochre and red colors similar to the sunset of El Paso over the Rio Grande River.

The concept is to design buildings that are unique to El Paso.

The amenity xeriscaping landscaped terraces and pool deck promotes and allows for the open shaded and natural assembly for the residential community congregation area, which is open 360 degrees.

The community residential area promotes and allows open views to Shadow Mountain and the Rio Grande and El Paso and Juarez in the background.

IV Access:

This neighborhood center will have retail access along Shadow Mountain Drive and Pebble Beach. Each unit will be located in the main tower and have its own parking in an attached parking garage. Access to the parking garage will be from Pebble Beach Drive, where an entrance ramp to the five-story parking garage will be located. Pedestrian access will be from a pedestrian bridge that connects the tower to the parking garage.

Setbacks

- Principal Front (Shadow Mountain): 0' Setback.
- Secondary Front (Pebble Beach DR): 0' Setback.
- Side: 0' Setback.
- Rear: 0' Setback.

Density:

- 293 Residential units

MULTIFAMILY UNIT COUNT				
	1-BEDROOM	2-BEDROOM	3-BEDROOM	TOTAL
BUILDING A	35	12		47
BUILDING A1	33	29		62
BUILDING B	32	20	4	56
BUILDING C	37	27		64
BUILDING D	28	36		64
TOTAL	165	124	4	293

Landscaping

- 65,817 sf

Parking

- 560 Parking Spaces Total

PARKING REQUIREMENT- RESIDENTIAL				
APARTMENT UNIT	COUNT	SPACE PER UNIT	REQUIRED SPACES	PROVIDED SPACES
1 BEDROOM	165	1.5	248	
2 BEDROOM	124	2	248	
3 BEDROOM	4	2	8	
TOTAL	297		504	504

PARKING REQUIREMENT- COMMERCIAL (AUTOMOBILE & LIGHT TRUCK)						
OCCUPANCY	AREA	MIN. 1/GFA	MIN. REQ.	MAX. 1/GFA	MAX. REQ.	PROVIDED
RESTAURANT	7,108	1/144	49	1/100	71	49
LOW- VOLUME RETAIL	2,569	1/360	7	1/250	10	7
TOTAL			56		81	56

PARKING SPACES MIN. REQUIRED:	560	PARKING SPACES PROVIDED:	560
ON-STREET PARKING:	N/A	PARKING REDUCTION:	0
MIN. ACCESSIBLE PARKING SPACES:	2% OF 560= 11 SPACES		
MIN. VAN ACCESSIBLE PARKING SPACES:	1/6 OF 11= 2 SPACES		

	PARKING SPACES ON SITE	TOTAL LAND	TOTAL CONSTRUCTION
	504 + 56= 560	200,915 SQ.FT.	493,631 SQ.FT.
FAR	96,728 SF. / 200,915 SF= 0.48		

PARKING REQUIREMENT (HEAVY TRUCK TRAILER)			
OCCUPANCY	AREA	GFA	REQUIRED
RESIDENTIAL	285,281	NONE	0
COMMERCIAL	9,677	1/50,000	0

BICYCLE PARKING SPACES			
	REQUIRED PARKING	5% OF REQ. BICYCLE SPACES REQ.	BICYCLE SPACES PROV.
TOTAL	560	560 X .05	28
			30

Sub Districts: N/A

Phasing: One Phase

Floor Area Ratio:

- .48:1

Special Privilege: N/A

IV Relationship with Plan for El Paso

This district will enhance the neighborhood's economic and social vitality. It will follow the overall City of El Paso's goals to revitalize the city and promote higher densities and mixed uses per the Smart Growth initiatives.

The existing surroundings have a tight walkable community with schools, churches, and retail within walking distance. This district will strengthen it by providing a modern and additional retail, multi-family that will enhance the neighborhood.

