

Brunson Acres

City Plan Commission — July 31, 2025

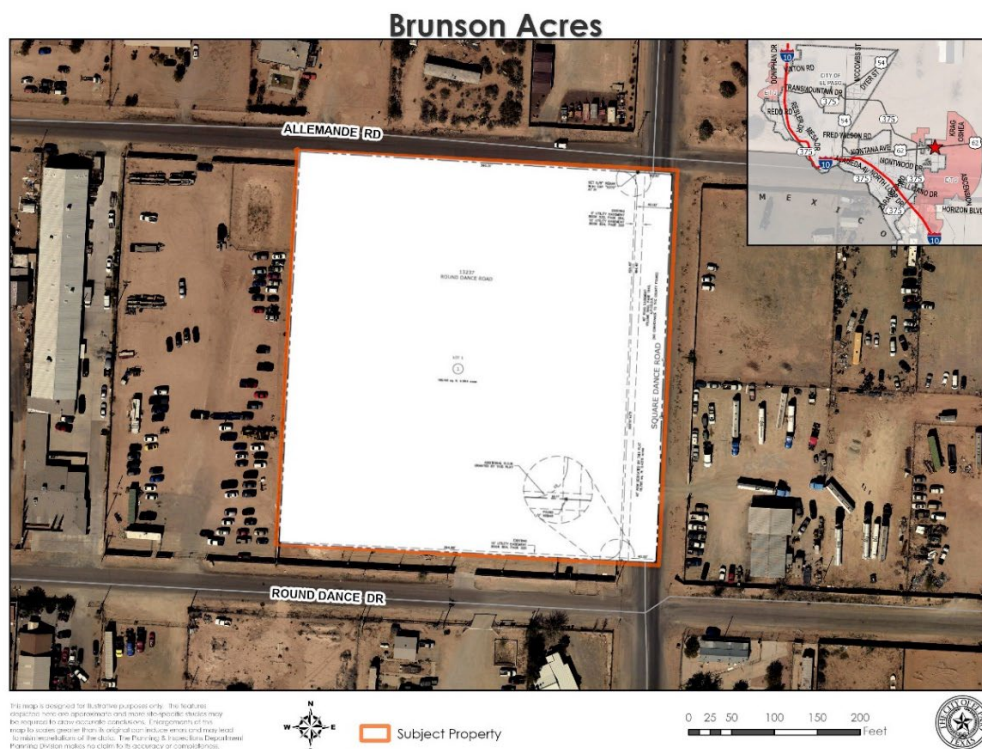


CASE NUMBER/TYPE:	SUSU25-00055 – Major Combination
CASE MANAGER:	Myrna Aguilar, (915) 212-1584, AguilarMP@elpasotexas.gov
PROPERTY OWNER:	Deering and Domenica Brunson
REPRESENTATIVE:	Del Rio Engineering, Inc.
LOCATION:	North of Montana Ave. and East of Rich Beem Blvd. (Extraterritorial Jurisdiction (ETJ))
PROPERTY AREA:	4.61 acres
VESTED RIGHTS STATUS:	Not Vested
PARK FEES:	Park Fees Not Required
EXCEPTIONS/MODIFICATIONS:	Yes, see following section
ZONING DISTRICT(S):	N/A property lies within ETJ

SUMMARY OF RECOMMENDATION: Staff recommends **APPROVAL** of Brunson Acres on a Major Combination Application basis and **DENIAL** of the exception requests to waive the construction of sidewalks; Staff recommends **APPROVAL** of the request to waive the construction of additional roadway from the City Plan Commission:

Applicant is requesting the following exceptions from the City Plan Commission:

- To waive the construction a five-foot (5') sidewalk along Square Dance Road.
- To waive the construction of a five-foot (5') sidewalk and seven-feet (7') of roadway along Round Dance Road.
- To waive the construction of a five-foot (5') sidewalk and seven-feet (7') of roadway along Allemande Road.

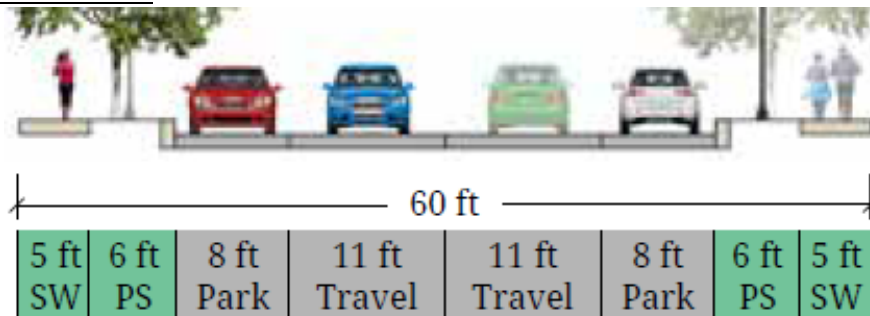


DESCRIPTION OF REQUEST: The applicant is proposing to subdivide 4.61 acres of land to create one (1) commercial lot. The applicant is dedicating 40-foot of right-of-way along Square Dance Road as part of this plat. Drainage will be provided by on-site ponding. Primary access to this subdivision will be from Round Dance Road. This subdivision was reviewed under the standards of the current Subdivision Code.

