



HORIZON CITY

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**AGENDA
PUBLIC MEETING
REGULAR CITY COUNCIL MEETING
THE TOWN OF HORIZON CITY, TEXAS
Tuesday, July 11, 2023, 6:00 PM**

Notice is hereby given that a Regular City Council Meeting of the Town of Horizon City, Texas will be held on **Tuesday, July 11, 2023 at 6:00 PM** at City Council Chambers Room, 15001 Darrington Road, Horizon City, TX 79928, at which time the following will be discussed and considered:

- 1. Call to order; Pledge of Allegiance; Establishment of Quorum**
- 2. Open Forum:**

CONSENT AGENDA

All matters listed under the CONSENT AGENDA are considered routine and will be enacted in one motion. There will be no separate discussion of these items unless a member(s) of the City Council requests one or more items be removed from the CONSENT AGENDA to the REGULAR AGENDA for separate discussion and action prior to the City Council's vote to adopt the CONSENT AGENDA.

- 3. Approval of Minutes from:** **4**

Mayor/City Clerk

6/20/23 Regular City Council Meeting.

- 4. Discussion and Action:** **9**

Mayor/CIP Manager

On an update on the Capital Improvement Program.

- 5. Request to Excuse Absent Council Members:**

- 6. Approval of Consent Agenda Items:**

REGULAR AGENDA

- 7. PRESENTATION:**

Mayor/Rene Romero

On a presentation from the Texas Department of Transportation on the FM1281 (Horizon Blvd) Project.

- 8. Discussion and Action:** **30**

Mayor/Planner

On a Preliminary Subdivision Plat application for Rancho Desierto Bello Unit 14 (Case No. SUB-002526-2023), legally described as a portion of Leigh Clark Survey No.297, Town of Horizon City, El Paso County, Texas, Containing 18.708-acres. Application submitted by TRE & Associates, LLC.

- 9. PUBLIC HEARING:**

Mayor/Planner

On a Specific Use Permit application (Case No. SUP-002527-2023) for Automobile Service & Repair Station use on a property located at 14160 Horizon Blvd., legally described as A Portion of Block 13, Horizon Manor Unit 1 Replat Subdivision, Town of Horizon City, El Paso County, Texas. Containing 0.48-acres +/- Application submitted by Guggenheim Development Services.

- 10. Discussion and Action:** **42**

Mayor/Planner

On a Specific Use Permit application (Case No. SUP-002527-2023) for Automobile Service & Repair Station use on a property located at 14160 Horizon Blvd., legally described as A Portion of Block 13, Horizon Manor

Unit 1 Replat Subdivision, Town of Horizon City, El Paso County, Texas. Containing 0.48-acres +/- . Application submitted by Guggenheim Development Services.

11. Discussion:

53

Mayor/Planner

1st Reading of Ordinance _____, an Ordinance on a rezoning application request (Case No. RZ-002523-2023) to approve a change in zone for four tracts of land from R-2 (Residential) to C-2 (Heavy Commercial), legally described as Tracts 1, 10-C, 10 D-1 and 12, Section 32, Block 78, Township 3, Texas and Pacific Railroad Surveys, Town of Horizon City, El Paso County, Texas. Containing 5.8326-acres. Application submitted by TRE & Associates LLC.

12. Discussion:

70

Mayor/Planner

1st Reading of Ordinance _____, an Ordinance on a rezoning application request (Case No. RZ-002524-2023) to approve a change in zone for one lot from R-PD (Residential-Planned Development) to A-1 (Apartments), legally described as Lot 1, Block 4, Tuscany Park Village Replat "A", Town of Horizon City, El Paso County, Texas. Containing 17.8630-acres+/- . Application submitted by Yasser Haydar.

13. Discussion and Action:

Mayor/Finance Director

On setting the dates for the budget workshop, hearings on the City budget and tax rate and authorizing the Mayor to publish the proposed tax rate based on the filed budget. The recommended date for the budget workshop is August 1, 2023. The date for the Budget Hearing is August 29, 2023 and the Tax Rate Public Hearing is September 19, 2023. All budget related meetings are scheduled to be held at 6:00 pm.

14. Discussion:

90

Mayor/Municipal Judge

1st Reading of Ordinance _____, An ordinance of the town of Horizon City, Texas repealing Ordinance No. 0038, dated November 13, 2012, and amended on December 9, 2014, establishing a curfew for minors; providing for findings of fact, severability; repealer; effective date, and proper notice & meeting.

15. Executive Session

The City Council of the Town of Horizon City reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.086 (Economic Development).

Adjournment:

Motion to Adjournment: _____ 2nd _____

Dated this Friday, 7/7/2023

By: _____
Elvia Schuller, City Clerk

I, the undersigned authority, hereby certify that the above notice of the Regular City Council Meeting of the Town of Horizon City, Texas is a correct copy of this notice, and that I posted this notice at least three (3) business days preceding the scheduled meeting at the City Hall Bulletin Boards of the Town of Horizon City, Texas on this Friday, 7/7/2023 by 5:00 p.m.

Agenda Removed: _____ Time _____ By _____

In compliance with the Americans with Disabilities Act, the Town of Horizon City will provide for reasonable accommodations for persons attending meetings. Requests for auxiliary aids and services must be made 48 hours prior to this meeting by calling the City Clerk at (915) 852-1046.

**MINUTES
AGENDA
PUBLIC MEETING
REGULAR CITY COUNCIL MEETING
THE TOWN OF HORIZON CITY, TEXAS
Tuesday, June 20, 2023, 6:00 PM**

Notice is hereby given that a Regular City Council Meeting of the Town of Horizon City, Texas was held on **Tuesday, June 20, 2023 at 6:00 PM**, at City Council Chambers Room, 15001 Darrington Road, Horizon City, TX 79928, at which time the following was discussed and considered:

1. Call to order; Pledge of Allegiance; Establishment of Quorum

Meeting called to order at 6:03 pm. Alderman Quiroz was absent. Quorum Established.

2. Open Forum:

Rep. Veronica Escobar Grants Coordinator/District Representative, Manuel Rodriguez, spoke regarding upcoming projects and support services for the Town of Horizon City.

CONSENT AGENDA

All matters listed under the CONSENT AGENDA are considered routine and will be enacted in one motion. There will be no separate discussion of these items unless a member(s) of the City Council requests one or more items be removed from the CONSENT AGENDA to the REGULAR AGENDA for separate discussion and action prior to the City Council's vote to adopt the CONSENT AGENDA.

3. Approval of Minutes from:

Mayor/City Clerk
May 23, 2023 Special City Council Meeting.

4. Discussion and Action:

Mayor/CIP Manager
On an update on the Capital Improvement Program.

5. Discussion and Action:

Mayor/Finance Director
On the approval of the City's Investment Policy.

6. Discussion and Action:

Mayor/EDC Executive Director
On the appointment of James Montoya to the Horizon City Economic Development Corporation Board of Directors.

7. Discussion and Action:

Mayor/Planner
On the Recording Plat application and ratifying the Mayor's signature on the recording plat for Horizon Country Club Estates Unit Two Replat "B", legally described as Horizon Country Club Estates Unit Two Replat "A", Town of Horizon City, El Paso County, Texas.

8. Discussion and Action:

Mayor/Planning Director
On the acceptance of the third and final phase of public improvements installed with the Horizon Country Club Estates Unit Two Replat A subdivision.

9. **Discussion and Action:**

Mayor/Planning Director

On the first amendment to the Subdivision Construction Agreement between SDC Development, LLC and the Town of Horizon City for the Rancho Desierto Bello Unit 12A development to extend the term of the contract to complete the permanent drainage improvements to July 18, 2025.

10. **Request to Excuse Absent Council Members:**

11. **Approval of Consent Agenda Items:**

Alderman Randleel requested Item # 4 be pulled and be heard under the regular agenda. A motion was made by Alderman Padilla and seconded by Alderman Randleel to excuse Alderman Quiroz's absence, pull item #4 and approve the remainder of the consent agenda. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

REGULAR AGENDA

4. **Discussion and Action:**

Mayor/CIP Manager

On an update on the Capital Improvement Program.

CIP Manager Spoke regarding this item.

No action was taken on this item.

Items #12, 13 & 14 were taken after Item #1.

12. **Discussion and Action:**

Mayor/Asst. City Atty

On a Resolution Canvassing the votes of the June 10, 2023, Mayoral Run-off Election.

City Attorney, Rezzin Pullum spoke regarding this item.

A motion was made by Alderman Miller and seconded by Alderman Urrutia to approve the Resolution Canvassing the votes of the June 10, 2023, Mayoral Run-off Election. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye. Motion passed.

13. **PRESENTATION:**

Mayor/City Clerk

Swearing-in Ceremony of newly elected Mayor.

Horizon City Municipal Judge, Mario Gonzalez conducted the swearing in ceremony for Andres Renteria as Mayor and Ruben Mendoza as Alderman Place 7.

14. **Discussion and Action:**

Mayor/Asst. City Atty

On the City Council nomination and appointment of a Mayor Pro Tem to serve until the next General Election.

A motion was made by Alderman Miller and seconded by Alderman Randleel to nominate and appoint Alderman Ralph Padilla as Mayor Pro Tem to serve until the next General Election. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

15. Discussion and Action:

Mayor/Hilltop Securities

On a Resolution directing publication of a notice of intention to issue Combination Tax and Revenue Certificates of Obligation; and resolving other matters relating to the subject.

Hilltop Securities, Inc. Managing Director/Investment Banker, Maria Fernanda Urbina spoke regarding this item.

A motion was made by Alderman Mendoza and seconded by Alderwoman Urrutia to approve the Resolution directing publication of a notice of intention to issue Combination Tax and Revenue Certificates of Obligation; and resolving other matters relating to the subject. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RANDLEEL – Nay; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

16. Discussion and Action:

Mayor/CIP Manager

On a resolution authorizing the Mayor to sign the Construction Management Services agreement with Huitt Zollars for construction management services on the Oxbow, Pawling and Breaux street and drainage improvement project.

CIP Manager, Terry Quezada spoke regarding this item.

A motion was made by Alderman Mendoza and seconded by Alderman Padilla to approve the resolution authorizing the Mayor to sign the Construction Management Services agreement with Huitt Zollars for construction management services on the Oxbow, Pawling and Breaux street and drainage improvement project. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

17. Discussion and Action:

Mayor/CIP Manager

On resolution authorizing the Mayor to sign a design agreement with Huitt Zollars for design of the 2023 Street Resurfacing project.

Staff requested this item be deleted.

A motion was made by Alderman Miller and seconded by Alderwoman Urrutia to delete this item. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

Item # 18 was taken after Item # 15.

18. Discussion and Action:

Mayor/Planning Director

On a Resolution authorizing the Mayor to sign an Interlocal Public Service Transit and Contribution Agreement for Fiscal Year 2023 with the El Paso Area Transportation Services, LGC.

El Paso County Commissioner Iliana Holguin, El Paso County Transit Staff Member, Daniel Marquez and CIP Manager, Terry Quezada spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Mendoza to approve the resolution authorizing the Mayor to sign an Interlocal Public Service Transit and Contribution Agreement for Fiscal Year 2023 with the El Paso Area Transportation Services, LGC. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

19. **Discussion and Action:**

Mayor/Planning Director

On a Resolution authorizing the Mayor to sign a FY 2023 Community Project Funding Grant Agreement (No. B-23-CP-TX-1401) between the Town of Horizon City, Texas and the Department of Housing and Urban Development for the design of the Horizon Transit Oriented Development Phase 1 project.

CIP Manager, Terry Quezada spoke regarding this item.

A motion was made by Alderman Mendoza and seconded by Alderman Padilla to approve the resolution authorizing the Mayor to sign a FY 2023 Community Project Funding Grant Agreement (No. B-23-CP-TX-1401) between the Town of Horizon City, Texas and the Department of Housing and Urban Development for the design of the Horizon Transit Oriented Development Phase 1 project. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

20. **Discussion and Action:**

Mayor/Asst. City Atty

On a Resolution to Consider the Proposed Petition to Modify Schedule No. 33 Economic Development Rate Rider requested by El Paso Electric Company.

Asst. City Atty, Marianella Joseph spoke regarding this item.

A motion was made by Alderman Mendoza and seconded by Alderwoman Urrutia to approve the resolution to Consider the Proposed Petition to Modify Schedule No. 33 Economic Development Rate Rider requested by El Paso Electric Company. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

21. **Discussion and Action:**

Mayor/Alderwoman Randleel

On expanding the live streaming to all open public meetings to include but not limited to all Council, P &Z, BOA and EDC meetings.

Alderwoman Pat Randleel spoke regarding this item.

A motion was made by Alderman Miller and seconded by Alderman Mendoza to direct staff to investigate a more effective audio/visual system for live streaming city meetings. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

The Mayor and City Council adjourned the Open Session for Executive Session at 7:25 PM.

22. **Executive Session**

The City Council of the Town of Horizon City reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.086 (Economic Development).

- 22A. Receive legal advice and discuss potential acquisitions of real estate pursuant to Texas Government Code sections 551.071 and 551.072 related to acquisitions, including by use of eminent domain if necessary, of real property interests for the right of way and drainage facility for the North Darrington Reconstruction Project.

The Mayor and Council Reconvened into Open Session at 7:39 PM.

A motion was made by Alderman Miller and seconded by Alderwoman Randleel to return to Open Session. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

After Returning to Open Session the City Council took the following action:

A motion was made by Alderman Miller and seconded by Alderman Mendoza to approve the resolution of the Town Council of the Town of Horizon City, Texas, determining a public need and necessity for the acquisition of certain property and authorizing the city's attorney to file proceedings in eminent domain to acquire said property interests: Owner: Jaime Bejarano

Property Interest(s) to be acquired: a total of 0.2464 acre (10,733.5 sq. ft.) of land situated within the corporate limits of the Town of Horizon City, El Paso County, Texas as all of Lot 4, Block 8, Horizon Country Club Estates Unit One, as recorded in Book 27, Page 21, El Paso County Plat Records.

The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

ADJOURNMENT

A motion was made by Alderwoman Randleel and seconded by Alderman Miller to adjourn at 7:41 PM.

Approved this ____ day of _____, 20__.

Attest:

Elvia Schuller, City Clerk

Andres Renteria, Mayor

Town of Horizon City Capital Improvement Program

July 11, 2023
Council Meeting

Oxbow & Pawling Street Improvements

- Preconstruction Meeting: May 31, 2023
- Start Date: June 12, 2023
- Contract Time: 330 Days
- Completion Date: May 2024

Municipal Facilities – Phase 1

- Part of FY 2023 CIP and Certificate of Obligation Issuance
- Preparing to advertise in summer 2023
- Construction Award scheduled for summer 2023

Municipal Facilities – Phase 1



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Rendering from Exigo Architecture – December 2020

Regional Park

- Preparing to appraise proposed park site
- Design for regional recreation facility is proposed as part of 2023 Certificate of Obligation Issuance

Street Maintenance Fund

2022-2023 Street Maintenance Program

- City staff evaluating scope and estimates to determine final scope of work
- Design and bid preparation during spring 2023
- Construction mid-2023

Federally- & State-Funded Project Updates

N. Darrington Reconstruction

- Project scheduled for construction award in **FY 2023**
- Advertised for June 27, 2023, bid opening and July 2023 award by the Texas Transportation Commission
- Apparent low bid is approximately \$21.5 million
- Programmed amount through MPO is \$17 million
- Staff is preparing local funding options – no federal or state funding options are available on a timely basis for bid award.

N. Darrington Reconstruction

- Town staff and TXDOT working on Utility Coordination
 - Texas Gas Service expected to request reimbursement for their relocations on N. Darrington per franchise agreement
 - Project requires encroachment on Texas Gas Service easement – Town staff and legal team finalizing agreement

N. Darrington Reconstruction

Public meeting with TXDOT to update residents on project

August 10, 2023

6 PM – 8 PM

Opening Comments at 6:30 PM

Oz Glaze Center

N. Darrington Reconstruction – ROW Acquisition

Status

- 8 parcels purchased
- 1 parcel – will begin ED process
- 7 parcels – title and out-of-country ownership undergoing process
- 1 parcel originally temporary construction easement (TCE) purchased as fee simple
- 1 parcel TCE - acquired
- Additional scope for required easements at Darrington and Pawling/Walmart intersection approved by CRRMA Board on June 14, 2023.

Safety Projects

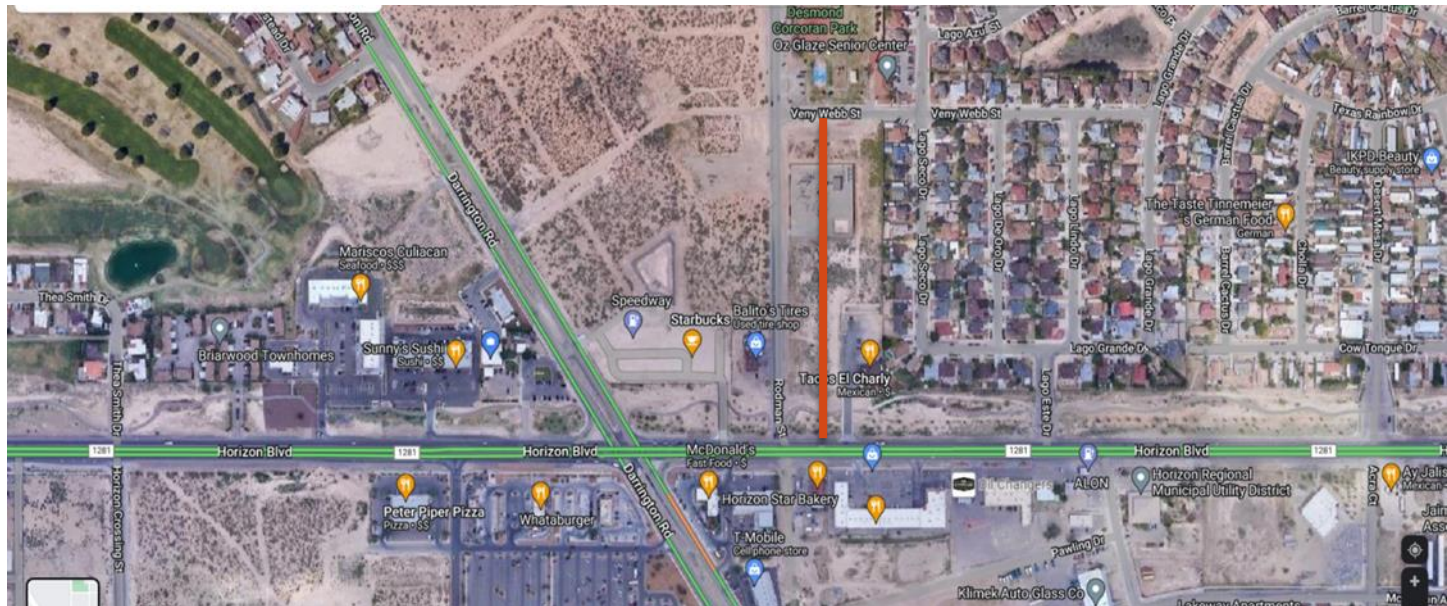
- **S. Darrington Safety Lighting** from Alberton to LTV Rd. – FY 2023 - project awarded March 2023
- Project start – pending start date
- **N. Kenazo Safety Lighting** from Eastlake to Horizon Blvd. – FY 2022
- Project start – **August 2023**

Delays in project starts are due to long lead times for lighting fixture poles.

Transportation Alternative Set-Aside (TASA)

- Rodman multi-use path from Horizon Blvd. to Veny Webb approved for TASA funding by the Transportation Policy Board.
- Proposing to enter into Interlocal Agreement with CRRMA for project design and construction

Rodman Multi-Use Path



Funding Updates

Town of Horizon City Preliminary Listing

FY 2023 - 2026 Priority Capital Projects

Updated: January 19, 2023

Project Category/Project	Totals	FY 2023 Issuance	Future Issuance
Street and Infrastructure Projects			
N. Darrington Reconstruction Gap	\$ 2,000,000	\$ 2,000,000	\$ -
Match for TXDOT Projects	\$ 3,000,000	\$ 2,000,000	\$ 1,000,000
Street and Drainage projects	\$ 3,250,000	\$ 1,500,000	\$ 1,750,000
Total Street and Infrastructure	\$ 8,250,000	\$ 5,500,000	\$ 2,750,000
Regional Recreation Facility	\$ 22,000,000	\$ 2,500,000	\$ 19,500,000
ADA Implementation	\$ 5,000,000	\$ 2,500,000	\$ 2,500,000
Municipal Facilities - Phase 1	\$ 15,000,000	\$ 15,000,000	\$ -
Totals	\$ 50,250,000	\$ 25,500,000	\$ 24,750,000

TIRZ/TOD Update

Dilley, Delake and Transit Plaza

- Funding will be made available through HUD and Economic Development
- Staff is developing scope of work for transit plaza location as a pre-design activity
- Proposing to enter into agreement with CRRMA for transit plaza siting

TIRZ Participation Agreements

HRMUD

- Initial discussions - July 6, 2022, HRMUD Board meeting
- Working with HRMUD legal counsel and engineering consultant

Town of Horizon City Capital Improvement Program

July 11, 2023
Council Meeting



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: July 11, 2023

To: Honorable Mayor and Members of City Council

From: Art Rubio, Planner

SUBJECT: On a preliminary plat application for Rancho Desierto Bello Unit 14 (SUB-002526-2023), a property legally described as a portion of Leigh Clark Survey No. 297, Town of Horizon City, El Paso County, Texas, containing 18.708 acres +/-.
Application submitted by TRE & Associates.

