



TOWN OF HORIZON CITY MEMORANDUM

Date: October 08, 2024
To: Honorable Mayor and Members of City Council
From: Art Rubio, Planner
SUBJECT: **2nd Reading of Ordinance No. _____**, An Ordinance Adopting a Zoning Change Within the Municipal Limits of the Town of Horizon City, Texas; Rezoning Parcels 6 From R-3 (Single-Family Dwelling) to A-1 (Apartments) Zoning District; Containing Approximately 10.011 Acres; and legally described as 10.011 Acre Tract of Land Situated In The Section No 30 and 31, Block 78, Township 3, Texas and Pacific Railway Company, Town of Horizon City, El Paso County, Texas.; Located South of Eastlake Blvd and East of Desert Mist Dr.; 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 August 19, 2024, the P&Z voted unanimously to approve the rezoning request from R-3 (Single-Family Dwelling) to A-1 (Apartments) Zoning District.

The applicant's request is to rezone the property to A-1 (Apartments) Zoning District to allow for multi-family use, the proposed use will provide a variety of housing to the area. Staff recommendation to the Planning and Zoning Commission is approval, based on compatibility with surrounding properties to the west and southwest of the subject property and in compliance with Shaping Our Horizon: 2030 Comprehensive and Strategic Plan, Future Land Use Map Designation.

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

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING PARCELS 6 FROM R-3 (SINGLE-FAMILY DWELLING) TO A-1 (APARTMENTS) ZONING DISTRICT; CONTAINING APPROXIMATELY 10.011 ACRES; AND LEGALLY DESCRIBED AS 10.011 ACRE TRACT OF LAND SITUATED IN THE SECTION NO. 30 AND 31, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY, TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS.; LOCATED SOUTH OF EASTLAKE BLVD AND EAST OF DESERT MIST DR.; 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 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-3 (Single-Family Dwelling) 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 10.011-acres, more or less, and legally described by Metes & Bounds and Survey Maps, 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 _____, 2024, 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: 09/10/2024
Second Reading: 10/08/2024

EXHIBIT "A"

**STATE OF TEXAS
COUNTY OF EL PASO**

**"PARCEL 6"
ZONING**

**10.011 ACRES
SECTION 30, AND SECTION
31, BLOCK 78 TOWNSHIP 3
TEXAS AND PACIFIC
RAILWAY COMPANY
SURVEYS IN EL PASO
COUNTY, TEXAS**

DESCRIPTION

DESCRIPTION OF A 10.011 ACRE TRACT OF LAND SITUATED IN SECTION 30, AND SECTION 31, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, BEING A PORTION OF THAT CERTAIN 106.535 ACRE TRACT OF LAND CONVEYED TO HUNT HORIZON MESA, LLC., OF RECORD IN DOCUMENT NO. 20240021887 OF THE OFFICIAL PUBLIC RECORDS OF EL PASO COUNTY, TEXAS, AND BEING A PORTION OF CERTAIN TRACT OF LAND CONVEYED TO HUNT COMMUNITIES DEVELOPMENT CO. II LLC., OF RECORD IN DOCUMENT NO. 20170054441 OF THE OFFICIAL PUBLIC RECORDS OF EL PASO COUNTY, TEXAS, SAID 10.011 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a nail found on the south line of Eastlake Boulevard, a 120-foot right of way, being also the north line of that certain 17.954-acre tract of land conveyed to Hunt Horizon mesa, LLC., recorded in Document No. 20240014413 of the Official Public Records of El Paso County, Texas, and being on the south line of that certain 0.462-acre tract of land conveyed to the Town of Horizon City for right of way purposes, recorded in Document No. 20160056220 of the Official Public Records of El Paso County, Texas;

THENCE, N 87°02'26" W, with the south line of said Eastlake Boulevard, for a distance of **1267.03** feet to a calculated point on the south line of said Eastlake Boulevard, at the beginning of a curve to the right, being also the south line of that 4.640-acre tract of land conveyed to the Town of Horizon City for right of way purposes, recorded in Document No. 20160056220 of the Official Public Records of El Paso County, Texas, and being the north line of said Hunt Horizon Mesa, LLC., 106.535-acre tract, for the **POINT OF BEGINNING** and the northeast corner hereof;

THENCE, over and across said Hunt Horizon Mesa, LLC., 106.535-acre tract, and said Hunt Communities Development Co. II LLC., the following two (2) courses and distances:

- 1) along said curve to the right, an arc distance of **31.43** feet, said curve having a radius of **20.00** feet, a central angle of **89°58'13"** and a chord bearing of **S 42°03'19" E** for a chord distance of **28.28** feet to a calculated point, and
- 2) **S 02°55'48" W**, for a distance of **600.69** feet to a calculated point on the south line of said Hunt Communities Development Co. II LLC tract, being also the north line of that certain 130.712-acre tract of land conveyed to Ithaca Development, LLC, recorded in Document No. 20190098221 of the Official Public Records of El Paso County, Texas, and being the southeast corner hereof;