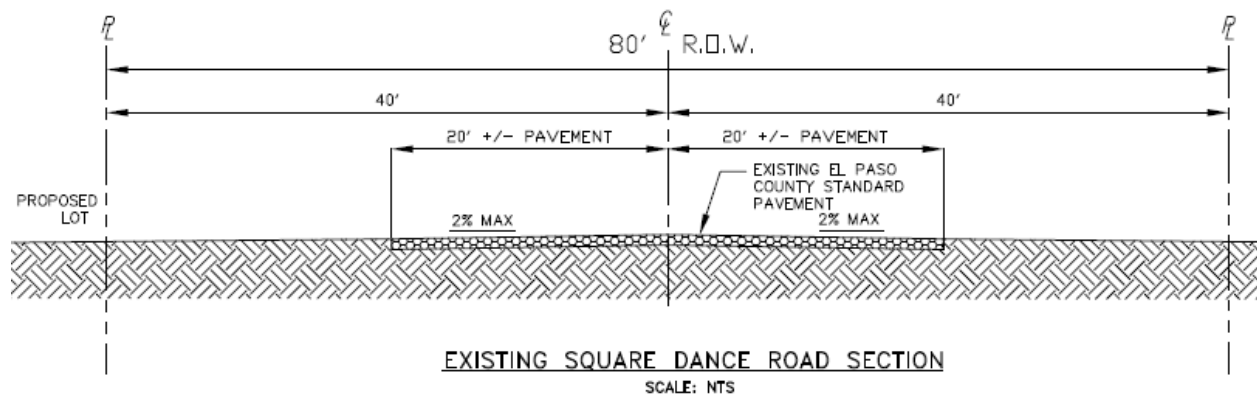
EXCEPTIONS, MODIFICATIONS, OR WAIVER REQUESTS: The applicant is requesting the following exceptions, pursuant to El Paso City Code Section 19.10.050 – (Roadway Participation Policies) – Improvement of Roads and Utilities Within and or Abutting the Subdivision) of the applicable code. The exceptions are as follow:

1. To waive the construction of a five (5) foot sidewalk along Square Dance Road.

REQUIRED CROSS-SECTION:

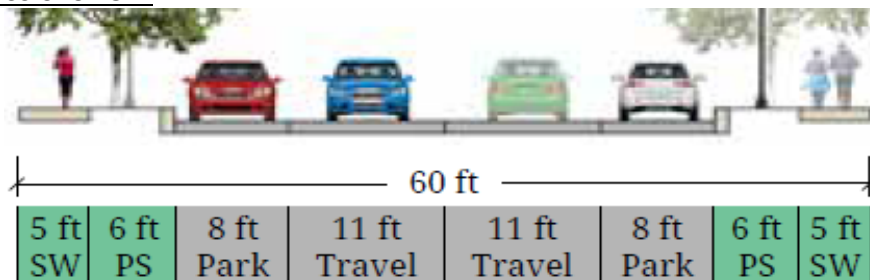


EXISTING CROSS-SECTION:

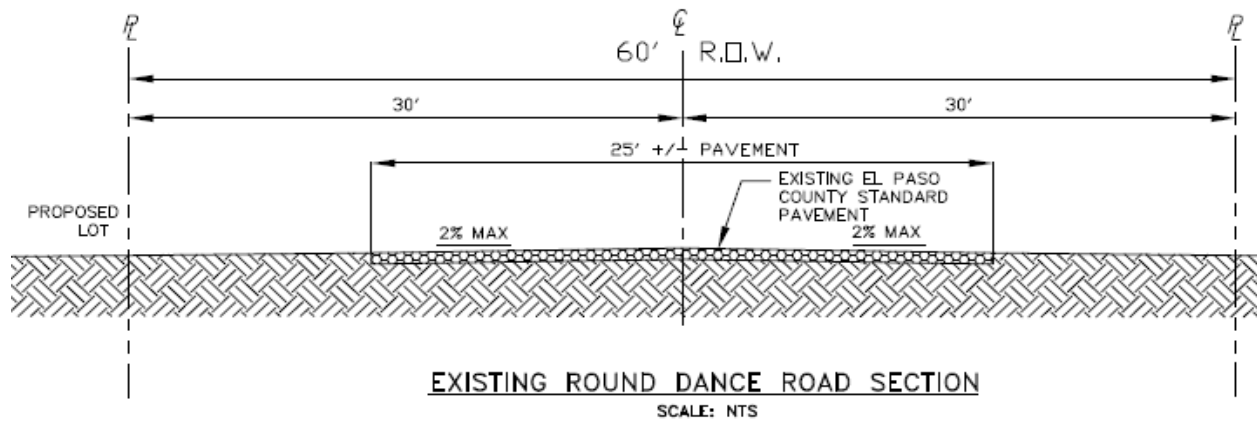


2. To waive the construction of a five-foot (5') sidewalk and seven-feet (7') of roadway along Round Dance Road.

REQUIRED CROSS-SECTION:

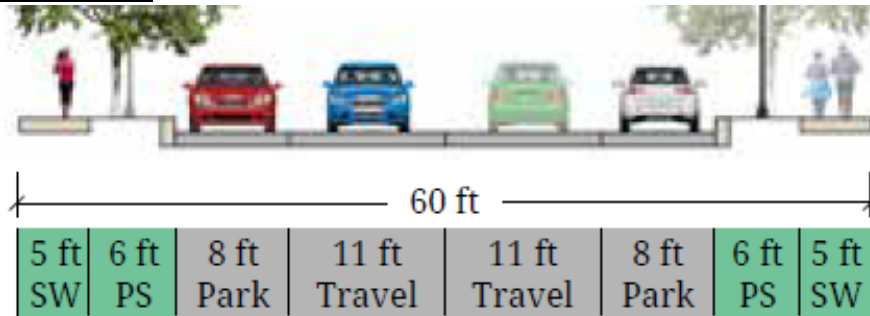


EXISTING CROSS-SECTION:

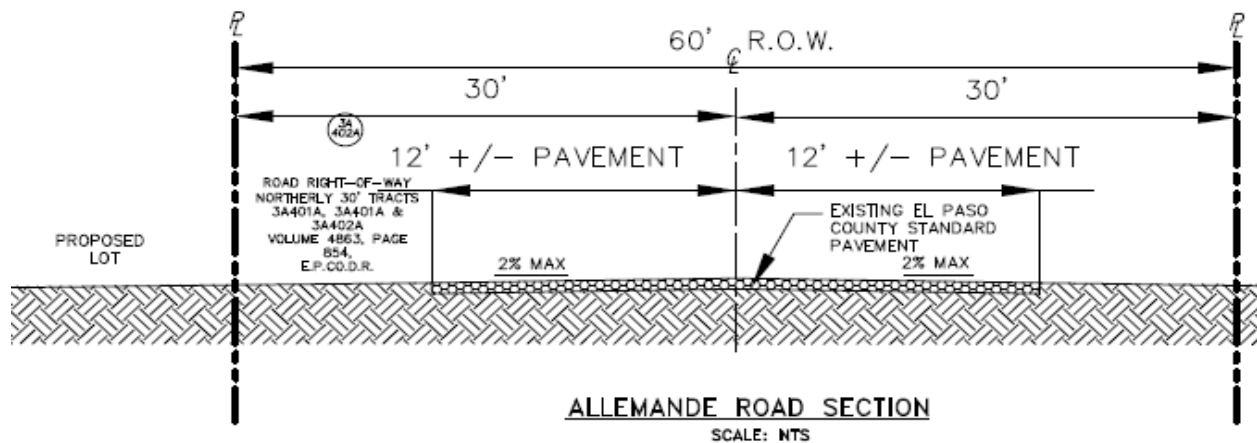


- To waive the construction of a five-foot (5') sidewalk and seven-feet (7') of roadway along Allemande Road.

REQUIRED CROSS-SECTION:



EXISTING CROSS-SECTION:



EVALUATION OF EXCEPTION REQUEST: The exception requests to allow for the existing configuration to remain and to waive the construction of improvements meets the following criteria under El Paso City Code 19.10.050(A)(1)(a) – (Roadway Participation Policies—Improvement of Roads and Utilities Within and or Abutting the Subdivision). The section reads as follows:

Section 19.10.050(A)(1)(a)

The City Plan Commission may waive such requirements to provide rights-of-way or street improvements to adjacent substandard roads based on any of the following factors:

a: Fifty per cent of the lots within a quarter mile of the proposed development have already been developed and the existing street improvements are in character with the neighborhood.

The exception request to waive the required improvements for Square Dance Road, Round Dance Road and Allemande Road meet the criteria of already developed and the existing street improvements that are in character with the neighborhood.