Rancho Desierto Bello Unit 14 on a Preliminary Subdivision application was approved by the City Council; however, the final plat was not submitted prior to the expiration date and applicant resubmitted the preliminary plat application.

On June 19, 2023, the Planning and Zoning Commission voted unanimously to recommend that the City Council approve the RDB U-14 preliminary plat for the subject property with the condition that all pending staff comments be addressed prior to the City Council action and prior to final plat approval.

As of the posting of the agenda for the July 11, 2023, City Council meeting, staff is pending receipt of the remaining staff comments. The staff recommendation will be presented to the City Council at the meeting.

Attached for your review is the consolidated and revised staff report that was presented to the Planning and Zoning Commission.



TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

Case No.: SUB-002526-2023
Rancho Desierto Bello Unit Fourteen (RDBU14)

Application Type: **Preliminary Plat**

P&Z Hearing Date: June 19, 2023

Staff Contact: Art Rubio, Planner
915-852-1046 ext. 407 arubio@horizoncity.org

Address/Location: The vacant parcel is located west of Darrington Road and northwest of Claret Cup Road.

Legal Description: A portion of Leigh Clark Survey No. 297, Section 43, Block 78, Township 3, Texas, and Pacific Railroad Company, Town of Horizon City, El Paso County, Texas

Owner: SDC Development, LTD.

Applicant/: TRE & Associates, L.L.C.

Nearest Park: RDB 2 Park

Nearest School: Ricardo Estrada Middle School

SURROUNDING PROPERTIES:

	Zoning	Land Use
N	R-9 (Residential)	Vacant
E	R-2 (Residential)	Vacant
S	M-1 (Industrial)	Industrial
W	R-9 (Residential)	Vacant

LAND USE AND ZONING:

	Existing
Land Use	Vacant
Zoning	R-9 Residential

Application Description:

The RDB-U14 Preliminary Plat Subdivision application was approved August 9, 2022; however, the application expired, and the applicant resubmitted the application. There have been no changes to the application since the initial submittal and approval. The application expired due to a pending TIA issue that has now been resolved. The proposed RDB-U14 Preliminary Plat Subdivision includes 68 lots for single-family residential development, the smallest lot measuring approximately 6,186 square feet and the largest lot measuring approximately 8,769 square feet in size. The applicant proposes a 52' ROW Residential Subcollector Street and a 76' ROW Minor Arterial Street to serve all the lots in the subdivision.

Cumulative Parkland Dedication:

The developer has proposed to dedicate 5.022 acres of parkland with Unit 13 to account for the entirety of the remaining Rancho Desierto Bello development, Units 12-20. The

total number of units for both phases of Unit 15 is 149 lots, putting the current cumulative lot total for Units 12-20 of Rancho Desierto Bello at 386 lots. In accordance with Section 2.8.1 of the Subdivision Ordinance, this results in 2.5 acres of required parkland and \$4,400 parkland fees due. After Unit 15, the developer will carry 2.522 acres of parkland credit that is eligible to apply to the remaining units of the development. RDB Unit 14 requires cumulative parkland of 0.5 acres for the proposed 68 lots and \$1,600 parkland fees due. After Unit 14 the developer will carry 2.022 acres of parkland credit that is eligible to apply to the remaining units of the development and the remaining credits will expire 9/21/2023, if not used.

Staff Recommendation:

At the time that the agenda is posted, staff have not received a revised plat that addresses the staff comments. Therefore, staff will provide their recommendation to the Commission at the meeting.

Planning Comments:

- ~~1. Label all proposed ROWs per official MPO & MTP designation.~~
- ~~2. Label storm water drainage flow arrows as per proposed drainage plan.~~
- ~~3. Please provide full legal description on main subdivision caption.~~
- ~~4. Lots 1-7 Block 73, Lots 1-9 Block 71 and Lots 111-117 Block 53 have double frontage, please provide plat note or label restricting access to only one ROW that being Star Cactus Avenue.~~
- ~~5. Residential Sub Collector Street Cross Section does not meet Construction Design Standard Cross Section; the labeling shall match what is shown in the standards.~~
- ~~6. Please confirm why the Block and lot number sequence followed previous RDB adjacent to RDB Unit 14 and not a new sequence for a new subdivision application?~~
7. Please confirm and call out what instrument, timeline and surface improvement will be utilized to provide temporary turnaround easements on property outside subject subdivision? **To be addressed prior to or along with final plat submittal.**

Public Works Director Comments:

RANCHO DESIERTO BELLO U- 14 (Preliminary Plat)

Review #1 7/6/2022 Review #2 08/08/2022: For U-14 preliminary plat.

Public Works Department comments have been addressed for U-14 preliminary plat.

- ~~1. Provide a note for all applicable Blocks stating driveways or vehicular access shall only be allowed on dedicated streets.~~
- ~~2. Missing easement information on Block 34 (easements between lots 24-30).~~
- ~~3. Show drainage flow arrows for subdivision to include RDB U-1 and 11 and add a note explaining the conveyance.~~
- ~~4. Provide Drainage calculations. (See ordinance 4.2.2.6 section d Developed storm water shall be addressed in the drainage study)~~
- ~~5. Provide the location of any existing utilities with the size of sewer or water mains if they exist with in the area.~~
- ~~6. Show existing addresses for RDB U-1 and 11.~~
- ~~7. Blocks 34,53,72 (EAST AND WEST SIDE), address numbers shall be 3 DIGITS (see section 107.090 ORDINANCE 00107).~~
Provide explanation for the 4 digits provided, is this a request from El Paso County 9-1-1 District?

~~NOTE: Address review/approval by the El Paso County 9-1-1 District is required (on final plat)~~

~~NOTE: Provide Closure with metes and bounds description (on final plat).~~

Town Engineer Comments:

Huitt-Zollars, Inc., acting on behalf of the Town of Horizon City in the capacity of the Town Engineer, has reviewed the improvement plans for the Rancho Desierto Bello Unit-14 in Horizon City, Texas. Based on our review, we recommend the following:

Rancho Desierto Bello Unit 14

Summary of Recommended Conditions for Preliminary Plat Approval:

The Town Engineer recommends the following:

- ~~1. Address redlines, and comments shown on plat.~~
- ~~2. POB does not match metes and bounds description.~~
- ~~3. Review metes and bounds, bearings do not match curve table on face of plat. See redlines where there are inconsistencies.~~
- ~~4. Show Postal Boxes on the face of plat.~~
- ~~5. Check areas indicated in the metes and bounds for the plat.~~
- ~~6. Verify area in the legal description.~~
- ~~7. Verify roadway names are consistent on the plat in all locations.~~
- ~~8. Show ROW widths on the face of plat for all roadways.~~
- ~~9. Label existing and proposed contours as indicated in legend.~~
- ~~10. Show the size and location of existing utilities on the plat. The plat does not indicate that there are gas lines in the area. How is the subdivision going to receive gas?~~
- ~~11. Provide recording document # for Rancho Desierto Bello Unit 15 Phase II on plat. Provide prior to recording.~~
- ~~12. Provide closure reports for the subdivision and the individual lot to ensure closure.~~
- ~~13. Per the RDB Master Plan TIA findings, Claret Cup and Darrington will need to be signalized with Unit 14.~~
- ~~14. Per the RDB Master Plan TIA findings, a SB right turn lane will need to be constructed with Unit 14 at Claret Cup and Darrington. The turn lane design should be included in the RDB Unit 14 improvement plans.~~
- ~~15. Item No. 10 of PLAT NOTES AND RESTRICTIONS – Review note to read: Access to Lots 1-7, Block 73, Lots 1-9, Block 71, Lots 11-117, Block 53, abutting Claret Cup Place; Lot 1, Block 73, Lot 1, Block 71 abutting Atticus Pinch Street; Lot 9, Block 71, Lot 111, Block 53 abutting Ferro Cactus; Lots 13, 14, 23, 24, Block 34, Lots 4 and 5, Block 72, Lot 123, Block 53 abutting Star Cactus Avenue; and Lot 9, Block 49 abutting Cacto Pl shall be from dedicated streets fronting the property only.~~

School District Comments:

No objections

El Paso County 9-1-1 District:

The 911 District requests that another name be substituted for Desert Cactus as this street name already exists in our response area. Also, please see below link to proper spelling for the proposed Ferro Cactus listed on the plat.

El Paso Electric:

Please have the developer include a 5' wide easement along the back of the lots 134 - 118 as shown below. We have an existing line in the area, not shown with easement, 1836, 1381.

Additional Requirements:

Within twelve (12) months of the approval of the final plats by the Town Council, a recording plat application will need to be submitted for City Council approval.

Failure of the subdivider to submit a recording plat within twelve (12) months of approval of the final plat by the City Council will nullify the approval of the final plat and obligate the subdivider to reapply for preliminary plat approval should the subdivider wish to pursue the subdivision. (§4.11.2 Subdivision Municode Chapter 10)

- Any required parks fees shall be paid prior to the recordation of the plat.

Attachments:

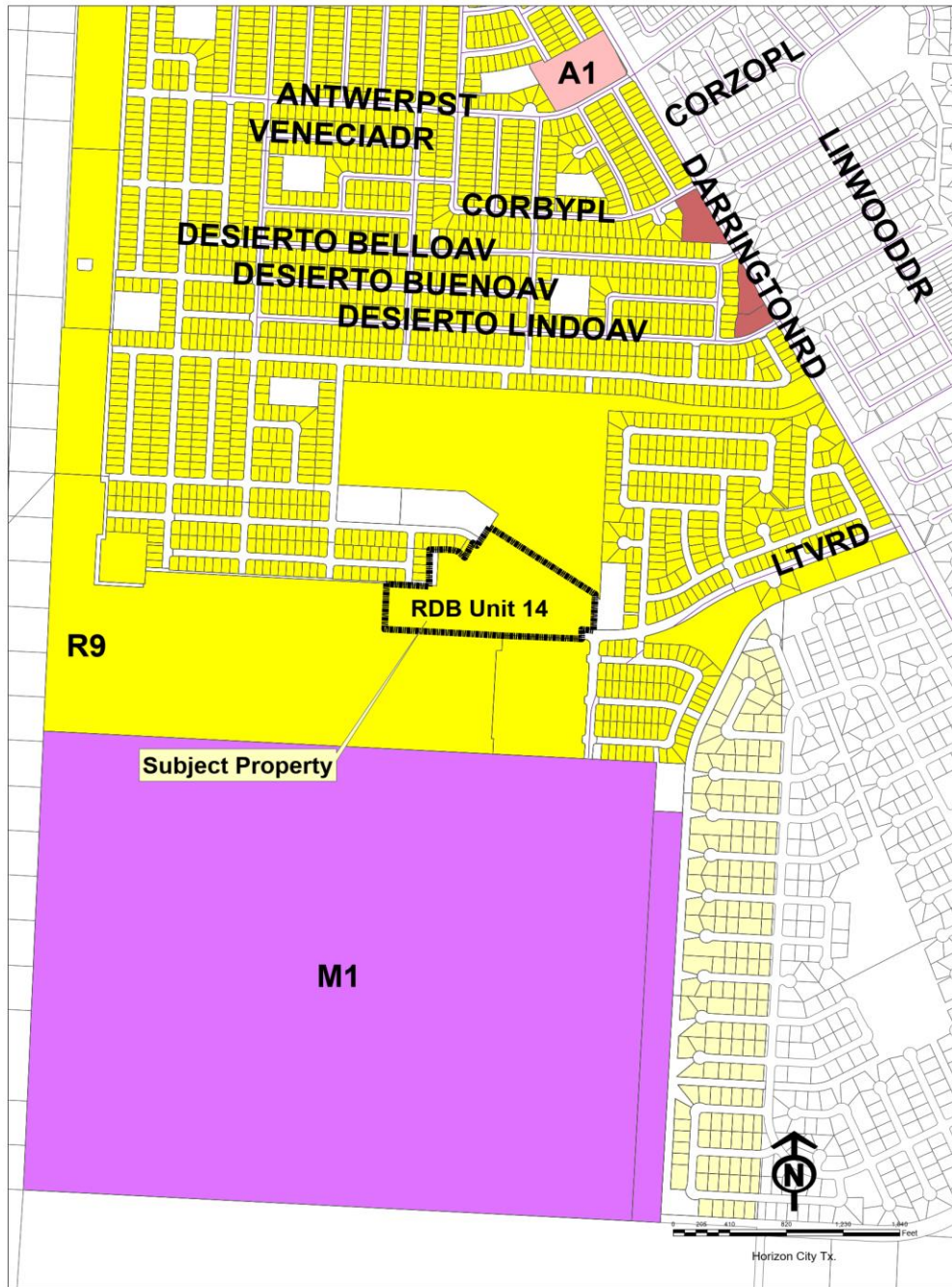
- 1 - Aerial**
- 2 - Zoning Map**
- 3 - Location Map**
- 4 - Preliminary Plats**
- 5 - Right of Way Cross Sections**
- 6 - Preliminary Plat Application**

**Planning & Zoning Commission
Rancho Desierto Bello Unit 14 Preliminary Plat
SUB-002526-2023**

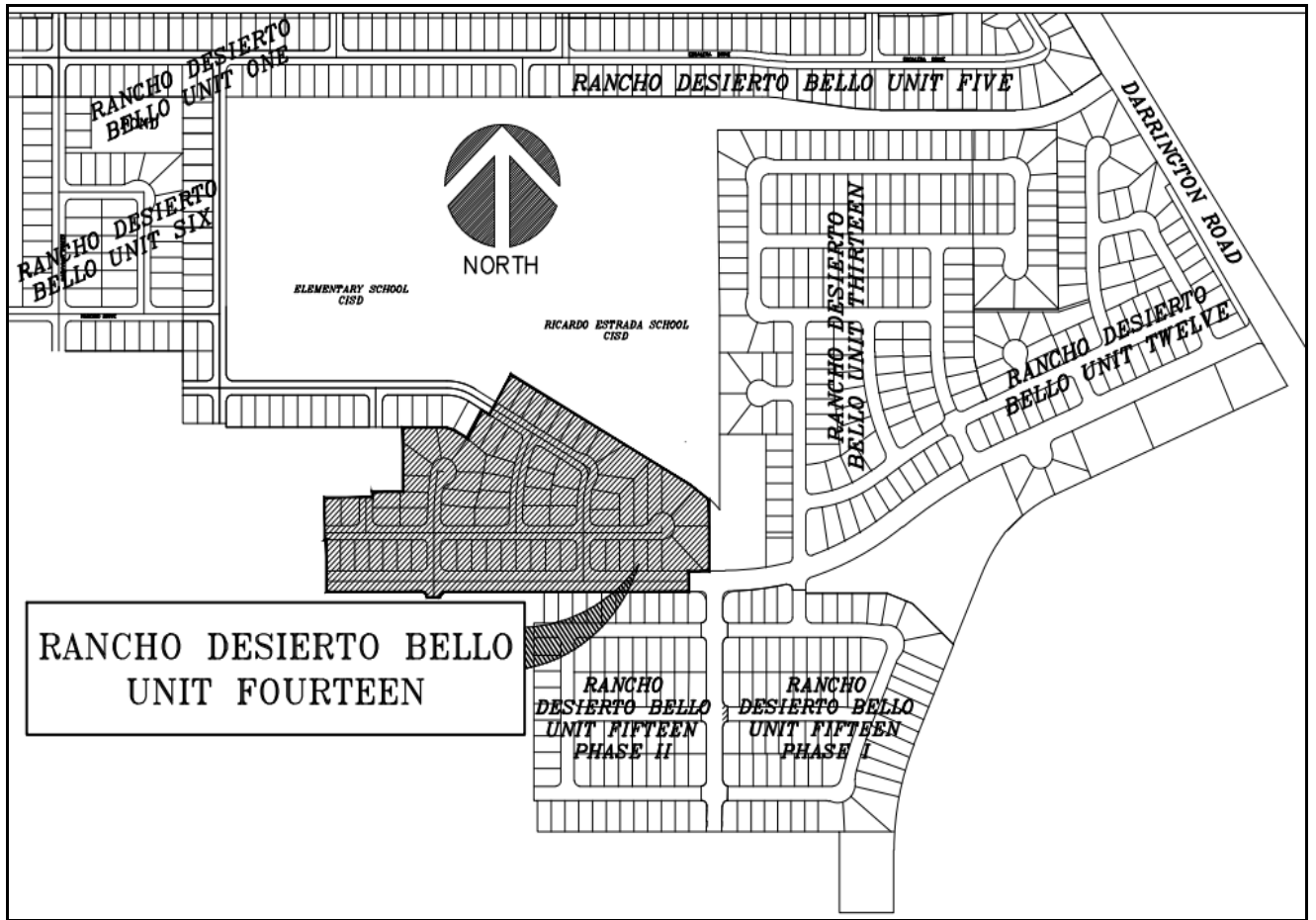


Attachment 2: Zoning Map

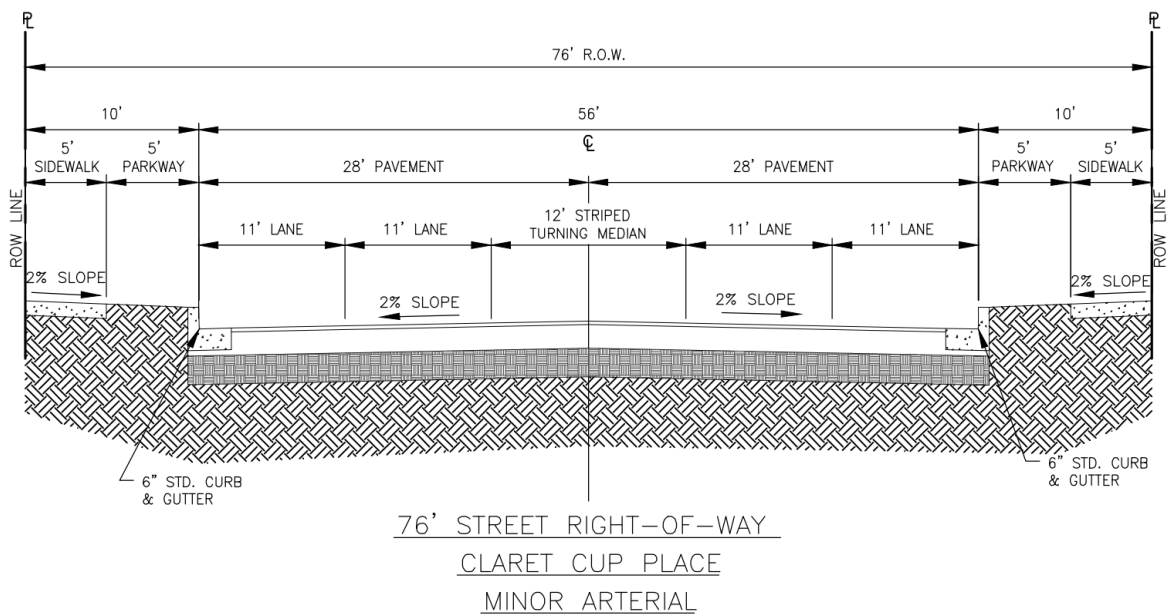
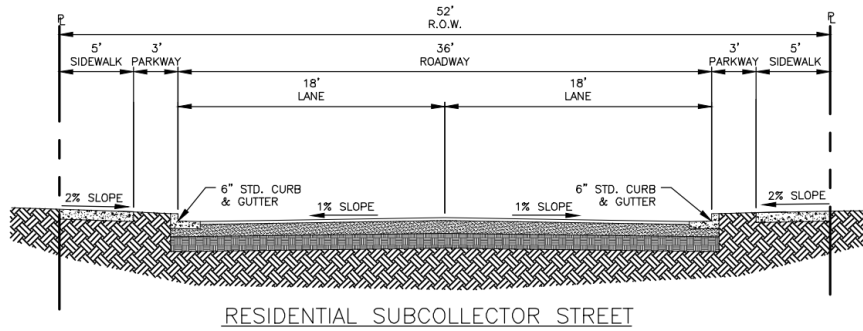
**Planning & Zoning Commission
Rancho Desierto Bello Unit 14 Preliminary Plat
SUB-002526-2023**



Attachment 3- Location Map



Attachment 5 – Right of Way Cross Sections



Attachment 6 – Application Preliminary Plat



TOWN OF HORIZON CITY
14999 Darrington Road
Horizon City, Texas 79928
Phone 915-852-1046 Fax 915-852-1005

SUB-002520-2023

MAJOR SUBDIVISION PRELIMINARY APPLICATION

SUBDIVISION PROPOSED NAME: Rancho Desierto Bello Unit 14

SUBMITTAL DATE: 05/22/2023

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)
A portion of Leigh Clark Survey No. 297, Town of Horizon City, El Paso County, Texas, Containing 18.708 acres +/-.
2. PROPERTY LAND USES:

	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	12.484	<u>68</u>	OFFICE		
DUPLEX			STREET & ALLEY	<u>6.225</u>	
APARTMENT			PONDING & DRAINAGE		
MOBILE HOME			INSTITUTIONAL		
P.U.D.			OTHER		
PARK (Min 1 acre)					
SCHOOL					
COMMERCIAL			TOTAL NO. SITES		<u>68</u>
INDUSTRIAL			TOTAL (GROSS) ACREAGE	<u>18.709</u>	
3. WHAT IS THE EXISTING ZONING OF THE PROPERTY DESCRIBED ABOVE? N/A PROPOSED ZONING N/A
4. WILL THE RESIDENTIAL SITES, AS PROPOSED, PERMIT DEVELOPMENT IN FULL COMPLIANCE WITH ALL ZONING REQUIREMENTS OF THE EXISTING RESIDENTIAL ZONE(S)? YES ☒ NO ☐
5. WHAT TYPE OF UTILITY EASEMENTS ARE PROPOSED? UNDERGROUND ☐ OVERHEAD ☐ COMBINATION ☒
6. WHAT TYPE OF DRAINAGE IS PROPOSED? (IF APPLICABLE LIST MORE THAN ONE) Underground storm sewer system to retention pond
7. IF SINGLE-FAMILY OR DUPLEX DEVELOPMENT IS PROPOSED: AVERAGE FLOOR AREA OF HOUSES N/A
8. ARE SPECIAL IMPROVEMENTS PROPOSED IN CONNECTION WITH THE DEVELOPMENT? YES ☐ NO ☒
9. IS A MODIFICATION OF ANY PORTION OF THE SUBDIVISION ORDINANCE PROPOSED? YES ☐ NO ☒
IF ANSWER IS "YES", PLEASE EXPLAIN THE NATURE OF THE MODIFICATION _____
10. WHAT TYPE OF LANDSCAPING IS PROPOSED? PARKWAY ☐ MEDIANS ☐ OTHER ☐ N/A
11. REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES: N/A
12. WILL PLAT BE RECORDED PRIOR TO SUBDIVISION IMPROVEMENTS BEING COMPLETED & APPROVED? ☐ YES ☒ NO ☐ N/A INITIALS KB
IF YES, submit REQUIRED GUARANTEE (SECTION 4.10.3 & 8.1.7, Municode Chapter 10) OR Improvement Cost Estimates & Construction Agreement
13. WILL ANY RESTRICTIONS AND COVENANTS BE RECORDED WITH PLAT? YES ☐ NO ☒ INITIALS KB IF YES, PLEASE SUBMIT COPY.
14. OWNER OF RECORD SDC Development, LTD 7910 Gateway Blvd E. Ste. 102, El Paso, Tx 79915 jdurand@desertviewhomes.com (915) 591-5319
(NAME & ADDRESS) (EMAIL) (PHONE)
15. DEVELOPER SDC Development, LTD 7910 Gateway Blvd E. Ste. 102, El Paso, Tx 79915 jdurand@desertviewhomes.com (915) 591-5319
(NAME & ADDRESS) (EMAIL) (PHONE)
16. ENGINEER TRE & Associates, LLC 110 Mesa Park Drive, Ste. 200 kbarraza@tr-eng.com (915) 852-9093
(NAME & ADDRESS) (EMAIL) (PHONE)
17. APPLICANT TRE & Associates, LLC 110 Mesa Park Drive, Ste. 200 kbarraza@tr-eng.com (915) 852-9093
(NAME & ADDRESS) (EMAIL) (PHONE)
18. REP/POINT OF CONTACT Karen Barraza TRE & Associates 110 Mesa Park Dr. Ste. 200 kbarraza@tr-eng.com (915) 852-9093
(NAME & ADDRESS) (EMAIL) (PHONE)

NOTE:

Applicant is responsible for all expenses incurred by the City in connection with the Preliminary Plat approval request, including but not limited to attorney's fees, engineering fees and publication. Charges exceeding deposit will be invoiced separately. Initials KB.

Applicant Signature Karen Barraza

EMAIL kbarraza@tr-eng.com

APPLICATION MUST BE COMPLETE & VALIDATED PRIOR TO SUBDIVISION PROCESSING

Acceptance of fee does not grant acceptance of application.

Non Refundable Deposit \$500.00 | Application Fee: \$100



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: July 11, 2023

To: Honorable Mayor and Members of City Council

From: Art Rubio, Planner

SUBJECT: On a Specific Use Permit application (SUP-002527-2023) request to allow for automobile service & repair use, C-2 (Heavy Commercial) use in a C-1 (General Commercial) zone district. Property is located at 14160 Horizon Blvd., legally described as a Portion of Block 13, Horizon Manor Unit 1 Replat Subdivision, El Paso County, Town of Horizon City, Texas. Application submitted by: Guggenheim Development Services, LLC, Representative

On June 19, 2023, the Planning and Zoning Commission voted 7-0 to recommend that the City Council approve a Specific Use Permit to allow for automobile service & repair use, C-2 (Heavy Commercial) use in a C-1 (General Commercial) zone district located at 14160 Horizon Blvd.

The Vision 2020 - Future Land Use Map designates this area as commercial. The area expresses aspirations for a blend between Light and Heavy Commercial zones and uses. Uses are described as retail, offices, business, personal and professional services, restaurants, banks and financial institutions, doctor, dentist and other medical offices, and related accessory and ancillary uses.

Staff did not receive any correspondence in support of or opposition of the request and recommend approval of the SUP.



TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

Case No.: SUP-002527-2022
Application Type: Specific Use Permit (SUP)
P&Z Hearing Date: June 19, 2023
Staff Contact: Art Rubio, Planner
 915-852-1046 ext. 407; arubio@horizoncity.org

Address/Location: 14160 Horizon Blvd., Horizon City, TX 79928
Legal Description: A portion of Block 13, Horizon Manor Unit 1 Replat Subdivision, Town of Horizon City, El Paso County, Texas

Acreage: Approximately 0.48-acres±
Existing Use: Vacant
Existing Zoning: C-1 (General Commercial)
Request: SUP for C-2 use in a C-1 zone to allow for Automobile Service Station
Owner: Right Choice Dental PLLC
Applicant: Guggenheim Development Services

Surrounding Zoning and Land Use:

Land Use		
N	R-MH (Single-Family Mobile Home)	Single-Family Dwellings/Mobile Home Dwellings
E	C-1 (General Commercial)	Retail/Restaurants
S	R-8 (Single-Family Residential)/ R-9 (Single-Family Residential)	Single-Family Dwellings
W	C-1 (General Commercial)	Retail/Restaurants/Auto Service & Repair

LAND USE AND ZONING:

	Existing	Proposed
Land Use	Vacant	Automobile Service Station
Zoning	C-1 (General Commercial)	SUP for C-2 Use

F/L/Use Designation: Commercial
Nearest Park: Golden Eagle Park
Nearest School: Desert Hills Elementary School

Application Description:

The applicant is requesting a Specific Use Permit to allow for Automobile Service and Repair use on a property zoned C-1 (General Commercial). The proposed use is considered commercial in the City's Municipal Code's Zoning Ordinance, Section 602.2 (BULK STANDARDS), C-2 commercial zoning district. As a result, the applicant is requesting a Specific Use Permit to allow for C-2 (Heavy Commercial) use on a property that is zoned C-1 (General Commercial).

Notice:

In accordance with Section 211.007 of the Texas Local Government Code, notices of the June 19, 2023, public hearing were mailed to those property owners within 200 feet of the subject property on May 30, 2023, and posted in the El Paso Times newspaper on June 1, 2023.

Staff Recommendation:

Staff recommends **approval** of the request for a Specific Use Permit for automobile service & repair use, C-2 use in a C-1 zone.

Section 603.3 of the Horizon City Municipal Code of Ordinance allows for C-2 uses to be in a C-1 zone with a specific use permit for consideration by the Planning and Zoning Commission and approval by the City Council. The proposed use is compatible with Vision 2030 – Future Land Use Map Designation.

Planning Comments:

The proposed use is compatible with surrounding uses to include car wash, tire repair and automobile service in the area.

Vision 2030 – Future Land Use Map Designation:

The Future Land Use Map designates this area as commercial. The area expresses aspirations for a blend between Light and Heavy Commercial zones and uses. Uses are described as retail, offices, business, personal and professional services, restaurants, banks and financial institutions, doctor, dentist and other medical offices, and related accessory and ancillary uses.

Options available to the Planning and Zoning Commission:

The Planning and Zoning Commission may consider the following options and additional requirements that it identifies when reviewing this Specific Use Permit application:

1. Recommend approval of the request for Specific Use Permit in a C-1 Zoning District as stated.
2. Recommend approval of the request for Specific Use Permit in a C-1 Zoning District as stated, including any modifications to bring the Specific Use Permit into conformance with the Zoning Ordinance and the Vision 2030: Comprehensive and Strategic Plan.
3. Recommend denial of the Applicant's request for Specific Use Permit finding that it is not in conformance with the Zoning Ordinance and/or the Vision 2030: Comprehensive and Strategic Plan.
4. Recommend a set postponement should the Commission determine it is not prepared to make a final recommendation, the applicant requests a postponement or if the Commission needs additional information to make a final recommendation.

Attachments:

Attachment 1 – Zoning Map

Attachment 2 – Aerial

Attachment 3 – Site Plan

Attachment 4 – Survey

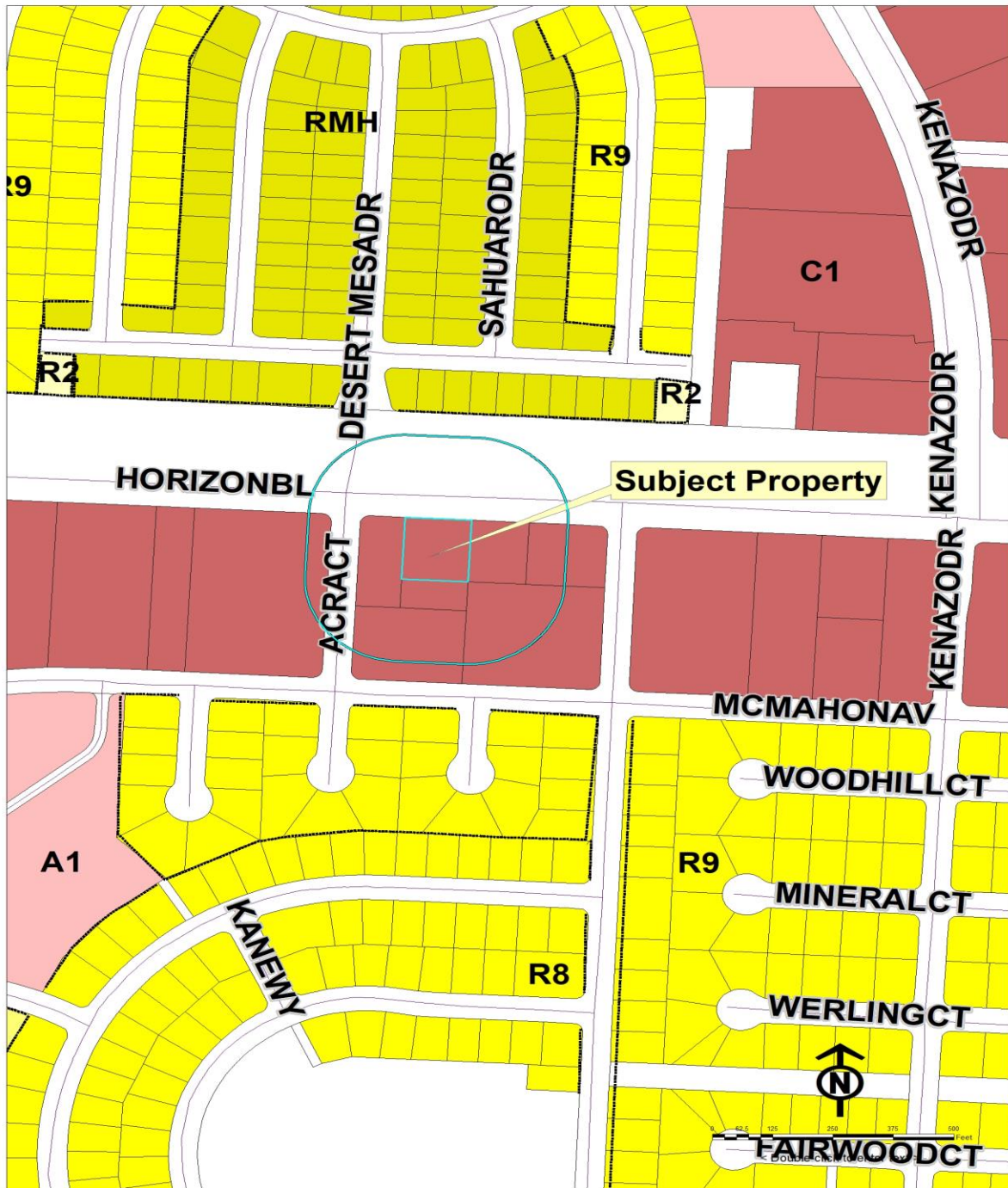
Attachment 5 – Grading Plan

Attachment 6 – Letter to Board

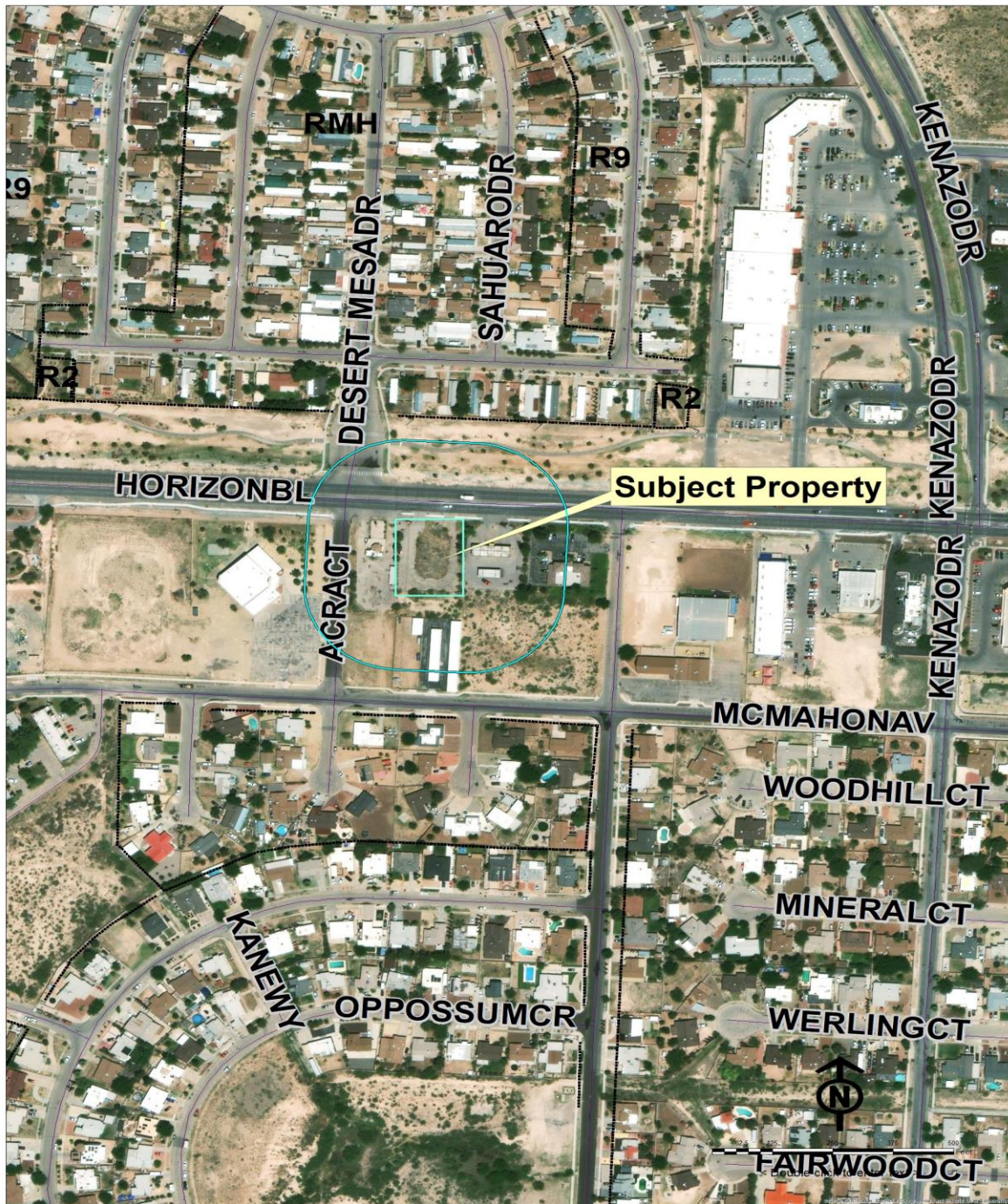
Attachment 7 – Application

Attachment 1: Zoning Map

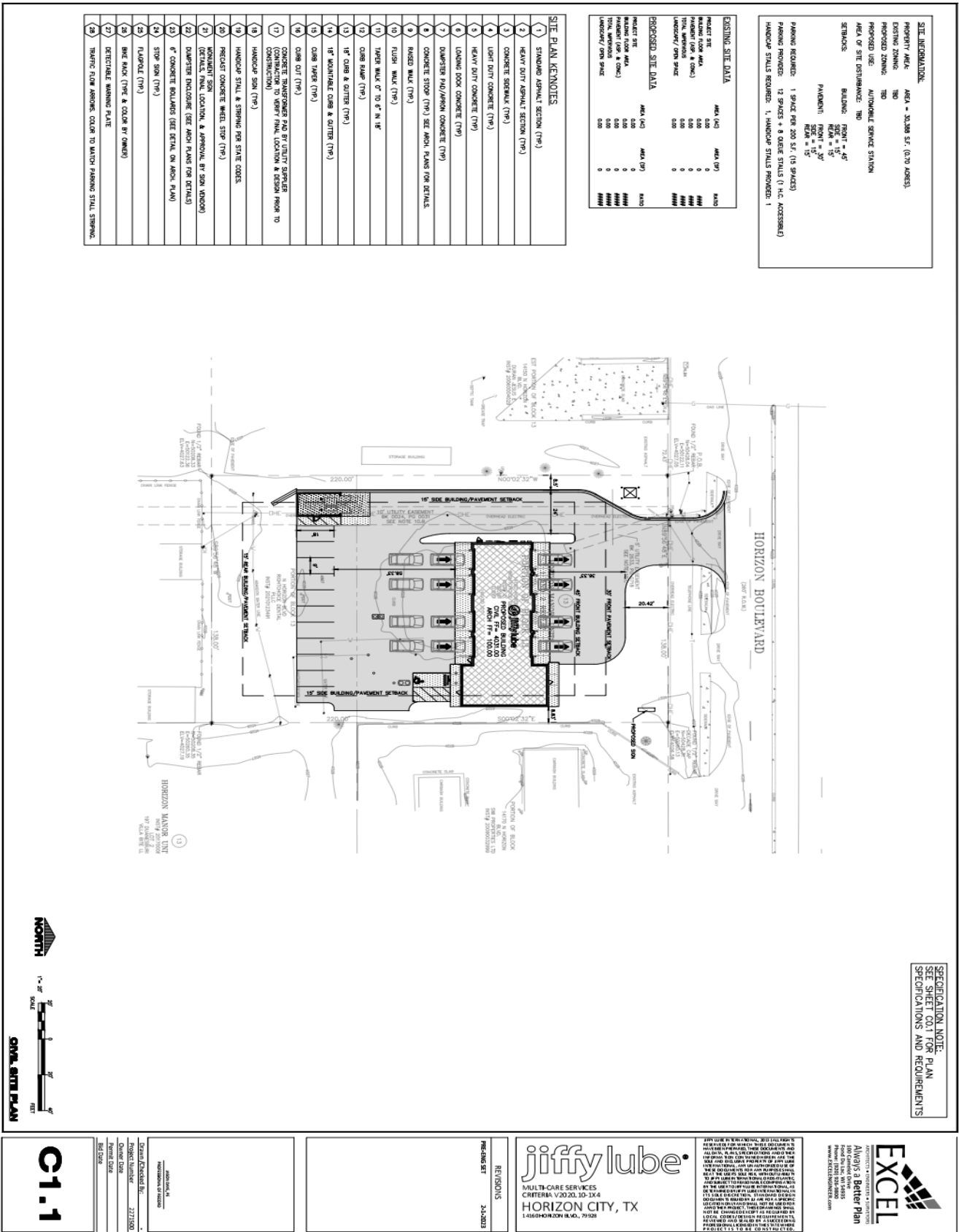
**PLANNING & ZONING COMMISSION
CASE NO. SUP-002527-2023
SPECIFIC USE PERMIT - AUTO SERVICE/REPAIR**



**PLANNING & ZONING COMMISSION
CASE NO. SUP-002527-2023
SPECIFIC USE PERMIT - AUTO SERVICE/REPAIR**



Attachment 3 - Site Plan



[illegible]

Attachment 6: Letter to Commission



May 18, 2023

Specific Use Permit Narrative

Project: Jiffy Lube
14160 Horizon Blvd
Horizon City, TX 79928

Guggenheim Development Services, LLC is requesting specific use permit review and approval for a proposed Jiffy Lube automotive service center located at 14160 Horizon Blvd in the Town of Horizon City (PIN #H7910010130003). The property is currently zoned C-1 and the proposed use of an automotive service center requires a specific use permit in this district. The parcel is legally described as:

A portion of block 13. Horizon Manor. units 1 and 2 Replat, El Paso County, Texas, according to the plat thereof, recorded in volume 24, page 31, plat records of El Paso County, Texas. and being more particularly described by metes and bounds as follows:

Commencing for reference at a found PK nail at the southerly right-of-way of Horizon Boulevard, thence, north 89°56'48" east a distance of 72.43 feet to a found 1/2" rebar at the northwest corner of said parcel and the true point of beginning".

