



HORIZON CITY

Incorporated 1988

**AGENDA
PUBLIC MEETING
REGULAR PLANNING AND ZONING MEETING
THE TOWN OF HORIZON CITY, TEXAS
Monday, October 17, 2022, 6:00 PM**

Notice is hereby given that a Regular Planning and Zoning Meeting of the Town of Horizon City, Texas will be held on **Monday, October 17, 2022 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 MEETING TO ORDER & DETERMINATION OF QUORUM

2. COMMISSION MEMBERS ATTENDANCE:

COMMISSIONERS EXCUSED AND UNEXCUSED:

3. OPEN FORUM: NOTE: The Planning & Zoning Commission encourages public comment on all matters of interest listed on this agenda. Speakers from the audience will be given an opportunity to discuss each item in the order in which it appears on the agenda, prior to the Commission discussing the item unless otherwise approved by the Chairman. A "Speaker Request" form is available for those who wish to sign up on the day of the meeting. This form is also available in advance by downloading the attached form. Please submit the "Speaker Request" form completely filled out to the Board Secretary prior to the meeting. The Commission retains the option to set reasonable limits on the number, frequency, and length of presentations. Please contact the Board Secretary at (915) 852-1046 Ext. 404 with any additional questions. **3**

4. PUBLIC HEARINGS

NOTICE TO THE PUBLIC AND APPLICANTS The staff report for an agenda item may include conditions, exceptions or modifications. The Commission's motion to approve an item in accordance with the staff report or with all staff comments means that any modification, waivers, exceptions requested by the applicant and recommended for approval by staff and any staff recommended conditions, have been approved, without necessitating that the Commission restate the modifications, exceptions, waivers, or conditions as part of the motion to approve and that any findings required to be made by the Commission, have been made. If the Commission does not wish to approve an exception or modification, or require a condition, then the Commission's motion will state which have not been approved, otherwise, the staff report, with all modifications, exceptions and conditions, is approved and the applicant shall comply with all provisions of the staff report.

A. DISCUSSION AND RECOMMENDATION:

4

Planner

On a **Rezoning application** request (**Case No. RZ-002503-2022**) to approve a change in zone for a portion of a tract of land from R-2 (Residential) to R-3 (Residential), legally described as a portion of Section 32, Block 78, Township 3, Texas and Pacific Railroad Surveys, Town of Horizon City, El Paso County, Texas. Containing 13.27-acres. Application submitted by H2O Terra, LLC.

B. DISCUSSION AND RECOMMENDATION:

13

Planner

On a **Specific Use Permit** application (**Case No. SUP-002512-2022**) for restaurant and retail use on a property located at 501 Darrington Rd., legally described as a portion of Sections 42 and 43, also known as Tract 5D, Section 42 and Tract 1H, Section 43, Block 78, Township 3, Town of Horizon City, El Paso County, Texas. Containing 1-acre +/- . Application submitted by Lorena Armenta.

C. DISCUSSION AND RECOMMENDATION: 22
Planner

On a **Specific Use Permit** application (**Case No. SUP-002510-2022**) to upgrade an existing church sign on a property located at 17018 Darrington Rd., legally described as a portion of Lot 60, Block 43, Horizon Heights Unit Ten Subdivision, Town of Horizon City, El Paso County, Texas. Containing 3-acres +/- . Application submitted by David W. Miller.

D. DISCUSSION AND RECOMMENDATION: 33
Planner

On the **Replat** application for **Horizon Town Center Unit Two Replat "B"** (**Case No. RP-002511-2022**), legally described as Lots 3, 4 and 5, Block 21, Horizon Town Center Unit Two Subdivision, Town of Horizon City, El Paso County, Texas. Containing 0.4154 acres +/- . Application submitted by CAD Consulting Co.

5. OTHER BUSINESS

A. DISCUSSION AND ACTION: 41

On the Planning and Zoning meeting minutes for the meeting held on September 19, 2022.

6. ANNOUNCEMENTS

A. The Texas American Planning Association State Conference is being held at the **El Paso Civic Center** from **Oct. 19th - Oct. 21st**. This is a great training opportunity that includes courses geared towards Planning & Zoning Commissioners.

B. The next regular scheduled meeting: **Monday, November 21, 2022, at 6pm.**

Adjournment:

Motion to Adjournment: _____ 2nd _____

Dated this Friday, 10/14/2022

By: _____
Elvia Schuller, City Clerk

I, the undersigned authority, hereby certify that the above notice of the Regular Planning and Zoning Meeting of the Town of Horizon City, Texas is a correct copy of this notice, and that I posted this notice at least seventy-two (72) hours preceding the scheduled meeting at the City Hall Bulletin Boards of the Town of Horizon City, Texas on this Friday, 10/14/2022 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.

SPEAKER REQUEST FORM

(for all persons who wish to address the Board or Commission)

Date of Meeting: _____

Your Name: _____

Residence Address: _____

City: _____ Contact Number: _____

IF SPEAKING FOR AN ORGANIZATION:

Name of Organization: _____

Speaker's Official Capacity: _____

Agenda Item No.: _____ Public Hearing Agenda Item No.: _____

For (if applicable) Against (if applicable)

OPEN FORUM:

To speak on an item not listed on the agenda, known as **OPEN FORUM**, please indicate area of interest:

Please remember to step to the podium as soon as you are recognized by the chair; state your name and address before beginning your presentation. If you have written notes you wish to present to the Chair and the Board/Commission, PLEASE FURNISH AN EXTRA COPY FOR THE BOARD/COMMISSION.

The Board/Commission will appreciate each speaker limiting an address on any one item to three minutes.

Thank you for your cooperation.

**PLEASE CARRY THIS FORM TO THE
BOARD SECRETARY AT THE DESK PRIOR
TO THE BEGINNING OF THE MEETING.**



**TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report**

Case No.: **RZ-002503-2022 (Revised)**
Proposed Desert Breeze Unit III Subdivision

Application Type: **Rezoning**

P&Z Hearing Date: August 15, 2022

Staff Contact: Art Rubio
 915-852-1046; arubio@horizoncity.org

PID No.: X57800033203000

Address/Location: North of Horizon Blvd. and east of Riff Rd.

Legal Description: A portion of Section 32, Block 78, Township 3, Texas and Pacific Railroad Surveys, Horizon City, El Paso County, Texas

Property Owner: Hunt Communities Holding

Applicant: H2O-Terra

Acreage: 13.272-Acres ±

Nearest Park: Horizon Mesa Park

Nearest School: Horizon High School

SURROUNDING PROPERTIES:

	Zoning	Land Use
N	R-2 (Single-Family Residential)	Vacant
E	ETJ	Mixed Use
S	C-2(Heavy Commercial)/R-2(Single-Family Residential)	Vacant
W	R-2 (Single-Family Residential)	Horizon High School

LAND USE AND ZONING:

	Existing	Proposed
Land Use	Vacant	Single-Family Residential
Zoning	R-2 (Single-Family Residential)	R-3 (Single-Family Residential)

Application Description:

The applicant is requesting to change the zone of approximately 13.2744-acres of vacant land from R-2 (Single-Family Residential) zoning district to R-3 (Residential) zoning district in accordance with the attached conceptual site development plan. The request proposes R-3 (single-family residential) for a proposed seventy lot residential subdivision. The subject property is directly adjacent to Horizon High School and the ETJ to the east.

Notice:

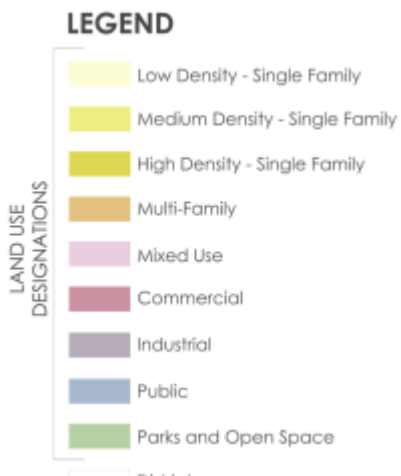
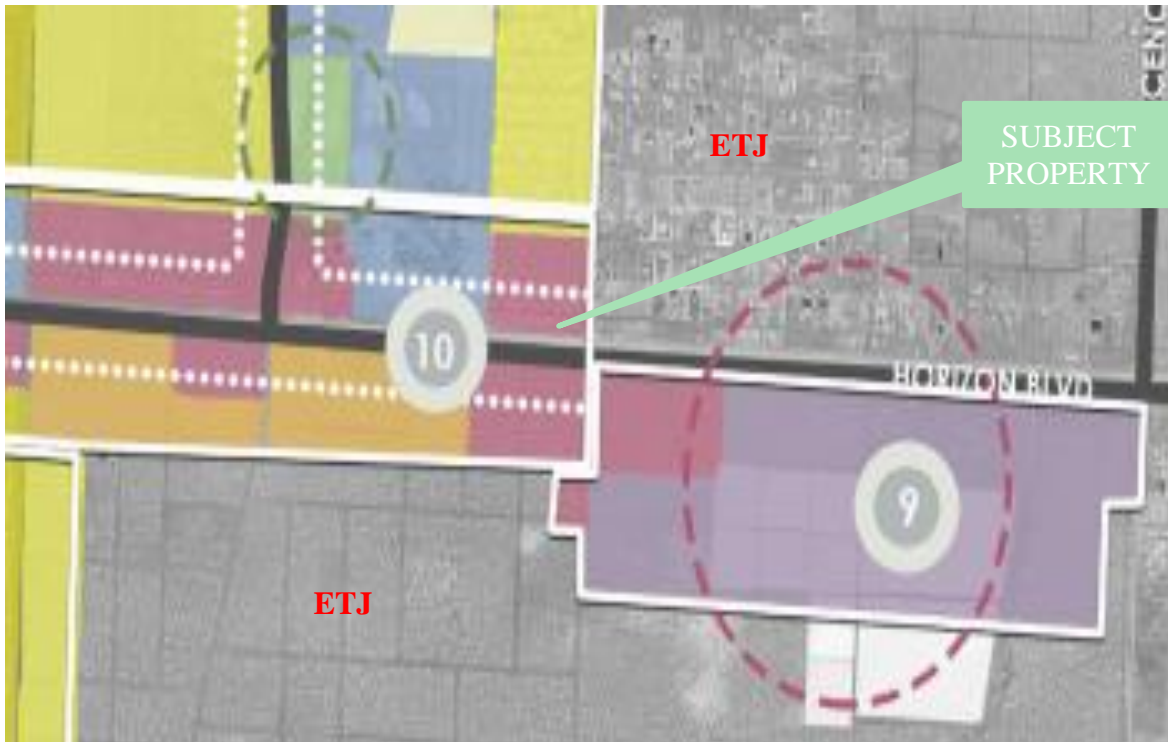
In accordance with Section 211.007 of the Texas Local Government Code and Horizon City Municipal Code Section 101.6 Rezoning, Paragraph C. Public Hearings; notice; notices of the August 15, 2022, public hearing was sent to the school district of jurisdiction and to those property owners within two hundred feet of the subject property on July 27, 2022. 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. Sign requirement has satisfied by the applicant.