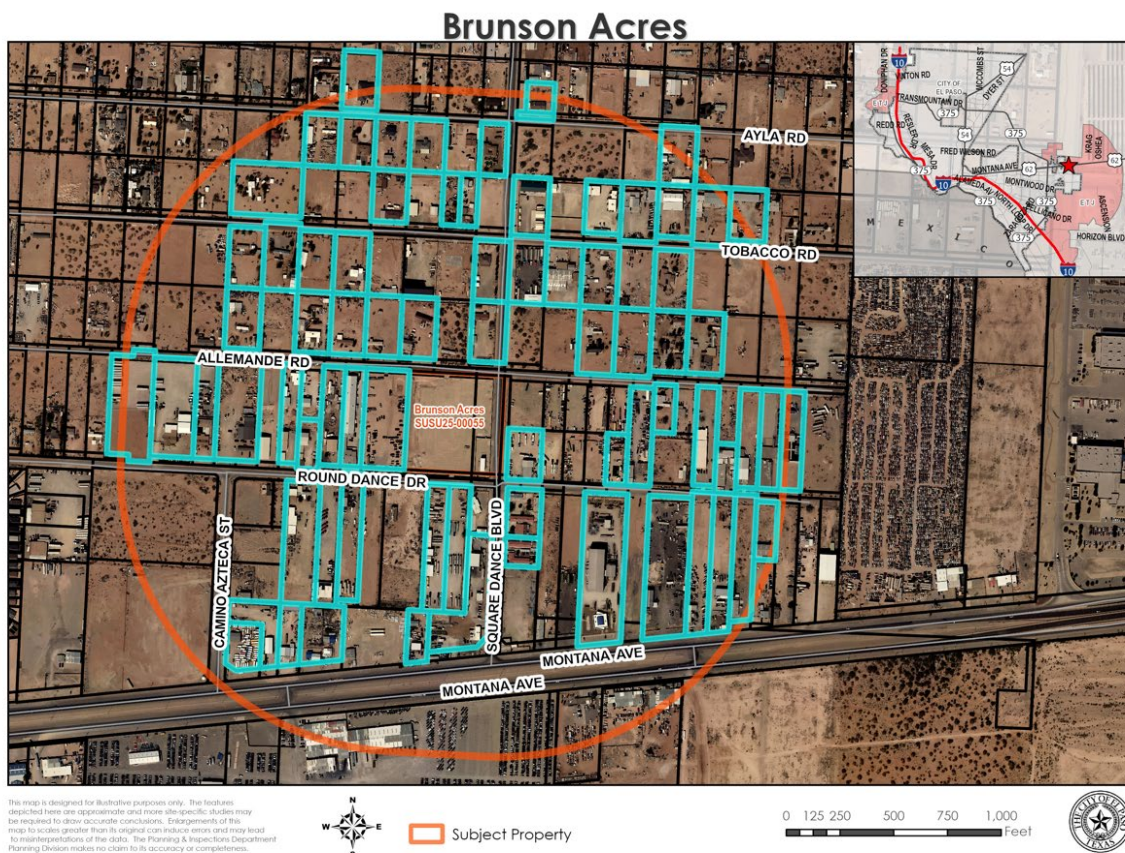


Figure B: Developed properties within a quarter mile of proposed subdivision

Although the request for exceptions meets the waiver criteria previously stated, staff recommends denial of the waiver of the construction of sidewalks based on the following:

- Corner property providing opportunity for future connectivity
- Properties in the area including immediately adjacent are not platted
- Sidewalks will provide connectivity to a Linear Park currently under construction on Square Dance Rd.

NEIGHBORHOOD CHARACTER: Surrounding neighborhood characteristics are identified in the following table.

Surrounding Zoning and Use	
North	Extraterritorial Jurisdiction (ETJ) / Residential and Commercial developments
South	Extraterritorial Jurisdiction (ETJ) / Commercial development
East	Extraterritorial Jurisdiction (ETJ) / Commercial development
West	Extraterritorial Jurisdiction (ETJ) / Commercial development
Nearest Public Facility and Distance	
Park	Suenos Encantados (1.0 mi.)
School	Purple Heart Elementary (K-5) (1.5 mi.)
Plan El Paso Designation	
G-4, Suburban (Walkable)	
Impact Fee Service Area	
N/A	

PUBLIC COMMENT: N/A

PLAT EXPIRATION: This application will expire on **July 31, 2028**. If the final plat has not been recorded within the specified date, the final plat approval, unless extended in accordance with El Paso City Code Chapter 19.41 (Expiration, extension and reinstatement), shall expire and the applicable plat shall be deemed null and void.

CITY PLAN COMMISSION OPTIONS:

Subdivision

City Plan Commission (CPC) has sole and final authority on subdivision matters. Subdivision applications in conformance with all applicable code provisions shall be approved by the CPC. When a plat is brought forward to the CPC for review, the Commission may take any of the following actions:

1. **Approval:** The CPC finds that the proposed plat is in conformance with all applicable requirements of Title 19 of the El Paso City Code. **(Staff Recommendation)**
2. **Approval with Conditions:** The CPC may impose conditions that bring the proposed plat into conformance with all applicable requirements of Title 19 of the El Paso City Code.
3. **Denial:** The CPC finds that the proposed plat is not in conformance with all applicable requirements of Title 19 of the El Paso City Code.

Waiver, Exception, Modification Request(s)

The approval of waivers from, or exceptions or modifications to any applicable code provision is at the discretion of the CPC, in consideration of any criteria provided by the El Paso City Code for the review of such waivers, exceptions, or modifications. In evaluating the request(s), the CPC may take any of the following actions:

1. **Approval** of the waiver, exception, or modification request(s), finding that the request(s) is in conformance with the relevant review criteria provided by the El Paso City Code, as reflected in the Staff Report. **(Staff Recommendation)**
2. **Partial approval of the waiver, exception, or modification request(s)**, finding that the request(s) is partially in conformance with the relevant review criteria provided by the El Paso City Code.
3. **Denial** of the waiver, exception, or modification request(s), finding that the request(s) does not conform to the review criteria provided by the El Paso City Code, as reflected in the Staff Report.