Thence, continuing along the south right-of-way of Horizon Boulevard, north 89°56'48" east a distance of 138.00 feet to a found 1/2" rebar at the northeast corner of said parcel;

Thence, leaving the south right-of-way of Horizon Blvd., south 00°02'32" east a distance of 220.00 feet to a found 1/2" rebar at the southeast corner of said parcel.

Thence, south 89°56'48" west a distance of 138.00 feet to a found 1/2" rebar at the southwest corner of said parcel.

Thence, north 00°02'32" west a distance of 220.00 feet to 'true point of beginning' and containing in all 30,360 square feet or 0.6970 acres of land more or less.

The 0.70-acre site is currently vacant. The proposed Jiffy Lube development will include a single-story building with a 2,984 gross square foot footprint, a detached waste enclosure, and on-site parking. Landscaping will be provided in an approach that ensures species resiliency and complementary aesthetics. Site lighting will be provided in a fashion that provides appropriate foot candles for safety and cut-off fixtures for minimal light trespass. The site currently has two (2) driveways into the site. The proposed development will remove and replace one (1) of the entrances and permanently remove the second entrance. Stormwater will be infiltrated on-site with two infiltration basins. Stormwater will drain north and south away from the building into an infiltration basin located toward the north and south ends of the site.

Store hours are normally 8:00 a.m. to 7:00 p.m. Monday through Friday, 9 a.m. to 5 p.m. on Saturday, and Sunday from 10:00 a.m. to 4:00 p.m. Each store employs a total of one (1) manager, one to two (1-2) assistant managers, and six to eight (6-8) additional employees. The

'ways a Better Plan

100 Camelot Drive • Fond du Lac, WI 54935
920.926.9800 • www.excelengineer.com

Attachment 7: Application

SUP-002527-2023

DocuSign Envelope ID: 96F71482-F4B7-4E4F-B477-D6CE8DCE22AF



TOWN OF HORIZON CITY
14999 Darrington Road
Horizon City, Texas 79928
Phone 915-852-1046 Fax 915-852-1065

SPECIFIC USE PERMIT APPLICATION

1. Property Owner of Record RightChoice Dental PLLC
PO Box 195487 Dallas, TX 75219
(ADDRESS) (ZIP) (PHONE) (EMAIL)
Is applicant also the Owner? ☐ Yes ☒ No

2. Applicant Guggenheim Development Services, LLC
Contact Person Jason Bolling
Is applicant also the Contractor? ☐ Yes ☒ No

3000 Internet Blvd, Suite 570, Frisco, TX 75034 214-872-4058 Jason.Bolling@guggenheimpartners.com
(ADDRESS) (ZIP) (PHONE) (EMAIL)

3. Contractor TBD
(ADDRESS) (ZIP) (PHONE) (EMAIL)

4. Site Address/Location 14160 Horizon Blvd
Legal Description: A Portion of Block 13, Horizon Manor, Units 1 & 2 Replat
(Lot) (Block) (Subdivision Name)
If the legal description of the complete tracts or if plat is not available the required Metes & Bounds Description with a survey map is attached? ☒ Yes ☐ No

5. Briefly explain why you request a Specific Use Permit? Specific Use Permit is required for a service station in the C-1 district.

6. Land's Presents Use: Vacant Zone C-1
Land Vacant ☐ Lot size 0.70 ac Structure ☐ Structure's size NA Last known date the structure was occupied? NA
Land's Proposed Use Jiffy Lube automotive service center Proposed Zone Use C-1
Will you be making any improvements to the existing lot or structure? ☒ Yes ☐ No This request includes Site Improvements for approval? ☒ Yes ☐ No

Building Official Findings & Pre Licensing Consultation for Non-Conforming Use & Site Improvements NA

7. Non-Conforming use of a lot, uses, land & structures, uses of structures, premises & characteristics of use or site improvements, necessitates that the applicant and/or contractor consult with the Town's Building Official on the proposed project & Business to discuss any requirements for this request.

A field inspection on (date) _____ determined the lot is: ☐ Not Applicable ☐ Legal Non-Conforming ☐ Non-Conforming and

Requires the following: _____

Building Official Signature _____

Date _____

NOTICE: Applicant is responsible for all expenses incurred by the City in connection with the Specific Use Permit Application request, including but not limited to attorney's fees, engineering fees and publication. Additional charges will be invoiced separately and shall be paid to the Town prior to City Council action. Applicant's Signature _____

8. Signatures:

(OWNER'S SIGNATURE)
Jason Bolling
(APPLICANT'S SIGNATURE)

maxim mossman
(OWNER'S PRINTED NAME)
Jason Bolling
(APPLICANT'S PRINTED NAME)

FEES:

EL PASO TIMES PUBLISHING FEE	APPROXIMATELY \$280
ENGINEER FEES	\$60 PER EACH 1/2 HOUR

Application & Submittals Due Date: _____
P&Z Scheduled Mtg. Date: _____
City Council Scheduled Date: _____
Application Received By: _____
Date Application Rec'd: _____

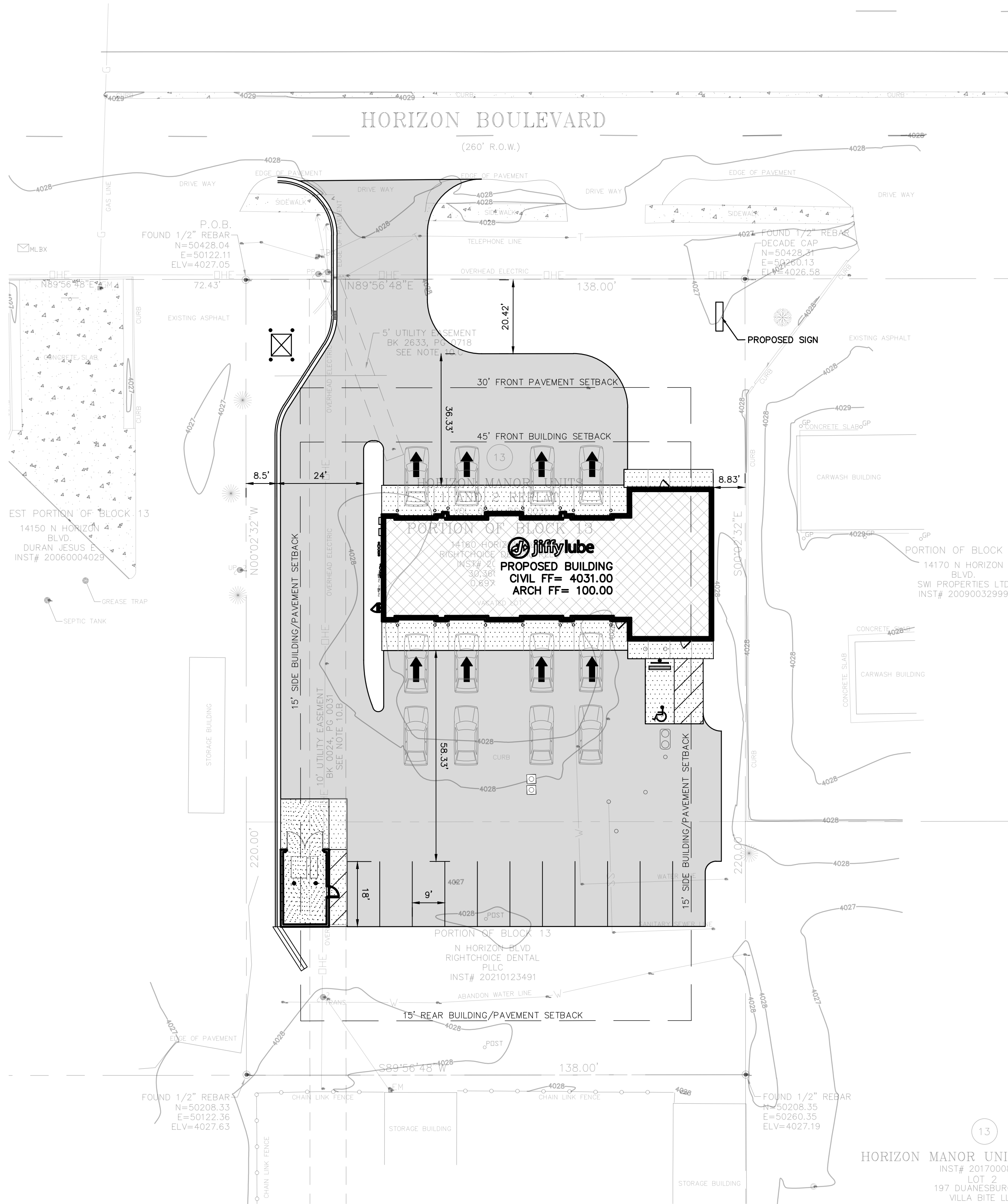
Please see reverse side for list of items required at time of submitting SUP application.

Revised 04May2020

SITE INFORMATION:	
PROPERTY AREA:	AREA = 30,388 S.F. (0.70 ACRES).
EXISTING ZONING:	TBD
PROPOSED ZONING:	TBD
PROPOSED USE:	AUTOMOBILE SERVICE STATION
AREA OF SITE DISTURBANCE:	TBD
SETBACKS:	BUILDING: FRONT = 45' SIDE = 15' REAR = 15'
	PAVEMENT: FRONT = 30' SIDE = 15' REAR = 15'
PARKING REQUIRED:	1 SPACE PER 200 S.F. (15 SPACES)
PARKING PROVIDED:	12 SPACES + 8 QUEUE STALLS (1 H.C. ACCESSIBLE)
HANDICAP STALLS REQUIRED:	1, HANDICAP STALLS PROVIDED: 1

EXISTING SITE DATA			
	AREA (AC)	AREA (SF)	RATIO
PROJECT SITE	0.00	0	
BUILDING FLOOR AREA	0.00	0	####
PAVEMENT (ASP. & CONC.)	0.00	0	####
TOTAL IMPERVIOUS	0.00	0	####
LANDSCAPE/ OPEN SPACE	0.00	0	####
PROPOSED SITE DATA			
	AREA (AC)	AREA (SF)	RATIO
PROJECT SITE	0.00	0	
BUILDING FLOOR AREA	0.00	0	####
PAVEMENT (ASP. & CONC.)	0.00	0	####
TOTAL IMPERVIOUS	0.00	0	####
LANDSCAPE/ OPEN SPACE	0.00	0	####

SITE PLAN KEYNOTES	
1	STANDARD ASPHALT SECTION (TYP.)
2	HEAVY DUTY ASPHALT SECTION (TYP.)
3	CONCRETE SIDEWALK (TYP.)
4	LIGHT DUTY CONCRETE (TYP.)
5	HEAVY DUTY CONCRETE (TYP.)
6	LOADING DOCK CONCRETE (TYP.)
7	DUMPSTER PAD/APRON CONCRETE (TYP.)
8	CONCRETE STOOP (TYP.) SEE ARCH. PLANS FOR DETAILS.
9	RAISED WALK (TYP.)
10	FLUSH WALK (TYP.)
11	TAPER WALK 0" TO 6" IN 18'
12	CURB RAMP (TYP.)
13	18" CURB & GUTTER (TYP.)
14	18" MOUNTABLE CURB & GUTTER (TYP.)
15	CURB TAPER (TYP.)
16	CURB CUT (TYP.)
17	CONCRETE TRANSFORMER PAD BY UTILITY SUPPLIER (CONTRACTOR TO VERIFY FINAL LOCATION & DESIGN PRIOR TO CONSTRUCTION)
18	HANDICAP SIGN (TYP.)
19	HANDICAP STALL & STRIPING PER STATE CODES.
20	PRECAST CONCRETE WHEEL STOP (TYP.)
21	MONUMENT SIGN (DETAILS, FINAL LOCATION, & APPROVAL BY SIGN VENDOR)
22	DUMPSTER ENCLOSURE (SEE ARCH PLANS FOR DETAILS)
23	6" CONCRETE BOLLARDS (SEE DETAIL ON ARCH. PLAN)
24	STOP SIGN (TYP.)
25	FLAGPOLE (TYP.)
26	BIKE RACK (TYPE & COLOR BY OWNER)
27	DETECTABLE WARNING PLATE
28	TRAFFIC FLOW ARROWS. COLOR TO MATCH PARKING STALL STRIPING.



SPECIFICATION NOTE:
SEE SHEET C0.1 FOR PLAN
SPECIFICATIONS AND REQUIREMENTS

JIFFY LUBE INTERNATIONAL, 2013 ALL RIGHTS RESERVED. THESE DOCUMENTS AND ALL DATA, PLANS, SPECIFICATIONS AND OTHER INFORMATION ARE THE SOLE AND EXCLUSIVE PROPERTY OF JIFFY LUBE INTERNATIONAL. NO PART OF THESE DOCUMENTS OR ANY PURPOSE SHALL BE AT THE USER'S SOLE RISK, WITHOUT LIABILITY TO JIFFY LUBE INTERNATIONAL. JIFFY LUBE INTERNATIONAL SHALL NOT BE RESPONSIBLE FOR ANY OTHER PROJECT. THESE DRAWINGS SHALL BE REVIEWED AND SEALED BY A SUCCEEDING ENGINEER. LOCAL CODES/DESIGN REQUIREMENTS, PROJECT IS TO BE CONSTRUCTED.

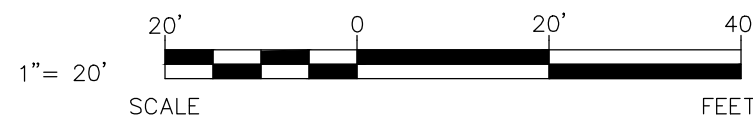
jiffy lube
MULTI-CARE SERVICES
CRITERIA V2020.10-1X4
HORIZON CITY, TX
14160 HORIZON BLVD., 79928

REVISIONS	
PRE-ENG SET	2-1-2023

JASON DAYE, PE
PROFESSIONAL OF RECORD

Drawn /Checked By:	-
Project Number	2271500
Owner Date	
Permit Date	
Bid Date	

C1.1



CIVIL SITE PLAN



TOWN OF HORIZON CITY MEMORANDUM

Date: July 11, 2023
To: Honorable Mayor and Members of City Council
From: Art Rubio, Planner
SUBJECT: **1st Reading of Ordinance No. _____**, An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning four tracts from R-2 (Single-Family Dwelling) to C-2 (Heavy Commercial); containing approximately 5.8326 acres; Being tracts 1, 10-c, 10-d-1 and 12, Section 32, Block 78, Township 3, Texas ad Pacific Railway Company survey, El Paso County, Town of Horizon City, Texas; North of Horizon Blvd. and East Eastlake Blvd.; and authorizing the notation of the change on the official zoning map of the town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

On June 19, 2023, the Planning and Zoning Commission voted unanimously to recommend that the City Council approve the rezoning of the subject properties from a R-2 (Single-Family Dwelling) zone to a C-2 (Heavy Commercial) zone district.

The applicant's request is to rezone the property to a C-2 (Heavy Commercial) zone district to allow for an RO Treatment Plant. Staff recommendation to the Planning and Zoning Commission was approval of a C-2 zone for all four tracts of land due to the necessity of expanding the treatment plant to serve the Town of Horizon City.

The Comprehensive plan designates this area for commercial, staff believes that the development of this area, as proposed, will provide expanded water services to the city.

The applicant is aware that the property is in tract survey and a platting determination is recommended to determine if the property meets any platting exemptions.

Attached for your review are the draft Ordinances and the consolidated and revised staff report that was presented to the Planning and Zoning Commission.

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING FOUR TRACTS FROM R-2 (SINGLE-FAMILY DWELLING) TO C-2 (HEAVY COMMERCIAL); CONTAINING APPROXIMATELY 5.8326 ACRES; BEING TRACTS 1, 10-C, 10-D-1 AND 12, SECTION 32, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, EL PASO COUNTY, HORIZON CITY TEXAS; NORTH OF HORIZON BLVD. AND EAST EASTLAKE BLVD.; AND AUTHORIZING THE NOTATION OF THE CHANGE ON THE OFFICIAL ZONING MAP OF THE TOWN; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; AND PROPER NOTICE AND HEARING.

WHEREAS, an application was made to change a designated zone for a parcel of property as identified herein within the municipal limits of the Town of Horizon City; and

WHEREAS, said application was forwarded to and considered by the Town of Horizon City Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission has complied with all state and local laws affecting the changing of zones and held a public hearing to obtain public comments; and

WHEREAS, the Planning and Zoning Commission has recommended that the zoning on the parcel of property be rezoned to C-2 (Heavy Commercial) Zone District; and

WHEREAS, the City Council of the Town of Horizon City ("Town Council") seeks to promote safe, orderly and consistent use and development of real property; and

WHEREAS, the notice required by the Texas Local Government Code has been published in the official newspaper and given to adjacent property owners; and

WHEREAS, public hearings have been held by the Town Council as required by law; and

WHEREAS, all written and oral protests (if any) submitted against the proposed zoning change have been reviewed and considered; and

WHEREAS, the Town Council in its decision for rezoning finds that such rezoning is in the public interest of the Town of Horizon City, Texas; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the Town has general authority to adopt an ordinance or police regulation that is for the good

government, peace or order of the Town and is necessary or proper for carrying out a power granted by law to the Town; and

WHEREAS, pursuant to Texas Local Government Code Chapter 211, the Town is authorized to promulgate and enforce zoning regulations; and

WHEREAS, the Town Council finds that it is necessary and proper for the good government, peace, and order of the Town of Horizon City to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS. THAT:

I. REZONING

The zoning be changed from R-2 (Single-Family Dwelling) to C-2 (Heavy Commercial) Zone District within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 5.8326 acres, more or less, and legally described by Metes and Bounds Description, Exhibit "A" attached hereto and by reference included herein.

II. ZONING MAP

The zoning map for the Town of Horizon City shall be modified to include the zoning changes directed by this ordinance.

III. FINDINGS OF FACT

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

IV. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

V. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with

jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

VI. PROPER NOTICE AND MEETING

It is officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52, Texas Local Government Code.

PASSED AND APPROVED this the ____ day of _____, 2023, by a vote of ____ (ayes) to ____ (nays) to ____ (abstentions) of the Town Council of Horizon City, Texas.

Town of Horizon City

By: _____
Andres Renteria, Mayor

ATTEST:

By: _____
Elvia Schuller, TRMC, City Clerk

APPROVED AS TO FORM:

Sylvia Borunda Firth, City Attorney

First Reading: 07/11/2023
Second Reading: 08/08/2023

STATE OF TEXAS
COUNTY OF EL PASO

EXHIBIT "A"

5.839 ACRES SITUATED IN
SECTION 32, BLOCK 78,
TOWNSHIP 3, T&P RW CO.
IN EL PASO COUNTY, TEXAS

LEGAL DESCRIPTION

DESCRIPTION OF A 5.839 ACRE TRACT OF LAND, SITUATED IN SECTION 32, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, EL PASO COUNTY TEXAS, BEING ALL OF THE 1.3258 ACRE TRACT OF LAND CONVEYED TO EL PASO COUNTY WATER AUTHORITY IN A WARRANTY DEED DATED JANUARY 24, 2000, RECORDED IN DOCUMENT NO. 20000008153, IN THE OFFICIAL PUBLIC RECORDS OF EL PASO COUNTY, TEXAS, BEING ALSO ALL OF THE 0.918 ACRE TRACT OF LAND CONVEYED TO EL PASO COUNTY WATER AUTHORITY IN A WARRANTY DEED DATED MAY 2, 1972, RECORDED IN VOLUME 389, PAGE 1764, IN THE OFFICIAL PUBLIC RECORDS OF EL PASO COUNTY, TEXAS, BEING ALSO ALL OF THE 0.5165 ACRE TRACT OF LAND CONVEYED TO EL PASO COUNTY WATER AUTHORITY IN A WARRANTY DEED DATED SEPTEMBER 18, 2001, RECORDED IN DOCUMENT NO. 20010079140, IN THE OFFICIAL PUBLIC RECORDS OF EL PASO COUNTY, TEXAS, AND BEING ALL OF THE 3.072 ACRE TRACT OF LAND CONVEYED TO HORIZON REGIONAL MUNICIPAL UTILITY DISTRICT, IN A GENERAL WARRANTY DEED DATED MARCH 23, 2011, RECORDED IN DOCUMENT NO. 20110022780, IN THE OFFICIAL PUBLIC RECORDS OF EL PASO COUNTY, TEXAS, SAID 5.839 ACRE TRACT, BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 5/8-inch iron rod found on the north line of Horizon Boulevard, a 300 foot wide right-of-way, being the southeast corner of said 1.3258 acre tract, being also the southwest corner of a 29.862 acre tract conveyed to Clint Independent School District, recorded in Document No. 20010000595, in the Official Public Records of El Paso County, Texas, and being the southeast corner of the herein described tract;

THENCE N 87°03'11" W, with the north line of said Horizon Boulevard, the south line of said 1.3258 acre tract and said 0.918 acre tract, being also the south line of said 0.5165 acre tract and the south line of said 3.072 acre tract for a distance of **539.88** feet to a 5/8 inch iron rod found on the north line of said Horizon Boulevard, being the southwest corner of said 3.072 acre tract, being also the southeast corner of a 4.5374 acre tract conveyed to Hunt Horizon Crossing 2, L.P., recording information not available at the time of survey, for the southwest corner of the herein described tract;

ZWA- JOB NO.
2028-59

Page 1 of 5

5.839 Acre Tract

THENCE, N 03°00'09" E, departing the north line of said Horizon Boulevard, with the east line of said 4.5374 acre tract and the west line of said 3.072 acre tract, for a distance of **483.13** feet to a 5/8 inch iron rod found at an ell corner of said 4.5374 acre tract, being also the northwest corner of said 3.072 acre tract and being the northwest corner of the herein described tract;

THENCE, S 86°58'35" E, for a distance of **429.74** feet to a nail found on the most easterly southeast corner of said 4.5374 acre tract, being also the northeast corner of said 3.072 acre tract, being also the west line of said 29.862 acre tract and being the northeast corner of the herein described tract;

THENCE, with the west line of said 29.862 acre tract, the east line of said 3.072 acre tract and the north and east line of said 1.3258 acre tract, the following three (3) courses and distances:

1. **S 02°32'17" W**, for a distance of **56.93** feet to a 5/8 inch iron rod found for an angle point;
2. **S 87°00'22" E**, for a distance of **109.60** feet to a 5/8 inch iron rod with cap stamped "ZWA" set for an interior corner of the herein described tract, and being the northeast corner of said 1.3258 acre tract;
3. **S 02°59'29" W**, for a distance of **425.54** feet to the **POINT OF BEGINNING** and containing 5.839 acres of land.