Avery Mix Use Table							
		Set Backs				Ceiling Height	Maximum Building Height
Use	Min. Area SF.	Front	Back	N. Side	S. Side		
Commercial Uses						15'-0"	25'-0"
ART GALLERY	400	0	0	0	0	15'-0"	25'-0"
ATHLETIC FACILITY	400	0	0	0	0	15'-0"	25'-0"
AUTOMATED TELLER MACHINE ATM	400	0	0	0	0	15'-0"	25'-0"
BAKERY	400	0	0	0	0	15'-0"	25'-0"
BANK	400	0	0	0	0	15'-0"	25'-0"
BARBER SHOP	400	0	0	0	0	15'-0"	25'-0"
BEAUTY SALON	400	0	0	0	0	15'-0"	25'-0"
BILLIAR AND POOL HALL	400	0	0	0	0	15'-0"	25'-0"
BINGO HALL	400	0	0	0	0	15'-0"	25'-0"
BOOKSTORE	400	0	0	0	0	15'-0"	25'-0"
BOUTIQUE	400	0	0	0	0	15'-0"	25'-0"
BREAD AND BAKERY PRODUCT MANF.	400	0	0	0	0	15'-0"	25'-0"
BREWERY	400	0	0	0	0	15'-0"	25'-0"
CAFETERIA		0	0	0	0	15'-0"	25'-0"
CLINIC	400	0	0	0	0	15'-0"	25'-0"
COURIER & MESSAGE SERVICE	400	0	0	0	0	15'-0"	25'-0"
COMMUNITY RECREATIONAL FACILITY	400	0	0	0	0	15'-0"	25'-0"
COMPUTER ELECTRONIC PRODUCT ASSE.	400	0	0	0	0	15'-0"	25'-0"
CREDIT UNION	400	0	0	0	0	15'-0"	25'-0"
DELICATESSEN	400	0	0	0	0	15'-0"	25'-0"
ELECTRONIC EQUIPMENT REPAIR	400	0	0	0	0	15'-0"	25'-0"
EXERCISE FACILITY (INDOOR)	400	0	0	0	0	15'-0"	25'-0"
FLOWER SHOP	400	0	0	0	0	15'-0"	25'-0"
FINANCIAL INSTITUTION	400	0	0	0	0	15'-0"	25'-0"
GOVERNAMENTAL USE	400	0	0	0	0	15'-0"	25'-0"
HOBBY STORE	400	0	0	0	0	15'-0"	25'-0"
HOME IMPROVEMENT CENTER	400	0	0	0	0	15'-0"	25'-0"
							25'-0"

CONTINUED							
ICE SKATING FACILITY	400	0	0	0	0	15'-0"	25'-0"
ICE CREAM PARLOR	400	0	0	0	0	15'-0"	25'-0"
LAUNDRY COMMERCIAL	400	0	0	0	0	15'-0"	25'-0"
LAUNDRY ROOM	400	0	0	0	0	15'-0"	25'-0"
MASSAGE PARLOR	400	0	0	0	0	15'-0"	25'-0"
MOVIE THEATRE(INDOOR)	400	0	0	0	0	15'-0"	25'-0"
MUSIC STORE	400	0	0	0	0	15'-0"	25'-0"
NIGHTCLUB,BAR,COCKTAIL LOUNGE	400	0	0	0	0	15'-0"	25'-0"
OFFICE, PROFESSIONAL	400	0	0	0	0	15'-0"	25'-0"
ON SITE PARKING	400	0	0	0	0	15'-0"	25'-0"
OPEN SPACE(COMMON,PUBLIC OR PRIV.)	400	0	0	0	0	15'-0"	25'-0"
OTHER RETAIL ESTABLISHMENT(HIGH VOLUME)	400	0	0	0	0	15'-0"	25'-0"
OTHER RETAIL ESTABLISHMENT(LOW VOLUME)	400	0	0	0	0	15'-0"	25'-0"
PARK, PLAYGROUND	400	0	0	0	0	15'-0"	25'-0"
RESTAURANT(DRIVE IN OR WALK IN)	400	0	0	0	0	15'-0"	25'-0"
RESTAURANT SIT DOWN	400	0	0	0	0	15'-0"	25'-0"
SHOE REPAIR SHOP	400	0	0	0	0	15'-0"	25'-0"
SPECIALTY SHOP	400	0	0	0	0	15'-0"	25'-0"
SPORTING GOODS STORE	400	0	0	0	0	15'-0"	25'-0"
STUDIO,DANCE	400	0	0	0	0	15'-0"	25'-0"
STUDIO,PHOTOGRAPHY	400	0	0	0	0	15'-0"	25'-0"

Parking							
GARAGE OR LOT PARKING (COMERCIAL)	50,000	0	0	0	0	7'-6"	85'-0"
GARAGE OR LOT PARKING (PRIVATE)	50,000	0	0	0	0	7'-6"	85'-0"

Residential Uses							
MULTI-FAMILY	400	0	0	0	0	9'-0"	85'-0"
CONDOMINIUMS	400	0	0	0	0	9'-0"	85'-0"

ATTACHMENT 4

CITY CLERK DEPT.