ATTACHMENTS:

1. Aerial Map
2. Preliminary Plat
3. Final Plat
4. Exception Request
5. Application
6. Department Comments

ATTACHMENT 1

Brunson Acres



Subject Property



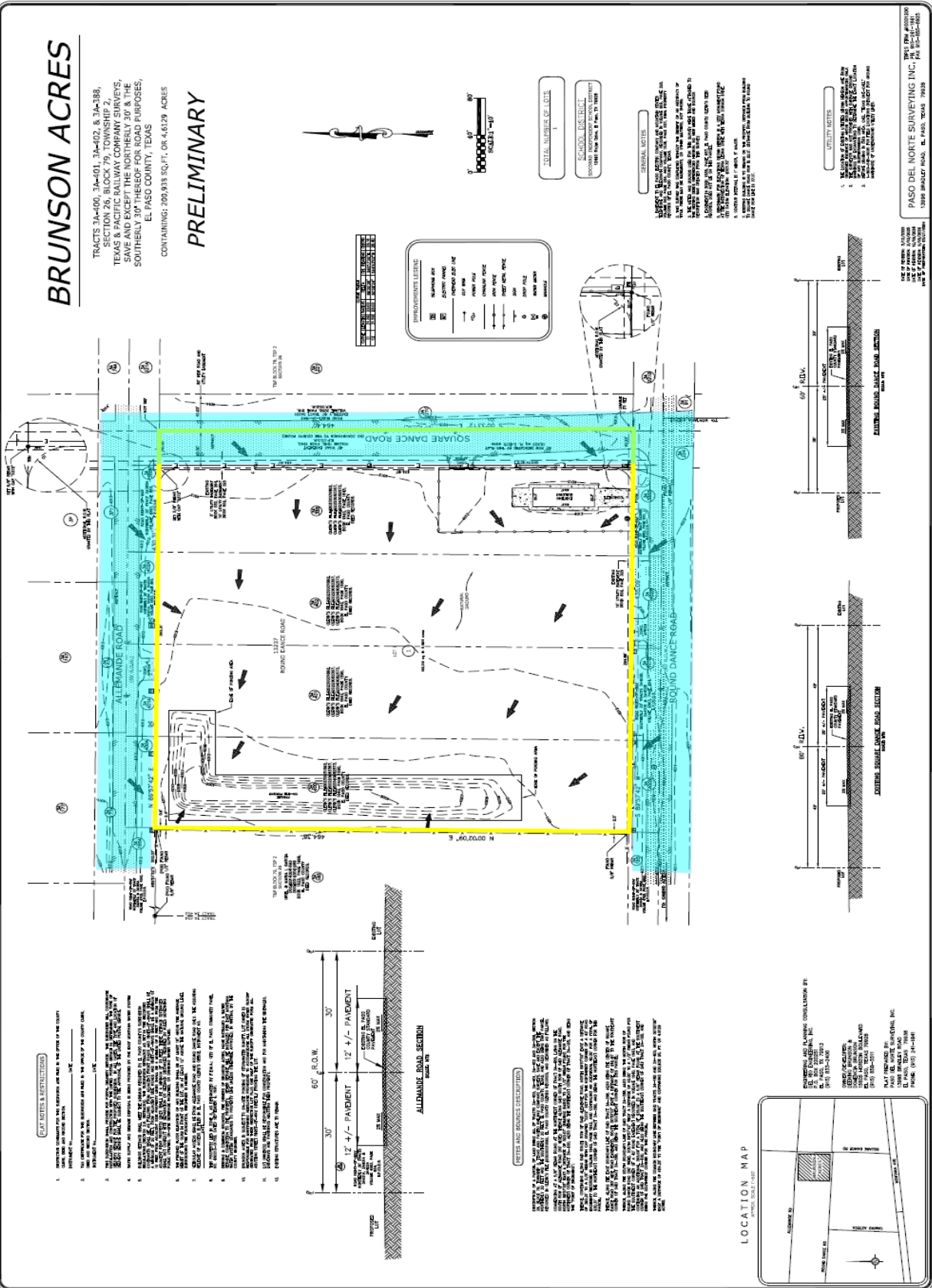
This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to accuracy or completeness.

ATTACHMENT 2

BRUNSON ACRES

TRACTS 1A-100, 1A-101, 1A-102, & 1A-103,
SECTION 26, BLOCK 79, TOWNSHIP 2,
TEXAS & PACIFIC RAILWAY COMPANY SURVEYS,
SAME AND EXCEPT THE NORTHEAST 30 & THE
SOUTHWEST 30, EL PASO COUNTY, TEXAS
CONTAINING: 200.939 SQ. FT. OR 4.6129 ACRES

PRELIMINARY



ATTACHMENT 4



Del Rio Engineering, Inc.

P.O. Box 220251

El Paso, Texas 79913

915/833-2400

SENT VIA EMAIL

DATE: 05/16/2025

SENT TO: Mr. Aaron Andaluz
City of El Paso – Planning Department
811 Texas Street
El Paso, TX 79901

J24-028

SUBJECT: J24-028 Brunson Acres Major Combination Plat

RE: Request for exceptions to vary from the City's MTP for street cross sections to meet the County's requirements for street sections and existing conditions of surrounding properties and neighborhoods

Dear Mr. Andaluz,

The land owner is requesting combine 4 existing tracts into one large commercial lot for an existing business currently occupying the property. The need for the plat is to connect to the newly installed water and sewer services located on Round Dance Road.