THENCE, N 87°04'12" W, with the south line of said Hunt Communities Development Co. II LLC tract and the north line of said Ithaca Development, LLC, 130.712-acre tract, for a distance of **867.76** feet to a calculated point on the south line of said Hunt Communities Development Co. II LLC tract, being also on the north line of that certain 17.9588-acre tract of land conveyed to Ithaca Development, LLC, recorded in Document No. 20210001011 of the Official Public Records of El Paso County, Texas, and being the southwest corner hereof;

EXHIBIT "A"

THENCE, over and across said Hunt Horizon Mesa, LLC., 106.535-acre tract, and said Hunt Communities Development Co. II LLC., the following three (3) courses and distances:

- 1) **N 03°06'21" E**, for a distance of **311.06** feet to a calculated point,
- 2) **S 86°53'39" E**, for a distance of **329.02** feet to a calculated point, and
- 3) **N 02°57'34" E**, for a distance of **310.91** feet to a calculated point on the south line of said Eastlake Boulevard, being also on the north line of said Hunt Communities Development Co. II LLC., and being the south line of that 1.021-acre tract of land conveyed to the Town of Horizon City for right of way purposes, recorded in Document No. 20160056220 of the Official Public Records of El Paso County, Texas, and being the northwest corner hereof;

THENCE, S 87°02'26" E, for a distance of **517.64** feet to the **POINT OF BEGINNING** and containing **10.011** acres of land.

BEARING BASIS

THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD83 (93) HARN U.S. SURVEY FEET. THE BEARINGS SHOWN ARE GRID. 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 CORNERS MONUMENTS ALONG OR NEAR THE BASELINE, OR FROM PRORATED SURVEY CORNER POSTIONS ALONG THE BASELINE AT MISSING CORNERS.

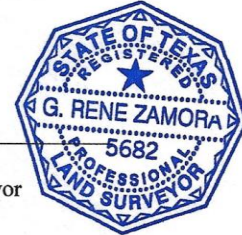
THE STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF EL PASO §

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 April, 2024 under my direction and supervision.

WITNESS MY HAND AND SEAL at El Paso County, Texas this the 2nd day of July, 2024, A.D.