2016 JUN -7 PM 1:17

Doc# 20160055396

ORDINANCE NO. 018541

AN ORDINANCE CHANGING THE ZONING OF LOT 1, BLOCK 1, SHADOW MOUNTAIN, 201 SHADOW MOUNTAIN, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-1 (COMMERCIAL) TO G-MU (GENERAL MIXED USE); APPROVING A MASTER ZONING PLAN; 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 *Lot 1, Block 1, Shadow Mountain, 201 SHADOW MOUNTAIN, City of El Paso, El Paso County, Texas*, be changed from **C-1 (COMMERCIAL)** to **G-MU (GENERAL MIXED USE)**, as defined in Section 20.06.020, and that a **MASTER ZONING PLAN**, be approved as required by 20.04.200, to allow the land uses reflected in the Master Zoning Plan attached as Exhibit "A" and the Master Zoning Report attached as Exhibit "B" incorporated herein for all purposes, 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 in order to protect the health, safety and welfare of the residents of the City:

1. *Existing restrictive covenants and utility easement encroachments shall be addressed prior to the issuance of any building permits.*
2. *Traffic mitigation fees are to be paid prior to the issuance of any building permits.*

The penalties for violating the standards imposed through this rezoning ordinance are found in Section 20.24 of the El Paso City Code.

PASSED AND APPROVED this 19th day of July, 2016.

THE CITY OF EL PASO



Oscar Leeser
Mayor

ATTEST:

Ordinance No. 018541
16-1007-1684/533889
201 Shadow Mountain - Rezoning Ordinance
OAR

PZRZ15-00039



Richarda Duffy Moensen, City Clerk

APPROVED AS TO FORM:

Omar De La Rosa
Assistant City Attorney

APPROVED AS TO CONTENT:

Larry F. Nichols, Director
Planning and Inspections Department

Ordinance No.

018541

16-1007-1684/533889

201 Shadow Mountain – Rezoning Ordinance
OAR

PZRZ15-00039

PZRZ22-00007

Master Zoning Plan for a General Mixed-Use

Shadow Mountain

I. Purpose and Intent:

The purpose of this project and new Master Zoning Plan is to strengthen the existing neighboring community where there is an existing mixture of uses including offices, retail, apartments, single family attached units, walk ups, duplexes and row houses. Being located close to Sunland Park Mall, Coronado Shopping Center and the Mesa Street and Sunland Park corridor is a plus. This new district will enhance the neighborhood; promote walkable communities and the City of El Paso Comprehensive Plan and Smart Growth Objectives and initiatives throughout the city.

These Objectives will be followed with these outlines initiatives:

- Accommodate an innovative designed project that promotes multifamily houses and retail uses in West El Paso;
- Provide a center that promotes compatible uses, retail and multifamily housing, to have a relationship with the existing neighborhood promoting Public Transportation and pedestrian linkages with the rest of Downtown, the Medical Center, Mid-Town, Sunland Park and West side Walmart;
- Continue with the redevelopment patterns that the City of El Paso is promoting;
- Demonstrate that these trends are economically and socially feasible in West El Paso.

II. Objective:

This District will accommodate an innovative Multifamily Living with retail and interior open spaces, while providing individual structured parking.

III. Characteristics:

Description: The district will replace and empty land lot of 4.16 acres with a modern building that will house 42,000 square feet of retail space, over 100,000 Square feet of common open space, 219 hotel units and 228 apartment dwelling units.

The site is designed as an urban infill plan that allows the introduction of public pedestrian and vehicle or circulation from neighboring communities both commercial and residential through the site. The design of the site is promoting and accommodating and implementing both vehicular and pedestrian circulation connecting Mesa to Shadow Mountain via a connector aligned with Pebble Street.