BEARING BASIS

THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD83 (93) HARN. THE BEARINGS SHOWN ARE GRID BEARINGS. THESE COORDINATES WERE ESTABLISHED FROM REFERENCE POINT TX04 A, HAVING VALUES 31°43'10.98688"(N), 106°14'29.61456"(W) AND TX04 B HAVING VALUES 31°43'10.70856"(N), 106°14'48.54509"(W) WITH A CONVERGENCE ANGLE OF (-)03°36'00" AND A COMBINED SCALE FACTOR 0.99977223. ALL DISTANCE SHOWN ARE SURFACE DISTANCES.

SURVEYORS NOTE

THE CONSTRUCTION/LOCATION OF SURVEY BOUNDARIES AND CORNERS, WAS BASED UPON THE PRESCRIBED, ACCEPTED METHOD OF USING THE ORIGINAL OR PERPETUATED CORNER MONUMENTS FOUND AT THE NORTHWEST CORNER OF SECTION NO. 42, BLOCK 78, TOWNSHIP 3, (2-IN IRON PIPE FOUND) AND THE NORTHWEST CORNER OF SECTION NO. 18, BLOCK 80, TOWNSHIP 2, (BRASS ARMY DISK ON CONCRETE MONUMENT RECOGNIZED AS THE SURVEY CORNER) AS A BASELINE RUNNING DIAGONALLY (N 42°38'01" W, 32,405.40 VARAS ~ 90,014.99 FEET) ACROSS THE SURVEYS AS RUN BY PAUL MCCOMBS IN 1883; THE NORTH-SOUTH AND EAST-WEST SURVEY LINES ARE ORIENTED 45-DEGREES OFF THIS BASELINE AND RUN FROM FOUND, ACCEPTED SURVEY CORNER MONUMENTS ALONG OR NEAR THE BASELINE, OR FROM PRORATED SURVEY CORNER POSITIONS ALONG THE BASELINE AT MISSING CORNERS.

THE STATE OF TEXAS §
 §
COUNTY OF HAYS §

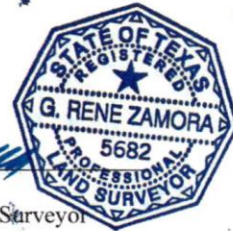
KNOW ALL MEN BY THESE PRESENTS:

That I, G. Rene Zamora, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during March, 2023 under my direction and supervision.

WITNESS MY HAND AND SEAL at Buda, Hays County, Texas this the 22nd day of March 2023, A.D.

Zamora, LLC
1510 Zaragoza Road, Suite B-8
El Paso, Texas 79936


G. Rene Zamora
Registered Professional Land Surveyor
No. 5682 – State of Texas



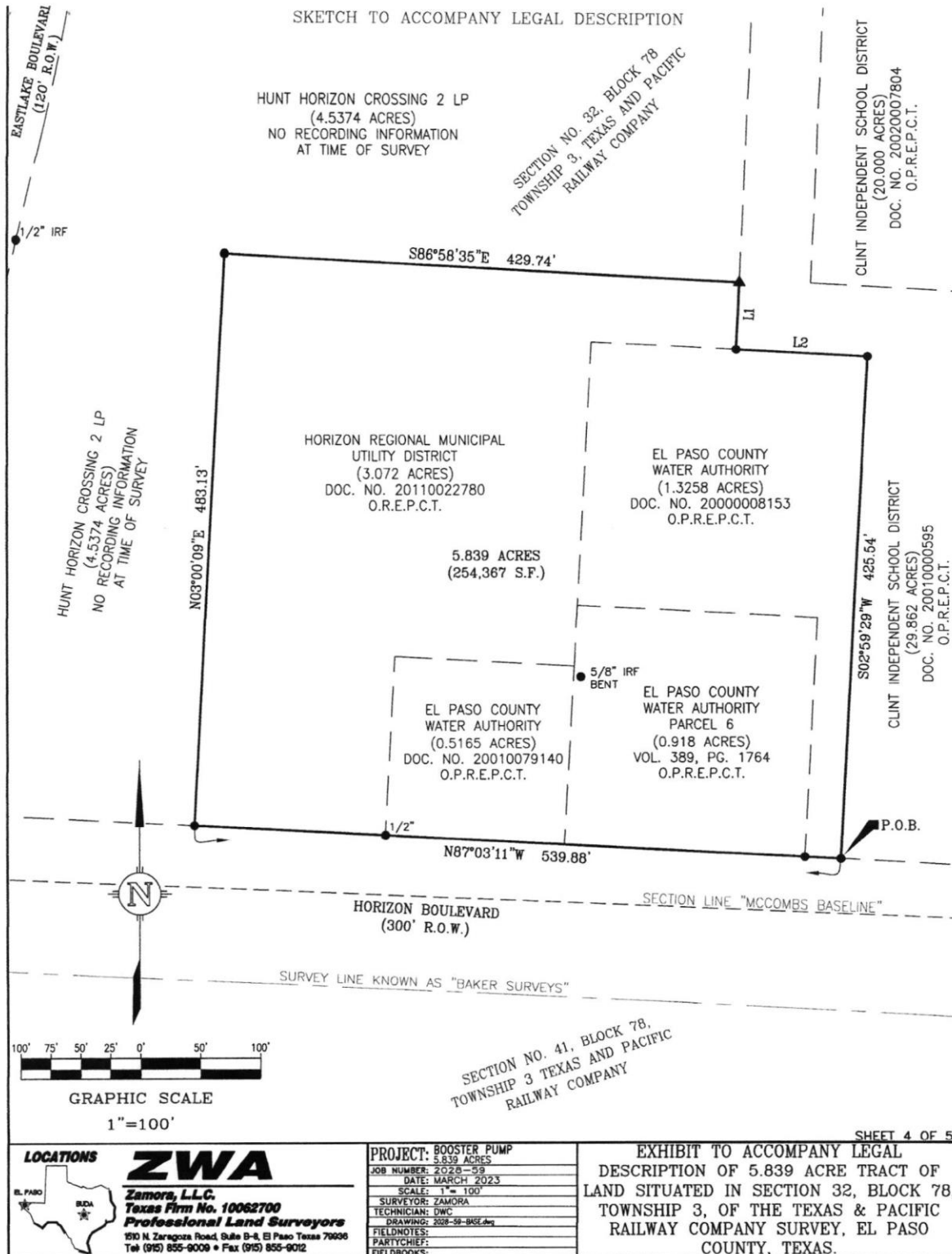
REFERENCES

SKETCH: 2028-59-BASE.dwg

ZWA- JOB NO.
2028-59

Page 3 of 5

5.839 Acre Tract





TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

Case No.: RZ-002523-2023

Application Type: **Rezoning**
P&Z Hearing Date: April 17, 2023: *Postponed to June 19, 2023*
Staff Contact: Art Rubio, Planner
915-852-1046 ext. 407; arubio@horizoncity.org

Address/Location: North of Horizon Blvd. and west of Rifton Dr.
Legal Description: Tracts 1, 10-C, 10-D-1 and 12, Section 32, Block 78, Township 3, Texas and Pacific Railway Company Survey, El Paso County, Horizon City Texas
Property Owner: Horizon Regional Municipal Utility District
Applicant: TRE & Associates, LLC
Nearest Park: Golden Eagle Park
Nearest School: Carroll T. Welch Elementary School

SURROUNDING PROPERTIES:

	Zoning	Land Use
N	R-2 (Single-Family Dwelling)	Vacant
E	R-2 (Single-Family Dwelling)	Horizon High School
S	R-2 (Single-Family Dwelling)	Vacant
W	R-2 (Single-Family Dwelling)	Vacant

LAND USE AND ZONING:

	Existing	Proposed
Land Use	RO Treatment Facility	RO Treatment Facility
Zoning	R-2 (Single-Family Dwelling)	C-2 (Heavy Commercial)

Application Description:

The applicant is requesting to rezone approximately 5.8326 acres of land that is currently used as a Reverse Osmosis (RO) treatment plant for the Horizon Regional Municipal Utility District (HRMUD) which includes an existing warehouse. The subject property is currently zoned R-2 (Residential) and is proposed to be rezoned as C-2 (Heavy Commercial) to ensure that the property is in compliance with the Municipal Code as the HRMUD is proposing to construct new structures on the site.

Notice:

In accordance with Section 211.007 of the Texas Local Government Code, notices of the April 17, 2023, and May 15, 2023, public hearings for the rezoning request were sent to those property owners within 200 feet of the subject property on April 2, 2023 and on April 24, 2023, then posted in the El Paso Times Newspaper on the same dates. In addition, the applicant is required to erect signs notifying the public of the proposed rezoning on the site proposed for rezoning fifteen (15) days prior to the Planning and Zoning Commission public hearing. Staff has confirmed that the sign has been up 15 days prior to the P&Z public hearing.

Shaping Our Horizon:2030 A Comprehensive and Strategic Plan – Future Land Use Map Designation:

Horizon City Shaping Our Horizon:2030 Comprehensive and Strategic Plan designates this property as Commercial.

Options available to the Planning and Zoning Commission:

The Planning and Zoning Commission may consider the following options and additional requirements that it identifies when reviewing this Rezoning application:

1. Recommend approval of the request for rezoning to C-2 Zoning District as stated.
2. Recommend approval of the request for rezoning to C-2 Zoning District as stated, including any modifications to bring the rezoning into conformance with the Zoning Ordinance and the Vision 2030: Comprehensive and Strategic Plan.
3. Recommend denial of the Applicant's request for rezoning finding that it is not in conformance with the Zoning Ordinance and/or the Vision 2030: Comprehensive and Strategic Plan.
4. Recommend a set postponement should the Commission determine it is not prepared to make a final recommendation, the applicant requests a postponement or if the Commission needs additional information to make a final recommendation.

Staff Recommendation:

Staff recommends **APPROVAL** of the zone change from R-2 to C-2 in support of an RO Treatment Plant. The subject property is located adjacent to two major roadways and the use has existed prior to the adoption of the zoning code; however, the applicant is expanding and is now required to rezone.

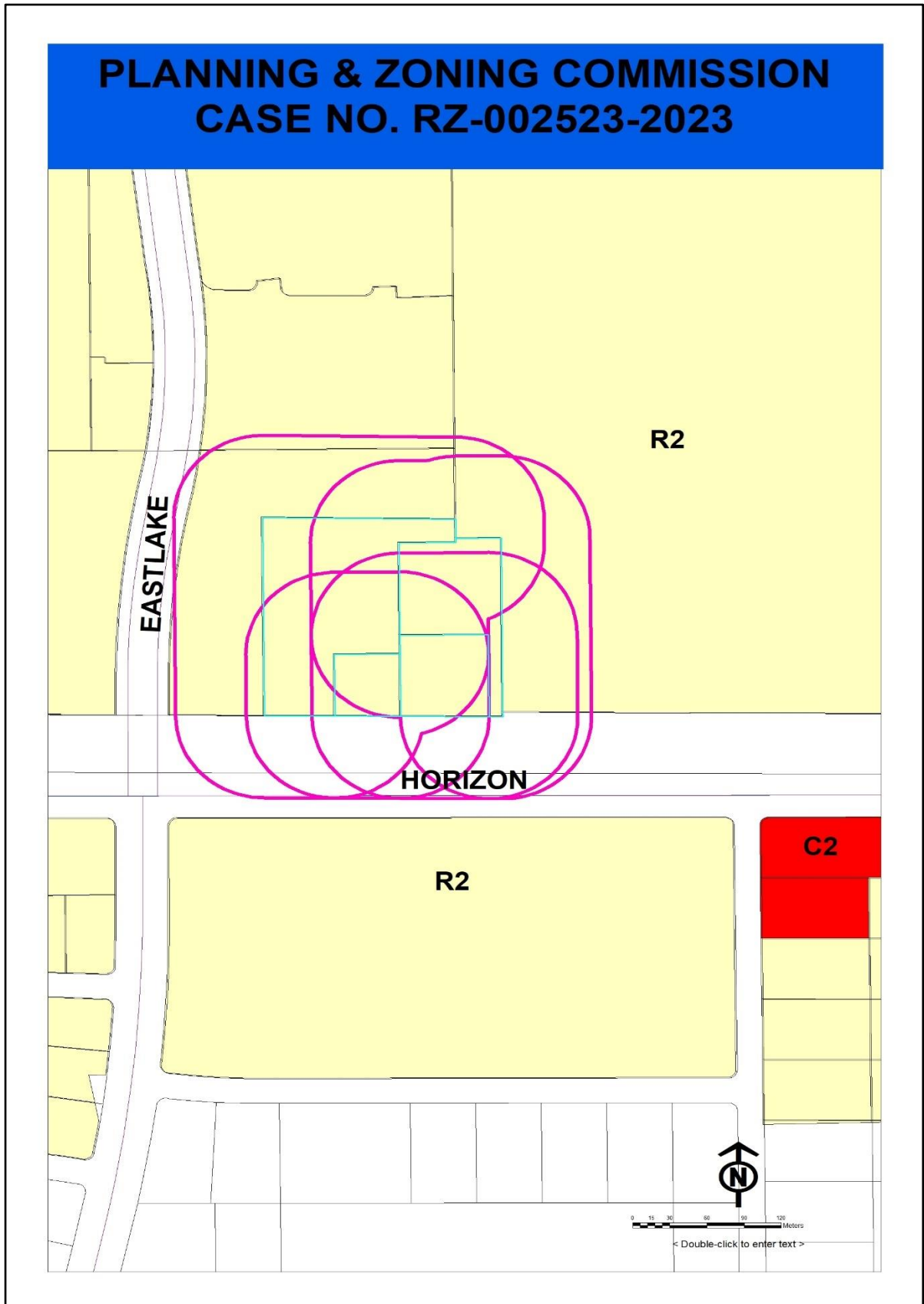
Planning Division Comments:

In order to determine if the subject property is required to be platted, the applicant should submit an application for a Land Development Exemption Determination.

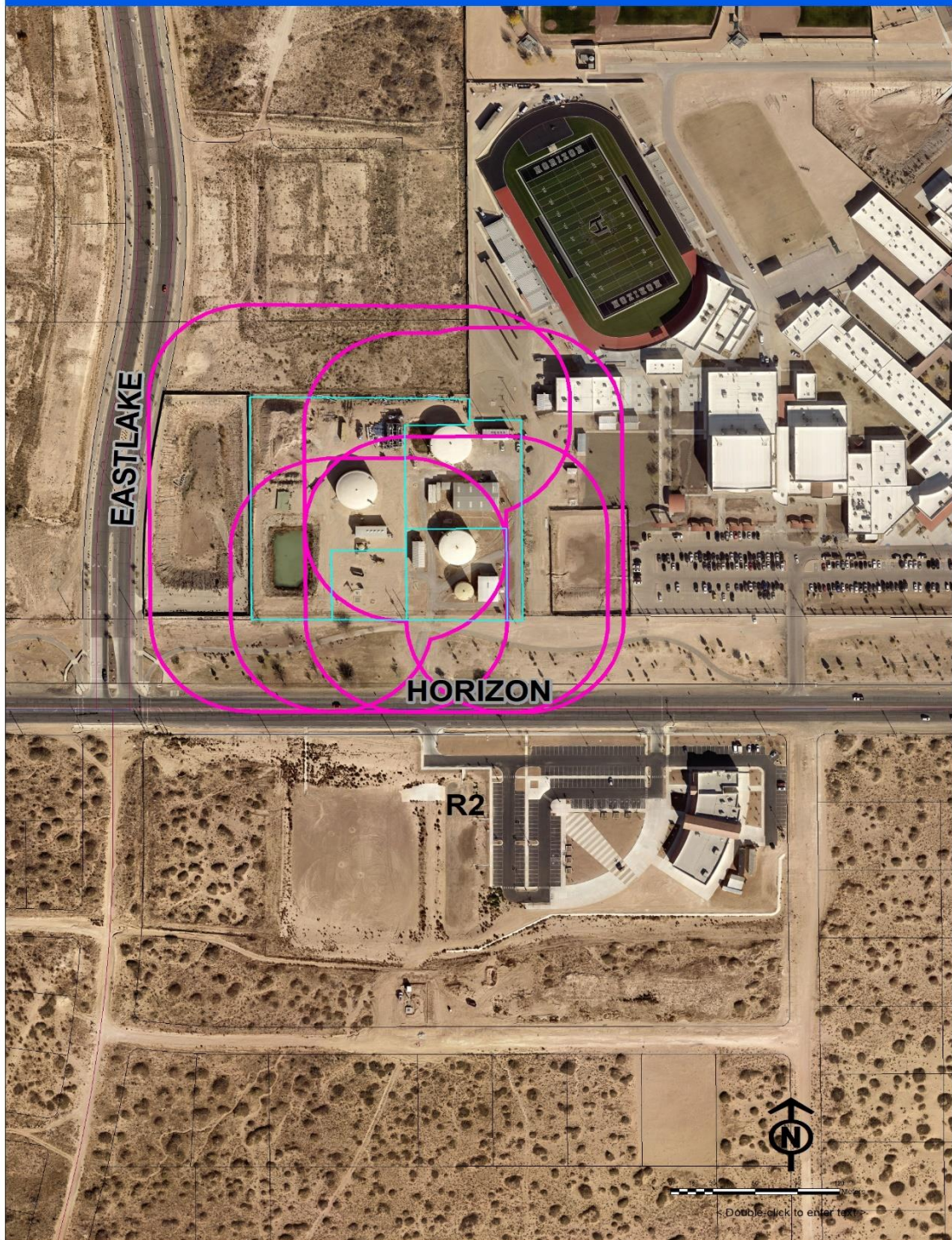
Attachments:

- 1 - Zoning Designation Map**
- 2 – Aerial Map**
- 3 - Future Land Use Map (Comp Plan)**
- 4 – Application**
- 5 – Electric Utility Site Plan**
- 6 – Survey Map**

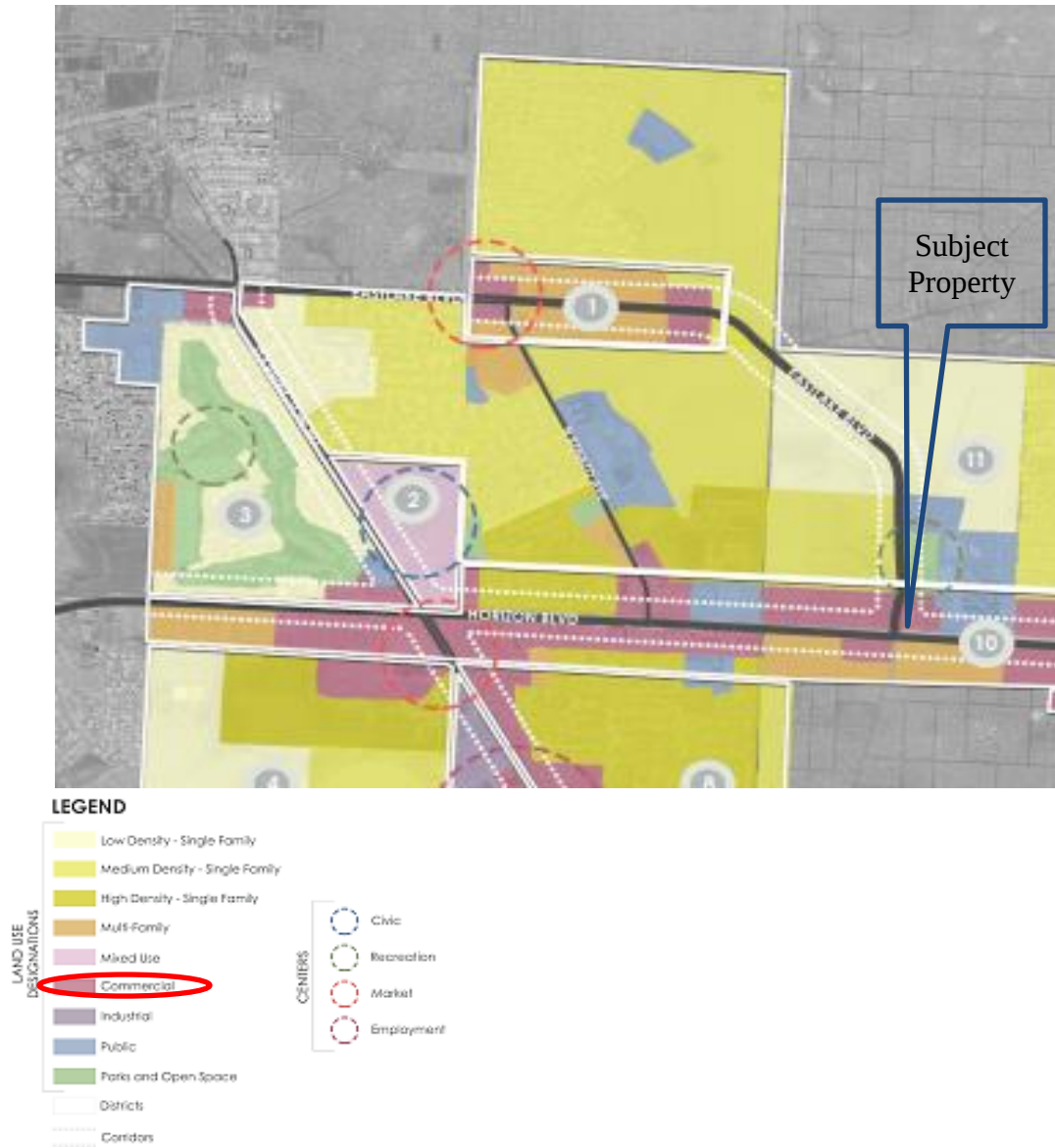
Attachment 1: Zoning Designation



**PLANNING & ZONING COMMISSION
CASE NO. RZ-002523-2023**



Attachment 3: Future Land Use Map



Attachment 4: Application



TOWN OF HORIZON CITY
14999 Darrington Road
Horizon City, Texas 79928
Phone 915-852-1046 Fax 915-852-1005

