



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

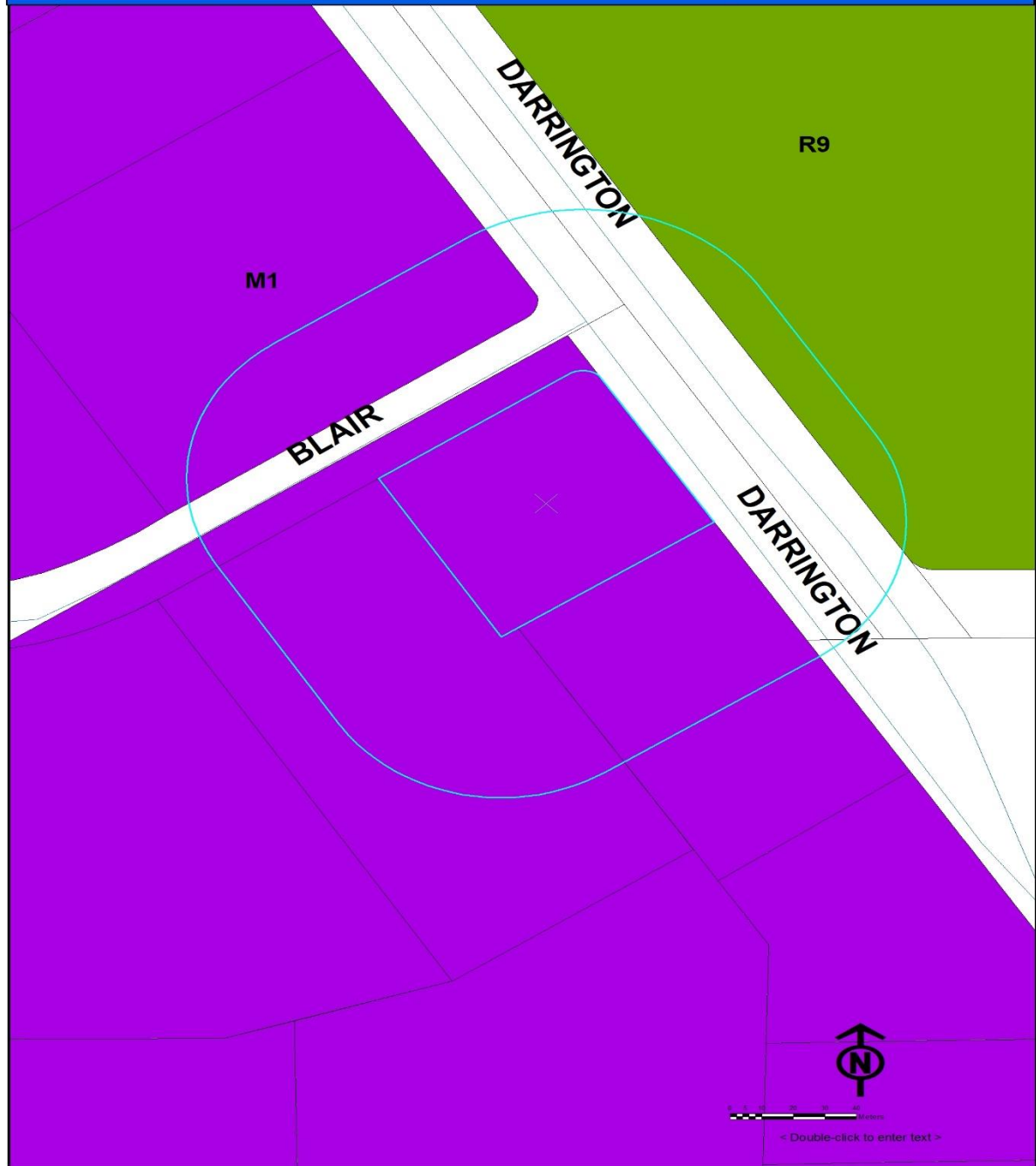
Attachment 4 - Survey

Attachment 5 – Letter to Board

Attachment 6 – Application

Attachment 1: Zoning Map

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

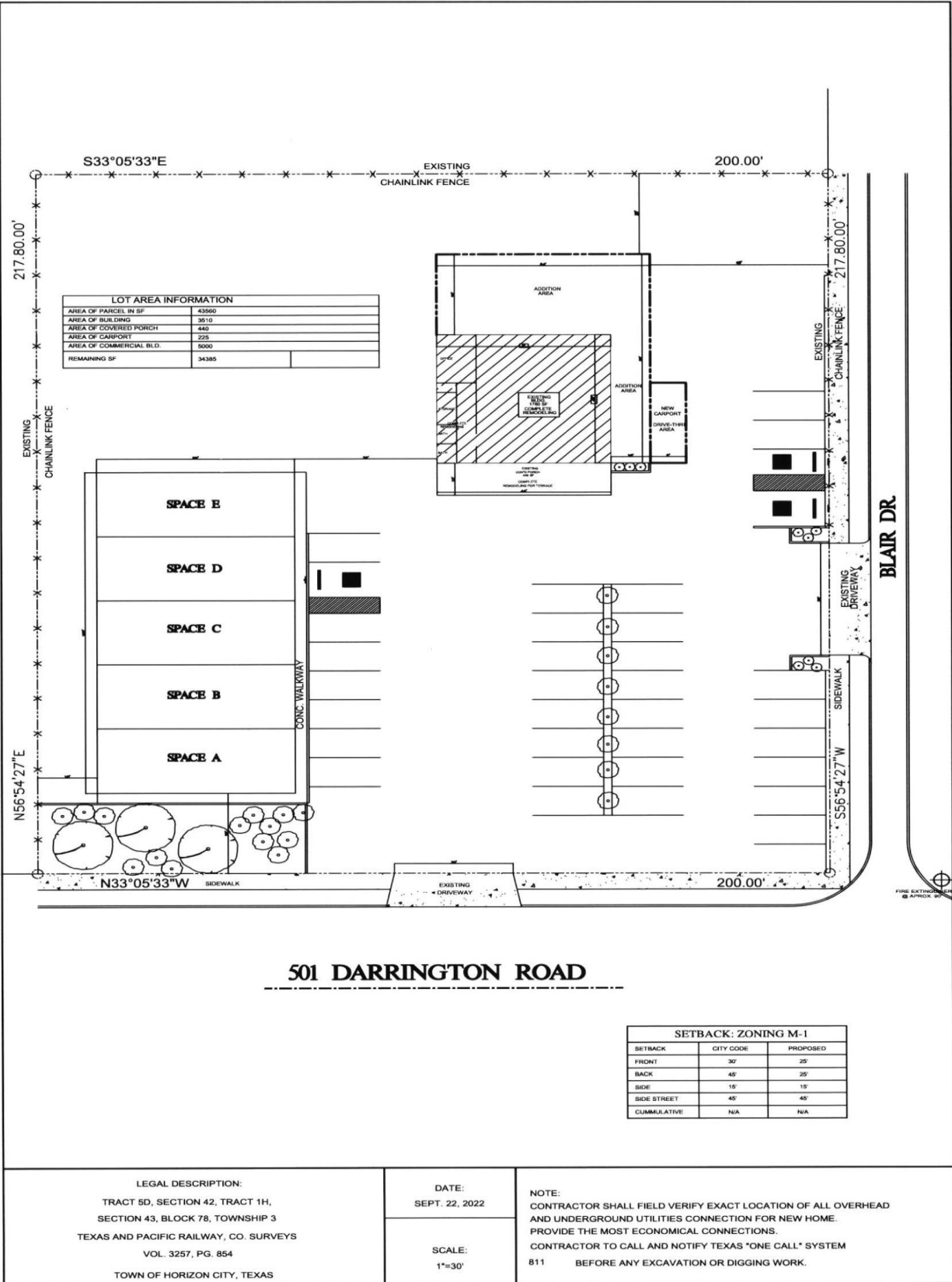


Attachment 2: Aerial

**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 Laranjo
3008 Para North 79909 915-356-9508 MLLaranjo86@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 _____

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 Taran
(OWNER'S SIGNATURE)
Lorena Armenta
(APPLICANT'S SIGNATURE)

Luis Taran
(OWNER'S PRINTED NAME)
LORENA ARMENTA
(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: E. 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