The shaded and landscape pedestrian circulation is landscaped with Xeriscaping and shadow trees aligned within hard scape. The project allows for green pocket parks and outdoor public seating and congregating areas. There is a pocket park for the retail and another pocket park with public art for the entrance into the residential lobby on Shadow Mountain road.

The connector boulevard wrapping around the site for the vehicular, bicycle, and pedestrian is lined with landscaping and benches seating areas as well as vita exercise Anna Lee near park distribution with pedestrian sidewalk which continues around as it connects via pebble to Shadow Mountain and on to Mesa.

The purely pedestrian connection is done through a pedestrian promenade open to the sky that connects the residential lobby and commercial on Shadow Mountain and connects pedestrian movement to the hotel lobby and retail and spa. The entrance to the hotel and spa is aligned with a linear park and with a pocket park.

The building is designed to blend in with colors and hues and tones of the ridges and Shadow Mountain. The building has colors and tones of browns and bronze and ochre and red colors similar to the sunset of the El Paso over the Rio Grande River.

The concept is to design a building that is unique to El Paso.

The amenity xeriscaping landscaped terraces and pool deck promotes and allows for the open shaded and natural assembly for the hotel and the residential community congregation area which is open 360°.

The building floats 25 feet above on top of the community residential and hotel Terrace area that promotes and allows open views to Shadow Mountain as well as to the Rio Grande and to El Paso and Juarez in the background.

The project is designed as a LEED project. Orienting to the Sun to maximize the views of the Rio Grande and the mountain ridges while promoting the natural light around the site. The floating of the building allows for the natural cross ventilation and natural breezes to be promoted on the site.

The Building is oriented and is designed as well as providing shade and shadow onto the building with the large overhang shade balconies and terrace shadowboxes in order to mitigate the solar gain on the glass on the tower.

The landscape-xeriscaping at the ground level continues onto the amenity level and continues on the vertical screen walls of the garage allowing for the cars to be fully hidden from the public right away while the xeriscaping continues to go down from the planters of the amenity terraces above and up from the ground Landscape surrounding the building on all four sides. The building is designed to have 360°

accessibility and visibility. All the services and loading is done internally hidden away from sight of public right of ways.

Access: This neighborhood center will have retail access along Shadow Mountain Drive. Each individual unit will be located in the main tower and have its own parking in an attached parking garage. Access to the parking garage will be from Pebble Beach Drive where an entrance ramp to the 5 story parking garage will be located. Pedestrian access will be from a pedestrian bridge which connects the tower to the parking garage.

Setbacks:

- Principal Front (Shadow Mountain): 7'-5"
- Secondary Front (Pebble Beach DR): 20'-0"
- Side : 45'-0"
- Rear: 89'-6"

Density:

- 228 Residential Units
- 219 Hotel Units

Landscaping:

- 55,337 SF.

Parking:

- 715 parking spaces
- 291,545 SF.

Sub Districts: N/A

Phasing: One Phase

Floor Area Ratio:

- 4.30:1

Special Privilege: N/A

IV. Relationship with Plan for El Paso:

This district will enhance the neighborhood's economic and social vitality and will follow the overall City of El Paso's goals to revitalize the City and promote higher densities and mixed uses as per the Smart Growth initiatives.

The existing surroundings have a tight walkable community with schools, churches, and retail within walking distance. This district will strengthen it by providing a modern and additional retail, apartments and hotel that will enhance the neighborhood.

