

# Tierra Del Este Unit Ninety Bernard Extension

City Plan Commission — July 31, 2025 **[REVISED]**



**CASE NUMBER/TYPE:** SUSU25-00058– Major Combination  
**CASE MANAGER:** Saul Fontes, (915) 212-1606, [FontesSA@elpasotexas.gov](mailto:FontesSA@elpasotexas.gov)  
**PROPERTY OWNER:** Ranchos Real XV, LLC  
**REPRESENTATIVE:** Conde, Inc.  
**LOCATION:** East of John Hayes St. and North of Edgemere Blvd. (Extraterritorial Jurisdiction (ETJ))  
**PROPERTY AREA:** 1.19 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 Tierra Del Este Unit Ninety Bernard Extension on a Major Combination basis and **APPROVAL** of the exception request.

In addition, the applicant is requesting the following exception from the City Plan Commission:

- To waive the construction of 1 foot of sidewalk along each side of Bernard Street.

## Tierra Del Este Unit Ninety Bernard Extension



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 its accuracy or completeness.



0 40 80 160 240 320 Feet



Figure A: Proposed plat with surrounding area

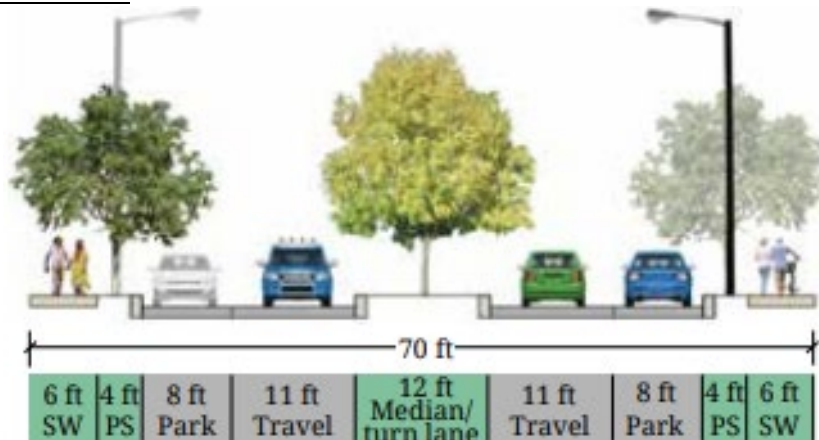
**DESCRIPTION OF REQUEST:** The applicant is proposing to subdivide 1.19 acres of land into a portion of a minor arterial right-of-way that is to be maintained by El Paso County. This subdivision was reviewed under the current subdivision code.

**CASE HISTORY/RELATED APPLICATIONS:** N/A

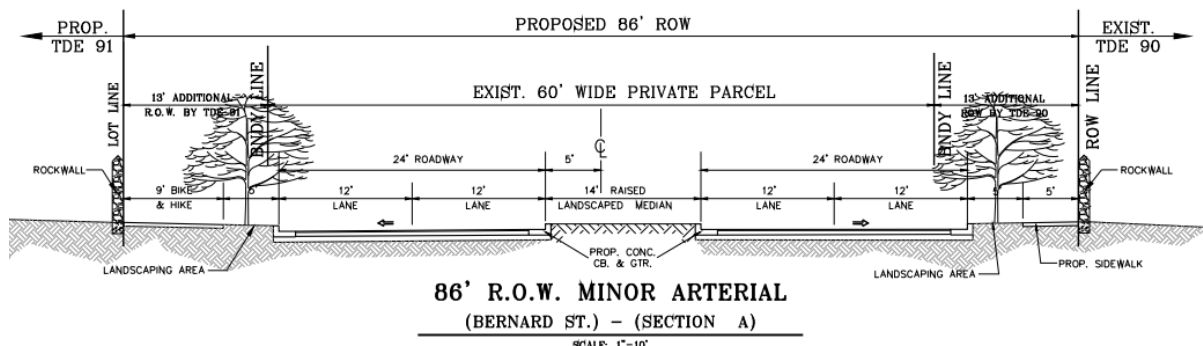
**EXCEPTIONS, MODIFICATIONS, OR WAIVER REQUESTS:** The applicant is requesting one (1) exception pursuant El Paso City Code Section 19.10.050 (A)(1)(a) – (Roadway participation policies— Improvement of Roads and Utilities Within and or Abutting the Subdivision) of the current code. The exception is the following:

1. To waive the construction of 1 foot of sidewalk along each side of Bernard Street.

REQUIRED CROSS-SECTION:



PROPOSED CROSS-SECTION:



**EVALUATION OF EXCEPTION REQUEST:** The exception request to waive right-of-way 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:

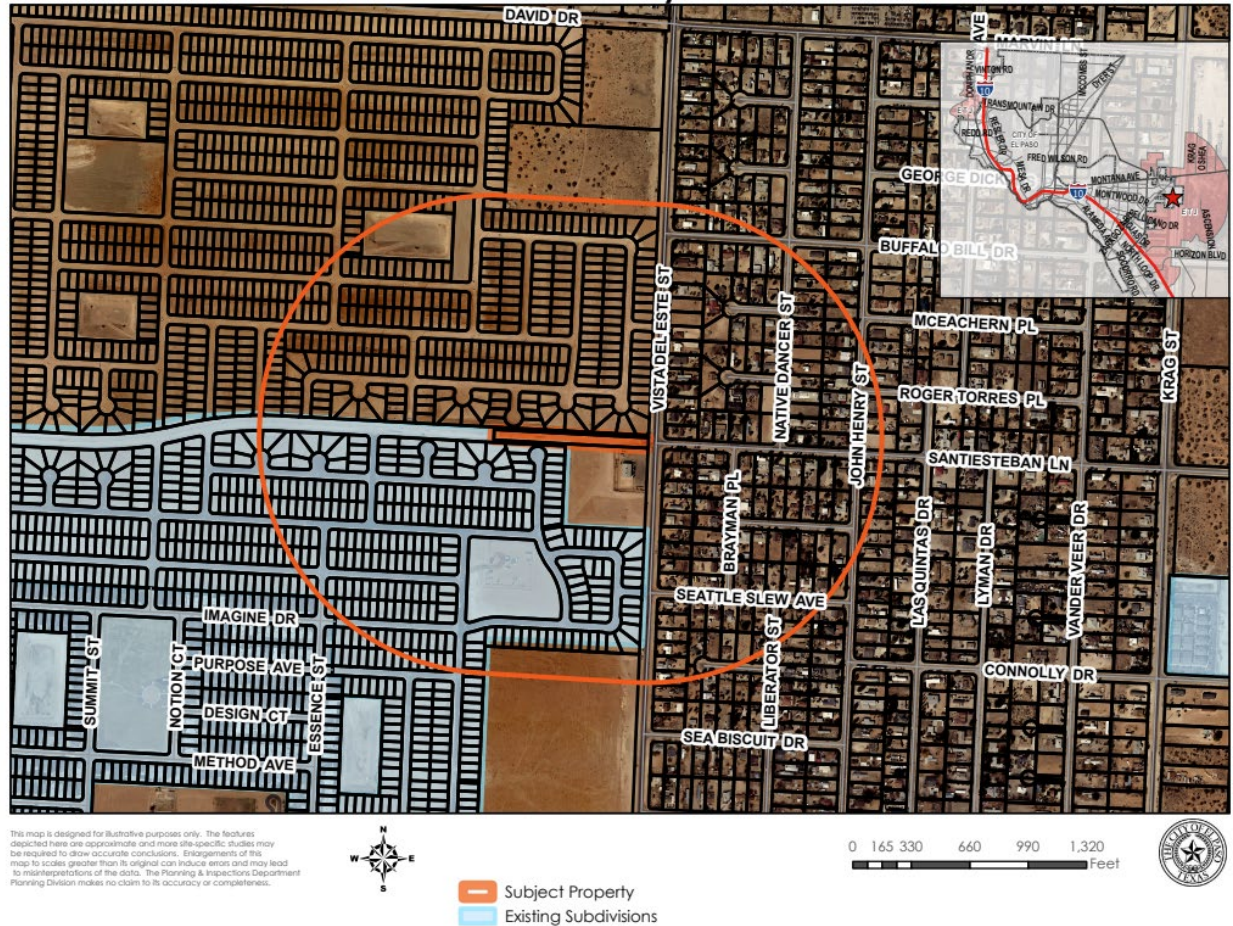
Section 19.10.050(A)(1)(a)

