



HORIZON CITY

Incorporated 1988

**AGENDA
PUBLIC MEETING
REGULAR CITY COUNCIL MEETING
THE TOWN OF HORIZON CITY, TEXAS
Tuesday, December 12, 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, December 12, 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:** **3**
11/14/23 Regular City Council Meeting.

- 4. **Discussion and Action:** **7**
Mayor/CIP Manager
On an update on the Capital Improvement Program.

- 5. **Discussion and Action:**
Mayor
On the reappointment of Alderman Walter Miller to the El Paso Central Appraisal District Board of Directors for 2023-2024.

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

- 7. **Approval of Consent Agenda Items:**

REGULAR AGENDA

- 8. **Discussion:** **25**
Mayor/Planner

1st Reading of Ordinance No. _____, An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, El Paso County, Texas; rezoning one parcel from C-1 (General Commercial) to C-2 (Heavy Commercial); containing approximately 6.634 acres; Being Lot 1, Block 3, Kenazo Estates Unit Two, Town of Horizon City, El Paso County, Texas; South of Eastlake Blvd. and East of Kenazo 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.

- 9. **Discussion and Action:**

Mayor/Planner
On the **Preliminary and Final** Subdivision Plat application for **Weaver & Kenazo (Case No. SUC23-0002)**, legally described as Tract 1-J-1, Section 43, Block 78, Township 3, Texas and Pacific Railway Co. Surveys, Town of Horizon City, El Paso County, Texas. Containing 9.984 ± acres. Application submitted by CIRE3 Architects.

- 10. **Discussion and Action:**

Mayor/Planning Director

On a Resolution authorizing the Mayor to issue task orders through the Engineering Services Agreement between the Town of Horizon City and Huitt-Zollars for general engineering services in amounts not to exceed \$20,000.00 per task order.

11. Discussion and Action:

Mayor/Planning Director

On a Resolution authorizing the Mayor to issue a task order to Huitt-Zollars for surveying services related to the potential expansion of the City's extraterritorial jurisdiction in the amount of \$22,134.00.

12. 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 2024 with the El Paso Area Transportation Services, LGC.

13. 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, 12/8/23

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 seventy-two (72) hours preceding the scheduled meeting at the City Hall Bulletin Boards of the Town of Horizon City, Texas on this Friday, 12/8/23 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, November 14, 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, November 14, 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 6:00 pm. All City Council Members present. Quorum Established.

2. Open Forum:

No one signed up to speak.

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:

10/10/23 Regular City Council Meeting.

4. Discussion and Action:

Mayor/CIP Manager

On an update on the Capital Improvement Program.

5. Discussion and Action:

Mayor/EDC Executive Director

On a Resolution to correct a clerical error on the Resolution and Consent to Assignment approved by City Council on October 10, 2023, to approve the assignment of MICBEC Investments, LLC right title and interest in the Purchase and Sale Agreement and other economic development incentive agreements to Horizon Oxbow Development, LLC. The previous Resolution used 1566 Oxbow as the address to describe the Property and the correct address is 1560 Oxbow.

6. Discussion and Action:

Mayor/EDC Executive Director

On the re-appointment of Jerry Garcia to the Horizon City Economic Development Corporation Board of Directors.

7. Discussion and Action:

Mayor/EDC Executive Director

On the re-appointment of Walter Miller to the Horizon City Economic Development Corporation Board of Directors.

8. Discussion and Action:

Mayor/CIP Manager

Regarding rescheduling the Regular City Council Meeting from January 9, 2024 to January 16, 2024.

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

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

Councilwoman Randleel requested Item #4 be pulled from the consent and be heard under the Regular Agenda.

A motion was made by Councilman Padilla and seconded by Councilman Miller to pull Item #4 from Consent and heard under the Regular Agenda and approve the remainder of the consent agenda. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; 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, Terry Quezada spoke regarding this item. No action taken on this item.