Zamora, L.L.C.
1510 N. Zaragoza Road
El Paso, Texas 79936

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



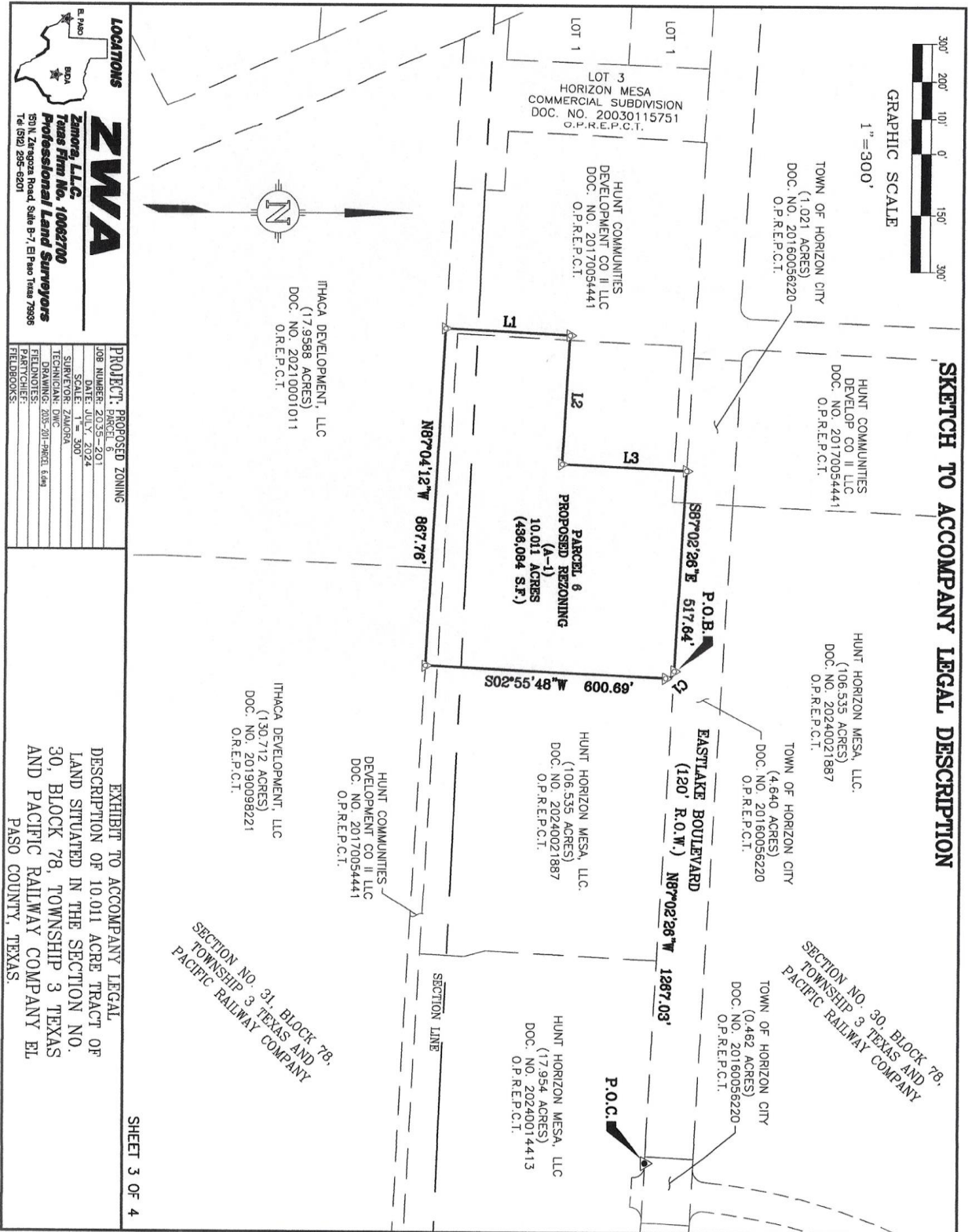
REFERENCES
ZWA DRAWING NO. 2035-190

ZWA- JOB NO.
2035-201-PARCEL 6

Page 2 of 4

10.011 ACRES
PROPOSED REZONING

EXHIBIT "A"





TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

Case No.: ZRZ24-0014 **Revised**

Application Type: **Rezoning**
P&Z Hearing Date: August 19, 2024
Staff Contact: Art Rubio, Planner
 915-852-1046 ext. 407; arubio@horizoncity.org

Address/Location: South of Eastlake Blvd and East of Desert Mist
Property ID No.: 216874
Legal Description: 10.011 Acre Tract of Land Situated In The Section No 30 and 31, Block 78, Township 3, Texas and Pacific Railway Company, Town of Horizon City, El Paso County, Texas.

Property Owner(s): Hunt Horizon Mesa, LLC & Hunt Communities Development Co. II, LLC
Applicant/Rep.: CEA Group
Nearest Park: Horizon Mesa Park
Nearest School: Horizon High School (CISD)

SURROUNDING PROPERTIES:		
	Zoning	Land Use
N	R-9 (Single-Family Dwelling)/R4 (Single-Family Dwelling)	Single-Family Dwellings
E	R-3 (Single-Family Dwelling)/C-1 (General Commercial)	vacant
S	P-UD (Planned Unit Development)	Vacant
W	C-1 (General Commercial)/C-2 (Heavy Commercial)	Commercial Development
LAND USE AND ZONING:		
	Existing	Proposed
Land Use	Vacant	Multi-Family Dwellings
Zoning	R-3 (Single-Family Dwellings)	A-1 (Apartments)

Application Description:

The applicant requested to rezone approximately 10.011-acres of land that is currently vacant. The subject property is currently zoned R-3 (Single-Family Dwellings) and is proposed to be rezoned as A-1 (Apartments) to allow for 144 multi-family units.

Notice:

In accordance with Section 211.007 of the Texas Local Government Code, notices of the August 19, 2024, public hearing for the rezoning request were sent to those property owners within 200 feet of the subject property 15 days prior to each meeting (August 1, 2024), then posted in the El Paso Times Newspaper 15 days prior to each meeting (August 2, 2024). 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. Staff has not received any communication in support or opposition on this zoning request.

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

Horizon City's, Shaping Our Horizon: 2030 Comprehensive and Strategic Plan designates this property as multi-family and commercial development in the area of the proposed rezoning. There are existing C-1, C-2 and A-1 zoned properties to the south and east of the subject property. A change of zone from R-3 to A-1 is compatible to the area and it is adjacent to a major arterial Eastlake Blvd.

Staff Recommendation:

Staff recommends **APPROVAL** of the zone change from R-3 to A-1 in support of a variety of residential dwellings to serve the community. The subject property is located adjacent to a major arterial and compatible multi-family dwellings to the southwest of the subject property and is aligned with Shaping Our Horizon:2030 Comprehensive and Strategic Plan - Future Land Use Map Designation.

Planning Division Comments:

The applicant is aware that the subject property is in tract survey form and a subdivision plat is required prior to the issuance of any grading or building permits.

Town Engineer Comments:

No comments

School District Comments:

No comments

El Paso County 9-1-1 District:

No comments

El Paso Central Appraisal District:

No comments

Clint Independent School District

No comments

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:

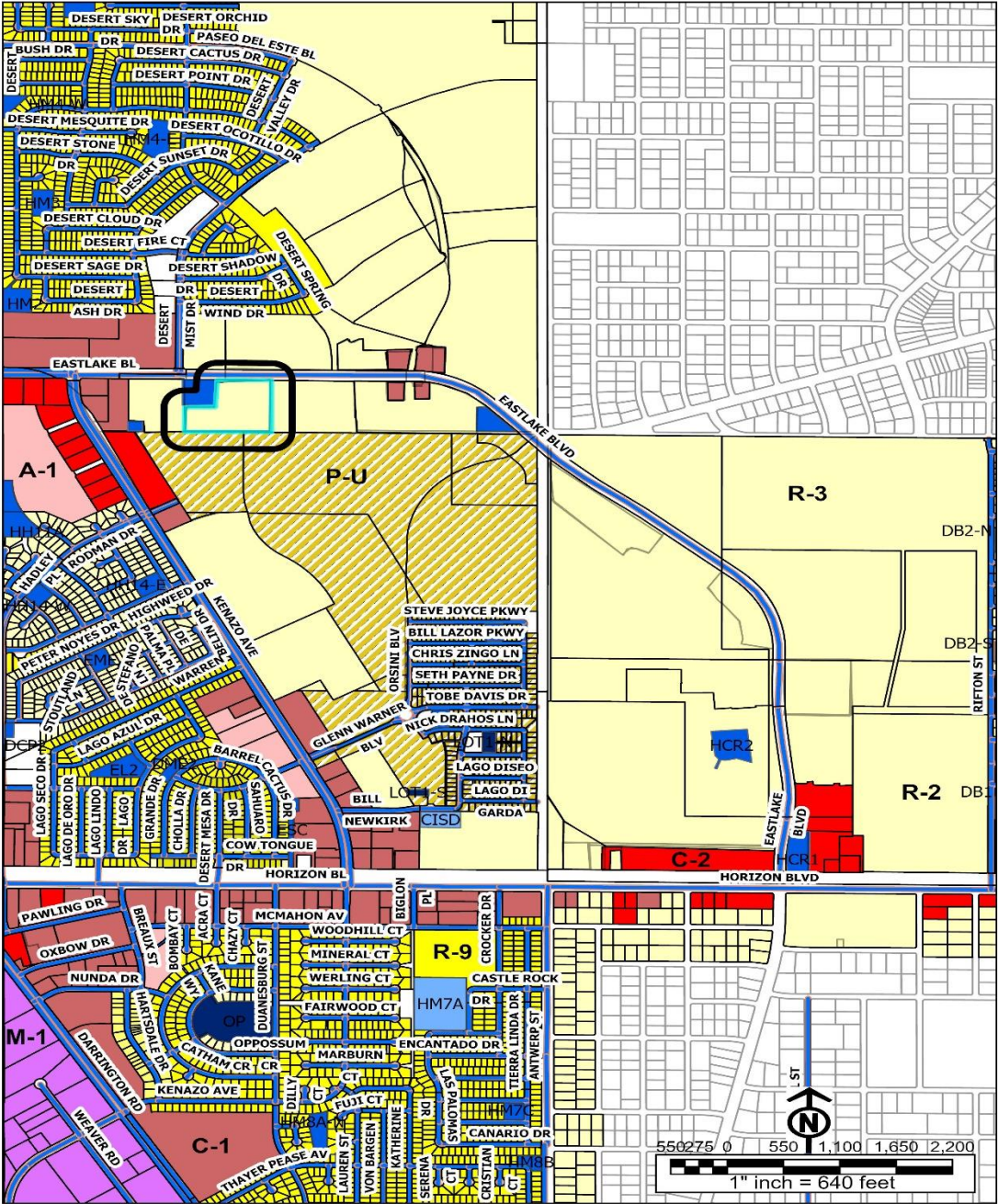
1. Recommend approval of the request for a rezoning to A-1 Zoning District as stated.
2. Recommend approval of the request for rezoning as stated, including any modifications to bring the rezoning into conformance with the Zoning Ordinance and the Vision 2030: Comprehensive and Strategic Plan.
3. Recommend 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.

Attachments:

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

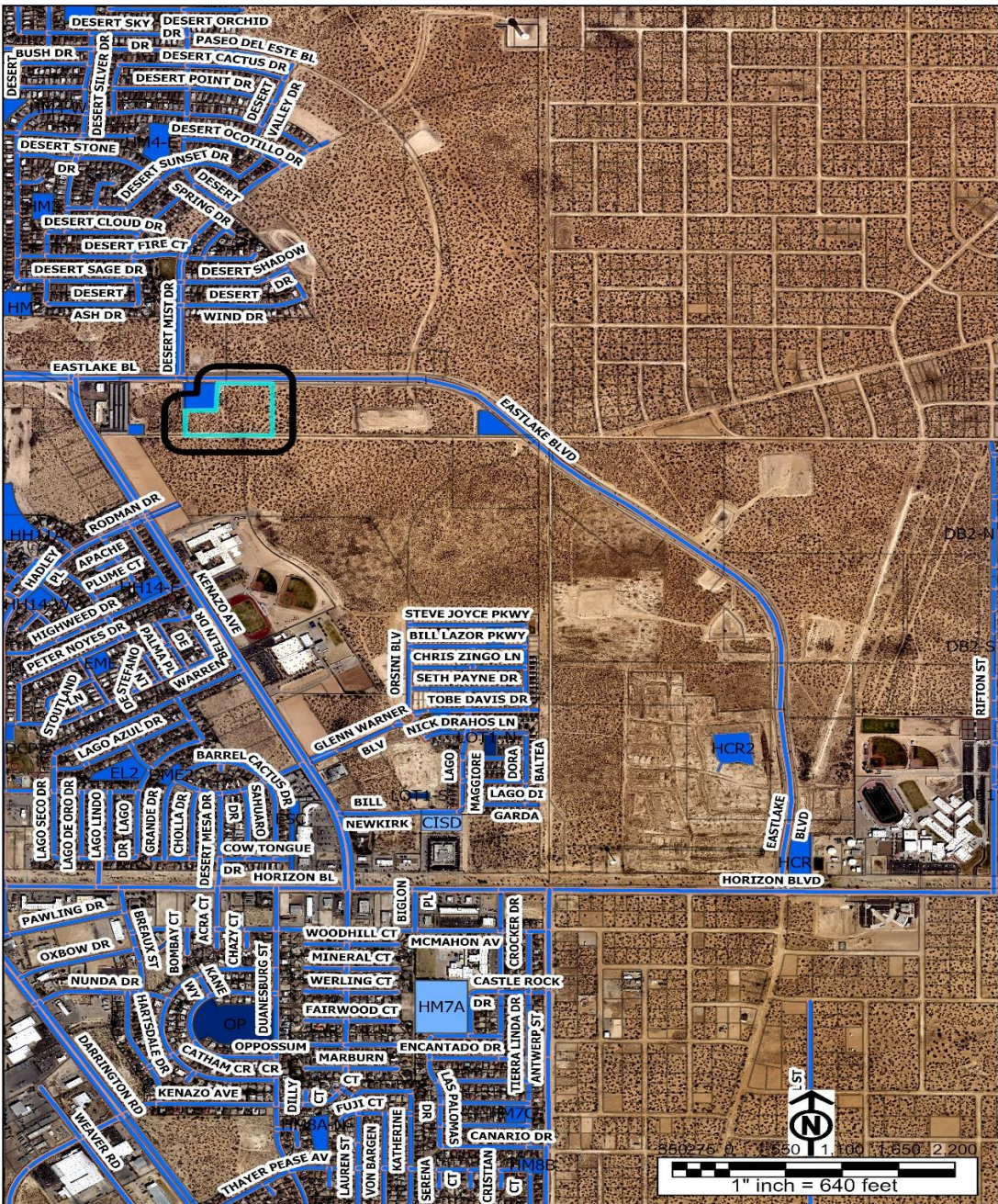
Attachment 1: Zoning Designation

**Planning & Zoning Commission
Rezoning Parcel 6 From R-3 to A-1
Case No. ZRZ24-0014**

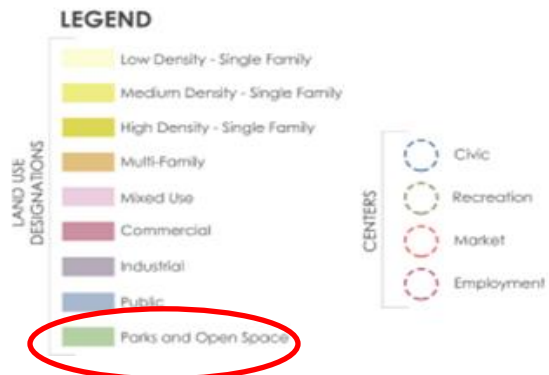
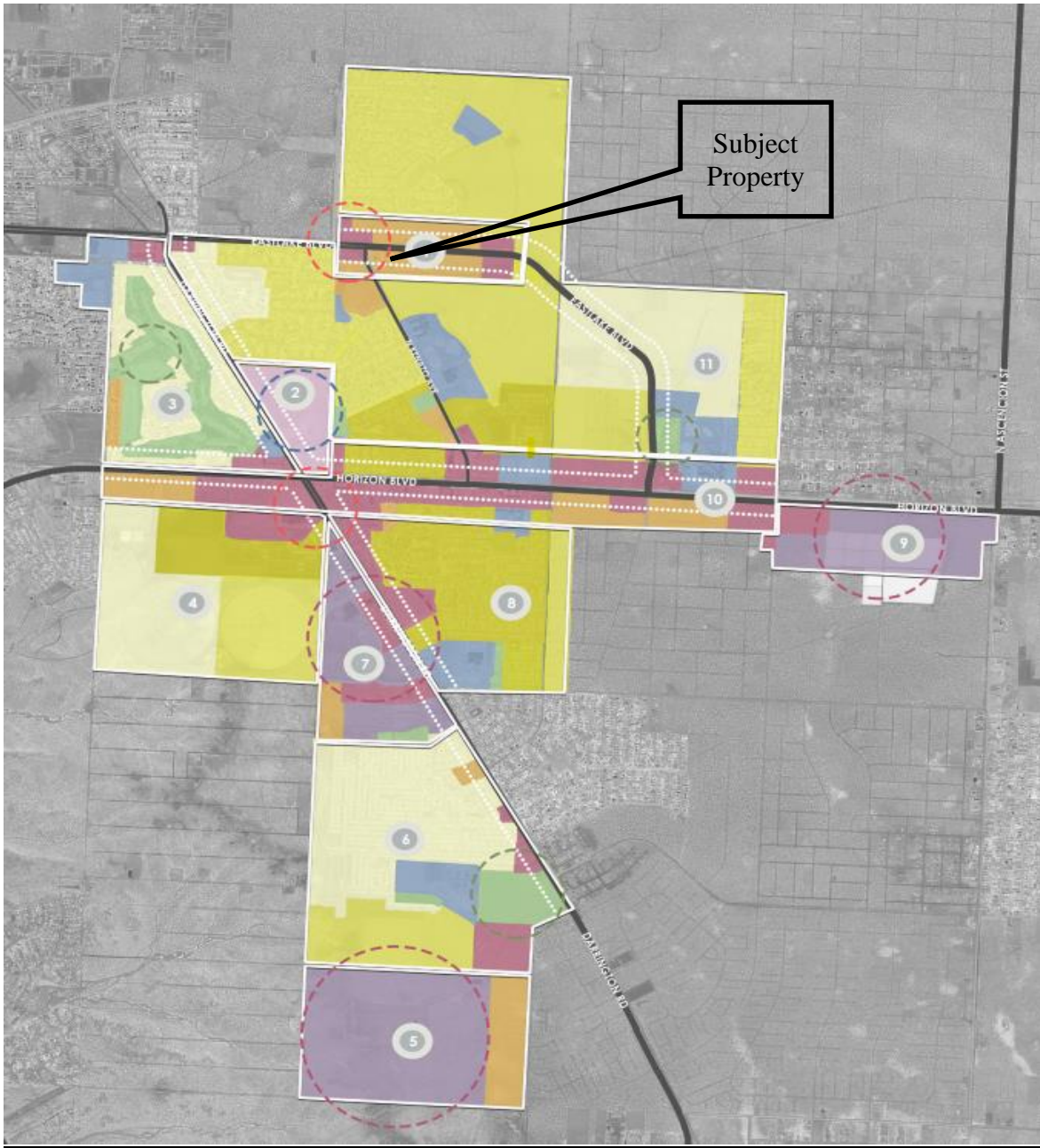