RZ-002523-2023

REZONE APPLICATION

1. Owner of Record: Horizon Regional Municipal Utility District
14100 Horizon Blvd., Horizon City, TX 79928
(ADDRESS) (ZIP) (PHONE) (EMAIL)
2. Applicant TRE & Associates, LLC Is applicant also the Owner? ☐ Yes ☒ No
Contact Person Karen Barraza
110 Mesa Park Dr. Ste. 200 El Paso, TX. 79912 (915)852-9093 kbarraza@tr-eng.com
(ADDRESS) (ZIP) (PHONE) (EMAIL)
3. PARCEL ONE
Site Address/Location Northeastern corner of Eastlake Blvd. & Horizon Blvd. (All four parcels)
Legal Description: _____
(Lot) (Block) (Subdivision Name)
PARCEL TWO
Site Address/Location _____
Legal Description: _____
(Lot) (Block) (Subdivision Name)
If the legal description of the complete tracts or if plat is not available, attached are the **required** Metes & Bounds Description & survey map(s)? ☐ Yes ☒ No
4. Briefly explain why you request to rezone? RO Treatment Plant
5. Land's Presents Use: RO Treatment Plant Zone R-2
Land Vacant ☐ Lot size _____ Structure ☐ Structure's size _____ Last known date the structure was occupied? _____
Land's Proposed Use: RO Treatment Plant Proposed Zone Use C-2
Will you be making any improvements to the existing lot or structure? ☒ Yes ☐ No This request includes *Site Development Plans* for approval? ☐ Yes ☒ No

NOTICE: Applicant is responsible for all expenses incurred by the City in connection with the Rezone Application request, including but not limited to attorney's fees, engineering fees and publication. Additional charges will be invoiced separately and shall be paid to the Town prior to City Council action.

Applicant's Signature _____

6. Signatures: _____
(OWNER'S SIGNATURE)

(APPLICANT'S SIGNATURE)

Gordon Jarvis
(OWNER'S PRINTED NAME)

Karen Barraza
(APPLICANT'S PRINTED NAME)

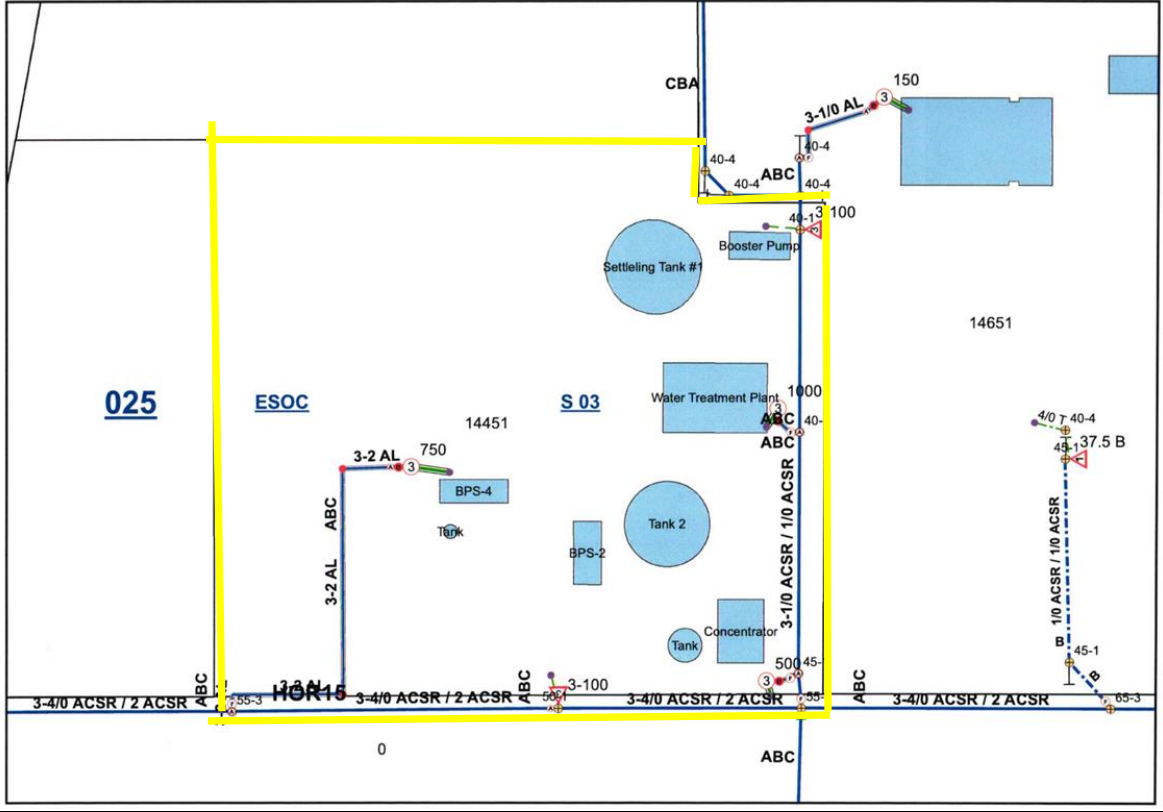
FEE SCHEDULE: (NON-REFUNDABLE)

\$300 - UP TO 1.0 ACRES	\$450 - 30.1 ACRES TO 50 ACRES
\$350 - 1.1 ACRES TO 10 ACRES	\$500 - 50.1 ACRES TO 75 ACRES
\$400 - 10.1 ACRES TO 30 ACRES	\$600 - 75.1 ACRES AND UP
EL PASO TIMES PUBLISHING FEE APPROXIMATELY \$460	ENGINEERING FEE APPROXIMATELY \$60 PER ½ HOUR

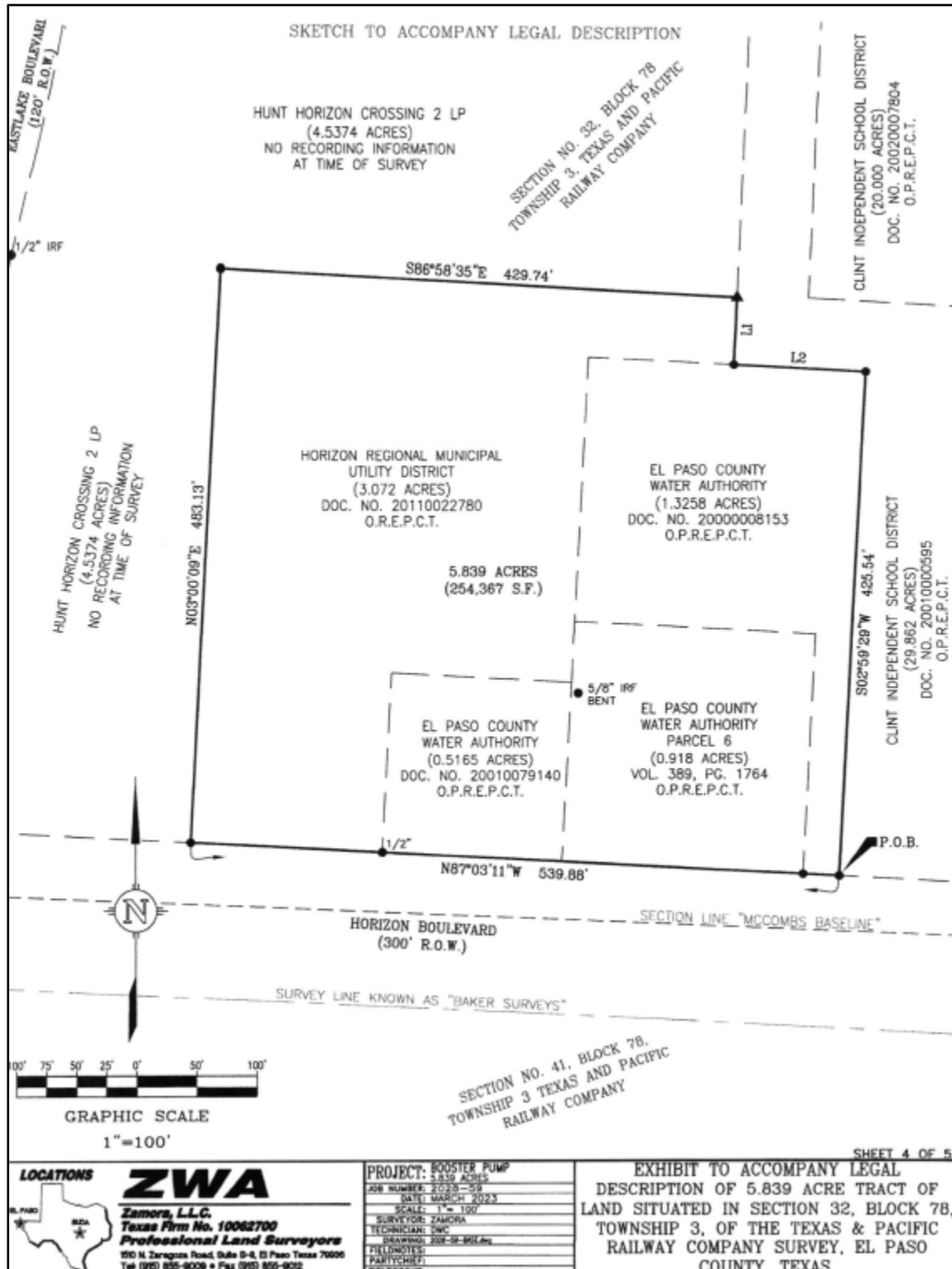
Application & Submittals Due Date: _____
P&Z Scheduled Mtg. Date: _____
City Council Scheduled Date: _____
Application Received By: _____
Date Application Rec'd: _____

Please see reverse side for list of items required at time of submitting REZONING application.

Attachment 5: Electric Utility Site Plan

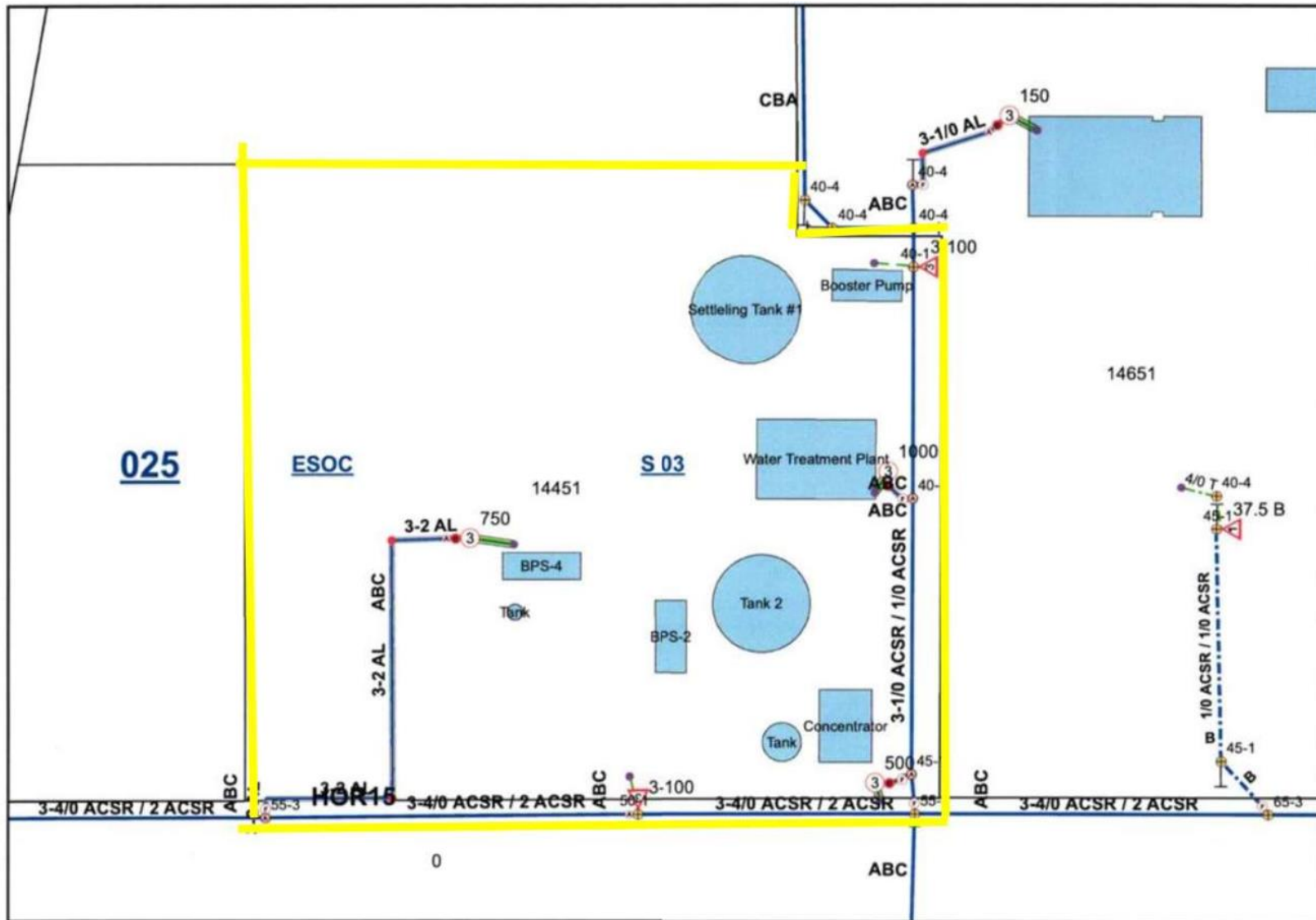


Attachment 6: Survey Map



EP Electric Utility Site Plan

Eastlake Blvd.



Horizon Blvd.



TOWN OF HORIZON CITY MEMORANDUM

Date: July 11, 2023
To: Honorable Mayor and Members of City Council
From: Art Rubio, Planner
SUBJECT: **1st Reading of Ordinance No. _____**, An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning four tracts from R-PD (Residential-Planned Development) to A-1 (Apartments); containing approximately 17.8630 acres; Being Lot 1, Block 4, Tuscan Village Replat A Subdivision, El Paso County, Town of Horizon City, Texas; South of Eastlake Blvd. and west of Kenazo Ave; and authorizing the notation of the change on the official zoning map of the town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

On June 19, 2023, the Planning and Zoning Commission voted to recommend that the City Council approve the rezoning of the subject properties from a R-PD (Residential-Planned Development) to A-1 (Apartments) zone district.

The applicant's request is to rezone the property to A-1 zone district to allow for a 357-unit multi-family complex. Staff recommendation to the Planning and Zoning Commission was approval of A-1 zone district for all 17.8630-acres to provide additional multi-family stock needed in Horizon City.

The Comprehensive plan designates this area for multi-family development. The Plan also states that there is a demand for a variety of housing types, beyond detached single-family housing, to include apartment units (Page 74). Staff believes that the property has the appropriate size and location to accommodate the proposed development with two major arterials fronting the development and existing commercial development to the north and proposed commercial to the east of the development making it a good transition to the single-family development to the east and south of the development. Any proposed apartment units above two floors require a setback of 100' ft. which the applicant satisfies.

Based on the proposed change in zoning and the addition of multi-family dwelling units, the following is the required parkland dedication and fees: 107 units over 250 at \$240.00 per unit = \$25,680 in park fees and 1 acre of parkland dedication over 250 units and ½ acre for every 75 units = 1.5 acres of parkland dedication as it was not addressed during the platting stage as it was platted as a single lot at the time.

Staff received one e-mail in opposition citing preference for single-family development and one person that attended the P&Z Commission public hearing citing safety, traffic, lack of school capacity and privacy concerns with the proposed 3 floor buildings.

Attached for your review are the draft Ordinances and the consolidated and revised staff report that was presented to the Planning and Zoning Commission.

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING ONE PARCEL FROM R-PD (RESIDENTIAL-PLANNED DEVELOPMENT) TO A-1 (APARTMENTS); CONTAINING APPROXIMATELY 17. 8630 ACRES; BEING LOT 1, BLOCK 4, TUSCANY VILLAGE REPLAT "A" SUBDIVISION, TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS; SOUTH OF EASTLAKE BLVD. AND WEST OF KENAZO AVE.; AND AUTHORIZING THE NOTATION OF THE CHANGE ON THE OFFICIAL ZONING MAP OF THE TOWN; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; AND PROPER NOTICE AND HEARING.

WHEREAS, an application was made to change a designated zone for a parcel of property as identified herein within the municipal limits of the Town of Horizon City; and

WHEREAS, said application was forwarded to and considered by the Town of Horizon City Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission has complied with all state and local laws affecting the changing of zones and held a public hearing to obtain public comments; and

WHEREAS, the Planning and Zoning Commission has recommended that the zoning on the parcel of property be rezoned to A-1 (Apartments) zoning district; and

WHEREAS, the City Council of the Town of Horizon City ("Town Council") seeks to promote safe, orderly, diverse and consistent use and development of real property; and

WHEREAS, the notice required by the Texas Local Government Code has been published in the official newspaper and given to adjacent property owners; and

WHEREAS, public hearings have been held by the Town Council as required by law; and

WHEREAS, all written and oral protests (if any) submitted against the proposed zoning change have been reviewed and considered; and

WHEREAS, the Town Council in its decision for rezoning finds that such rezoning is in the public interest of the Town of Horizon City, Texas; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the Town has general authority to adopt an ordinance or police regulation that is for the good

government, peace or order of the Town and is necessary or proper for carrying out a power granted by law to the Town; and

WHEREAS, pursuant to Texas Local Government Code Chapter 211, the Town is authorized to promulgate and enforce zoning regulations; and

WHEREAS, the Town Council finds that it is necessary and proper for the good government, peace and order of the Town of Horizon City to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS. THAT:

I. REZONING

The zoning be changed from R-PD (Residential-Planned Development) to A-1 (Apartments) zoning district within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 17.8630 acres, more or less, and legally described by Metes and Bounds Description, Exhibit "A" attached hereto and by reference included herein.

II. ZONING MAP

The zoning map for the Town of Horizon City shall be modified to include the zoning changes directed by this ordinance.

III. FINDINGS OF FACT

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

IV. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

V. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with

jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

VI. PROPER NOTICE AND MEETING

It is officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52, Texas Local Government Code.

PASSED AND APPROVED this the ____ day of _____, 2023, by a vote of ____ (ayes) to ____ (nays) to ____ (abstentions) of the Town Council of Horizon City, Texas.