Public Input:

To date, staff has not received any communication in support or opposition of the requested rezoning.

Vision 2020 – Future Land Use Map Designation:

Horizon City Vision 2020 Strategic Master Plan designates this area for the following uses: commercial; public; parks and open space in accordance with the map and legend below. The developer is proposing single-family residential.



Staff Recommendation:

Staff recommends **approval** of the request to rezone to **R-3** (Residential) in support of the proposed 70 lot residential subdivision.

Planning Division Comments:

This development proposes R-3 (single-family residential) development throughout and is directly adjacent to Horizon High School to the west, residential to the north, a mixed-use development area to the south, currently vacant and mixed-use development area to the east within the ETJ. The proposed development consists of a minimum lot size of 5,500 square feet, where the smallest lot allowed with the current zoning is 5,500 sq. ft. and the largest is 6,00 sq. ft. The City's Comprehensive Plan calls for commercial, public and parks in the area; however, there has been a transition to single-family residential in the area. According to the Horizon City Vision 2020 Strategic Master Plan, "boundaries of these districts and areas are conceptual in nature providing the Town the flexibility to define these boundaries as development occurs." "The rest of Horizon City would develop in a similar fashion as the current development patterns with mainly residential development and reduced amount of strip commercial development."

Approving this development's land use plan and rezoning request will increase the already depleted single-family residential dwelling inventory within Horizon City.

Planning and Zoning Commission Options:

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

1. Recommend **approval** of the Applicant's request for change of zone classification as stated and forward a recommendation for approval for the change of zone classification to the City Council.
2. Recommend **denial** of the Applicant's request for change of zone classification and forward a recommendation for denial of the requested rezoning to the City Council.

Attachments:

1 – Current Zoning Designation Map

2 – Aerial Map

3 - Future Land Use Map (Comp Plan)

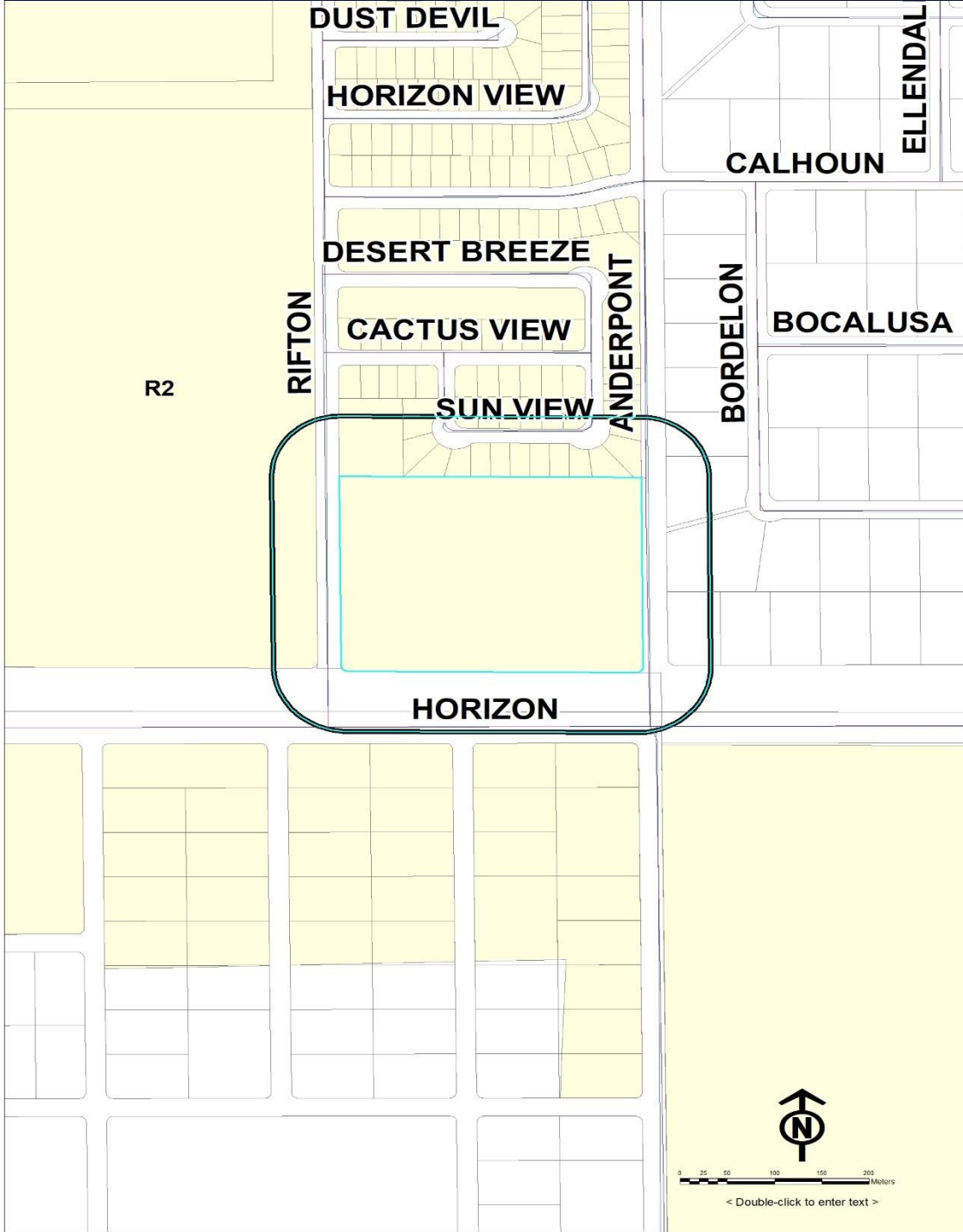
4 - Application

5 – Boundary Survey

7 – Proposed Zoning and Development Maps

Attachment 1: Current Zoning Designation Map

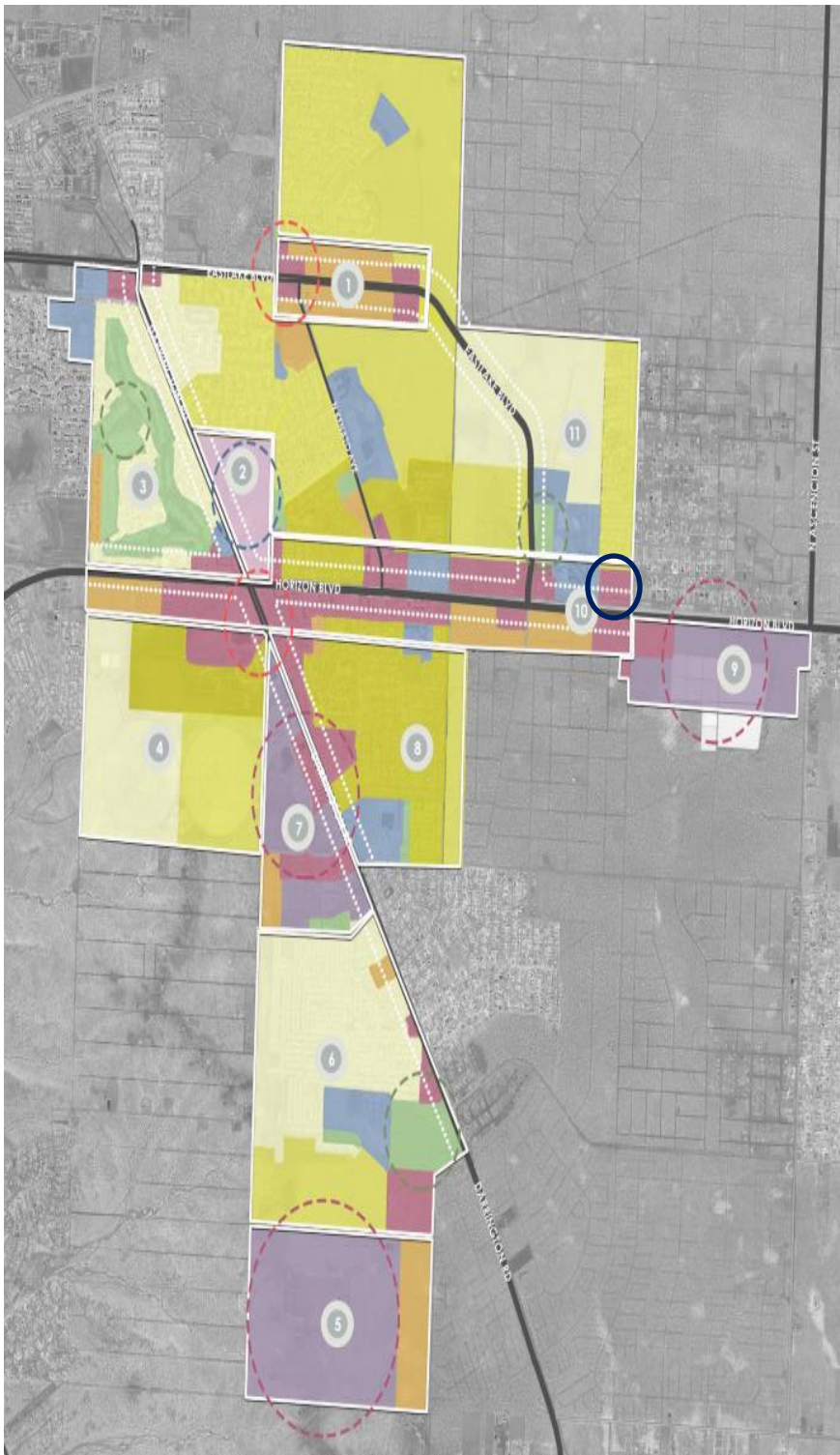
**PLANNING & ZONING COMMISSION
CASE NO. RZ-002503-2022**