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. Street improvements are in character with the neighborhood



## Tierra Del Este Unit Ninety Bernard Extension



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

Surrounding Zoning and Use	
North	Extraterritorial Jurisdiction (ETJ) / Residential development
South	Extraterritorial Jurisdiction (ETJ) / Residential development
East	Extraterritorial Jurisdiction (ETJ) / Residential development
West	Extraterritorial Jurisdiction (ETJ) / Residential development
Nearest Public Facility and Distance	
Park	Tierra Del Este 85 Park (0.4 mi.)
School	IDEA Edgemere (0.43 mi.)
Plan El Paso Designation	
O6, Potential Annexation	
Impact Fee Service Area	
Eastside	

**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.

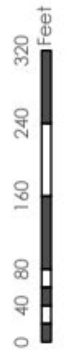
## **ATTACHMENTS:**

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



# ATTACHMENT 1

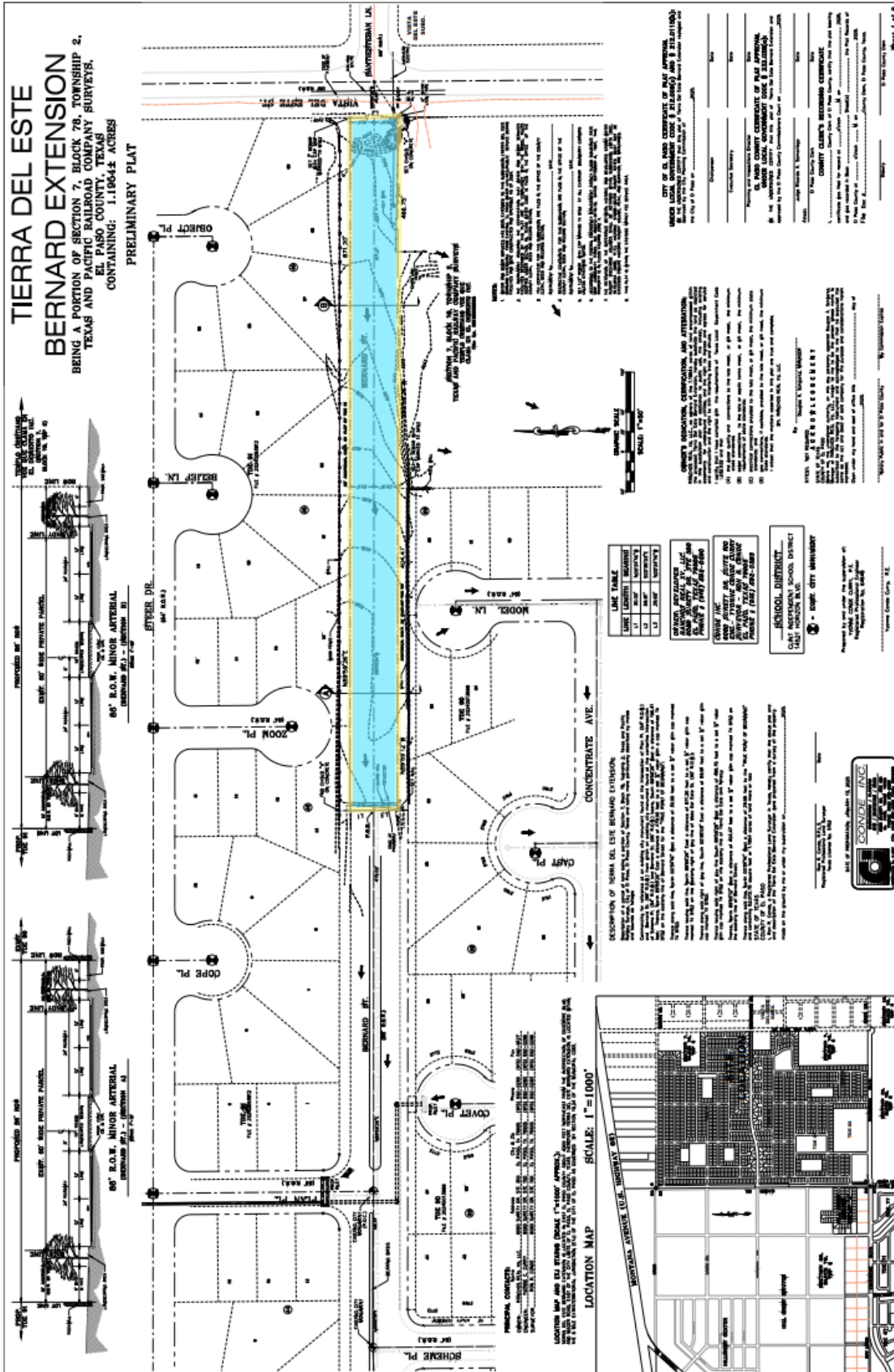
## Tierra Del Este Unit Ninety Bernard Extension