Town of Horizon City

By: _____
Andres Renteria, Mayor

ATTEST:

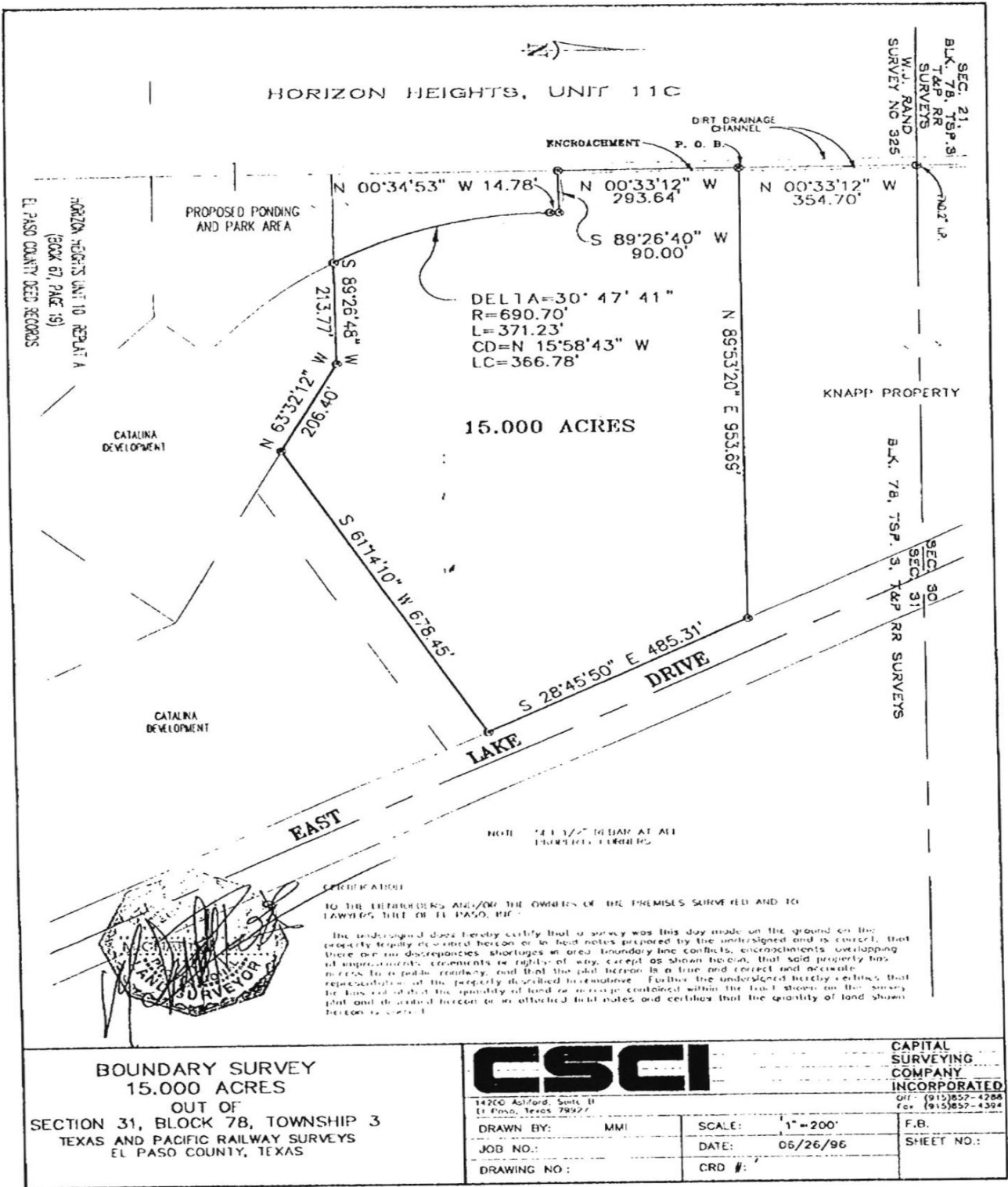
By: _____
Elvia Schuller, TRMC, City Clerk

APPROVED AS TO FORM:

Sylvia Borunda Firth, City Attorney

First Reading: 07/11/2023
Second Reading: 08/08/2023

Exhibit "A"





TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

Case No.: RZ-002524-2023

Application Type: Rezoning
P&Z Hearing Date: April 17, 2023, May 15, 2023: *Postponed to June 19, 2023*
Staff Contact: Art Rubio, Planner
915-852-1046 ext. 407; arubio@horizoncity.org

Address/Location: South of Eastlake Blvd. and west of Kenazo Ave.
Legal Description: Lot 1, Block 4, Tuscany Village Replat A Subdivision,
El Paso County, Horizon City, Texas
Property Size: 17.8630 ±
Property Owner: HZ Ventures LLC Series D-Tuscany Venture/Pierre Hernandez
President
Applicant: Yasser Haydar
Nearest Park: Horizon Mesa Park
Nearest School: Horizon Middle School

SURROUNDING PROPERTIES:

	Zoning	Land Use
N	C-1 (General Commercial)	Retail
E	C-2 (Heavy Commercial)	Vacant
S	R-4 (Single-Family Dwelling)	Single-Family Dwellings
W	R-4 (Single-Family Dwelling)	Single-Family Dwellings

LAND USE AND ZONING:

	Existing	Proposed
Land Use	Vacant	Multi-Family (Apartments)
Zoning	R-PD (Residential-Planned Development)	A-1 (Apartments)

Application Description:

The applicant is requesting to rezone an approximately 17.8630-acre parcel currently zoned R-PD (Residential-Planned Development) which only allows single-family dwellings to A-1 (Apartments) for a proposed 357 multi-family apartment complex. The proposed apartment complex density and height is included on the table below:

Proposed Density and Heights

Building Type	Number of Buildings	Units per Building	Total Units
Club House	1		
45' – 3 Stories	11	8	88
35' – 3 Stories	35	6	210
25' - 2 Stories	<u>15</u>	4	<u>60</u>
Total	62		358
Total Units allowed per A-1		357	
Rounded Unit Count		357	
Total Parking Required		715	
Total Parking Provided		715	

Cumulative Parkland Dedication:

Pursuant to §2.8 Parkland Dedication and Fees in Lieu: based on the proposed change in zoning and the addition of multi-family dwelling units, the following is the required parkland dedication and fees: 107 units over 250 at \$240.00 per unit = \$25,680 in park fees and 1 acre of parkland dedication over 250 units and ½ acre for every 75 units = 1.5 acres of parkland dedication.

Notice:

In accordance with Section 211.007 of the Texas Local Government Code, notices of the April 17, 2023, and May 15, 2023, public hearings for the rezoning request were sent to those property owners within 200 feet of the subject property on April 2, 2023, and on April 24, 2023, then posted in the El Paso Times Newspaper on the same dates. In addition, the applicant is required to erect signs notifying the public of the proposed rezoning on the site proposed for rezoning fifteen (15) days prior to the Planning and Zoning Commission public hearing. Staff has confirmed that the signposting requirements were met. Staff has received one e-mail in opposition to the rezoning request citing a preference for single-family development, opposition e-mail is attached.

Shaping Our Horizon:2030 A Comprehensive and Strategic Plan – Future Land Use Map Designation:

The Shaping Our Horizon:2030 Comprehensive and Strategic Plan designates this area as High-Density Multi- Family. Designation directly to the north of the subject property is Commercial development (Page 42). The Plan also states that there is a demand for a variety of housing types, beyond detached single-family housing, to include apartment units (Page 74).

Options available to the Planning and Zoning Commission:

The Planning and Zoning Commission may consider the following options and additional requirements that it identifies when reviewing this Rezoning application:

1. Recommend approval of the request for Rezoning from P-RD to A-1 Zoning District as stated.

2. Recommend approval of the request for Rezoning as stated, including any modifications to bring the Rezoning into conformance with the Zoning Ordinance and the Vision 2030: Comprehensive and Strategic Plan.
3. Recommend denial of the Applicant's request for Rezoning finding that it is not in conformance with the Zoning Ordinance and/or the Vision 2030: Comprehensive and Strategic Plan.
4. Recommend a set postponement should the Commission determine it is not prepared to make a final recommendation, the applicant requests a postponement or if the Commission needs additional information to make a final recommendation.

Staff Recommendation:

The Comprehensive plan designates this area for High-Density Multi-Family development with a Commercial designation to the north. Staff believes that the development of this area will provide additional housing stock and an additional housing choice not currently as available. The multi-family development proposed will serve as a transition from the low to heavy commercial development proposed along Eastlake Boulevard to the existing single-family development to the south and west; staff recommends **APPROVAL** of the zone change from R-PD to A-1 as the request is compatible with the Future Land Use designation and surrounding uses.

Planning Department Comments:

1. Pursuant to Section 502.6.1 General. All buildings: Maximum height of thirty five (35) feet, not to exceed two and one half stories, except that three story buildings with heights of up to forty five (45) feet may be permitted, provided such buildings are not closer than one hundred (100) feet from a property zoned for single family residential use, and subject to the site plan review process as described in Section 502.6 [502.8].
2. Add addresses
3. Applicant has complied with the required Site Development Plan, Landscape Plan and Lighting Plan.

Public Works Department Comments:

No comments

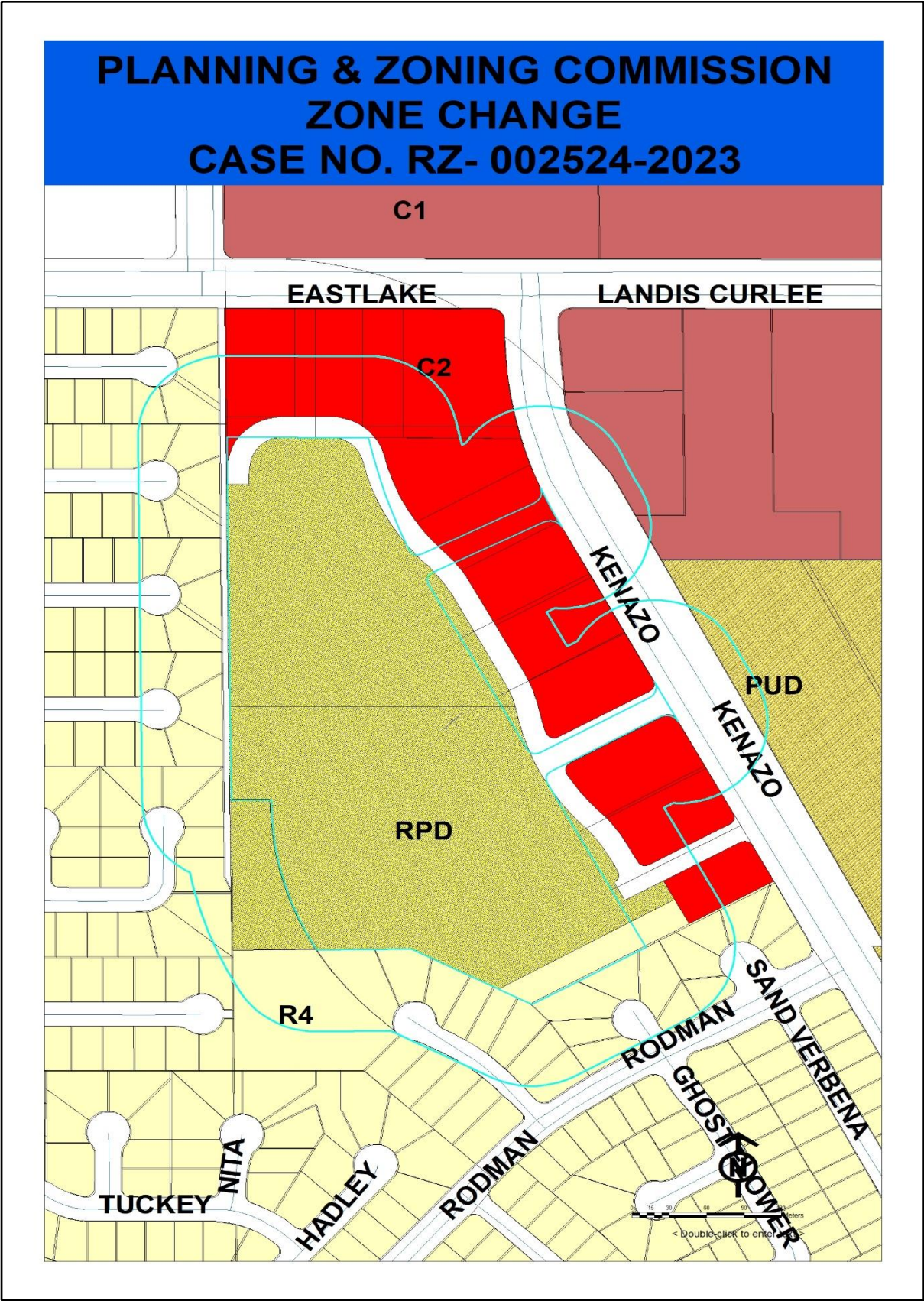
City Engineer Comments:

I do not have any comments on the overall concept. During design, we will need to pay particular attention to the number, location and orientation of dumpsters and site illumination to minimize light scatter from the on to the neighborhoods.

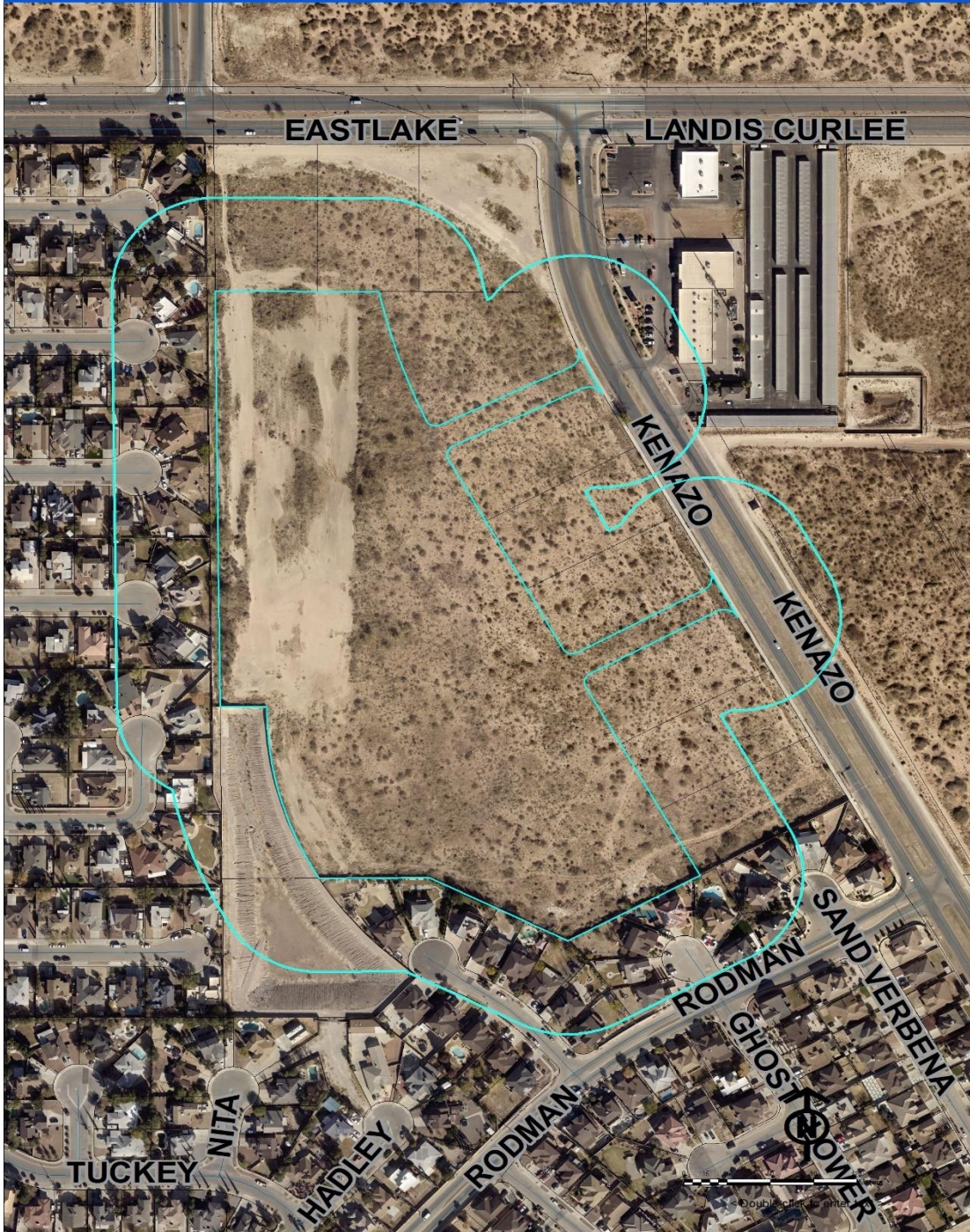
Attachments:

- 1 – Zoning Designation Map
- 2 – Aerial Map
- 3 – Future Land Use Map (Comp Plan)
- 4 – Application
- 5 – Opposition Letter
- 6 – Site Development Plan/Elevations
- 7 – Landscape Plan
- 8 – Lighting Study
- 9 – Pedestrian Circulation Plan

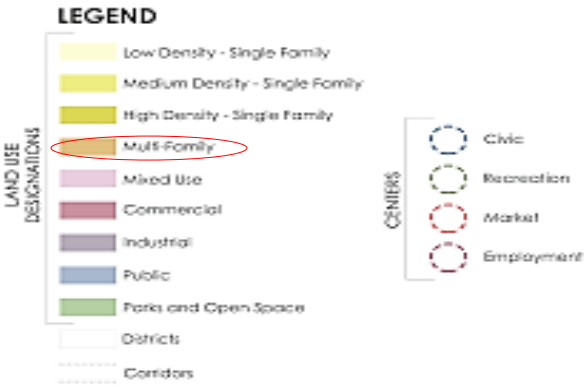
Attachment 1: Zoning Designation



**PLANNING & ZONING COMMISSION
ZONE CHANGE
CASE NO. RZ- 002524-2023**



Attachment 3: Future Land Use Map



Attachment 4: Application



TOWN OF HORIZON CITY
14999 Darrington Road
Horizon City, Texas 79928
Phone 915-852-1046 Fax 915-852-1005

RZ-002524-2023 REZONE APPLICATION

1. Owner of Record: HZ VENTURES LLC SERIES K, LTD.
421 FREDERICK RD. 79905 PIERRE@DRSELPASO.NET
(ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant: KENAZO APARTMENTS SERIES LLC Is applicant also the Owner? ☐ Yes ☒ No
Contact Person: YASSER HAYMAR
2019 E. MESSOURA AV. 79903 915-740-2300 YASSER.HAYMAR@GMAIL.COM
(ADDRESS) (ZIP) (PHONE) (EMAIL)

3. PARCEL ONE
Site Address/Location: CORNER OF EAST LAKE & N. KENAZO
Legal Description: 1 4 TUSCANY VILLAGE REPHASE A
(Lot) (Block) (Subdivision Name)

PARCEL TWO
Site Address/Location: _____
Legal Description: _____
(Lot) (Block) (Subdivision Name)

If the legal description of the complete tracts or if plat is not available, attached are the required Metes & Bounds Description & survey map(s)? ☐ Yes ☐ No

4. Briefly explain why you request to rezone? Use of apartments not permitted in current zone.

5. Land's Present Use: Vacant Zone: R-PD
Land Vacant ☒ Lot size: 17.863 Structure ☐ Structure's size: _____ Last known date the structure was occupied? _____
Land's Proposed Use: Build Apartments Proposed Zone Use: A-1

Will you be making any improvements to the existing lot or structure? ☐ Yes ☐ No This request includes Site Development Plans for approval? ☒ Yes ☐ No

NOTICE: Applicant is responsible for all expenses incurred by the City in connection with the Rezone Application request, including but not limited to attorney's fees, engineering fees and publication. Additional charges will be invoiced separately and shall be paid to the Town prior to City Council action.

Applicant's Signature: _____

6. Signatures:

(OWNER'S SIGNATURE) _____

(APPLICANT'S SIGNATURE) _____

(OWNER'S PRINTED NAME) Norma Hernandez

(APPLICANT'S PRINTED NAME) YASSER HAYMAR

FEE SCHEDULE: (NON-REFUNDABLE)

\$300 - UP TO 1.0 ACRES	\$450 - 30.1 ACRES TO 50 ACRES
\$350 - 1.1 ACRES TO 10 ACRES	\$500 - 50.1 ACRES TO 75 ACRES
\$400 - 10.1 ACRES TO 30 ACRES	\$600 - 75.1 ACRES AND UP
EL PASO TIMES PUBLISHING FEE APPROXIMATELY \$460	ENGINEERING FEE APPROXIMATELY \$60 PER 1/2 HOUR

Application & Submittals Due Date: _____
P&Z Scheduled Mtg. Date: _____
City Council Scheduled Date: _____
Application Received By: _____
Date Application Rec'd: _____

Please see reverse side for list of items required at time of submitting REZONING application.

Attachment 5: Opposition Letter

From: Rudy Valdez <rudvaldez@wacoisd.org>
Sent: Sunday, June 4, 2023 3:41 PM
To: Michelle Garcia <mgarcia@horizoncity.org>
Subject: Eastlake and Kenazo Ave.

CAUTION: External email from outside our company. Use caution with attachments and links.?

Hi this is Mr. Valdez.I am opposed and changing the zoning from residential to commercial apartments.This is for the area at Kenazo Avenue and Eastlake.I would like more information if you may call me. At [REDACTED]thankyou

Distinctive Apartment Homes

Location Map



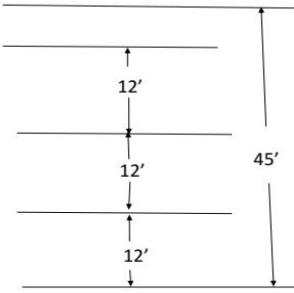
Building Type	Number of Buildings	Units per Building	Total Units
 Club House	1		
 45 – 3 Stories	11	8	88
 35 – 3 Stories	35	6	210
 25 - 2 Stories	15	4	60
Total	62		358
Total Units allowed per A-1			
Rounded Unit Count		357	
Total Parking Required			
Total Parking Provided		715	
		715	



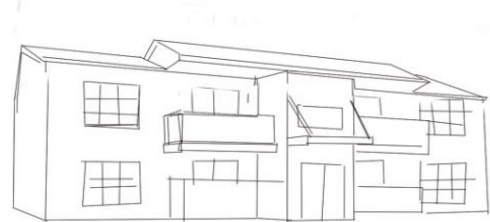
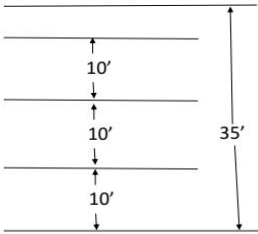
Building Elevations



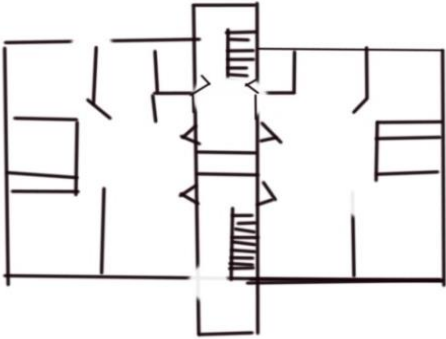
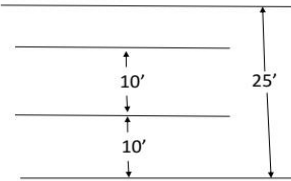
Typical 45' - 3 Story Building Elevation



Typical 35' - 3 Story Building Elevation



Typical 25' - 2 Story Building Elevation



Typical Building Footprint 45'X 60'

Outdoor storage closet per unit

Attachment 7: Landscape Plan

Landscape Plan

Landscaping Description.