11. **PUBLIC HEARING:**

Mayor/Planner

2nd Reading of Ordinance, _____, An Ordinance Amending the Municipal Code of the Town of Horizon City, Texas, Chapter 14 (Zoning), Exhibit A (Zoning Ordinance), to Revise and Amend the Following: Chapter 7 (Industrial Districts), Section 704 (M-2), Sub Section 704.2 (Permitted Uses), Amending and Adding Permitted Uses in M-2, Section 703 (M-1), Subsection 703.2 (Permitted Uses), Amending and Adding Permitted Uses in M-1 (Light Industrial) Zone District; Section 702 (General Requirements), Sub Section 702.3 (Height and Bulk Standards M-1 and M-2), Sub Section 702.3.2 (Height Standards) Amending Height Requirements for Added Uses in M-1 and M-2 Zone Districts; Chapter 6 (General Commercial Districts), Section 604 (C-2), Subsection 604.2 (Permitted Uses), Sub Section 604.3 Uses Permitted by Specific Use Permit, Amending and Adding Permitted Uses in C-2 (Heavy Commercial) Zone District, Section 603 (C-1) , Subsection 603.2 (Permitted Uses), Amending and Adding Uses in C-1 (General Commercial) Zone District, Section 602 (General Regulations), Sub Section 602.2.3 (Height Standards C-1 and C-2) Amending Height Requirements for Added Uses in C-1 and C-2 Zone Districts ; and Chapter 2 (Definitions), Section 202 (General Definitions) to Amend and Add Definitions for Warehousing; Proper Notice; and Effective Date; the Penalty Being as Provided in Section 810 of the Zoning Ordinance (No. 0102) of the Town of Horizon City, Texas, Creating a Misdemeanor Punishable by a Fine Not to Exceed \$2,000.

Planning Director, Michelle Garcia spoke regarding this item. No one from the public spoke.

12. **Discussion and Action:**

Mayor/Planner

2nd Reading of Ordinance _____, An Ordinance Amending the Municipal Code of the Town of Horizon City, Texas, Chapter 14 (Zoning), Exhibit A (Zoning Ordinance), to Revise and Amend the Following: Chapter 7 (Industrial Districts), Section 704 (M-2), Sub Section 704.2 (Permitted Uses), Amending and Adding Permitted Uses in M-2, Section 703 (M-1), Subsection 703.2 (Permitted Uses), Amending and Adding Permitted Uses in M-1 (Light Industrial) Zone District; Section 702 (General Requirements), Sub Section 702.3 (Height and Bulk Standards M-1 and M-2), Sub Section 702.3.2 (Height Standards) Amending Height Requirements for Added Uses in M-1 and M-2 Zone Districts; Chapter 6 (General Commercial Districts), Section 604 (C-2), Subsection 604.2 (Permitted Uses), Sub Section 604.3 Uses Permitted by Specific Use Permit, Amending and Adding Permitted Uses in C-2 (Heavy Commercial) Zone District, Section 603 (C-1) , Subsection 603.2 (Permitted Uses), Amending and Adding Uses in C-1 (General Commercial) Zone District, Section 602 (General Regulations), Sub Section 602.2.3 (Height Standards C-1 and C-2) Amending Height Requirements for Added Uses in C-1 and C-2 Zone Districts ; and Chapter 2 (Definitions), Section 202 (General Definitions) to Amend and Add Definitions for Warehousing; Proper Notice; and Effective Date; the Penalty Being as Provided in Section 810 of the Zoning Ordinance (No. 0102) of the Town of Horizon City, Texas, Creating a Misdemeanor Punishable by a Fine Not to Exceed \$2,000.

A motion was made by Councilman Mendoza and seconded by Councilman Quiroz to approve the Ordinance Amending the Municipal Code of the Town of Horizon City, Texas, Chapter 14 (Zoning), Exhibit A (Zoning Ordinance), to Revise and Amend the Following: Chapter 7 (Industrial Districts), Section 704 (M-2), Sub Section 704.2 (Permitted Uses), Amending and Adding Permitted Uses in M-2, Section 703 (M-1), Subsection 703.2 (Permitted Uses), Amending and Adding Permitted Uses in M-1 (Light Industrial) Zone District; Section 702 (General Requirements), Sub Section 702.3 (Height and Bulk Standards M-1 and M-2), Sub Section 702.3.2 (Height Standards) Amending Height Requirements for Added Uses in M-1 and M-2 Zone Districts; Chapter 6 (General Commercial Districts), Section 604 (C-2), Subsection 604.2 (Permitted Uses), Sub Section 604.3 Uses Permitted by Specific Use Permit, Amending and Adding Permitted Uses in C-2 (Heavy Commercial) Zone District, Section 603 (C-1), Subsection 603.2 (Permitted Uses), Amending and Adding Uses in C-1 (General Commercial) Zone District, Section 602 (General Regulations), Sub Section 602.2.3 (Height Standards C-1 and C-2) Amending Height Requirements for Added Uses in C-1 and C-2 Zone Districts ; and Chapter 2 (Definitions), Section 202 (General Definitions) to Amend and Add Definitions for Warehousing; Proper Notice; and Effective Date; the Penalty Being as Provided in Section 810 of the Zoning Ordinance (No. 0102) of the Town of Horizon City, Texas, Creating a Misdemeanor Punishable by a Fine Not to Exceed \$2,000. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

13. **Discussion and Action:**

Mayor/Planner

On the **Final Subdivision Plat** application for **Horizon Water (Case No. SDF23-0001)**, recording plat application and authorizing the Mayor to sign the recording plat legally described as a Portion of Section No. 32, Block 78, Township 3, Texas and Pacific Railway Company Survey, Town of Horizon City, El Paso County, Texas. Containing 5.839 ± acres. Application submitted by TRE and Associates, LLC.