The plat application does include the dedication of 40 feet along Square Dance Road to meet the County's requirements for street section or 80 feet ROW.

On behalf of the Owner, we kindly request exceptions to vary from the City's Municipal code as follows:

- Pursuant to El Paso City Code Section 19.10.050 (1)(a) – (Roadway participation policies- Improvement of Roads and Utilities Within and or Abutting the Subdivision) of the applicable code and Section 4.11.11 of the Street Design Manual, we are requesting to waive the requirements on all three streets titled above not to provide street improvements, waive the 9' swale and the 5' shoulder and bike path to adjacent substandard roads based on any of the fact that more than fifty per cent of the lots within a quarter mile of the proposed development has already been developed and the existing street improvements are in character with the neighborhood. In addition, we are asking to waive the sidewalk improvements per the following criteria.
- According to the El Paso Street Design Manual (SDM) guidelines for construction Section 4.9.6 "Sidewalk Requirements for Existing Streets" – Any land development or subdivision that that triggers a requirement for any street improvements along an existing collector street, arterial street, or freeway frontage road shall include sidewalk improvements. The sidewalks shall be provided concurrently by the developer with other street improvements except as otherwise provided in this manual and Chapter 13.04 of the City's Ordinance. Chapter 13.04.045 "Sidewalks in new development" provides an exception to the requirement as the abutting streets are categorized as local streets by the MTP plan under the following reasons:
 - 13.04.045 A.1.a.iii: Local residential streets within an approved subdivision where all the lots provide a minimum one-half acre lot area,



Del Rio Engineering, Inc.

P.O. Box 220251

El Paso, Texas 79913

915/833-2400

- and the adjoining properties have no sidewalks; or
- 13.04.045 A.1.a.vi: Local residential streets within an approved subdivision which meet all of the following criteria as determined by the city plan commission:
 - (A) A characteristic of the neighborhood is that no sidewalks have been required to date, and
 - (B) The subdivision adjoins or lies within a neighborhood in which buildings or structures have been constructed on at least fifty percent of the lots within the neighborhood, and
 - (C) The type of subdivision and intensity of land use is compatible with the character of the neighborhood; or
- The owner is asking for the exception to provide sidewalks abutting the property under the allowable exception presented in 13.04.045. The abutting properties in this neighborhood are primarily commercial in nature, lots within 1,000ft of our property are typically over 1/2 acres in size, and there are no sidewalks on any other properties within a 1,500 ft radius.
- The owner is requesting an exception to the Traffic Impact Analysis required under Chapter 19.18 as this subdivision lies within the City of El Paso ETJ and is not expected to be annexed in the near future. Per 19.18.010 B.1.a For all proposed developments within the city limits and within the city's extraterritorial jurisdiction where the development is expected to generate traffic in excess of one thousand average daily trips, a TIA will be required. The existing use of the property is a commercial yard to house the business equipment and a small office facility. The expectation of 1,000 additional daily trips is not applicable as the property is currently being used for this function.
-

We are submitting this letter along with a subdivision application. Thank you for the consideration of these requests.

Sincerely,
Sal Masoud, P.E.



Del Rio Engineering
PO Box 220251
El Paso, Texas 79913
(915) 833-2400 Fax: (915) 845-1412

ATTACHMENT 5



MAJOR COMBINATION APPLICATION

DATE: May 16, 2025

FILE NO. _____

SUBDIVISION NAME: Brunson Acres

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
TRACTS 3A-400, 3A-401, 3A-402, & 3A-388, SECTION 26, BLOCK 79, TOWNSHIP 2, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS,
SAVE AND EXCEPT THE NORTHERLY 30' & THE SOUTHERLY 30' THEREOF FOR ROAD PURPOSES, EL PASO COUNTY, TEXAS.
 2. Property Land Uses:

	<u>ACRES</u>	<u>SITES</u>		<u>ACRES</u>	<u>SITES</u>
Single-family	_____	_____	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____		_____	_____
School	_____	_____	Total No. Sites	_____	1
Commercial	<u>4.6129</u>	<u>1</u>	Total (Gross) Acreage	_____	<u>4.6129</u>
Industrial	_____	_____			
 3. What is existing zoning of the above described property? ETJ Proposed zoning? ETJ
 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 of Both ☒
 6. What type of drainage is proposed? (If applicable, list more than one)
Onsite ponding
 7. Are special public improvements proposed in connection with development? Yes ☐ No ☒
 8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes ☒ No ☐
If answer is "Yes", please explain the nature of the modification or exception
Exceptions to the roadway and sidewalk improvements and waiver of subdivision improvement plans as this is a single lot plat
 9. Remarks and/or explanation of special circumstances: _____
 10. Improvement Plans submitted? Yes ☐ No ☒
 11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes ☐ No ☒
- If yes, please submit a vested rights petition in accordance with Title I (General Provisions) Chapter 1.04 - Vested Rights

Planning & Inspections Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

12. Owner of record Deering and Domencia Brunson 9369 Escobar Dr. 79907 915-667-8455
(Name & Address) (Zip) (Phone)

13. Developer
(Name & Address) (Zip) (Phone)

14. Engineer Del Rio Engineering P.O. Box 2202551 El Paso, TX 79913 (915) 833-2400
(Name & Address) (Zip) (Phone)

OWNER SIGNATURE:  

REPRESENTATIVE SIGNATURE: _____

REPRESENTATIVE CONTACT (PHONE): 915-833-2400

REPRESENTATIVE CONTACT (E-MAIL): dre@delrioengineering.net

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING
UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND
COMPLETENESS.