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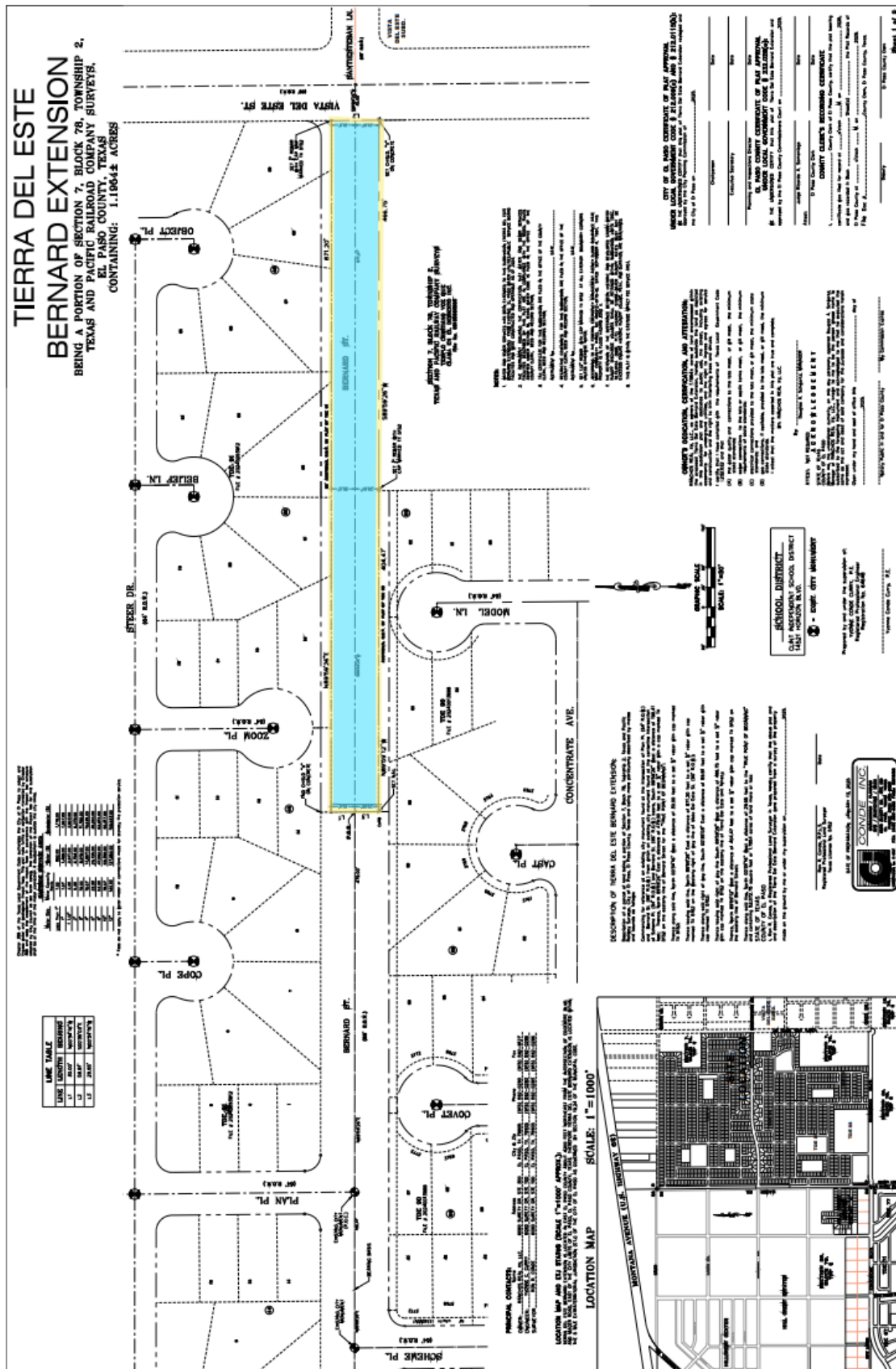
Subject Property