Senior Planner, Art Rubio spoke regarding this item.

A motion was made by Councilman Miller and seconded by Councilman Mendoza to approve the **Final Subdivision Plat** application for **Horizon Water (Case No. SDF23-0001)**, recording plat application and authorizing the Mayor to sign the recording plat legally described as a Portion of Section No. 32, Block 78, Township 3, Texas and Pacific Railway Company Survey, Town of Horizon City, El Paso County, Texas. Containing 5.839 ± acres. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

14. **Discussion and Action:**

Mayor/Planning Director

Regarding a Resolution exercising the Town of Horizon City's option to extend the Parks and Grounds Maintenance Contract between the City and Abescape Landscaping, LLC for an additional term of one year expiring on December 31, 2024.

Planning Director, Michelle Garcia spoke regarding this item.

A motion was made by Councilman Mendoza and seconded by Councilman Miller to approve the Resolution exercising the Town of Horizon City's option to extend the Parks and Grounds Maintenance Contract between the City and Abescape Landscaping, LLC for an additional term of one year expiring on December 31, 2024. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

15. **Discussion and Action:**

Mayor/Finance Director

On the reallocation of the American Rescue Plan Act use of funds.

Finance Director, Lily Gaytan and CIP Manager Terry Quezada spoke regarding this item.

A motion was made by Councilman Miller and seconded by Councilman Mendoza to approve the presentation regarding the reallocation of the American Rescue Plan Act use of funds. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

A motion was made by Councilman Miller and seconded by Councilman Mendoza to adjourn into Executive Session. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; 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 6:45 PM.

16. 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).

16A. 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 6:55 PM.

Upon returning to Open Session the City Council took the following action:

A motion was made by Councilman Mendoza and seconded by Councilman Quiroz to approve the resolution of the city council of the Town of Horizon city, Texas, authorizing the issuance of payments in the amounts to be awarded by the special commissioners for the city to acquire certain real property interests. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

ADJOURNMENT

A motion was made by Councilman Mendoza and seconded by Councilwoman Urrutia to adjourn at 8:29 PM.

Approved this ____ day of _____, 20__.

Attest:

Elvia Schuller, City Clerk

Andres Renteria, Mayor

Town of Horizon City Capital Improvement Program

December 12, 2023
Council Meeting

Oxbow & Pawling Street Improvements

- Start Date: June 12, 2023
- Contract Time: 330 Days
- Completion Date: May 2024
- Construction on-going and on schedule

Municipal Facilities Phase 1

- Schedule is to advertise in January 2024
- Bid award – Spring 2024

Street Maintenance Fund

2023-2024 Street Maintenance Program

- Design for street improvements ongoing
- Street work includes mill and overlay for
 - S. Kenazo
 - N. Kenazo, and
 - the north side of McMahan Ave
- Reviewing preliminary design
- Schedule is to advertise in January 2024

Federally- & State-Funded Project Updates

N. Darrington Reconstruction

- Texas Transportation Commission awarded construction contract
- Contractor is Jordan Foster
- Contract is approximately \$21.5 million
- Programmed amount through MPO is \$17 million
- Staff is evaluating local funding options – no federal or state funding options are available on a timely basis for bid award.

N. Darrington Reconstruction

Project start date

- Horizon/Darrington Rd. Intersection – January 2024
- N. Darrington Rd. Reconstruction – February 2024
- Scheduling public meeting close to construction start

N. Darrington Reconstruction

- Town staff and TXDOT working on Utility Coordination
 - Texas Gas Service reimbursement for relocations on N. Darrington per franchise agreement is under review
 - Encroachment agreement on Texas Gas Service easement – Town staff and legal team finalizing agreement

N. Darrington Reconstruction – ROW Acquisition

**Working on transfers of deed from CRRMA to
Horizon City for**

- 9 parcels purchased
- 1 parcel originally temporary construction easement (TCE) purchased as fee simple
- 1 parcel TCE – acquired

**Preparing for Commissioners hearings scheduled in
January 2024 for 7 parcels**

N. Darrington Reconstruction – ROW Acquisition

Easements at Darrington and Pawling

- Offer sent out for temporary construction easement
- Reduced area for permanent easement – revising survey and appraisal for smaller area

Safety Projects

- **S. Darrington Safety Lighting** from Alberton to LTV Rd. – **FY 2023** - project awarded **March 2023**
- **Project start – mid-January 2024**

ARPA Projects

ARPA Projects

- Developing plan to execute Council-approved projects within timeframes

TIRZ/TOD Update

Dilley, Delake and Transit Plaza

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

Dilley and Delake

- Requested federal functional classification as *collector street* for Delake
- Classification will make roadway eligible for future federal funding through the Federal Highway Administration (FHWA).