Attachment 2: Aerial View Map



Attachment 3: Future Land Use Map



LEGEND

- | | |
|---|---|
| <p>LAND USE DESIGNATIONS</p> <ul style="list-style-type: none"> Low Density - Single Family Medium Density - Single Family High Density - Single Family Multi-Family Mixed Use Commercial Industrial Public Parks and Open Space Districts Corridors | <p>CENTERS</p> <ul style="list-style-type: none"> Civic Recreation Market Employment |
|---|---|
-
- | | |
|--|---|
| <ul style="list-style-type: none"> 1 EASTLAKE DISTRICT 2 TRANSIT-SUPPORTED TOWN CENTER DISTRICT 3 GOLF COURSE DISTRICT 4 WEST RESIDENTIAL DISTRICT 5 BUSINESS PARK DISTRICT 6 SOUTH RESIDENTIAL DISTRICT | <ul style="list-style-type: none"> 7 CENTRAL INDUSTRIAL PARK DISTRICT 8 EAST RESIDENTIAL DISTRICT 9 EAST INDUSTRIAL PARK DISTRICT 10 HORIZON BLVD DISTRICT 11 NORTH RESIDENTIAL DISTRICT |
|--|---|

Attachment 4: Application



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

REZONE APPLICATION

1. Owner of Record HUNT COMMUNITES HOLDING LP 70% & HORIZCO LP 30%
 4401 N MESA ST EL PASO TX 79902-1150
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant H2O Terra, LLC. Is applicant also the Owner? Yes No
 Contact Person Francisco Solis
 2020 E. Mills 79901 (915) 833-1418 fsolis@h2o-terra.com
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

3. PARCEL ONE
 Site Address/Location Property ID: X57800033203000
 Legal Description: 78 TSP 3 SEC 32 T & P ABST 5472 TR 4 (13.2744 AC)
 (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? Proposed subdivision with lots between 5,500 and 5,999 sq.ft.

5. Land's Presents Use: Vacant Zone R-2
 Land Vacant Lot size 1.2744AC Structure Structure's size _____ Last known date the structure was occupied? _____
 Land's Proposed Use: Single family dwelling avg. lot size of 5,500 sq.ft. - subdivision Proposed Zone Use R-3

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)  Jose Lares Date Received 07/20/2022
 (OWNER'S PRINTED NAME) (OWNER'S PRINTED NAME)
 (APPLICANT'S SIGNATURE)  Francisco Solis Date Submitted 07/20/2022
 (APPLICANT'S PRINTED NAME) (APPLICANT'S PRINTED NAME)

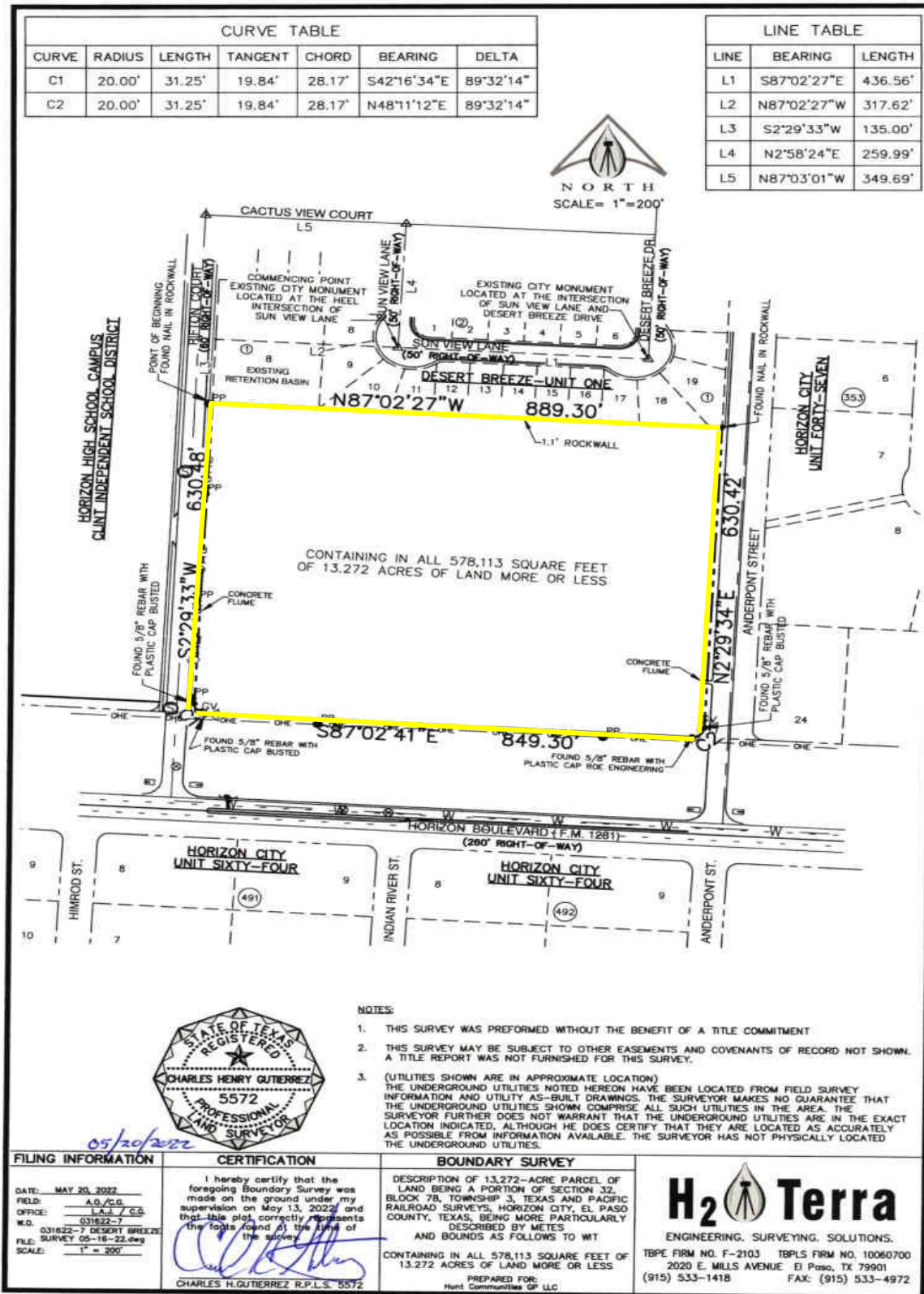
FEE SCHEDULE: (NON-REFUNDABLE)

\$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 1/2 HOUR

Application & Submittals Due Date: 07/21/2022
 P&Z Scheduled Mtg. Date: 08/15/2022
 City Council Scheduled Date: 09/13/2022
 Application Received By: ART RUBIN
 Date Application Rec'd: 07/21/2022

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

Attachment 5: Survey Map





TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

Case No.: SUP-002512-2022
Application Type: Specific Use Permit (SUP)
P&Z Hearing Date: October 13, 2022
Staff Contact: Art Rubio, Planner
915-852-1046 ext. 407; arubio@horizoncity.org

Address/Location: 501 S. Darrington Rd., Horizon City, TX 79928
Legal Description: A portion of Sections 42 and 43, also known as Tract 5D, Section 42 and Tract 1H, Section 43, Block 78, Township 3, Town of Horizon City, El Paso County, Texas

Acreage: Approximately 1 acre±
Existing Use: Vacant Building
Existing Zoning: M-1 (Industrial)
Request: SUP for C-1 & C-2 uses in an M-1 zone to allow for restaurant and small-scale retail use

Owner: Luis & Mercedes Tarango
Applicant: Lorena Armenta

Surrounding Zoning and Land Use:
North: M-1 (Light Industrial) – Warehousing/Heavy Truck Trailer Facility
South: M-1 (Light Industrial) – Commercial and Industrial Development
East: Darrington Rd.-R-9
West: M-1 (Light Industrial) – Commercial and Industrial Development

F/L/Use Designation: Light Industrial/Warehouse
Nearest Park: Golden Eagle Park (approximately 1/2 mile)
Nearest School: Frank Macias Elementary School (approximately 1/2 mile)

Application Description:

The applicant is requesting a Specific Use Permit to allow for a restaurant and small-scale retail use on a property that is zoned M-1 (Light Industrial). The uses proposed are considered commercial uses in the City's Municipal Code's Zoning Ordinance (Section 603.2 O). As a result, the applicant is requesting a Specific Use Permit to allow for C-1 (General Commercial) and C-2 (Heavy Commercial) use on a property that is zoned M-1 (Industrial).

Notice:

In accordance with Section 211.007 of the Texas Local Government Code, notices of the October 17, 2022, public hearing were mailed to those property owners within 200 feet of the subject property on September 26, 2022.

Staff Recommendation:

Staff recommends **approval** of the request for a Specific Use Permit for a restaurant and retail use, a C-1 and C-2 use in an M-1 zone, with the condition that both the existing structure be

brought up to a conformance as outlined in the Zoning Ordinance for M-1 Zones and any requirements listed in the International Building Codes.

Section 703.2 allows for C-1 and C-2 businesses to be located in an M-1 zone with a specific use permit for consideration by the Planning and Zoning Commission and approval by the City Council. Although this area is designated as M-1 (Light Industrial) on the future land use map, the commercial land uses along Darrington Road show that this corridor is transitioning into a commercial corridor.