Shadow Mountain City Centre Mix Use Table							
		Set Backs				Ceiling Height	Maximum Building Height
Use	Min. Area SF.	Front	Back	N. Side	S.Side		
Commercial Uses						15'-0"	256'-0"
ART GALLERY	400	0	0	0	0	15'-0"	256'-0"
ATHLETIC FACILITY	400	0	0	0	0	15'-0"	256'-0"
AUTOMATED TELLER MACHINE ATM	400	0	0	0	0	15'-0"	256'-0"
BAKERY	400	0	0	0	0	15'-0"	256'-0"
BANK	400	0	0	0	0	15'-0"	256'-0"
BARBER SHOP	400	0	0	0	0	15'-0"	256'-0"
BEAUTY SALON	400	0	0	0	0	15'-0"	256'-0"
BILLIAR AND POOL HALL	400	0	0	0	0	15'-0"	256'-0"
BINGO HALL	400	0	0	0	0	15'-0"	256'-0"
BOOK STORE	400	0	0	0	0	15'-0"	256'-0"
BOUTIQUE	400	0	0	0	0	15'-0"	256'-0"
BOWLING ALLEY	400	0	0	0	0	15'-0"	256'-0"
BREAD AND BAKERY PRODUCT MAN.	400	0	0	0	0	15'-0"	256'-0"
BREWERY	400	0	0	0	0	15'-0"	256'-0"
CAFETERIA	400	0	0	0	0	15'-0"	256'-0"
CLINIC	400	0	0	0	0	15'-0"	256'-0"
COMMUNITY RECREATIONAL FACILITY	400	0	0	0	0	15'-0"	256'-0"
COMPUTER ELECTRONIC PRODUCT ASSE.	400	0	0	0	0	15'-0"	256'-0"
COURIER & MESSAGE SERVICE	400	0	0	0	0	15'-0"	256'-0"
CREDIT UNION	400	0	0	0	0	15'-0"	256'-0"
DELICATESSEN	400	0	0	0	0	15'-0"	256'-0"
ELECTRONIC EQUIPMENT REPAIR	400	0	0	0	0	15'-0"	256'-0"
EXERCISE FACILITY (INDOOR)	400	0	0	0	0	15'-0"	256'-0"
FINANTIAL INSTITUTION	400	0	0	0	0	15'-0"	256'-0"
FLOWER SHOP	400	0	0	0	0	15'-0"	256'-0"
GOVERNAMENTAL USE	400	0	0	0	0	15'-0"	256'-0"
HOBBY STORE	400	0	0	0	0	15'-0"	256'-0"
HOME IMPROVEMENT CENTER	400	0	0	0	0	15'-0"	256'-0"

ICE CREAM PARLOR	400	0	0	0	0	15'-0"	256'-0"
ICE SKATING FACILITY	400	0	0	0	0	15'-0"	256'-0"
LAUNDRY ROOM	400	0	0	0	0	15'-0"	256'-0"
LAUNDRY COMMERCIAL	400	0	0	0	0	15'-0"	256'-0"
MASSAGE PARLOR	400	0	0	0	0	15'-0"	256'-0"
MINIATURE GOLF COURSE	400	0	0	0	0	15'-0"	256'-0"
MOVIE THEATRE(INDOOR)	400	0	0	0	0	15'-0"	256'-0"
MUSIC STORE	400	0	0	0	0	15'-0"	256'-0"
NIGHTCLUB,BAR,COCKTAIL LOUNGE	400	0	0	0	0	15'-0"	256'-0"
OFFICE,PROFESIONAL	400	0	0	0	0	15'-0"	256'-0"
ON SITE PARKING	400	0	0	0	0	15'-0"	256'-0"
OPEN SPACE(COMMON,PUBLIC OR PRIV.)	400	0	0	0	0	15'-0"	256'-0"
OTHER RETAIL STABLISHMENT(HIGH VOLUME)	400	0	0	0	0	15'-0"	256'-0"
OTHER RETAIL STABLISHMENT(LOW VOLUME)	400	0	0	0	0	15'-0"	256'-0"
PARK , PLAYGROUND	400	0	0	0	0	15'-0"	256'-0"
RESTAURANT(DRIVE IN OR WALK IN)	400	0	0	0	0	15'-0"	256'-0"
RESTAURANT SIT DOWN	400	0	0	0	0	15'-0"	256'-0"
SHOE REPAIR SHOP	400	0	0	0	0	15'-0"	256'-0"
SPECIALTY SHOP	400	0	0	0	0	15'-0"	256'-0"
SPORTING GOODS STORE	400	0	0	0	0	15'-0"	256'-0"
STUDIO,DANCE	400	0	0	0	0	15'-0"	256'-0"
STUDIO,PHOTOGRAPHY	400	0	0	0	0	15'-0"	256'-0"
SUPERMARKET	400	0	0	0	0	15'-0"	256'-0"
SUPERSTORE	400	0	0	0	0	15'-0"	256'-0"

Parking							
GARAGE OR LOT PARKING (COMERCIAL)	50,000	0	0	0	0	7'-6"	75'-0"
GARAGE OR LOT PARKING (PRIVATE)	50,000	0	0	0	0	7'-6"	75'-0"