Town of Horizon City Capital Improvement Program

December 12, 2023
Council Meeting



TOWN OF HORIZON CITY MEMORANDUM

Date: December 12, 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, El Paso County, Texas; rezoning one parcel from C-1 (General Commercial) to C-2 (Heavy Commercial); containing approximately 6.634 acres; Being Lot 1, Block 3, Kenazo Estates Unit Two, Town of Horizon City, El Paso County, Texas; South of Eastlake Blvd. and East of Kenazo 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 November 20, 2023, the Planning and Zoning Commission was unable to reach a quorum, the rezoning request will be rescheduled for December 18, 2023.

The applicant's request is to rezone the property to C-2 (Heavy Commercial) zoning district to allow for commercial uses currently not permitted or requiring a Specific Use Permit, the proposed uses will provide goods and services needed by the community. Staff recommendation to the Planning and Zoning Commission was approval, based on compatibility with surrounding properties to the west and southwest of the subject property.

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 C-1 (GENERAL COMMERCIAL) TO C-2 (HEAVY COMMERCIAL); CONTAINING APPROXIMATELY 6.634 ACRES; BEING LOT 1, BLOCK 3, KENAZO ESTATES UNIT TWO, EL PASO COUNTY, HORIZON CITY, TEXAS; SOUTH OF HORIZON BLVD. AND EAST OF ANDERPONT 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 C-2 (Heavy Commercial) 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 C-1 (General Commercial) to C-2 (Heavy Commercial) Zoning District within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 6.634 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 _____, 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:

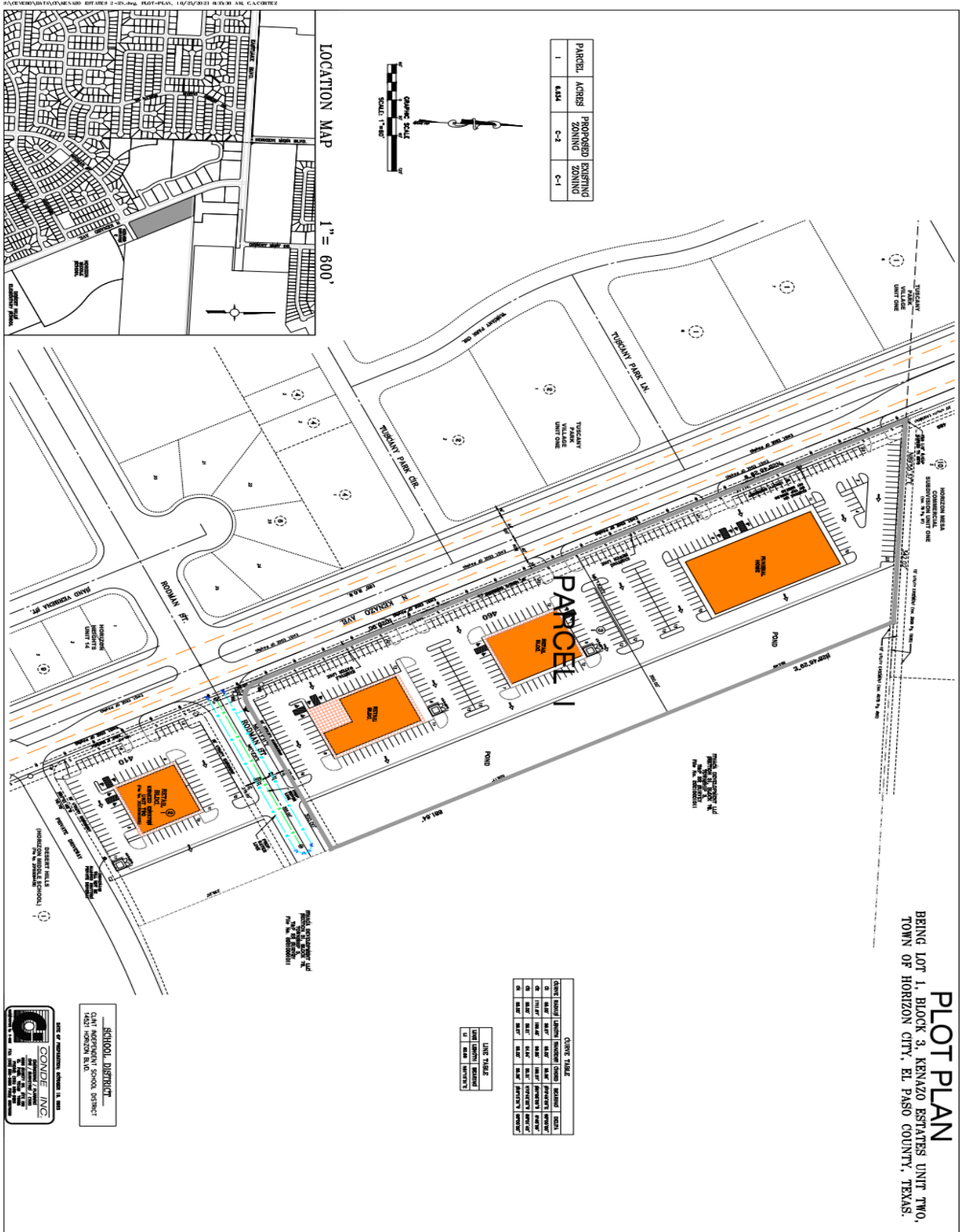
By: _____
Elvia Schuller, TRMC, City Clerk