Planning Comments:

Staff recommends approval of the request for a *Specific Use Permit* for a restaurant and retail use, subject to the condition requiring that the existing structures be brought up to compliance as outlined in the Industrial District of the Zoning Ordinance (Exhibit A of Chapter 14 of the Municipal Code), (the applicant is also aware a subdivision is required), as follows:

1. The site shall conform to all standards set forth in Chapter 7 of the Zoning Ordinance and all Subdivision regulation requirements, to include access, paved areas, landscaping, fencing, storage, and drainage. Such improvements shall be shown on the site plan submitted for building permits and shall require approval from the Town Engineer and Building Official.
2. Signs, if any, shall conform to the requirements set forth in Chapter 10 of the Zoning Ordinance.
3. Property owner or developer shall submit site development plans for approval prior to a building permit being issued for any portion of the project. Provisions for proper drainage shall be stated in the site development plans. Such plans must include depiction of access to and from Darrington Road and/or other streets.
4. The Subdivision Ordinance may require additional improvements, plans, and facilities to ensure code adherence.
5. Prior to the issuance of a Certificate of Completion/Occupancy, the Emergency Service District #1 shall inspect building for compliance to applicable codes.

Vision 2030 – Future Land Use Map Designation:

The Future Land Use Map designates this area as Central Industrial Park. The area expresses aspirations for a blend between Light Industrial and Heavy Commercial. Uses are described as warehouses, research and development, the manufacturing and/or assembly of goods to be sold off-site, and related accessory and ancillary uses included in this land use designation.

Options available to the Planning and Zoning Commission:

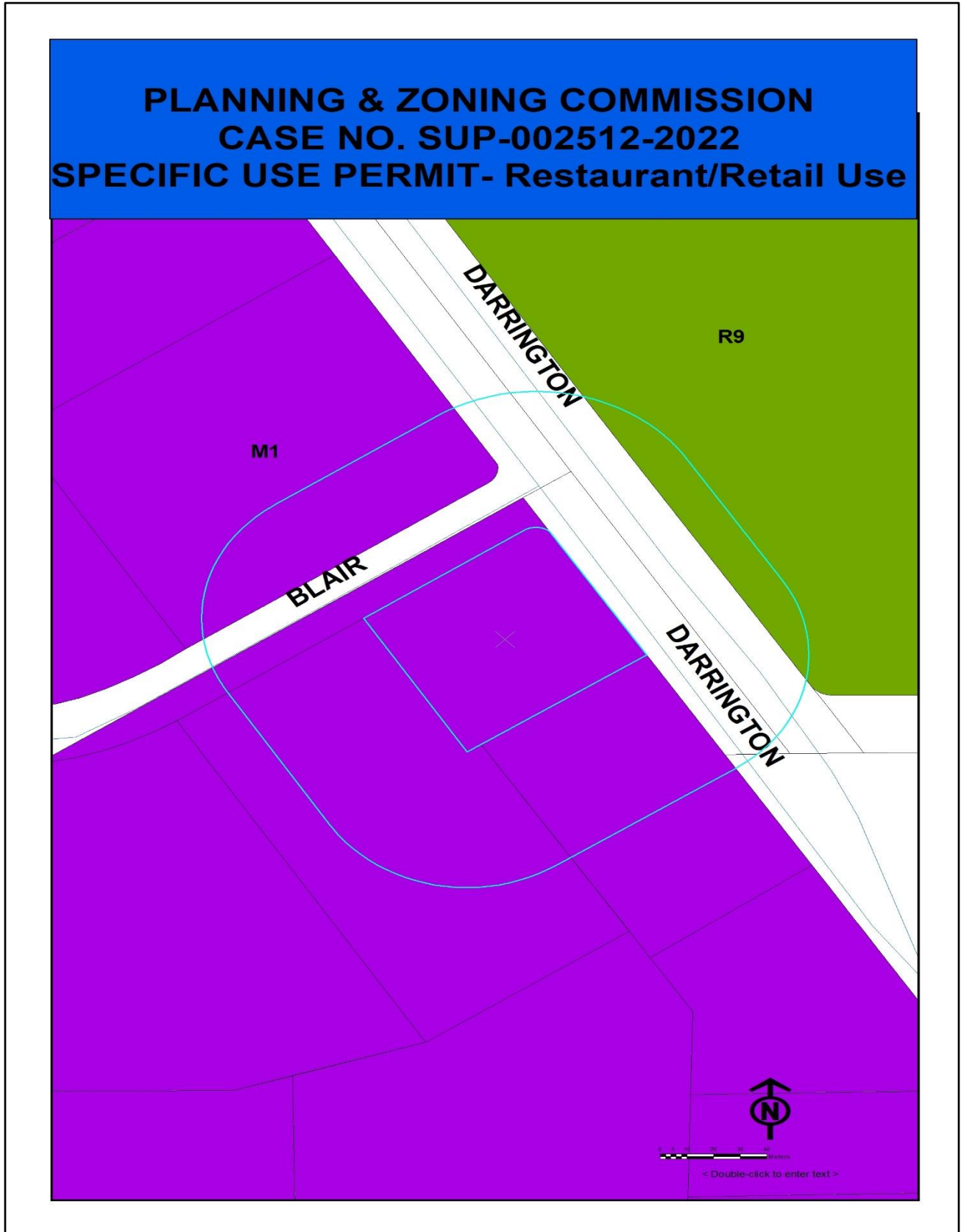
The Planning and Zoning Commission may consider the following options and additional requirements that it identifies when reviewing this Specific Use Permit application:

1. Recommend approval of the request for Specific Use Permit in an M-1 Zoning District as stated.
2. Recommend approval of the request for Specific Use Permit in an M-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.

Attachments:

- Attachment 1 – Zoning Map**
- Attachment 2 – Aerial**
- Attachment 3 – Site Plan**
- Attachment 4 - Survey**
- Attachment 5 – Letter to Board**
- Attachment 6 – Application**

Attachment 1: Zoning Map

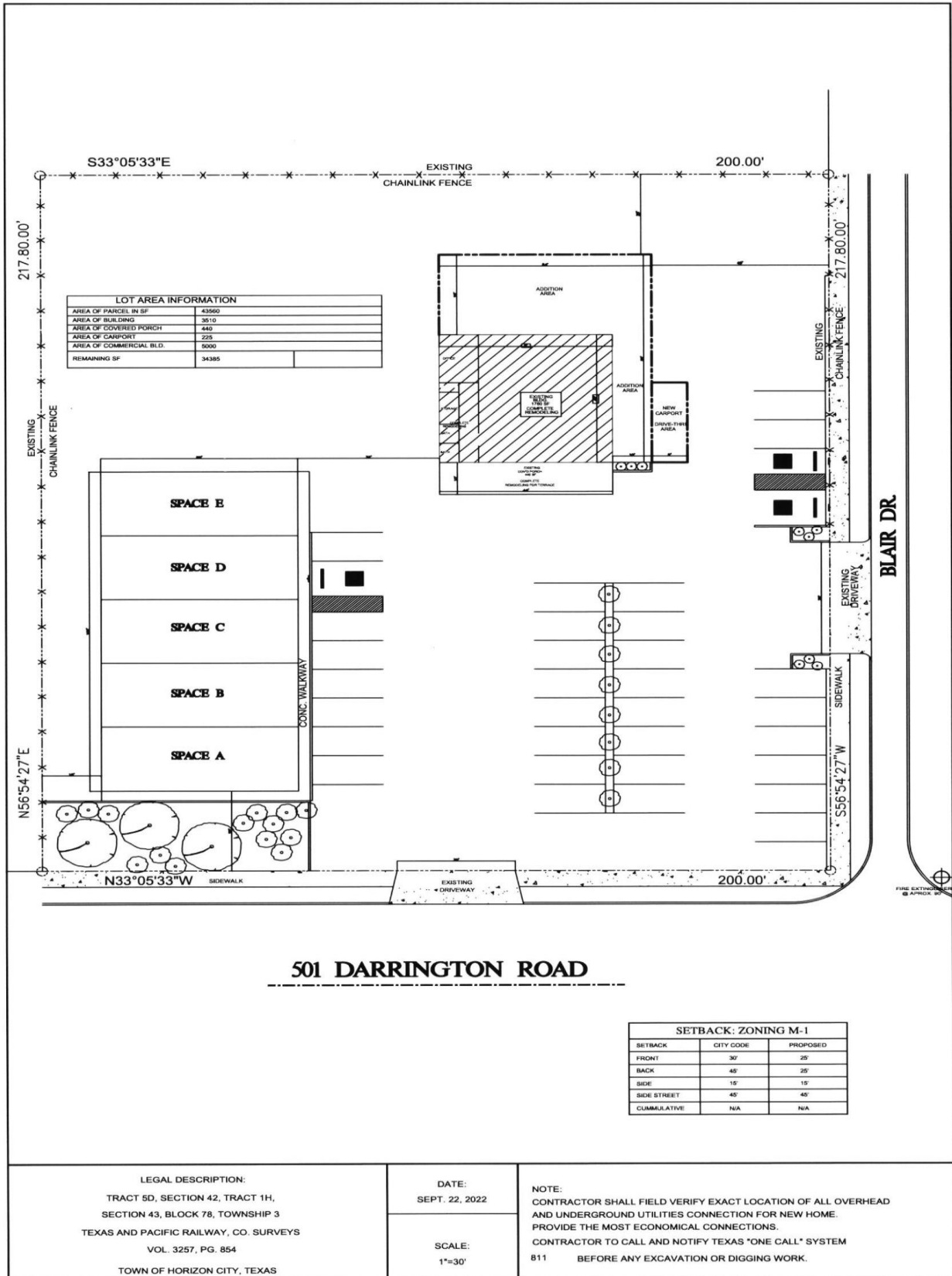


Attachment 2: Aerial

**PLANNING & ZONING COMMISSION
CASE NO. SUP-002512-2022
SPECIFIC USE PERMIT- Restaurant/Retail Use**



Attachment 3 - Site Plan



Attachment 5: Letter to Board

OCTOBER 12, 2022

501 DARRINGTON-SPECIAL PERMIT APPLICATION

TO WHOM IT MIGHT CONCERN:

Dear Sir or Madam, this letter is with the purpose to request a special permit for the above M-1 Industrial zoned reference property to open a restaurant and retail spaces that fall under the C-1 and C-2 Commercial Zoning.