Residential Uses							
APARTMENT(5 OR MORE UNITS)	400	30'-0"	30'-0"	30'-0"	30'-0"	8'6"	256'-0"
HOTEL	200	30'-0"	30'-0"	30'-0"	30'-0"	8'6"	256'-0"

SCANNED

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GF

Doc# 20160055386
#Pages 8 #Pages 1
8/8/2016 11:07:59 AM
Filed & Recorded in
Official Records of
El Paso County
Dalia Briones
County Clerk
Fees \$54.00

I hereby certify that this instrument was filed on the date and time stamped
hereon by me and was duly recorded by document number in the Official
Public Records of Real Property in El Paso County.



EL PASO COUNTY, TEXAS

Dalia Briones

PLEASE RETURN TO DRAWER 151
City of El Paso
City Clerk's Office, 1st Floor
300 N. Campbell
El Paso, Texas 79901.

ATTACHMENT 5

Planning and Inspections Department - Planning Division

Recommend approval. The request complies with El Paso City Code Section 20.04.200, Master Zoning Plan

1. There are conditions placed by Ordinance No. 18541 on the parcel already zoned G-MU that will need to be complied with prior to development.
 - a. Existing restrictive covenants and utility easement encroachments shall be addressed prior to the issuance of any building permits.
 - b. Traffic mitigation fees are to be paid prior to the issuance of any building permits.
3. There are existing restrictive covenants recorded that prohibit any single-family, two-family, or multi-family units on the property already zoned G-MU and will need to be addressed prior to development.

Planning and Inspections Department – Plan Review & Landscaping Division

Recommend approval. No objections to proposed rezoning.

1. Buffer and street trees will need to be provided along Pebble Beach Dr, and Shadow Mountain Dr.

Not required. Pebble Beach Dr. does not extend west across Shadow Mountain Dr.

2. 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. Show proposed drainage flow patterns on the site plan and identify the discharge and/or storage location(s) for all storm-water runoff within the subdivision.
2. Provide ADA ramps along Shadow Mt. ROW.
3. Verify proposed sidewalks along Shadow Mt. are 5' minimum width considering existing light pole placements.

Comments to be addressed at the building permitting stage

Fire Department

Recommend approval.

Aerial access to all buildings: Appendix D, Section D105-Aerial Fire Apparatus Roads. Provide access isle(s) dimensions and turning radius within site.

Please note to the stakeholders that ALL buildings exceeding 60' in height from the lowest level of fire department access will be required to have a NFPA 13 compliant sprinkler system installed. Those buildings would no longer be eligible for a 13R system.

Police Department

No comments received.

Environmental Services

No comments received.

Streets and Maintenance Department

TIA is not required.

Sun Metro

No comments received.

El Paso Water

The El Paso Water (EPWater) does not object to this request.

Water:

There is an existing 12-inch diameter water main extending along Shadow Mountain Drive, located approximately 7-feet east of and parallel to the west right-of-way line. This main is available for service.

Previous water pressure from fire hydrant #2882, located on Shadow Mountain Enterprise, Median, has yielded a static pressure of 120 psi, a residual pressure of 110 psi, and a discharge of 1,404 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.

Sewer:

There is an existing 12-inch diameter sanitary sewer main extending along Shadow Mountain Drive, located approximately 27-feet east of the property. This main is available for service.

A sewer analysis is required due to high density proposal.

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:

EP Water-SW reviewed the property described above and provide the following comments:

- As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also encourages the use of nonstructural storm water management such as the preservation of greenspace, 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.
- The proposed underground storm water drainage shown on the courtyard, shall have enough capacity to hold the developed runoff for a designated 100-yr. storm event.

Texas Department of Transportation

No comments received.