APPROVED AS TO FORM:

Sylvia Borunda Firth, City Attorney

First Reading: 12/12/2023
Second Reading: 01/15/2024

EXHIBIT "A"





TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

Case No.: ZRZ23-0001

Application Type: **Rezoning**
P&Z Hearing Date: November 20, 2023
Staff Contact: Art Rubio, Planner
915-852-1046 ext. 407; arubio@horizoncity.org

Address/Location: 460 Kenazo Dr.; South of Eastlake Blvd. and East of Kenazo Dr.

Property ID No.:

Legal Description: Lot 1, Block 3, Kenazo Estates Unit 2, Town of Horizon City, El Paso County, Texas

Property Owner(s): Pebble Hills Plaza, LTD

Applicant: Conde Inc.

Nearest Park: Horizon Mesa

Nearest School: Horizon Middle School & Dessert Hills Elementary (CISD)

SURROUNDING PROPERTIES:

	Zoning	Land Use
N	C-1 (Commercial)	Vacant
E	PUD (Planned Unit Development)	Vacant
S	PUD (Planned Unit Development)	School & Commercial Sites
W	C-2 (Commercial) & A-1 (Apartment)	Vacant

LAND USE AND ZONING:

	Existing	Proposed
Land Use	Vacant	Commercial
Zoning	C-1	Commercial Development

Application Description:

The applicant is requesting to rezone approximately 6.634 of land that is currently vacant. The subject property is currently zoned C-1 (General Commercial) and is proposed to be rezoned as C-2 (Heavy Commercial) to allow for the following uses that would not be permitted on C-1 or would require a Specific Use Permit:

1. Funeral Home (without crematorium)
2. Service station (oil change and minor repair services).
2. Restaurant (deriving more than 75% of Gross Revenue from sale of alcoholic beverages).
3. Recreation and entertainment.
4. Self-storage warehouse.
5. Print and copy shop.
6. Private club/ lodge or meeting hall.

Notice:

In accordance with Section 211.007 of the Texas Local Government Code, notices of the November 20, 2023, public hearing for the rezoning request were sent to those property owners within 200 feet of the subject property on October 30, 2023, then posted in the El Paso Times Newspaper on October 30, 2023. 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 Multi-Family. There are existing C-2 zoned properties to the west and north of the subject property. Portions of the Multi-Family designated area have transitioned to C-2 zoning district to the north and west of the subject property.

Staff Recommendation:

Staff recommends **APPROVAL** of the zone change from C-1 to C-2 in support of a variety of commercial uses proposed as those services and goods are needed in the community. The subject property is located adjacent to a major arterial and compatible C-2 commercial zoning districts to the north, west, and south of the subject property.

Planning Division Comments:

If the zone change is approved and the applicant chooses to install a crematorium, approval of a Specific Use Permit would be required.