Attachment 2: Aerial

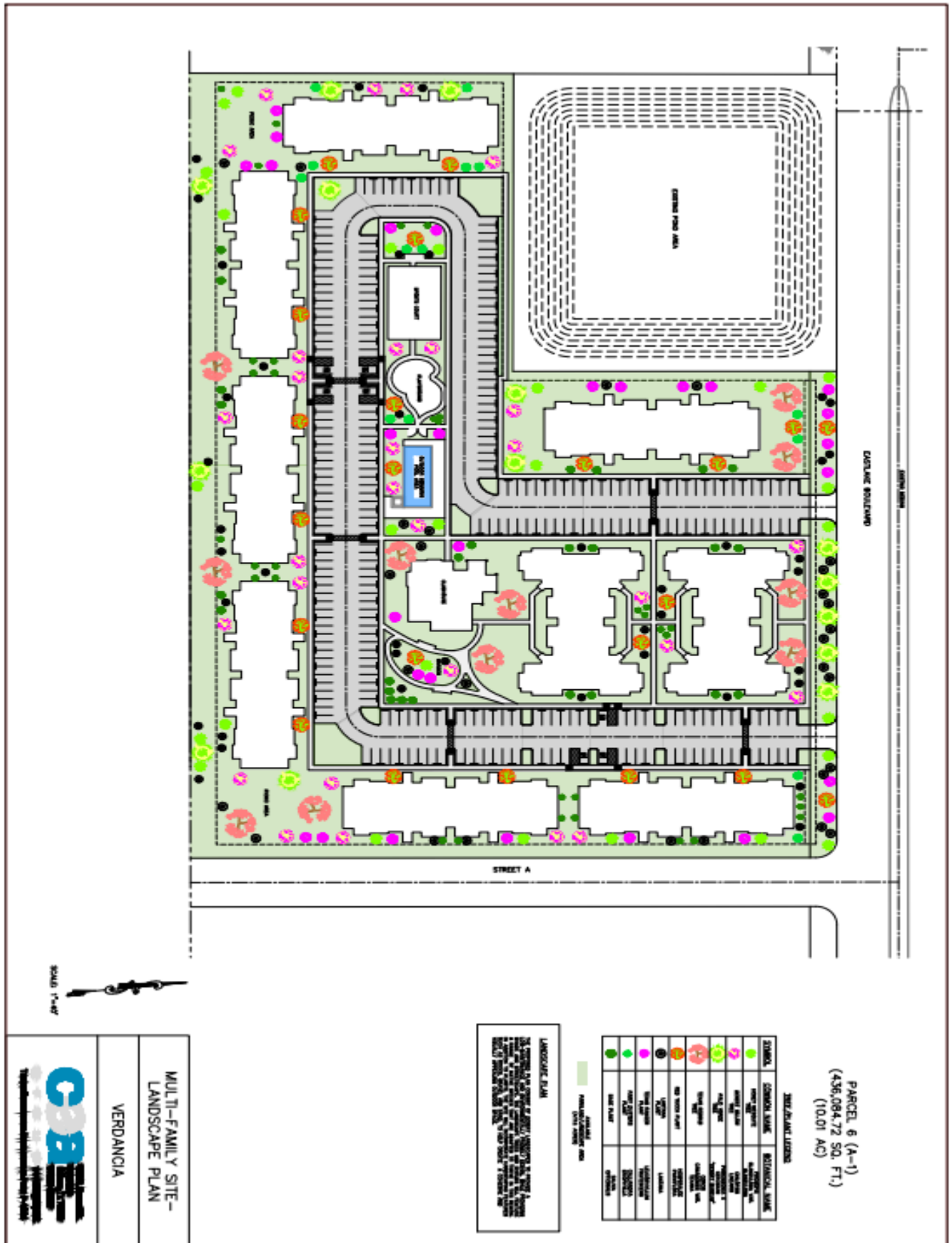
**Planning & Zoning Commission
Rezoning Parcel 6 From R-3 to A-1
Case No. ZRZ24-0014**