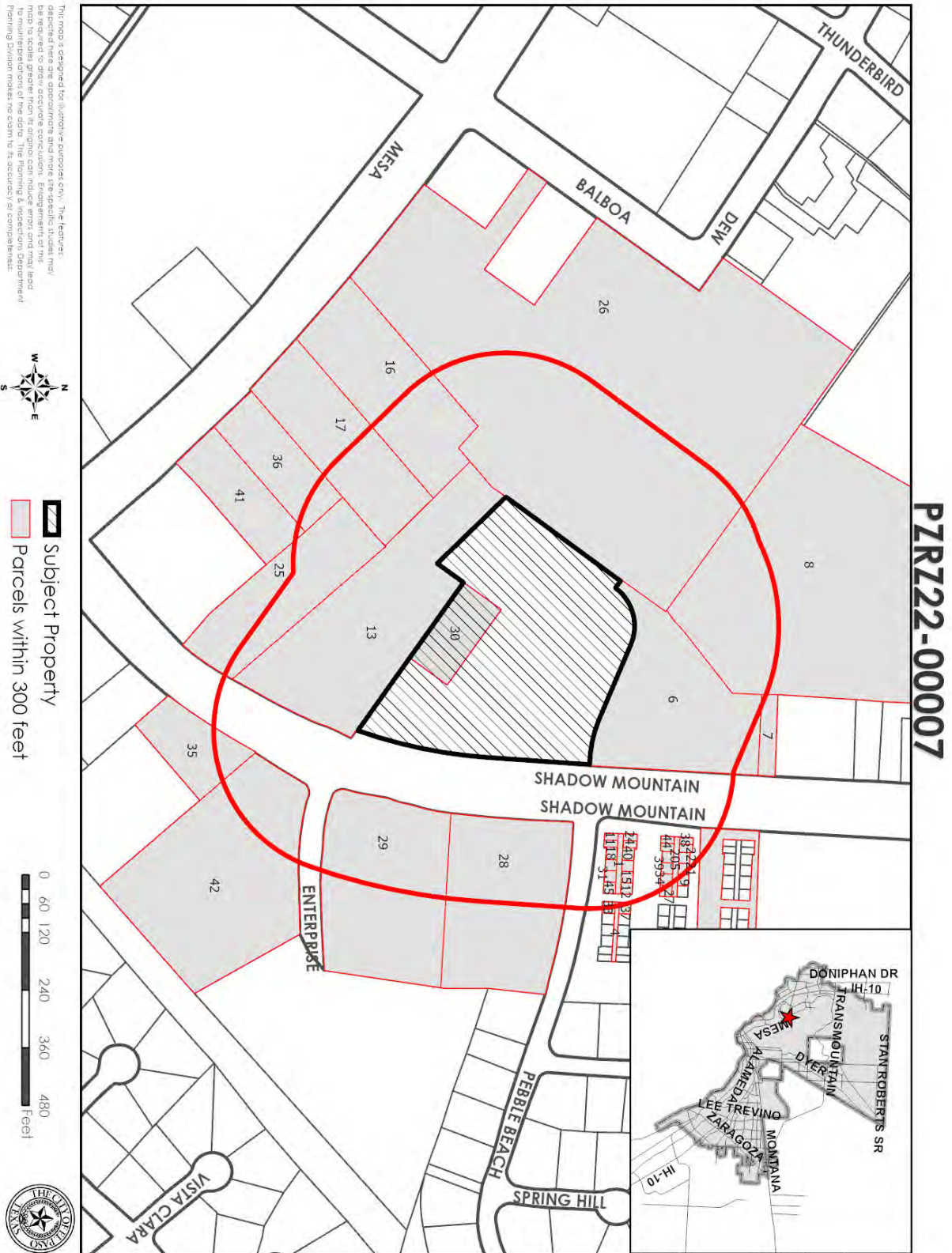
El Paso County Water Improvement District

Not within the boundaries of EPCWID1.

El Paso County 9-1-1 District

The 911 District has not comments or concerns regarding this zoning.

ATTACHMENT 6



ATTACHMENT 7

Zamora, Luis F.

From: Steven Greenberg <steven@siliconspeech.com>
Sent: Thursday, July 7, 2022 4:04 PM
To: Smith, Kevin W.; Zamora, Luis F.
Cc: Marcia Turner
Subject: PZRZ22-00007 201 Shadow Mountain Rezoning Request
Attachments: PZRZ22-00007 Avery Shadow Mountain Rezoning_Greenberg Letter 7-14-22.docx; PZRZ22-00007 Avery Shadow Mountain Rezoning_Greenberg Letter 7-14-22.pdf

You don't often get email from steven@siliconspeech.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the City of El Paso. Do not click links or open attachments unless you recognize the sender and know the content is safe. If suspicious, use **Phish Alert** or forward to **SpamReport@elpasotexas.gov**.