Options available to the Planning and Zoning Commission:

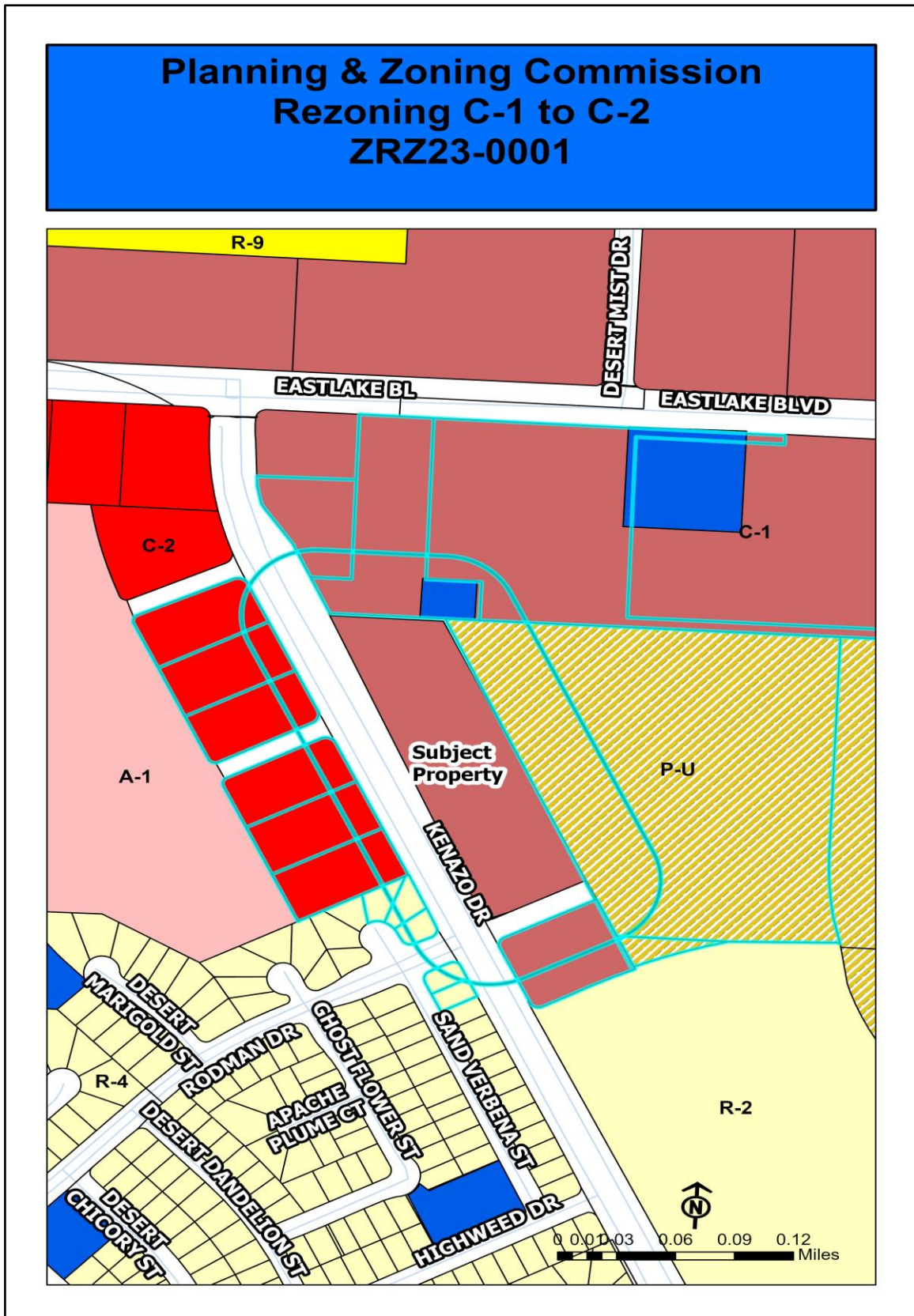
The Planning and Zoning Commission may consider the following options and additional requirements that it identifies when reviewing this Rezoning application:

1. Recommend approval of the request for a rezoning to C-2 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 – Zoning Plan**
- 5 – Plot Plan**
- 6 – Application**