## ATTACHMENT 2





## **ATTACHMENT 3**



# ATTACHMENT 4



CONDE INC

June 18, 2025

City of El Paso  
Planning & Inspections – Planning Division  
801 Texas Avenue  
City of El Paso, Texas 79901

Attention: Alex Alejandre

Re: TIERRA DEL ESTE UNIT BERNARD EXTENSION

Dear Alex,

As per your request, we are submitting a Request for Exception per Section 19.48 due to the requirements listed in:

- El Paso Street Design Manual – To allow for Bernard Street ROW extension to match existing approved ROW cross-section.
- 1. The circumstances causing the hardship do not similarly affect all or most properties in the vicinity of the applicants land;
- 2. The wavier or exception is necessary for the preservation and enjoyment of a substantial property right of the applicant;
- 3. Granting the waiver or exception will not be detrimental to the public health, safety or welfare, or injurious to other property within the area;
- 4. Granting the waiver or exception will not have the effect of preventing the orderly use and enjoyment of other land within the area in accordance with the provisions of this Chapter, or adversely affect the rights of owners or residents of surrounding property;
- 5. The hardship or inequity is not caused wholly or in substantial part by the applicant;
- 6. The request for a waiver or exception is not based exclusively on the applicant's desire for increased financial hardship; and
- 7. The degree of variation requested is the minimum amount necessary to meet the needs of applicant and to satisfy the standards in this section.

If you have any questions or comments on the above please let me know. Thank you for your time and consideration in this matter.

Sincerely,

Conrad Code  
CONDE, INC.

ENGINEERING/PLANNING/SURVEYING

8080 SURETY DR., SUITE 100 / EL PASO, TEXAS 79905 / (915) 582-0283 / FAX (915) 582-0285



# ATTACHMENT 5



## MAJOR COMBINATION APPLICATION

DATE: 06/13/2025 FILE NO. \_\_\_\_\_

SUBDIVISION NAME: Tierra Del Este Unit Ninety Bernard Extension

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)  
BEING A PORTION OF SECTION 7, BLOCK 78, TOWNSHIP 2, TEXAS AND PACIFIC  
RAILROAD COMPANY SURVEYS, EL PASO COUNTY, TEXAS

2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	_____	_____	Office	_____	_____
Duplex	_____	_____	Street & Alley	<u>1.1954</u>	<u>1</u>
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below):	_____	_____
Park	_____	_____		_____	_____
School	_____	_____		_____	_____
Commercial	_____	_____	Total No. Sites:	<u>1</u>	
Industrial	_____	_____	Total (Gross) Acreage:	<u>1.1954</u>	

3. What is existing zoning of the above described property? N/A Proposed zoning? N/A

4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes ☐ No ☐ N/A

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)

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

To allow for Bernard ROW Extension to match existing approved ROW cross-section.

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

12. Owner of record Ranchos Real XV, LLC 6080 Surety Dr., Ste. 300 El Paso, TX 79902 915-592-0290  
(Name & Address, Zip) (Email) (Phone)

13. Developer Ranchos Real XV, LLC 6080 Surety Dr., Ste. 300 El Paso, TX 79902 915-592-0290  
(Name & Address, Zip) (Email) (Phone)

14. Engineer Conde, Inc., 6080 Surety Dr., Ste. 100, El Paso, Texas 79901 (915) 592-0283  
(Name & Address, Zip) (Email) (Phone)

OWNER SIGNATURE: 

REPRESENTATIVE SIGNATURE: 

REPRESENTATIVE CONTACT (PHONE): 915-5292-0283

REPRESENTATIVE CONTACT (E-MAIL): cconde@condeinc.com

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

# **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. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.
3. Application is marked as pending, subdivision improvement plans are required. Coordinate with Land Development division at [LandDevelopment@elpasotexas.gov](mailto:LandDevelopment@elpasotexas.gov) in order to submit the application.