Dear Mr. Smith and Mr. Zamora,



Attached is a letter (MS Word and PDF formats) regarding the proposed rezoning request of the Meyers Group for a property they would like to develop into a large apartment complex with commercial spaces.

The letter lays out the case for a traffic survey to ensure the neighborhood won't be harmed by so many new apartments being located just off one of the busiest streets in West El Paso. A map is appended to the letter showing that there is likely to be considerable disruption to the traffic patterns in the neighborhood unless the scale of the project is reduced. The letter goes into more detail about why a survey (and traffic simulation) should be done prior to approving the rezoning request.

I am a data scientist who moved to El Paso a little over three years ago. Even though my house isn't directly impacted by the proposed rezoning and development plan, everyone I've spoken with in my neighborhood in Upper Mesa Hills has expressed concerns about the project's impact on local traffic.

Thank you in advance for your time and consideration.

Sincerely,

Steven Greenberg

Dear Members of the El Paso City Plan Commission:

Thank you for the opportunity to explain why the Avery Shadow Mountain Project **should not be approved in its current form**. The Meyers Group proposes to build nearly 300 apartments and several commercial storefronts on empty land bordering the western edge of Shadow Mountain Drive and which is close to North Mesa Street (**see the appended map**). Although new housing is generally welcome, there is a danger that **the proposed development is too large for the neighborhood to safely absorb**.

Shadow Mountain Drive is one of the busiest streets in West El Paso. It serves as a major conduit for traffic originating in several neighborhoods of West El Paso near Mesa Street. It is especially busy during the morning and evening commuting hours.

There are two major concerns with the Meyers Group proposal.

First, the density of the housing proposed for the 4-acre site is much higher than that of nearby housing, creating a potential bottleneck during the busy commuting hours.

Second, there is inadequate provision for vehicles entering and exiting the development. This is due in part to the abbreviated physical offset from the street, creating a potentially dangerous situation in which motorists compete for limited access onto Shadow Mountain, especially at the busiest times when it's already a challenge.

The most recent (2012) publicly available traffic survey for Shadow Mountain Drive shows that it is traversed by thousands of cars every day. Adding the Avery Shadow Mountain residences to the mix will likely exacerbate an already problematic situation.

What will happen if the Meyers Group proposal is approved in its current form? **More traffic accidents** on Shadow Mountain and adjacent streets could occur, endangering El Pasoans and their property. How many more accidents is uncertain, but a proper **traffic survey and simulation can provide data with which to evaluate the risks**.

Another likely consequence of a 300-residence housing project is a **disruption of the neighborhood's traffic flow**. To avoid traffic congestion on Shadow Mountain, many drivers will likely opt for an alternative route. The thoroughfares most likely impacted are Silver Springs, Mesa Hills, and Festival, but other streets near Shadow Mountain may also be affected (**see map**). How badly these roads will be affected is uncertain until a proper traffic survey and simulation are performed. But there is reason to believe the impact will be significant because of what has happened before in this neighborhood. About a dozen years ago, speed bumps had to be installed on Crown Point Drive to deter motorists from using that route as a shortcut in their daily commute. Prior to the speed barriers, residents were unable to safely back out of their driveways in the morning because of the crush of commuters. A comparable logjam on streets close by is likely if the Avery Shadow Mountain project is approved in its current form.

How large a project can be accommodated in Avery Shadow Mountain without undue disruption to neighborhood traffic? A hundred apartments could be a safe upper limit, but there's no need to guess. A detailed traffic survey performed over several weeks on and around Shadow Mountain should provide the necessary data to make an informed decision, especially if it is used as part of a traffic simulation study during the busiest times of day and evening. A revision of the current proposal should also allow for safer ways to enter and exit the development.

I urge the City Plan Commission to commission a traffic study to update the most recent ones published in 2012 (Shadow Mountain) and 2001 (nearby side streets) and use this information to negotiate a downsizing of the Avery Shadow Mountain project to more manageable proportions.

Sincerely,
Steven Greenberg
640 Moondale Drive, El Paso, TX
steven@sillconspeech.com

Map of neighborhood streets potentially impacted by Avery Shadow Mountain Project