Mr. Tarango and his wife are the owners of the property, and they have more than 20 years of experience in the restaurant business, they are going to open a new restaurant and are going to be the responsible for the management of the restaurant, and the tenants of the retail spaces.

Any questions, please do not hesitate to direct them during the Planning and Zoning Commission meeting.

Lorena Armenta

Owner's representative

Attachment 4: Application

SUP-002512-2022



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

SPECIFIC USE PERMIT APPLICATION

1. Property Owner of Record: Luis + Mercedes Laranca
3008 Park North 79904 915-356-9508 MLLaranca086@yahoo.com
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant _____ Is applicant also the Owner? Yes No
 Contact Person LORENA ARMENTA Is applicant also the Contractor? Yes No
12316 JAN HERRING WAY, EL PASO, TX 79936 (915) 892-8122
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

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

4. Site Address/Location 501 DARRINGTON
 Legal Description: _____
 (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? _____

6. Land's Presents Use: _____ Zone _____
 Land Vacant Lot size _____ Structure Structure's size 1,800 Last known date the structure was occupied? unknown
 Land's Proposed Use: RESTAURANT-RETAIL Proposed Zone Use _____
 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

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

Schedule appointment with Building Official

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: Luis Laranca Luis Laranca
 (OWNER'S SIGNATURE) (OWNER'S PRINTED NAME)
Lorena Armenta LORENA ARMENTA
 (APPLICANT'S SIGNATURE) (APPLICANT'S PRINTED NAME)

FEES: \$460

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

Application & Submittals Due Date: 9/22/22
 P&Z Scheduled Mtg. Date: 10/17/22
 City Council Scheduled Date: _____
 Application Received By: L. Rodriguez
 Date Application Rec'd: 9/22/22

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

Revised 04May2020



**TOWN OF HORIZON CITY
Planning and Zoning Staff Report**

Case #: SUP-002510-2022
Application Type: Specific Use Permit (SUP)
P&Z Hearing Date: October 17, 2022
Staff Contact: Art Rubio
915-852-1046 ext.407; arubio@horizoncity.org

Address/Location: 17018 Darrington Rd., Horizon City, TX. 79928
Legal Description: Portion of Lot 60, Block 43, Horizon Heights Unit Ten
PID No.: H78801004300610

Acreage: Approximately 3 ± acres
Existing Use: First Baptist Church of Horizon City
Existing Zoning: A-1 (Apartments)
Request: Request is for a SUP to allow for an upgrade of an existing sign to an electronic LED Display sign in
Owner: First Baptist Church of Horizon City
Applicant: David W. Miller

Surrounding Zoning and Land Use:

North: R-4 – Residential (Single Family Homes)
South: R-4 – Residential (Single Family Homes)/S1 (Open Space Golf Course)
East: R-4 – Residential (Single Family Homes)
West: R-4 – Residential (Single Family Homes)

Current Land Use Designation: Mixed Use
Nearest Park: Corky Park
Nearest School: Horizon Heights Elementary School

Application Description:

The applicant is requesting a Specific Use Permit to allow an electronic LED Display upgrade to an existing sign on the subject property. Chapter 10 Sign Regulations, Section 1021 (e) Prohibited Signs of the Zoning Ordinance in the Municipal Code prohibits moving, flashing, intermittently lighted and similar signs, but allows for signs displaying information electronically through a Special Permit (Specific Use Permit) that is granted by the City Council.

The location of the existing sign is along the property's frontage on Darrington Rd, an existing Major Arterial Road. Residential structures fronting on this roadway are over 110 ft. away from the sign and the property's size buffers it from the side and rear yards.

Notice:

In accordance with Section 211.007 of the Texas Local Government Code, notices of the October 17, 2022, public hearing were sent to those property owners within 200 feet of the

subject property on September 26, 2022. Staff has not received any communication in support or opposition to the SUP request.

Staff Recommendation:

Staff recommends **APPROVAL** of the request for a *Specific Use Permit* for the electronic sign upgrade on the subject property with the following conditions:

1. In accordance with Sections 1019 and 1021 of Chapter 10 in the Zoning Ordinance (Exhibit A of Chapter 14 Zoning) in the Municipal Code, the electronic display shall be restricted from displaying flashing, jumping, scrolling, and moving messages and shall only display static messages displayed for at least eight seconds. A change of message shall be accomplished within one second.
2. The electronic display shall not make use of the words, "stop", "go", "look", "slow", "danger" or similar word, phrase, symbol, or character so as not to interfere with, mislead or confuse traffic in accordance with Section 1019 as previously cited.
3. The brightness controls shall be set for dimming between sunset and sunrise.

Shaping the Horizon: 2030 – Future Land Use Map Designation:

The Future Land Use Map designates this area as mixed use. This land use designation includes all single-family detached homes and related accessory and ancillary uses. A minimum lot size or house size is not designated. That is to be determined by Zoning Code.

Options available to the Planning and Zoning Commission:

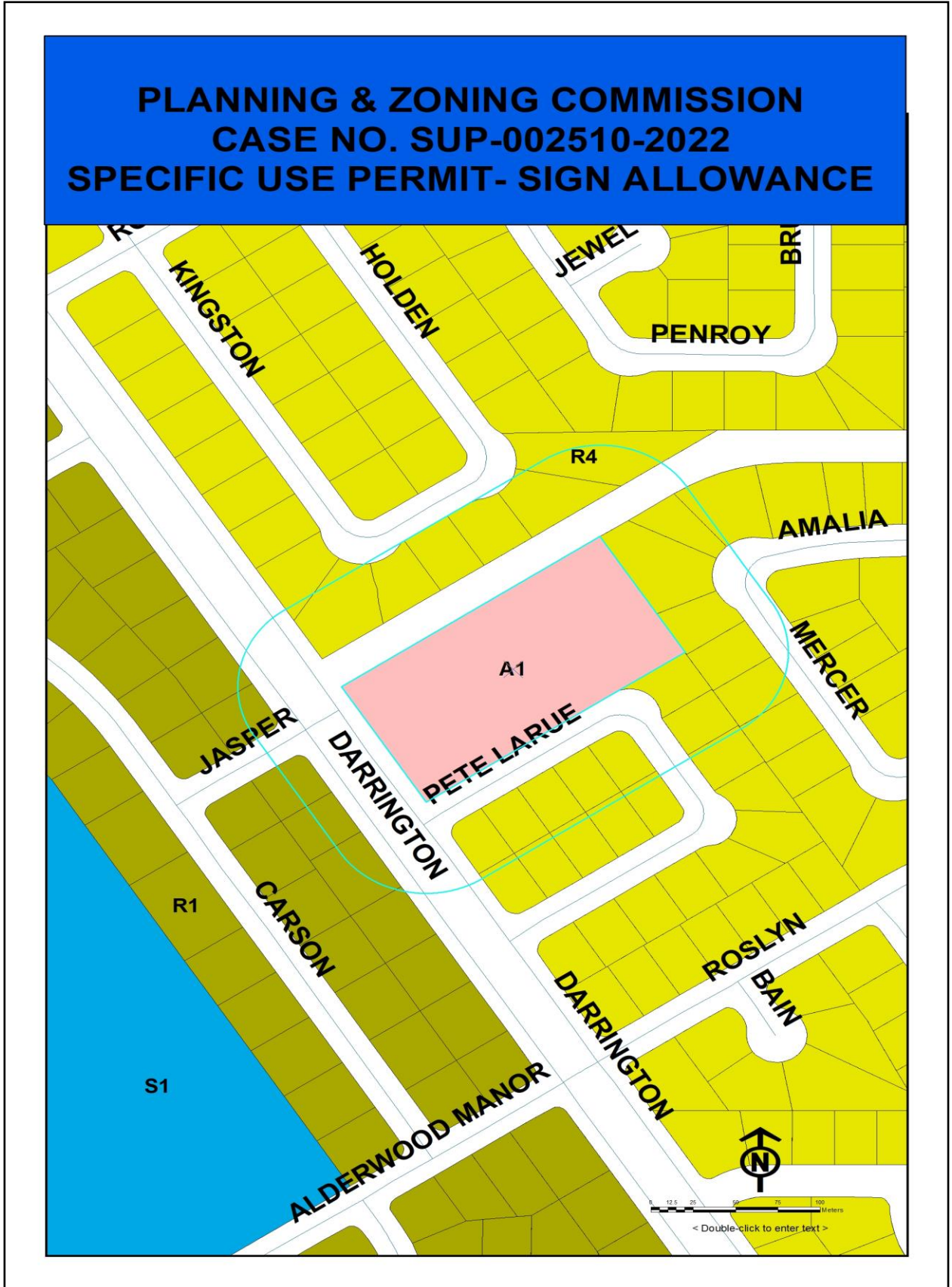
The Planning and Zoning Commission may consider the following options and additional requirements that it identifies when reviewing this specific use permit application:

1. Recommend approval of the request for Specific Use Permit in an A-1 Zoning District as stated.
2. Recommend approval of the request for Specific Use Permit in an A-1 Zoning District as stated, including any restrictions or modifications to bring the Specific Use Permit into conformance with the Zoning Regulations in the Municipal Code and the Shaping Our Horizon: 2030 A 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 Regulations in the Municipal Code and/or the Shaping Our Horizon: 2030 A Comprehensive and Strategic Plan

Attachments:

- 1 – Zoning Map**
- 2 – Aerial Map**
- 3 – Plat Copy**
- 4 – Application**
- 5 – Letter from Applicant**
- 6 – Site Plan**
- 7 – Sign Detail**