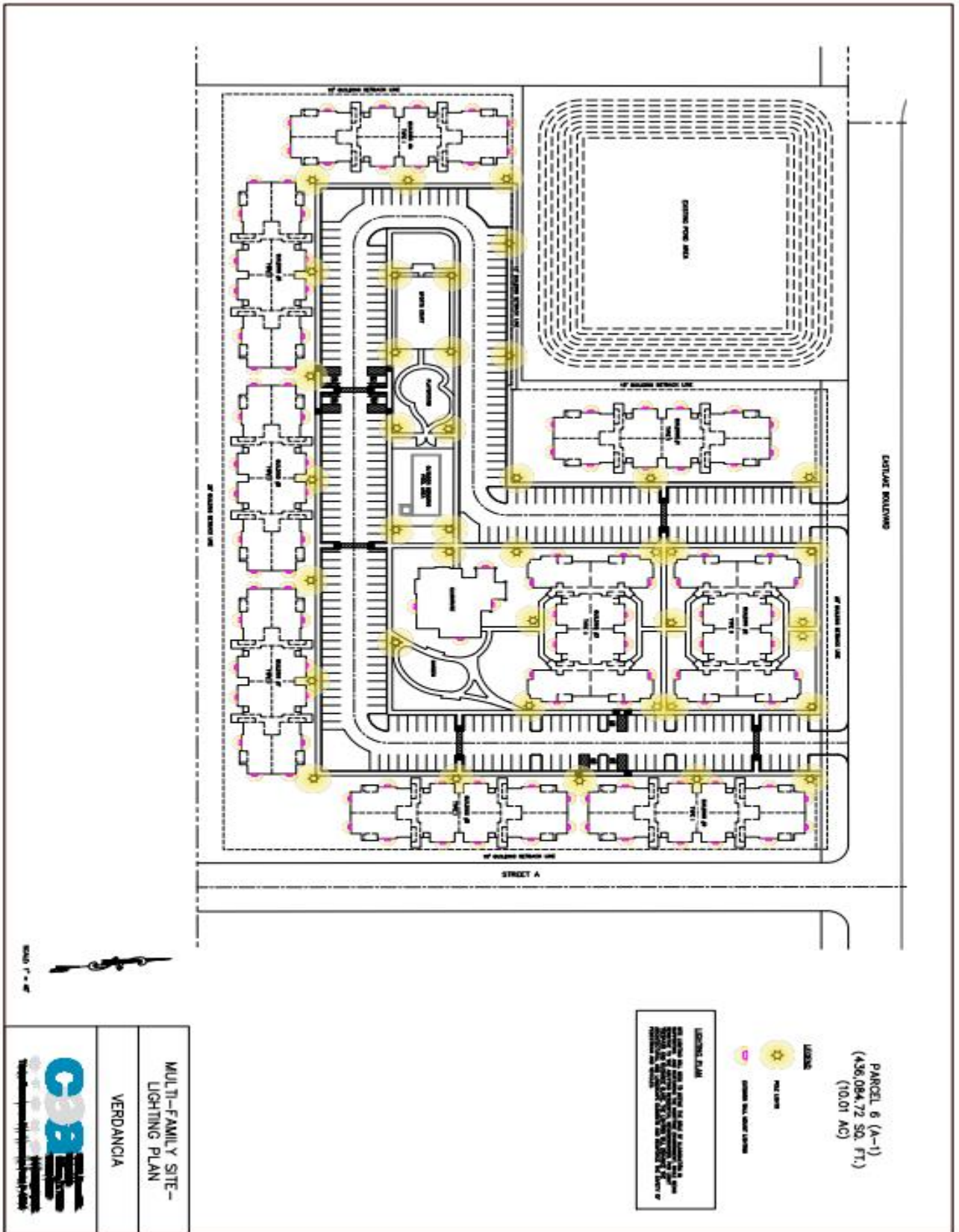
Attachment 3: Future Land Use Map



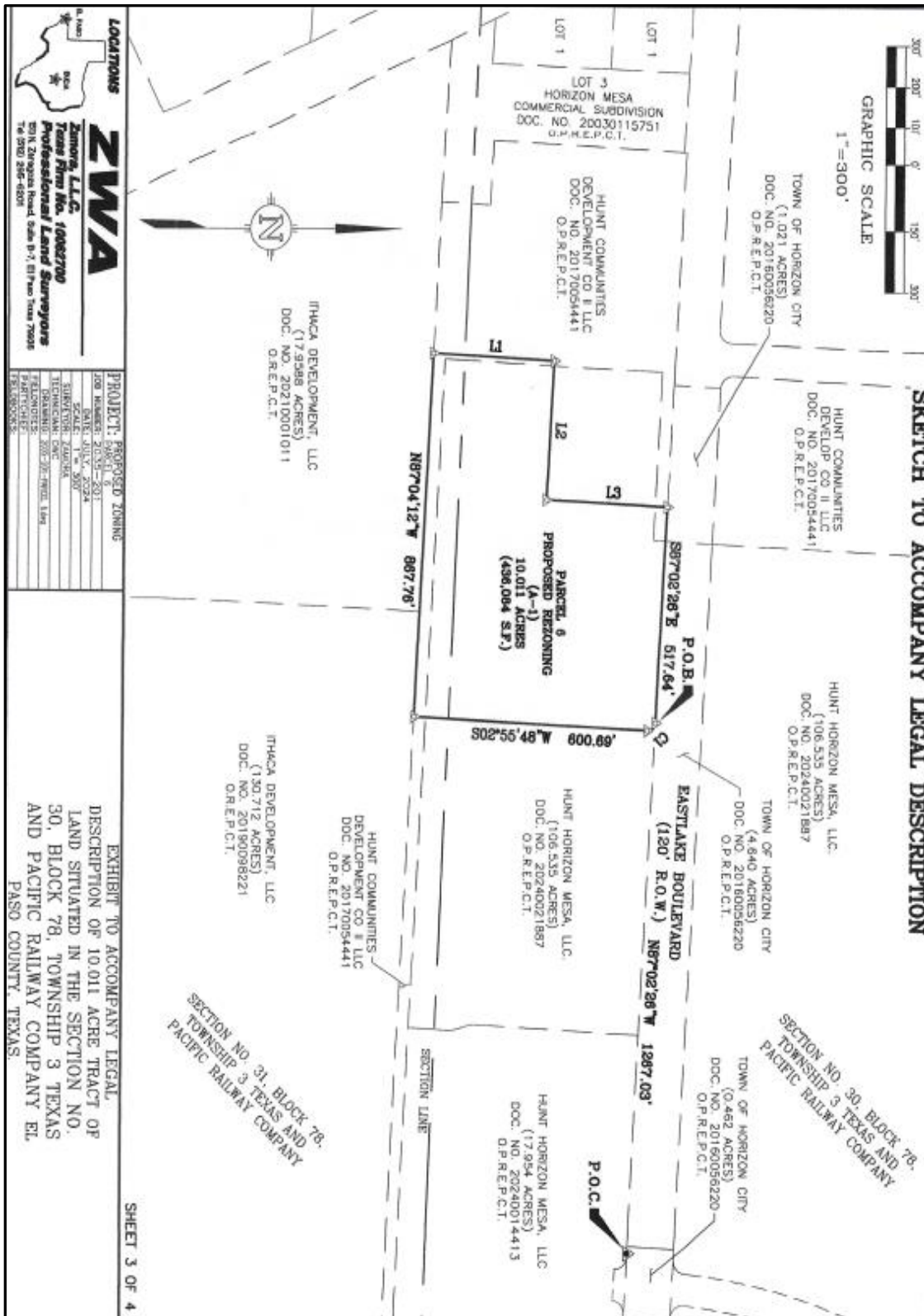
Attachment 4: Detailed Site Plan-Landscaping



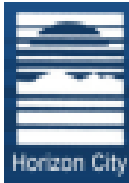
Attachment 4: Detailed Site Plan-Lighting



Attachment 5: Parcel 6 Survey Map



Attachment 6: Online Application



Town of Horizon City, TX

Town of Horizon City Hall

14999 Darrington Road
Horizon City, TX 79928
915-852-1048
<https://www.horizondcity.org/>

PERMIT

ZRZ24-0014	REZONE (ZONE CHANGE/CONDITION RELEASE)
SITE ADDRESS: 0 UNKNOWN HORIZON CITY	ISSUED:
PRIMARY PARCEL: X57800033206000	EXPIRES:
PROJECT NAME:	

APPLICANT: Grajeda, Jorge
813 N. Kansas St.
El Paso, TX 79902
9154079535

OWNER: HORIZON BOULEVARD 32 HOLDINGS
4401 N MESA ST
EL PASO, TX 79902-1150

Detail Name	Detail Value
Select Type:	Rezone
Briefly explain why you are requesting a Rezone/Condition Release	Single-Family to Multi-Family Use
Land's Present Use	Vacant
Land's Present Zone	R-3 (Single-Family Dwelling)
Land Vacant	Y
Land Lot Size	10.011
Structure on Land	N
Structure's Size	N/A
Land's Proposed Use	Multi-Family Apartments
Proposed Zone Use	A-1 (Apartments)
Will you be making any improvements to the existing lot or structure?	Y
This request includes Site Development Plans for approval?	Y
-Strong-NOTICE:-/strong- 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.	I acknowledge
Number of Acres	10
Comments due date	08/19/2024
Planning and Zoning Commission review date	08/19/2024
City Council date	10/08/2024