Planning & Inspections Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

ATTACHMENT 6

Planning and Inspections Department- Planning Division

Developer / Engineer shall address the following comments:

1. Submit to the Planning & Inspections Department – Planning Division the following prior to recording of the subdivision:
 - a. Current certificate tax certificate(s)
 - b. Current proof of ownership.
 - c. Release of access document, if applicable.
 - d. Set of restrictive covenants, if applicable.
2. Remove owner information from final plat.
3. Remove “preliminary not to be filed for any reason” note from final plat.
4. Modify dedication statement to include additional right-of-way to be dedicated at the corners of Allemande Rd. and Square Dance Rd.

Planning and Inspections Department- Land Development Division

We have reviewed subject plats and recommend **Approval**.

The Developer/Engineer shall address the following comments

1. Dimension proposed and existing driveway widths.
2. Dimension edge of pond distance to ROW.
3. Provide complete report notes for Water, Sewage Facilities, and Drainage Report for ETJ requirements in English and Spanish.
4. Print-out of the mathematical closure provided is ok.
5. SIP plans will be required for ROW improvements.

Parks and Recreation Department

Please note that this is a Non-residential subdivision with a total area of **4.61 Acres**; Per City Standards a total of **\$4,610.00** would have been required in the form of “Park fees” however . . .

This subdivision is located with-in the City of El Paso Extra Territorial Jurisdiction (ETJ) area **but not with-in the areas of potential annexation** by the City, therefore **meeting the requirements to be excluded from the calculation for "Parkland / fees" as IT IS NOT** identified on the official map as described per ordinance Title 19 – Subdivision & Development Plats, **Chapter 19.20 - Parks & Open Space** as noted below:

Section 19.20.020 - Dedication Required

- A. **Dedication Required.** All subdivisions located within the corporate limits of the City of El Paso and within those areas designated in the City’s extra territorial jurisdiction (ETJ), as identified on an official map kept in the Development Services Department.

(Ord. 16882 § 2 (part), 2008; Ord. No. 17236, § 27, 11-10-2009; Ord. No. 17251, § 11, 12-15-2009; Ord. No. 17396, § 14, 8-24-2010; Ord. No. 17561, § 9, 5-17-2011)

If density/acreage is increased /decreased or the property zoning /use changes, then "Park fees" will be re-assessed based on applicable conditions.

Streets and Maintenance Department

Traffic Engineering

- No objections to application.

Street Lights Department

Do not object to this request.

The lot is out of the City of El Paso limits.

For the development of the subdivision anything that will be maintained by the City of El Paso needs to follow the standards on the Street Design Manual (SDM) and the Design Standards for Construction (DSC) according to City of El Paso Code (cited below).

City of El Paso Code to be followed:

*Title 19 - 19.16.010 - Streetlighting.

**18.18.190 – Submission contents.

*** 19.02.040 Criteria for approval.

Contract Management

- Indicate that any infrastructure located within the city right-of-way or within the city's two-mile Extra-Territorial Jurisdiction (ETJ) must comply with the Design Standards for Construction and the Municipal Code.
- Incorporate detailed information for all proposed items.
- Indicate driveway access points and ensure driveway approaches comply with current city spacing and sight distance requirements.

El Paso Water

El Paso Water does not object to this request.

The subject property is located within the limits of the East Montana Water System which is managed by El Paso County Roads and Bridges Department. EPWater-PSB provides wholesale water to the East Montana Water System in accordance with the wholesale water supply agreement.

Water:

There is an existing 6-inch diameter water main that extends along Round Dance Drive located approximately 10-feet north of the southern right-of-way line. This main is available for service.

There is an existing 12-inch diameter water main that extends along Square Dance Boulevard located approximately 18-feet west of the eastern right-of-way line. This main is available for service.

There is an existing 8-inch diameter water main that extends along Allemande Road located approximately 10-feet south of the northern right-of-way line. This main is available for service.

EPWater records indicate a 3/4-inch water meter serving the subject property. The address of the service is 13237 Round Dance Road.

Sanitary Sewer:

There is an existing 12-inch diameter sanitary sewer main that extends along Round Dance Drive located approximately 25-feet south of the northern right-of-way line. This main is available for service.

There is an existing 8-inch diameter sanitary sewer main that extends along Allemande Road located approximately 20-feet south of the northern right-of-way line. This main is available for service.