Attachment 1: Zoning Map



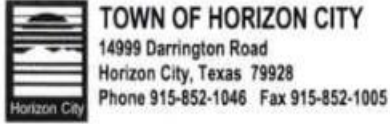
Attachment 2: Aerial Map

**Planning & Zoning Commission
Case No. SUP-002510-2022
Specific Use Permit For an Electronic Sign**



Attachment 4: Application

SUP-002510-2022



SPECIFIC USE PERMIT APPLICATION

1. Property Owner of Record: First Baptist Church of Horizon City
17018 Darrington Road, H.C. 915-852-3027
(ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant: First Baptist Church of Horizon City Is applicant also the Owner? Yes No
 Contact Person: David W. Miller Is applicant also the Contractor? Yes No

3. Contractor: Q.E. Construction, (Scott Quirroz) 15090 Teada, Horizon City Tx 214-325-0172 toro-industries@
(ADDRESS) (ZIP) (PHONE) (EMAIL) yahoo.com

4. Site Address/Location: 17018 Darrington Road, Horizon City Tx 79928
 Legal Description: 42 Horizon Height #10 NLY PT of Lot 60 (130682.39 SRF)
(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? Desire to upgrade sign

6. Land's Present Use: Church Zone _____
 Land Vacant Lot size 130,680 Structure Structure's size 12,413 Last known date the structure was occupied? Present
 Land's Proposed Use: No Changes Proposed Zone Use _____
 Will you be making any improvements to the existing lot or structure? Yes No This request includes Site Improvements for approval? Yes No

Schedule appointment with Building Official

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

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: for 1st Baptist Church - H.C.
David W. Miller David W. Miller
(OWNER'S SIGNATURE) (OWNER'S PRINTED NAME)

David W. Miller David W. Miller
(APPLICANT'S SIGNATURE) (APPLICANT'S PRINTED NAME)

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

Application & Submittals Due Date: 9/22/22
 P&Z Scheduled Mtg. Date: 10/17/22
 City Council Scheduled Date: _____
 Application Received By: K. Redmond
 Date Application Rec'd: 9/17/22

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

Revised 04May2020

Attachment 6: Letter from Applicant

September 12, 2022

Members of the Planning and Zoning Commission

Town of Horizon City

Horizon City, Texas 79928

re: Specific Use Permit Requested by First Baptist

Church of Horizon City, 17018 Darrington

Road, N.E., Horizon City, Texas

Legal Description: 43 Horizon Heights #10 NLY

PT of Lot 60 (130 gpz .395 sq. ft)

The First Baptist Church of Horizon City hereby respectfully requests your favorable consideration of a Specific Use Permit that would allow the church to upgrade its lighted, bulletin board-like sign in front of the church facing 17018 Darrington Road, N.E.. The existing sign is nearly 30 years old.

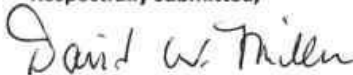
We propose to replace the existing sign with a new full color, pixel/LED containing sign purchased from Stewart Sign, a national sign manufacturer. The vendor has told us a similar sign was installed at the Horizon Middle School and scores of church institutions throughout the El Paso area.

The new sign would comply with all provisions of the Horizon City Ordinance governing signage in Horizon City.

After the existing sign is removed, the unique construction of the new sign —after the tie in of the electrical service already in place to the new sign—will be bolted in place to the existing two structural sign support posts mounted within concrete bases.

For your review, a picture of the existing sign, a rendition of the proposed new sign in place, and instructions for mounting the sign are attached.

Respectfully submitted,



David W. Miller

An assigned manager of this project by the First Baptist Church of Horizon City

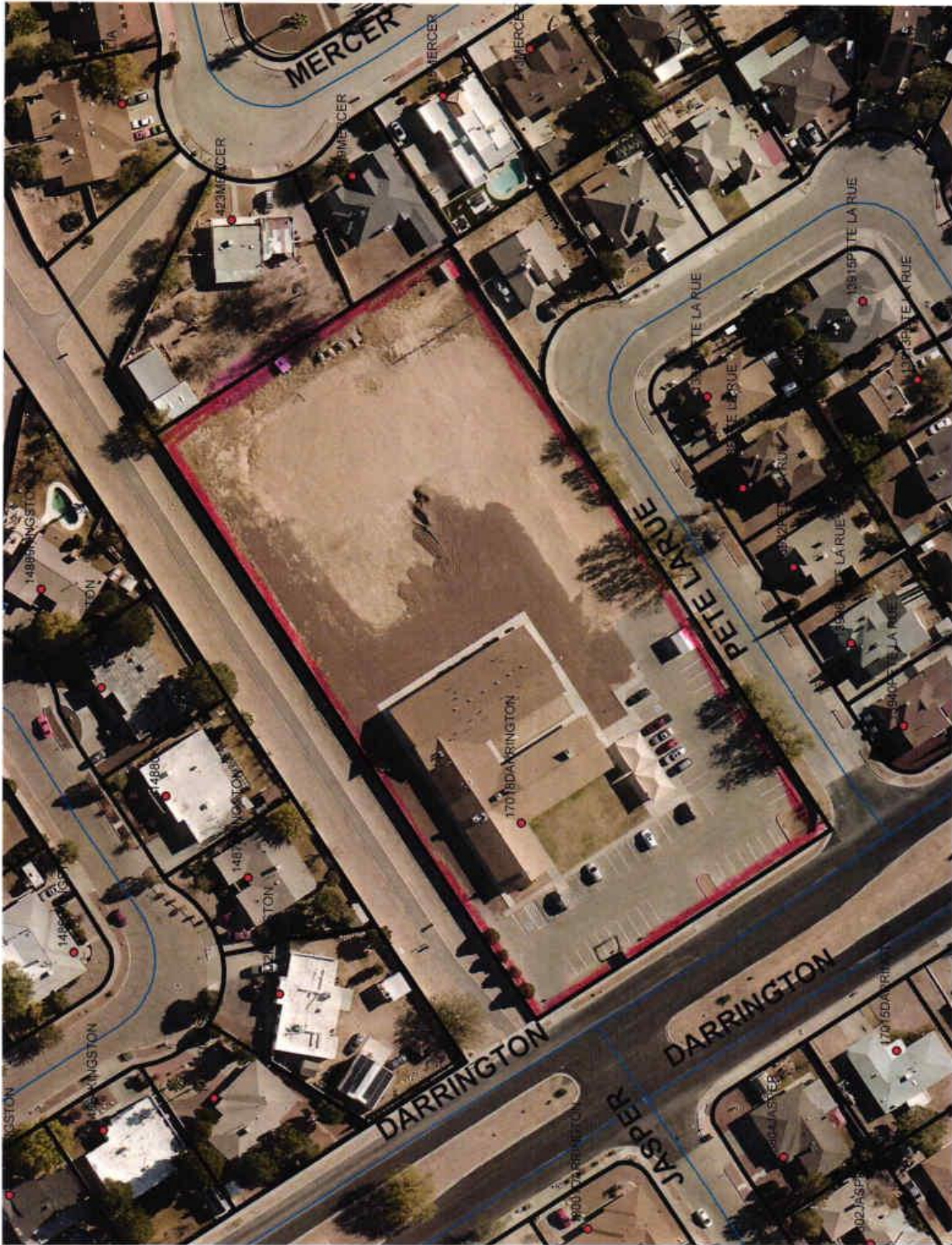
Attachments also include

Affidavit

Copy of Subdivision

Aerial Site Plan

Attachment 7: Composite Site Plan



Attachment 8: Sign Detail

Existing Sign



Proposed sign



Retouched Photo Not to Scale



TekStar Color 10mm 64x224
 Cabinet size: 4'x8'
 Sk: 998075-2a Cust: 1072361
 8/12/2022 CgO/gWinch PROPOSAL
 Scale: 5/8"=1' Cabinet Color: Almond

Signature _____

Date _____



This custom artwork is not intended to provide an exact match for ink, vinyl, paint, or LED color. Signs are designed for an illuminated graphic and art is based off of this premise. Non-illumination during daylight hours may result in a number of various observations. Backwork and materials are not included in this proposal with the exception of dimensional work etc.

Sign Detail

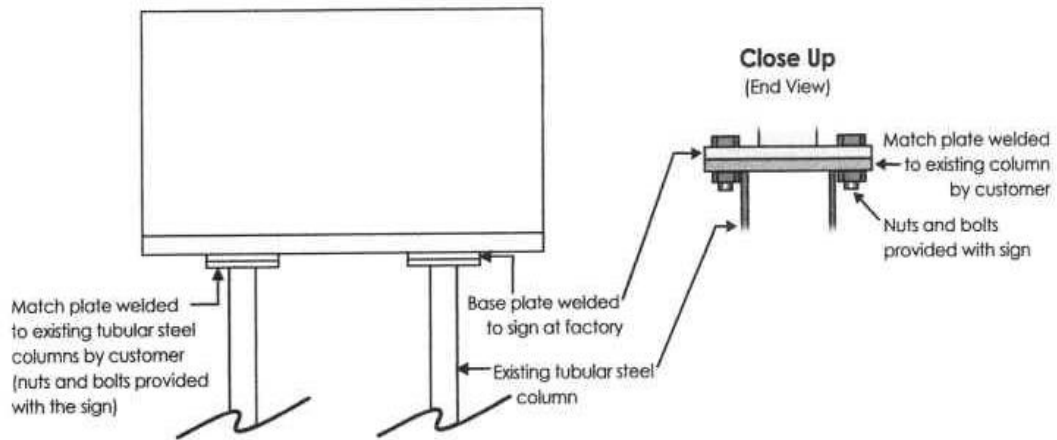


MATCH PLATE SURVEY

This survey is for signs with **two 12" x 12" base plates to be used in a match plate mount.**

Please provide the following measurements to ensure that your new sign will match up to the pre-existing structure.

Please provide exact measurements to the nearest 1/8th of an inch.

