



## TOWN OF HORIZON CITY MEMORANDUM

**Date:** March 12, 2024

**To:** Honorable Mayor and Members of City Council

**From:** Art Rubio, Chief Planner

**SUBJECT:** On a request for an exception to Chapter 14, Section 602.8 (Exhibit A), Subsection B.7 of the Municipal Code to allow for the sale of alcoholic beverages within 300 feet of a day care center for property located at 14476 Horizon Blvd Suite D-E. Application submitted by Roberto Lugo-Principe.

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An exception request has been received by staff to allow for the sale of alcoholic beverages within 300 feet of a daycare. La Casa Del Mangu restaurant is located within an existing single-story shopping center at 14476 Horizon Boulevard and applying with TABC for an alcohol sales license for a restaurant. The sale of alcohol is incidental to the restaurant use. A child daycare (Riddles and Rhymes) and an adult daycare (Club de Amistad) are both located adjacent to the same shopping center, less than 300 ft. apart measured property line to property line.

Section 602.8, subsection B.2 prohibits the sale of alcoholic beverages when the place of business with within three hundred (300) feet of a day care center or childcare facility. In such instances, the distance between the place of business where alcoholic beverages are sold and a day care shall be measured in direct line from the property line of the day care center or childcare facility to the property line of the place of business, and in direct line across intersections. Being that the two tenants are within the same shopping center, staff is unable to sign off on the applicant's application to the Texas Alcoholic Beverage Commission.

Subsection B.7 of Section 602.8 allows for City Council to grant an exception to the prohibition of the sale of alcoholic beverages within three hundred feet of a church, school, **commercial day care center**, or public hospital after notice and public hearing if the council determines that the enforcement of the prohibition in a particular instance:

- a. Is not in the best interest of the public.
- b. Constitutes waste or the inefficient use of land or other resources.
- c. Creates an undue hardship on an applicant.
- d. Does not serve its intended purpose.
- e. Is not effective or necessary; or
- f. For any other reason the city council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

Notice of this public hearing was provided to Child Day Care (Riddles and Rhymes) and Club de Amistad Adult Day Care representatives via on site visit and the notice was posted at City Hall. Club de Amistad Adult Day Care Director provided a no objection letter to the alcohol sales exception. Staff received a phone call from the owner of

Riddles and Rhymes Child Daycare stating they had no comment in objection or support for the request.

Attached is the request letter from the restaurant owner Roberto Lugo-Principe (La Casa Del Mangu Restaurant) and a letter of no objection from Club de Amistad Adult Day Care Director.



To whom it may concern,

March 5, 2024

I am requesting an exemption on Chapter 6 General Commercial Districts, Section 602.8B Alcoholic Beverages Restrictions. I have a full-service restaurant for customers to enjoy breakfast, lunch or dinner with their family or friends in a pleasant ambience. During the hours that are permitted by law, alcoholic beverages will be available for sale to adults that wish to consume in a responsible manner. There will be no alcohol available to go or sale of alcohol in packages. Attached a letter from the Adult Day Care.

Thank you for your time and consideration to this matter. If you have any questions please don't hesitate to call me at 915-526-8350.

Regards,

Roberto Lugo-Principe

La Casa del Mangu Dominican Restaurant & Bar, Owner

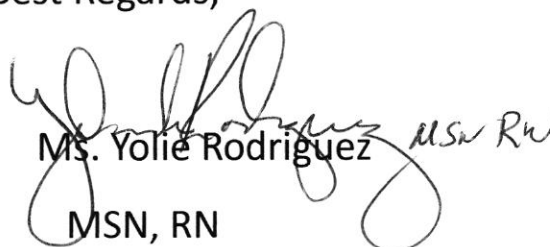
14476 Horizon Blvd Suite D-E  
Horizon City, TX 79928  
915-222-8867

March 5, 2024

To whom it may concern:

This letter is to certify that I have no objection with Mr. Roberto Lugo-Principe, Owner of La Casa del Mangu Dominican Restaurant & Bar, to sale alcoholic beverages in his establishment. If you have any questions or concerns please contact me at (915) 852-5006.

Best Regards,

  
MS. Yolie Rodriguez MSN RN  
MSN, RN

Club de Amistad Adult Day Care Director



City Council  
Alcohol Sales Exception Adjacent to Day Care  
14476 Horizon Blvd.





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