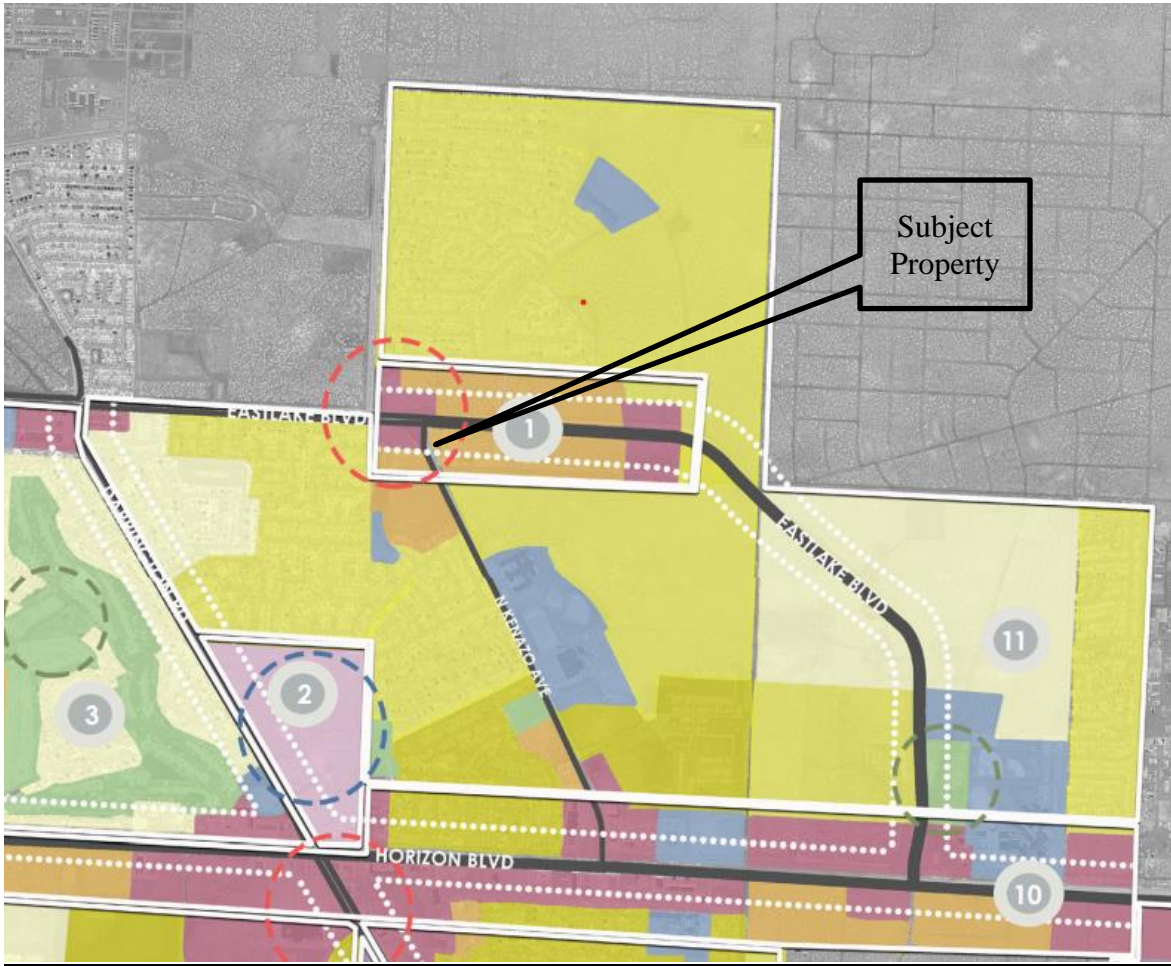
Attachment 1: Zoning Designation



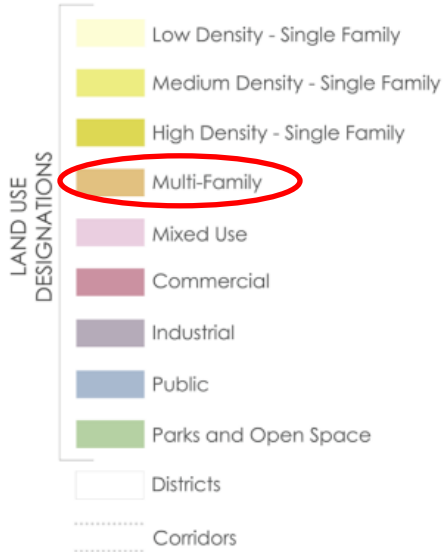
**Planning & Zoning Commission
Rezoning C-1 to C-2
ZRZ23-0001**