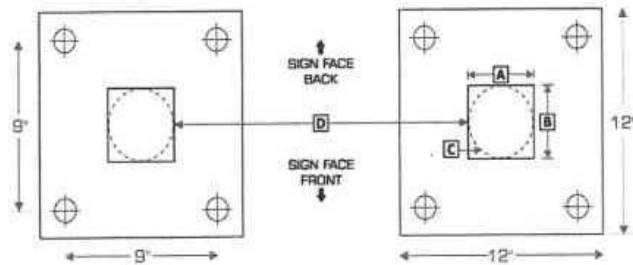


IF COLUMN IS SQUARE/RECTANGLE

Existing Tubular Steel Column Size

Dimension A: 4"

Dimension B: 4"



IF COLUMN IS ROUND

Existing Tubular Steel Column Diameter

Dimension C: _____

Distance Between Existing Tubular Steel Columns

Dimension D: 61"

Customer Signature: David W. Miller
David W. Miller



**TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report**

Case No.: RP-002511-2022
Subdivision Name: Horizon Town Center Unit 2 Replat "B"
Application Type: Replat Subdivision Application
P&Z Hearing Date: October 11, 2022
Staff Contact: Art Rubio, Planner
 915-852-1046 ext.407; arubio@horizoncity.org

Address/Location: Subdivision is southwest of the Wal-Mart Supercenter development
Legal Description: Lots 3, 4 and 5, Block 21, Horizon Town Center Unit Two Subdivision, Town of Horizon City, El Paso County, Texas
Acreage: 0.4154 Acres ± (3 lots)
Existing Use: Single-Family Dwellings
Existing Zoning: R-9/CO (Residential – Conditional Overlay)

Owner/Applicant: JNC Development LLC
Land Surveyor/: CAD Consulting Co.

Surrounding Properties

	Zoning	Land Use
N	C-2 (Commercial) – Vacant	Vacant
E	C-1 (Commercial) - Businesses	Businesses
S	R-9/CO (Residential) - Vacant	Vacant
W	C-2 (Commercial) – Vacant	Vacant

Future Land Use Designation: Mixed Use, Town Center
Nearest Park: Desmond "Corky" Corcoran Park
Nearest School: Region 19 Head Start Program

Application Description:

The developer is proposing to replat three residential lots from Horizon Town Center Unit Two Subdivision, a 288-lot residential subdivision for single-family development due to a builder error. The lot size is as follows: Lot 3, 0.1388-acre, Lot 4, 0.1387-acre and Lot 5, 0.1378-acre. The existing ponding area measures approximately 83,525 square feet in size. The conditional overlay on this property requires that all single-family residences be at least 1,100 square feet in size, have at least a two-car garage, and have a two-car wide driveway.

Staff Recommendation:

Staff recommends **APPROVAL** of the proposed replat subdivision with the condition that all density and dimensional standards and conditions imposed on the initial rezoning are met.

Planning Comments:

1. ~~Revise Certificate of Plat Approval, on first line the year shown is 2018.~~
2. ~~Add note: All base zone density and dimensional standards will be met.~~

~~3. Certified Tax Certificates or City of El Paso Tax Assessor statements showing no tax balance is required prior to scheduling item for City Council~~

Public Works Director Comments:

COMMENTS FOR HORIZON TOWN CENTER UNIT 2 REPLAT A (Preliminary plat)

- ~~1. Provide closure.~~
- ~~2. Provide Datum on Benchmark.~~
- ~~3. Provide metes and bounds description.~~
- ~~4. Provide adjoining subdivision legal description at the north, south, and west sides of block 25.~~

~~PUBLIC WORKS 9/12/22 Review 1~~

COMMENTS FOR HORIZON TOWN CENTER UNIT 2 REPLAT A (Final plat)

- ~~1. Provide closure.~~
- ~~2. Provide Benchmark with Datum information.~~
- ~~3. Provide metes and bounds description.~~
- ~~4. Provide adjoining subdivision legal description at the north, south, and west sides of block 25.~~

Town Engineer Comments:

Horizon Town Center Unit Two-Replat B

Summary of Recommended Conditions for Preliminary Plat Approval:

The Town Engineer recommends the following:

- ~~1. Provide certification that all utilities have approved locations of easements and that service will be provided to development.~~
- ~~2. Provide lot width for Block 21 Lot 3 at the front setback line and for Lot 4 at the back setback line.~~
- ~~3. Show the front setback distance for structure on Lot 3.~~
- ~~4. Provide location of all utilities in the vicinity of the subject area.~~
- ~~5. Provide location and size of water and sewer lines in the subject area.~~
- ~~6. Provide close report for subject area and lots.~~
- ~~7. Provide surface scale factor.~~

Summary of Recommended Conditions for Final Plat Approval:

- ~~1. Provide certification that all utilities have approved locations of easements and that service will be provided to development.~~
- ~~2. Benchmark information was deleted from Final Plat. Put the Benchmark information on the Final Plat~~
- ~~3. Provide close report for subject area and lots.~~
- ~~4. Provide datum use for plat.~~
- ~~5. Provide surface scale factor.~~

Attachments:

Attachment 1 – Zoning Designation Map

Attachment 2 – Aerial View Map

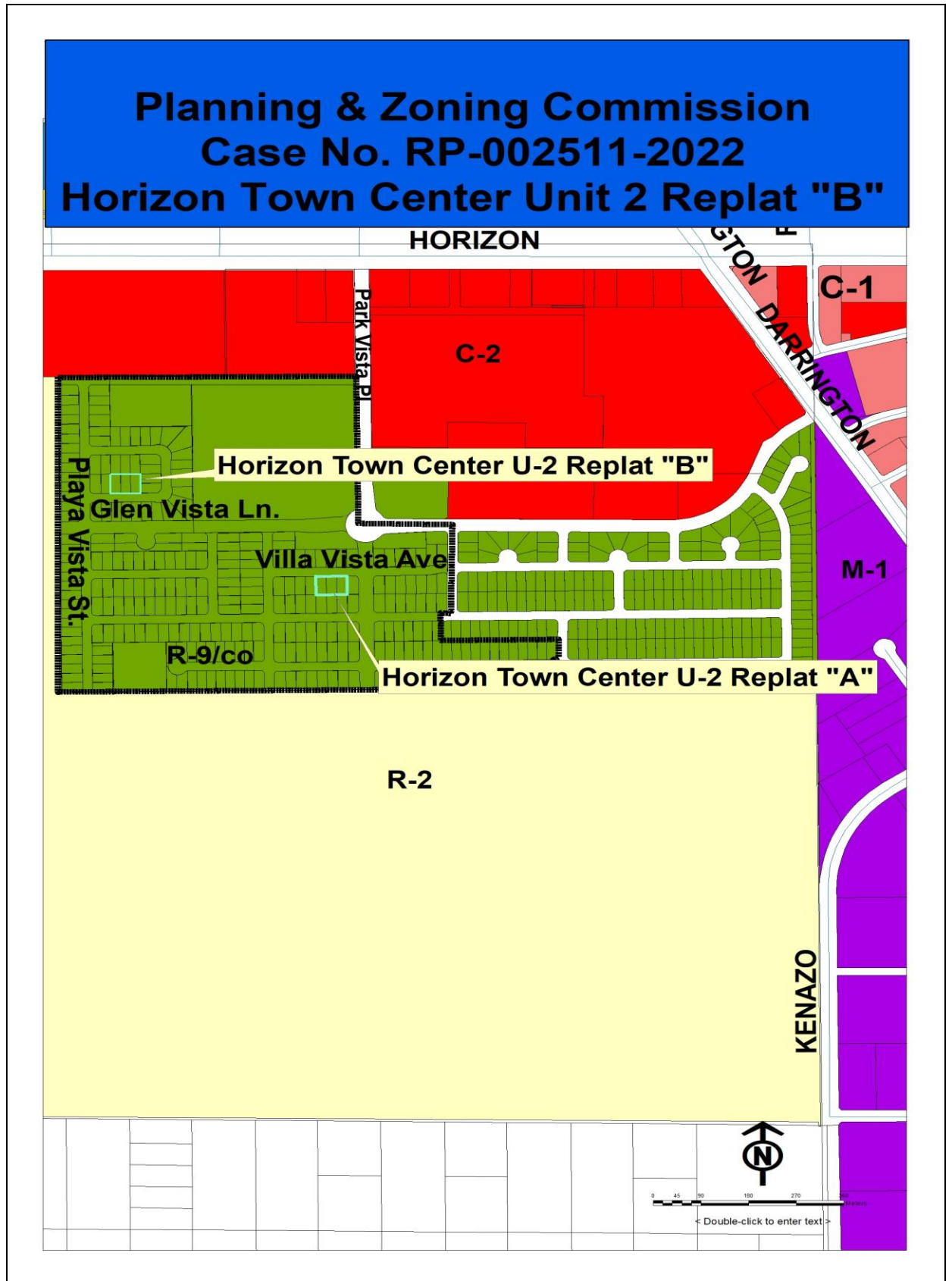
Attachment 3 – Location Map

Attachment 4 – Preliminary Replat

Attachment 5 – Final Replat

Attachment 6 –Replat Application

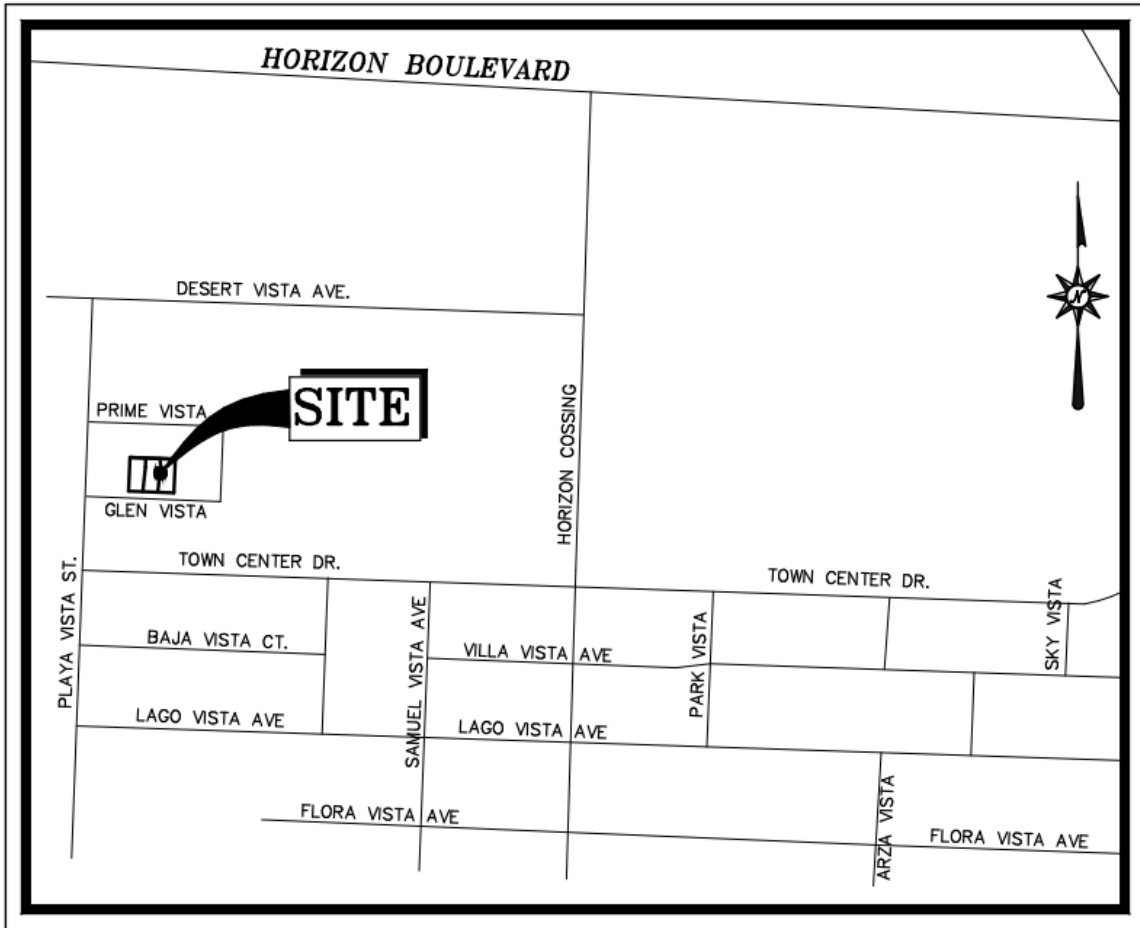
Attachment 1: Zoning Designation Map



**Planning & Zoning Commission
Case No. RP-002511-2022
Horizon Town Center Unit 2 Replat "B"**



Attachment 3: Location Map



Attachment 6: Replat Application



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

RP-002511-2022
REPLAT APPLICATION

REPLAT B

SUBDIVISION PROPOSED NAME: HORIZON TOWN CENTER UNIT TWO SUBMITTAL DATE: 9-22-22

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)
LOTS 3, 4 AND 5, BLOCK 21
HORIZON TOWN CENTER UNIT TWO

2. PROPERTY LAND USES:

	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	<u>0.4154</u>	<u>3</u>	OFFICE	_____	_____
DUPLEX	_____	_____	STREET & ALLEY	_____	_____
APARTMENT	_____	_____	PONDING & DRAINAGE	_____	_____
MOBILE HOME	_____	_____	INSTITUTIONAL	_____	_____
P.U.D.	_____	_____	OTHER	_____	_____
PARK	_____	_____	_____	_____	_____
SCHOOL	_____	_____	_____	_____	_____
COMMERCIAL	_____	_____	TOTAL NO. SITES	_____	<u>3</u>
INDUSTRIAL	_____	_____	TOTAL (GROSS) ACREAGE	<u>0.4154</u>	_____

3. WHAT IS THE EXISTING ZONING OF THE ABOVE DESCRIBED PROPERTY? R-9 PROPOSED ZONING _____

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) OFF SITE

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

11. REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES: _____

12. WILL PLAT BE RECORDED PRIOR TO SUBDIVISION IMPROVEMENTS BEING COMPLETED & APPROVED? YES NO N/A INITIALS N/A
 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 EA IF YES, PLEASE ATTACH COPY.

14. OWNER OF RECORD INC DEVELOPMENT LLC (NAME & ADDRESS) 915-855-1005 (PHONE)
 (EMAIL) _____

15. DEVELOPER _____ (NAME & ADDRESS) _____ (EMAIL) _____ (PHONE)

16. ENGINEER _____ (NAME & ADDRESS) _____ (EMAIL) _____ (PHONE)

17. APPLICANT CAD CONSULTING CO. (NAME & ADDRESS) 915-633-6422 (PHONE)
 (EMAIL) _____

18. REP/POINT OF CONTACT CAD CONSULTING CO. (NAME & ADDRESS) 915-633-6422 (PHONE)
 (EMAIL) _____

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

Applicant Signature [Signature] EMAIL CADCONSULTING1@AOL.COM

APPLICATION MUST BE COMPLETE & VALIDATED PRIOR TO SUBDIVISION PROCESSING
 Acceptance of fee does not grant acceptance of application.
 Non Refundable Deposit \$500 | Application Fees: \$100 | Publishing Fee Deposit (if applicable): \$260



**MINUTES - REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION
HELD ON MONDAY, SEPTEMBER 19, 2022 @ 6:00 PM
15001 DARRINGTON RD., HORIZON CITY, TEXAS 79928**

1. CALL MEETING TO ORDER & DETERMINATION OF QUORUM

Quorum established and meeting was called to order at 6:12 pm

**2. COMMISSION MEMBERS ATTENDANCE:
COMMISSIONERS EXCUSED AND UNEXCUSED:**

3. OPEN FORUM: NOTE: The Planning & Zoning Commission encourages public comment on all matters of interest listed on this agenda. Speakers from the audience will be given an opportunity to discuss each item in the order in which it appears on the agenda, prior to the Commission discussing the item unless otherwise approved by the Chairman. A "Speaker Request" form is available for those who wish to sign up on the day of the meeting. This form is also available in advance by downloading the attached form. Please submit the "Speaker Request" form completely filled out to the Board Secretary prior to the meeting. The Commission retains the option to set reasonable limits on the number, frequency, and length of presentations. Please contact the Board Secretary at (915) 852-1046 Ext. 404 with any additional questions.

No one signed up for Open Forum

4. PUBLIC HEARINGS

NOTICE TO THE PUBLIC AND APPLICANTS The staff report for an agenda item may include conditions, exceptions or modifications. The Commission's motion to approve an item in accordance with the staff report or with all staff comments means that any modification, waivers, exceptions requested by the applicant and recommended for approval by staff and any staff recommended conditions, have been approved, without necessitating that the Commission restate the modifications, exceptions, waivers, or conditions as part of the motion to approve and that any findings required to be made by the Commission, have been made. If the Commission does not wish to approve an exception or modification, or require a condition, then the Commission's motion will state which have not been approved, otherwise, the staff report, with all modifications, exceptions and conditions, is approved and the applicant shall comply with all provisions of the staff report.

A. DISCUSSION AND RECOMMENDATION:

Planner

On a rezoning application request (**#RZ-002503-2022**) to approve a change in zone for a portion of a tract of land from R-2 (Residential) to R-3 (Residential), legally described as a portion of Section 32, Block 78, Township 3, Texas and Pacific Railroad Surveys, Town of Horizon City, El Paso County, Texas. Containing 13.27-acres. Application submitted by H2O Terra, LLC.

ACTION: Motion made by **MELENDEZ** to deny, **NO SECOND**.

Motion made by **AVILA** to approve, **NO SECOND**.

Motion made by **AVILA** to postpone with additional information provided by developer.

Motion amended by **AVILA**, 2nd by **MELENDEZ** to postpone rezoning application request with developer providing visual and comparison information for zones R-2 & R-3.

ALL IN FAVOR

MOTION CARRIED



**MINUTES - REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION
HELD ON MONDAY, SEPTEMBER 19, 2022 @ 6:00 PM
15001 DARRINGTON RD., HORIZON CITY, TEXAS 79928**

B. DISCUSSION AND RECOMMENDATION:

Planner

On the replat application for **Horizon Town Center Unit Two Replat "A" (#RP-002509-2022)**, legally described as Lots 4, 5 and 6, Block 25, Horizon Town Center Unit Two Subdivision, Town of Horizon City, El Paso County, Texas. Containing 0.4185 acres +/- . Application submitted by CAD Consulting Co.

ACTION: Motion made by **MELENDEZ**, 2nd by **FLORES** to recommend approval of replat application with comments addressed.

AYES: FLORES, BERRY, MELENDEZ, AVILA, and DURAN

MOTION CARRIED

5. OTHER BUSINESS

A. DISCUSSION AND ACTION:

On the Planning and Zoning meeting minutes for the meeting held on July 18, 2022.

ACTION: Motion made by **MELENDEZ**, 2nd by **FLORES** to approve meeting minutes.

AYES: FLORES, BERRY, MELENDEZ, AVILA, and DURAN

MOTION CARRIED

6. ANNOUNCEMENTS

A. The next regular scheduled meeting: **Monday, October 17, 2022 at 6pm.**

EXECUTIVE SESSION

The Planning and Zoning Commission of the Town of Horizon City may recess into Executive Session pursuant to the Texas Government Code, Chapter 551, Subchapter D, under Article 551.071 – Consultation with Attorney; 551.072 – Deliberation regarding Real Property; and 551.087 – Deliberation regarding Economic Development Negotiations.

ADJOURNMENT: The meeting adjourned at 6:55 pm.

Robert Rivenburg – Chair

(Date)

ATTEST:

Kathleen Rodriguez
Secretary to the Boards

DISTRIBUTION OF MINUTES:

Original: Horizon City Administrative File
Copy: Planning and Zoning Commission
Posted: Internet Website: www.horizoncity.org