General:

EPWater requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater – PSB Rules and Regulations. The applicant is responsible for the costs of any

necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Stormwater Engineering

1. Provide a conceptual Drainage Plan indicating existing and proposed major stormwater facilities as per Section 19.02.020 of the Municipal Code.
2. At the improvement plan stage, provide protection to the subdivision from all offsite storm water runoff that may have an adverse impact on any improvements and convey the existing watercourse through the subdivision.
3. The proposed ponding area shall have enough capacity to hold the developed runoff for a designated 100-yr. storm event. Label the pond as "Private".

Texas Gas

Texas Gas Service will need an easement to provide gas service to this property.

Disclaimer: Texas Gas Service does not allow permanent structures nor trees to be installed on top of TGS gas mains or service lines. If a conflict is anticipated, the developer, contractors or owner representative should contact TGS to relocate the gas main and/or service at the developer's expense.

El Paso County

The County of El Paso offers the following response(s) to The Request to vary from the City's MTP for Street Cross Sections Request Letter to waiving the requirements of street improvements and the installation of sidewalks on all three abutting streets, Round Dance Road, Square Dance Road and Allemande Road.

- El Paso County does not concur with the request to waive the requirements of the code of ordinances to not improve substandard public rights of ways abutting the Brunson Acres subdivision
- El Paso County does not concur with the request to waive the requirements of the code of ordinances to waive the installation of sidewalks on all public rights of ways abutting the Brunson Acres installation
- For the following reasons the County of El Paso does not concur with the request(s).
- There is a Linear Park under construction on Square Dance Road, the required improvements will help the circulation of traffic for an area that is developing and will complement the new linear park
- The required sidewalks will improve the connections to the linear park and promote and facilitate the use of the new amenities in the developing area

The County Planning & Development Department has reviewed the request and offer the following comments and recommendations:

- Correction of misspelled words
- The dedication Statement shall be modified to include the Additional rights-of-ways to be dedicated at the corners of Allemande Road at Square Dance Road and Round Dance Road at Square Dance Road to provide for turning radii to be in compliance with EP County Subdivision Regulations
- And clarification of notes "Additional R.O.W. Granted by this Plat"
- Metes and Bounds Description does not include datum base system reference, Point of Commencement, Point of Beginning no Benchmarks and reference / tie information
- Proposed Subdivision is in the City of El Paso's ETJ area and applicable ETJ statement(s) as applicable have not been incorporated in Plat sheet(s) and on all the drawings as applicable
- Plat Notes and Restrictions -
- Additional notes and/or clarification of the set of Plat Notes and Restrictions illustrated shall be

incorporated into the final Plat Notes list in reference to the following:

- Plat Notes and Restrictions - Plat Note # 7 – Clarification in the addition that there will be no vehicular access to or from Square Dance Road – Existing concrete driveway on Square Dance Road shall be removed and existing gate shall not be utilized for vehicular ingress or egress
- Plat Notes and Restrictions - Plat Note # 9 - Reference Proper Documentation will be required to incorporate details of all-inclusive items as part of the installed water service connections to include fire hydrants as may be applicable, and also incorporate details of all-inclusive items to be installed as part of the proposed installation of sewer service connections
- Plat Notes and Restrictions - Plat Note # 10- Clarification that Brunson acres is to address one half of all three public rights-of-way s abutting Brunson Acres
- Plat Notes and Restrictions - Plat Note # 10- Clarification that pond maintenance is to be by property owner
- The additional note(s) on the lots use restrictions residential /nonresidential, and if lot is to be subdivided, the process shall be in compliance with all current requirements
- Clarification to Survey Notes Existing Building(s) to remain shall be in compliance with all required applicable Current El Paso County regulations as applicable to setbacks and as stated on plat notes
- Add notes Water Supply facilities and Sewage Supply Facilities information statements to be available for the required minimum of 30 years to Plat Notes and also incorporate into the Final Engineering Report
- Incorporate all applicable Plat Notes and Restrictions as applicable and as required
- Incorporate a complete Legend of all symbology and line types used on Subdivision submittal plat sheets, inconsistent use of line types on all sheets and utilizing same symbology for different designations/identifications
- Clarify information for all County Monuments installations as required by improvements to the substandard streets abutting Brunson Acres subdivision boundaries
- Drainage report illustrates information for a different subdivision
- Existing current lot lay out as depicted on Preliminary Plat and Drainage Report is not as per proposed typical lot layout illustrated on Drainage Report
- Street cross sections shall be modified to illustrate the proposed improvements, required current Subdivision Regulations
- General notes on Preliminary Plat are not included on Final Plat, all applicable information shall be consistent on both the Preliminary and Final Plats
- The cost of the meter / service installations connections depicted on the Engineering Report, shall be actual current cost estimates, the costs shall be verified with the applicable utility service providers.

El Paso Electric

No comments for Brunson Acres.

Texas Department of Transportation

No TXDOT comments as there appears to be no work affecting the ROW.

El Paso County Water Improvement District #1

The above-mentioned item is not within the boundaries of EPCWID.

Fire Department

No adverse comments.

El Paso Central Appraisal

No comments.

El Paso County 911 District

No comments received.

Sun Metro

No comments received.

Capital Improvement Department

No comments received.