## **Planning and Inspections Department- Land Development Division**

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

The Developer/Engineer shall address the following comments

1. **Subdivision Improvement plans are required.**
2. Coordinate improvements with the El Paso County.
3. Revise general note #7 to both the preliminary and final plat sheets: "The retention of all storm-water runoff discharge volume is required within this subdivision's limits in compliance with all provisions of (Muni-Code 19.19.010A, SDM, and DDM Section 11.1)."
4. The proposed ponding areas for subdivision shall have enough capacity to hold the developed runoff for a designated 100-yr. storm event, provide drainage calculations.
5. Verify 30' additional R.O.W., by plat of TDE 91 and additional R.O.W., by plat of TDE 90 on this plat? In the event will be dedicated on this plat, shall be included on dedication statement and provide new mathematical closure.
6. Boundary closure report is ok.
7. Verify drainage calculations, 0.90 coefficient shall be 0.95.

Provide and label private drainage easement in case needed

## **Parks and Recreation Department**

We have reviewed **Tierra del Este Unit 90 Bernard Extension**, a major combination plat map and on behalf of the Parks & Recreation Department we offer the Developer / Engineer the following comments:

Please note that purpose for this Subdivision is for additional street right-of-way to Bernard St. which under the Municipal Code is considered a "Public facility" therefore, meeting the requirements to be excluded from the calculation for parkland dedication ordinance Title 19 – Subdivision & Development Plats, **Chapter 19.20 Parks and Open Space** as noted below:

### **19.20.060 - Exclusions from Dedication Requirements.**

**Exclusions.** The following shall be excluded from the calculation for parkland dedication. In all instances, the burden of proof shall be on the subdivider to demonstrate that the plat meets the requirements of this chapter:

**H.** Land shown within a subdivision, whether residential or nonresidential, which is designated for use as a "Public facility".



**Streets and Maintenance Department****Street Lights:**

Does not object to this request.

**Traffic Engineering:**

No objections to application.

Follow DSC when designing/constructing street.

**El Paso Water**

The subject property is located within the City of El Paso Eastside Impact Fee Service Area. Impact fees will be collected after the El Paso Water receives an application for water and/or sanitary sewer services.

**Water:**

There is an existing 8-inch water main along Bernard Street, this main dead-ends about 480-feet east of Plan Place. This main can be extended to provide service.

**Sanitary Sewer:**

There is an existing 12-inch sanitary sewer main along Bernard Street, this main stop at Plan Place. This main can be extended to provide service.

**General:**

A water and sanitary sewer main extension along Bernard Street will be required. Water main shall be extended creating looped system. Water and sewer main extension costs will be the responsibility of the owner.

EPWater-PSB requires a new service application to serve the subdivision. New service applications should be made 6-8 weeks in advance of construction to ensure water for construction work. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with street names and addresses; (2) finalized set of improvement plans, including grading & drainage plans; (3) digital copy of site plan; (4) benchmark check; (5) construction schedule; and (6) a certificate of compliance. Service will be provided in accordance with the current El Paso Water Utilities – Public Service Board (EPW-PSB) Rules and Regulations. The owner 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:**

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.

**Texas Gas**

In reference to case SUSU25-00058 - Tierra Del Este Unit Ninety Bernard Extension, Texas Gas Service does not have any comments.

**El Paso Electric**

We have no comments for Tierra Del Este Unit Ninety Bernard Extension.

**El Paso Central Appraisal District**

There are no comments for tierra del este extension from Central Appraisal.

**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 EPCWID1.

**Capital Improvement Department**

No comments received.

**El Paso County**

No comments received.

**El Paso County 911 District**

No comments received.

**Sun Metro**

No comments received.

**Fire Department**

No comments received.