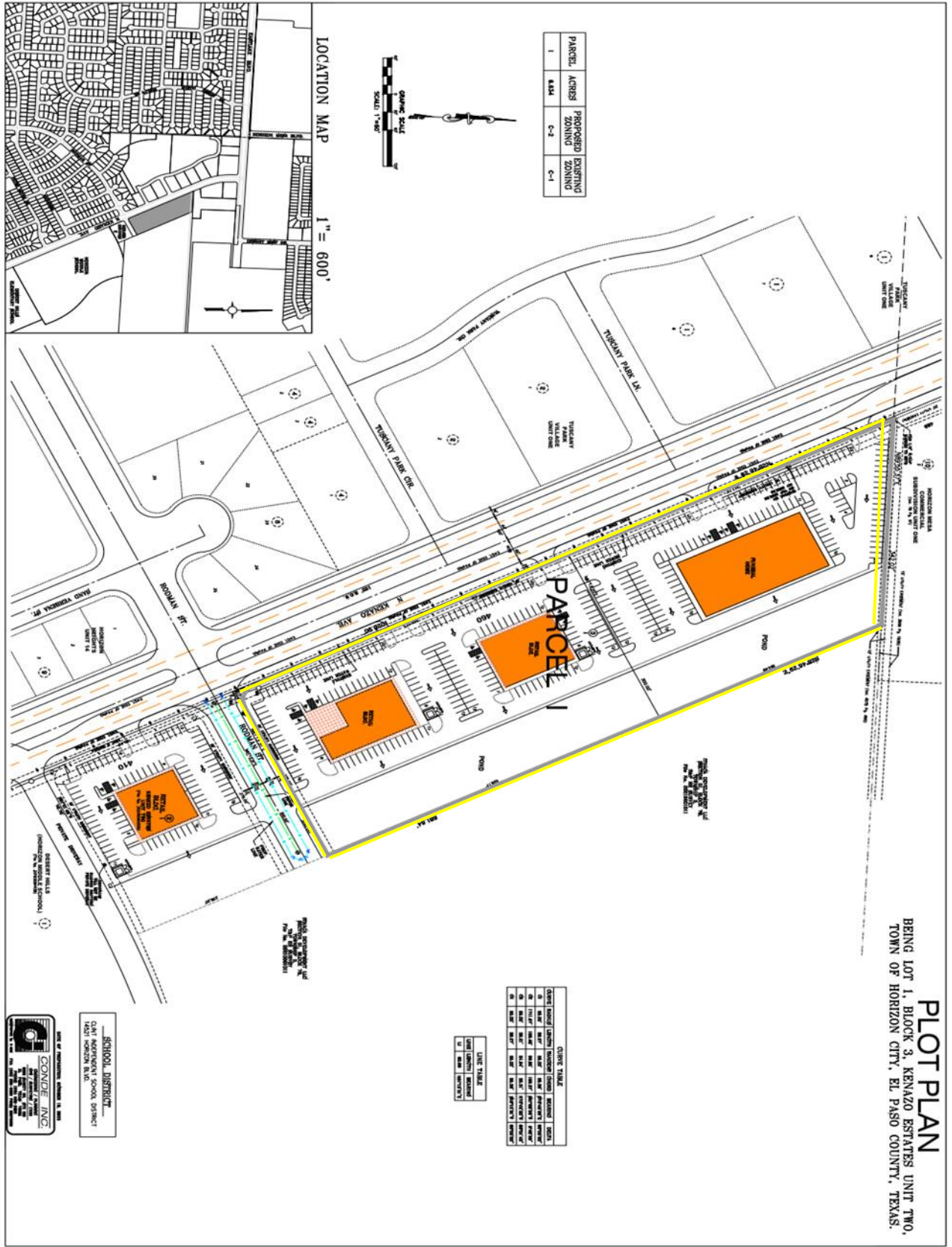
Attachment 3: Future Land Use Map



LEGEND



Attachment 5: Plot Plan



Attachment 6: 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: Pebble Hills Plaza, LTD
420 Montana Ave., El Paso, TX 79902 915-592-0283 cconde@condeinc.com
(ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant Conde, Inc. Is applicant also the Owner? Yes No
 Contact Person Conrad Conde

6080 Surety Dr., Ste. 100 El Paso, TX 79905 (915) 592-0283 cconde@condeinc.com
(ADDRESS) (ZIP) (PHONE) (EMAIL)

3. PARCEL ONE
 Site Address/Location Kenazo Ave.
 Legal Description: 1 3 Kenazo Estates Unit Two
(Lot) (Block) (Subdivision Name)

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

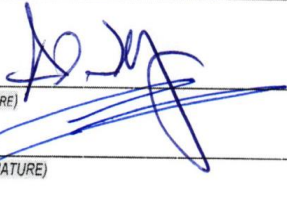
If the legal description of the complete tracts or if plat is not available, attached are the **required** Metes & Bounds Description & survey map(s)? Yes No

4. Briefly explain why you request to rezone? To allow for Commercial uses.

5. Land's Presents Use: Vacant Zone C-1
 Land Vacant Lot size _____ Structure Structure's size _____ Last known date the structure was occupied? N/A

Land's Proposed Use: Commercial 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:  Alan Malooly
(OWNER'S SIGNATURE) (OWNER'S PRINTED NAME)
 _____ Conrad Conde
(APPLICANT'S SIGNATURE) (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: _____
 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.