Proposed landscaping consists of “desert” style with a mix of rocks and gravels as ground cover.

Shrubs and trees will be native specie capable of living with no artificial irrigation.

The drainage infrastructure will be designed to collect and hold rainwater, with conveyance considerations for higher volume storm events.

Limited sod will be provided where necessary for recreational activities.

The planted vegetation will be located along sidewalks and driving lanes to provide a shaded environment. Shrubs will be planted along the base of buildings to enhance the sense of the street scape.

Additional vegetation will be planted in various setbacks and open areas.



Scott Winton Real Estate Services
Brokerage Consulting Management Place making
6452 Toivola Place
El Paso, TX 79932
scottwinton@sbcglobal.net
915-637-0787

Attachment 8: Lighting Study

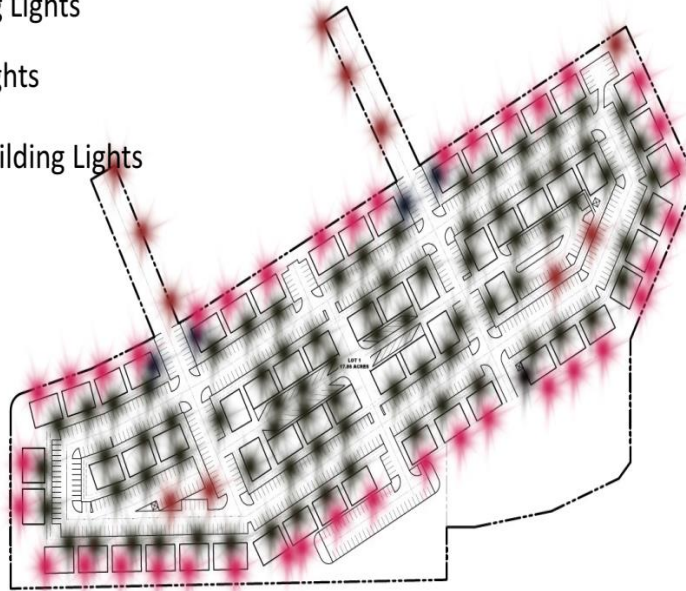
Lighting Study

Site lighting will primarily be provided with building placed lighting. The lighting on the rear of buildings will be directed to provide security to the site while minimizing the impact on site residents and neighboring properties.

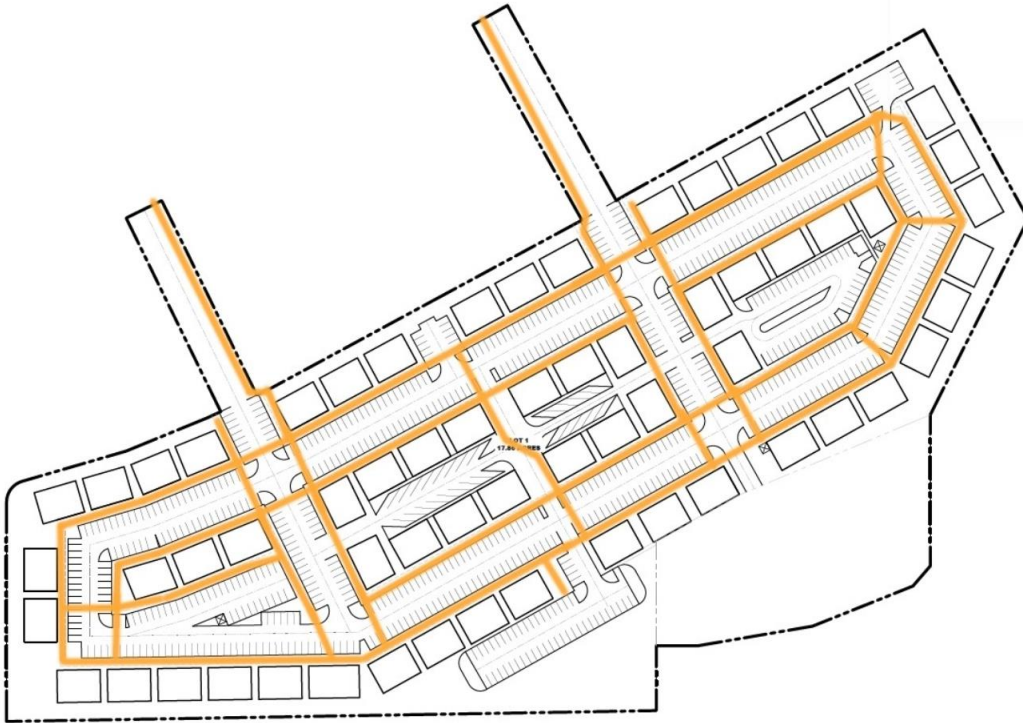
★ Building Lights

★ Pole Lights

★ Rear Building Lights



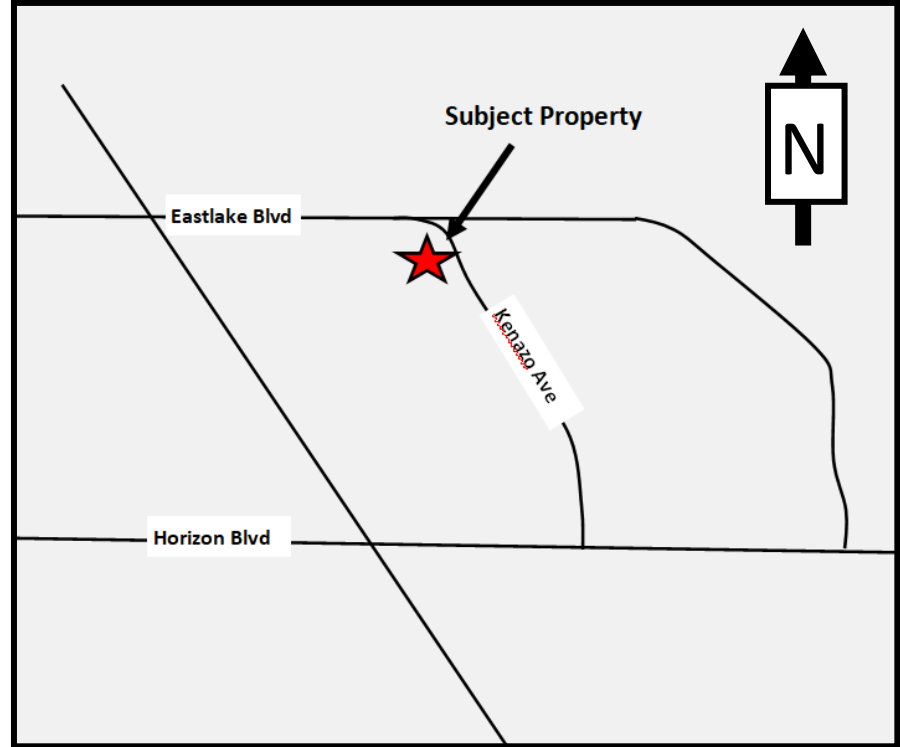
Pedestrian Circulation Plan



Distinctive Apartment Homes

Arranged as if the apartments are a neighborhood by utilizing traditional streetscapes arranged to be a tree shaded, pedestrian scaled environment.

Location Map



Building Type	Number of Buildings	Units per Building	Total Units
Club House	1		
45' – 3 Stories	11	8	88
35' – 3 Stories	35	6	210
25' - 2 Stories	<u>15</u>	4	<u>60</u>
Total	62		358
Total Units allowed per A-1		357	
Rounded Unit Count		357	
Total Parking Required		715	
Total Parking Provided		715	

Lot 1,Block 4 Tuscany Park Village Replat A
178,112 Square Feet
17.8630 Acres



Landscape Plan

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The planted vegetation will be located along sidewalks and driving lanes to provide a shaded environment. Shrubs will be planted along the base of buildings to enhance the sense of the street scape.

Additional vegetation will be planted in various setbacks and open areas.

Legend

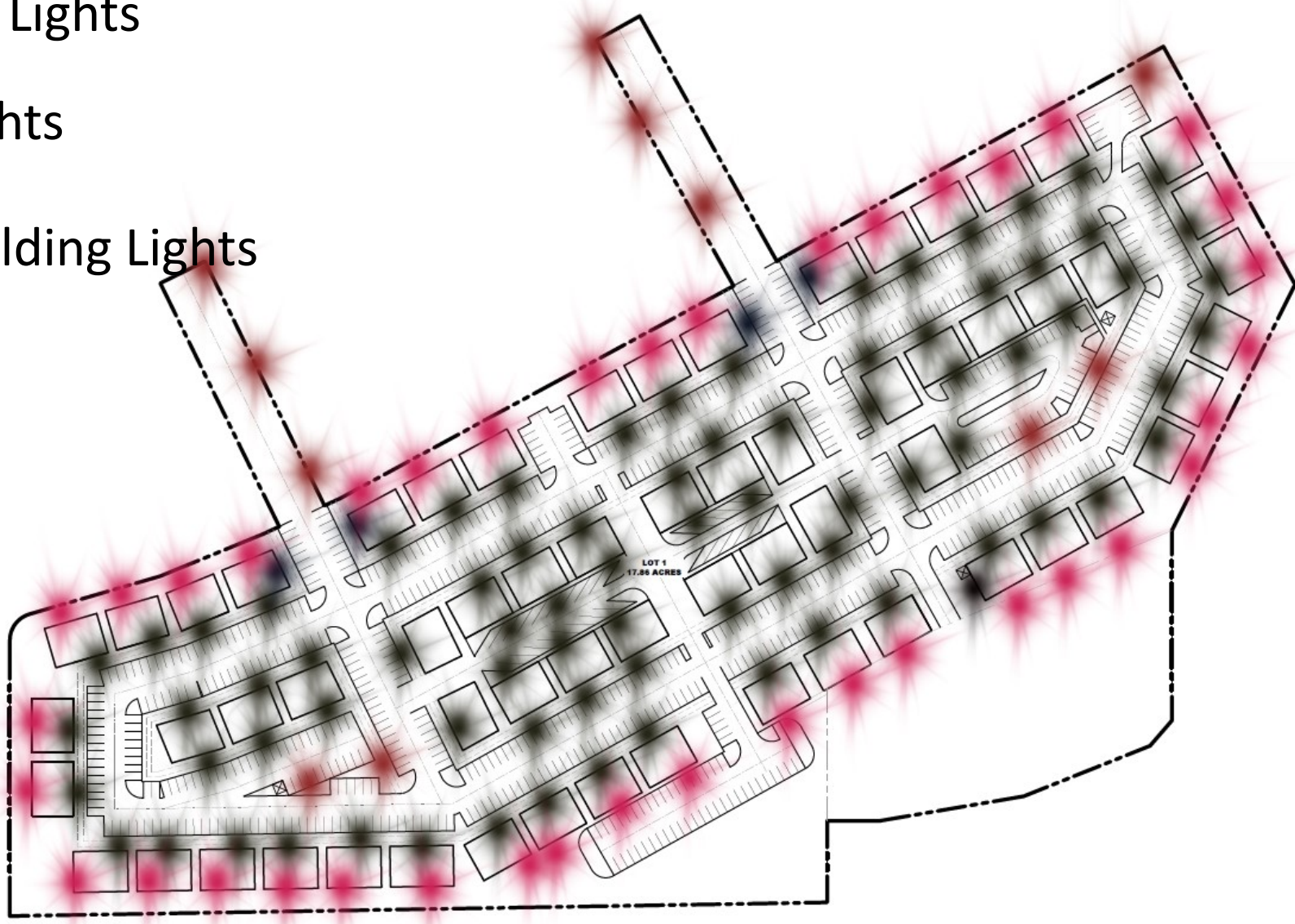
- Mesquite
- Desert Willow
- Rockwall
- Sidewalk



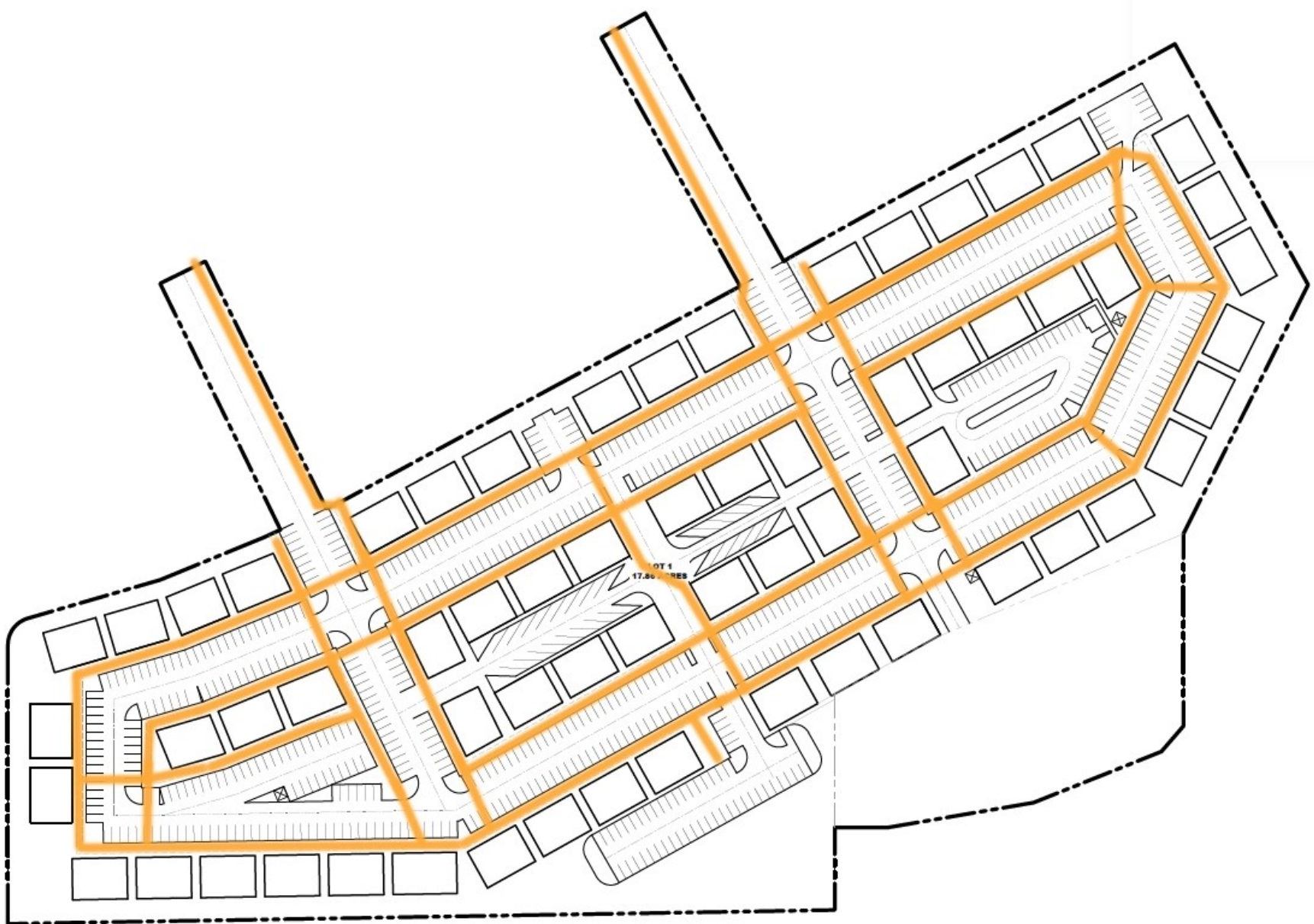
Lighting Study

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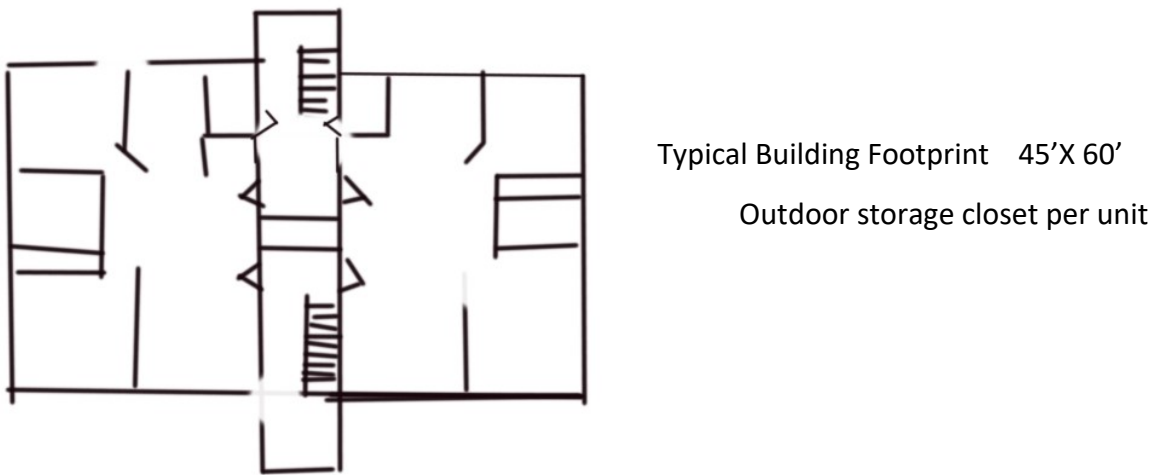
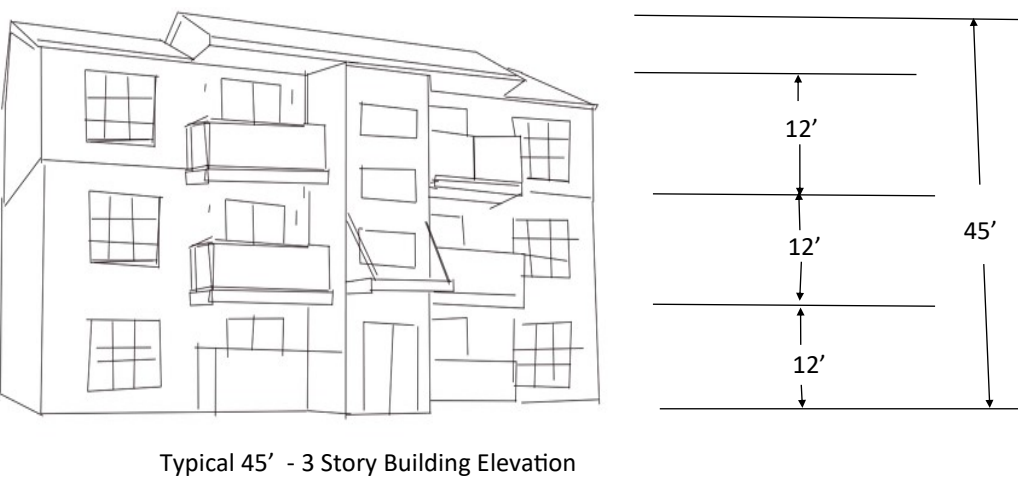
- Building Lights
- Pole Lights
- Rear Building Lights



Pedestrian Circulation Plan



Building Elevations



ORDINANCE NO. 2023-_____

**AN ORDINANCE OF THE TOWN OF HORIZON CITY,
TEXAS REPEALING ORDINANCE NO. 0038, DATED
NOVEMBER 13, 2012, AND AMENDED ON DECEMBER 9,
2014, ESTABLISHING A CURFEW FOR MINORS;
PROVIDING FOR FINDINGS OF FACT, SEVERABILITY;
REPEALER; EFFECTIVE DATE, AND PROPER NOTICE &
MEETING.**

WHEREAS, the City Council adopted regulations for curfew for minors, Ordinance No. 0038 on November 13, 2012; and

WHEREAS, the City Council amended Ordinance No. 0038 on December 9, 2014; and

WHEREAS, effective September 1, 2023, Texas Local Government Code Section 370.007 will prohibit a political subdivision from adopting or enforcing an ordinance that imposes a curfew to regulate the movements or actions of persons younger than 18 years of age; and

WHEREAS, the City Council finds that the repeal of Ordinance No. 0038 is necessary to comply with new state legislative.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS, THAT:

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The City Council of Horizon City hereby repeals Ordinance No. 0038, establishing a curfew for minors,

Section 3. Severability. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.

Section 4. Repeal. This Ordinance shall be and is hereby cumulative of all other ordinances of the Town of Horizon City, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances, are hereby repealed.

Section 5. Effective Date. This Ordinance shall take effect immediately after its final

passage and any publication in accordance with the requirements of the Town of Horizon City and the laws of the State of Texas.

Section 6. Proper Notice & Meeting: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND ADOPTED this _____ day of _____ 2023.

TOWN OF HORIZON CITY

APPROVED:

Andres Renteria, Mayor

ATTEST:

Elvia Schuller, TRMC
City Clerk

APPROVED AS TO FORM:

Marianella Joseph, Assistant City Attorney

First Reading:
Second Reading: