

# Thorn Estates

City Plan Commission — March, 27, 2025



<b>CASE NUMBER/TYPE:</b>	<b>SUSU25-00007 – Major Combination</b>
<b>CASE MANAGER:</b>	Saul Fontes, (915) 212-1606, <a href="mailto:FontesSA@elpasotexas.gov">FontesSA@elpasotexas.gov</a>
<b>PROPERTY OWNER:</b>	Abdolkarim Saadatkhah
<b>REPRESENTATIVE:</b>	Conde, Inc.
<b>LOCATION:</b>	West of Interstate 10 and North of Mesa St. (District 1)
<b>PROPERTY AREA:</b>	13.33 acres
<b>VESTED RIGHTS STATUS:</b>	Not Vested
<b>PARK FEES:</b>	\$13,330.00
<b>EXCEPTIONS/MODIFICATIONS:</b>	Yes, see following section
<b>ZONING DISTRICT(S):</b>	R-3 (Residential)
<b>RELATED APPLICATIONS:</b>	PZRZ25-00001

**SUMMARY OF RECOMMENDATION:** Staff recommends **APPROVAL** of Thorn Estates on a Major Combination basis, subject to the following condition.

- That the rezoning of the subject property be approved by City Council prior to the recordation of the final plat.

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

- To waive the construction six (6') feet of sidewalk along Interstate Highway 10.
- To waive the construction of five (5') feet of planter strip along Thorn Avenue.
- To waive the construction of one (1') foot of roadway along Thorn Avenue.

## Thorn Estates



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



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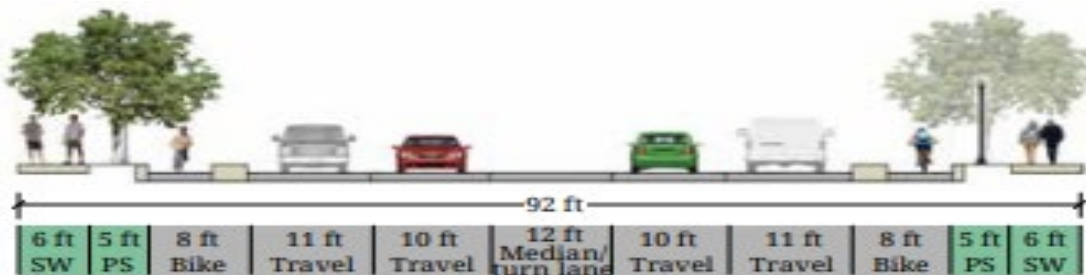
**DESCRIPTION OF REQUEST:** The applicant is proposing to subdivide 13.33 acres into a one lot subdivision. Stormwater drainage will be conveyed from lot to an existing drainage structure. Access to the subdivision shall be from Thorn Avenue, S. Desert Boulevard, and Ridge Street. This application was reviewed under the former code.

**CASE HISTORY/RELATED APPLICATIONS:** There is an active rezoning case (PZRZ25-00001). No action has been taken on this case.

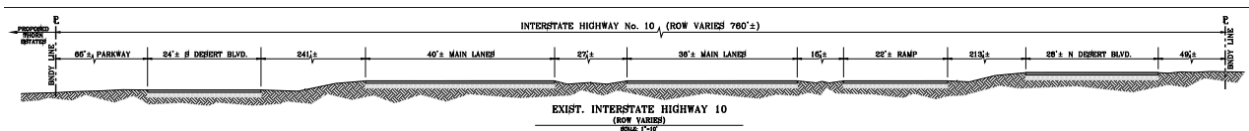
**EXCEPTIONS, MODIFICATIONS, OR WAIVER REQUESTS:** The applicant is requesting three (3) exceptions requests pursuant to El Paso City Code Section 19.10.050 (A)(1)(a) – (Roadway participation policies— Improvement of Roads and Utilities Within and or Abutting the Subdivision) of the current code. The exceptions are the following:

1. To waive the construction six (6') feet of sidewalk along Interstate Highway 10.

**REQUIRED CROSS-SECTION:**



**EXISTING CROSS-SECTION:**

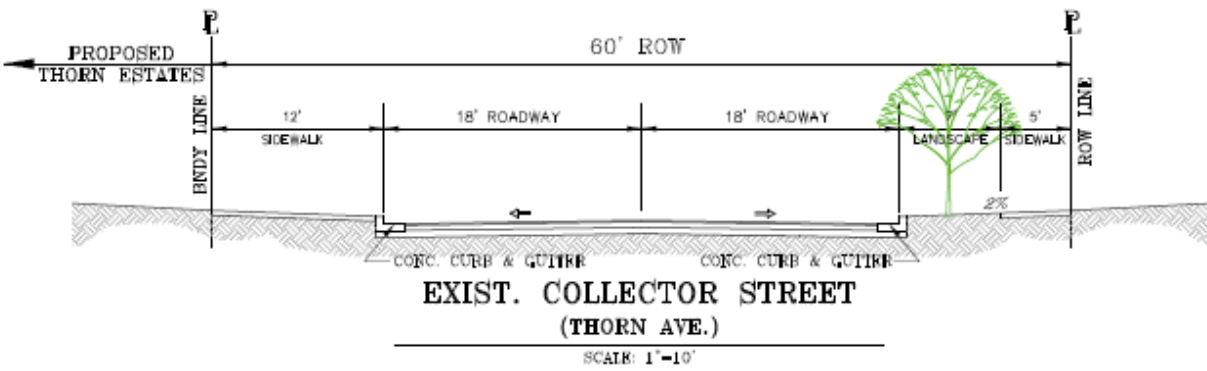


2. To waive the construction of five (5') feet of planter strip along Thorn Avenue.
3. To waive the construction of one (1') foot of roadway along Thorn Avenue.

**REQUIRED CROSS-SECTION:**



**EXISTING CROSS-SECTION:**



**EVALUATION OF EXCEPTION REQUEST:** The exception requests 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

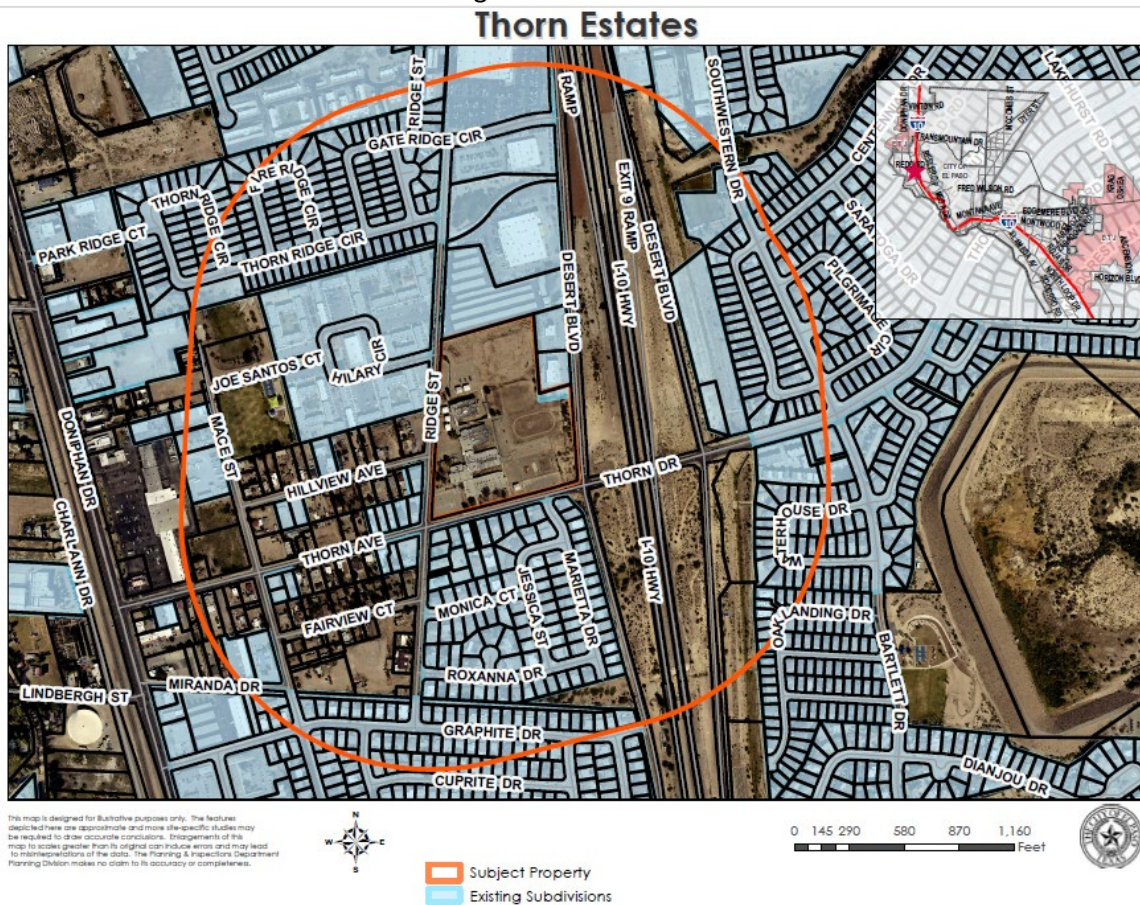


Figure B: Developed properties within a quarter mile of proposed subdivision

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

<b>Surrounding Zoning and Use</b>	
North	C-3/SC (Commercial/Special contract) / Commercial development
South	R-3 (Residential) / Residential development
East	C-3/SC (Commercial/Special contract) / Commercial development
West	A-2SC (Apartments) / Multi-family developments/Special Contract
<b>Nearest Public Facility and Distance</b>	
Park	Thorn City Park (0.13 mi.)
School	Rosa Guerrero Elementary (0.65 mi.)
<b>Plan El Paso Designation</b>	
G3, Post War	
<b>Impact Fee Service Area</b>	
N/A	

**PUBLIC COMMENT:** N/A

**PLAT EXPIRATION:** This application will expire **March 27, 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.
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

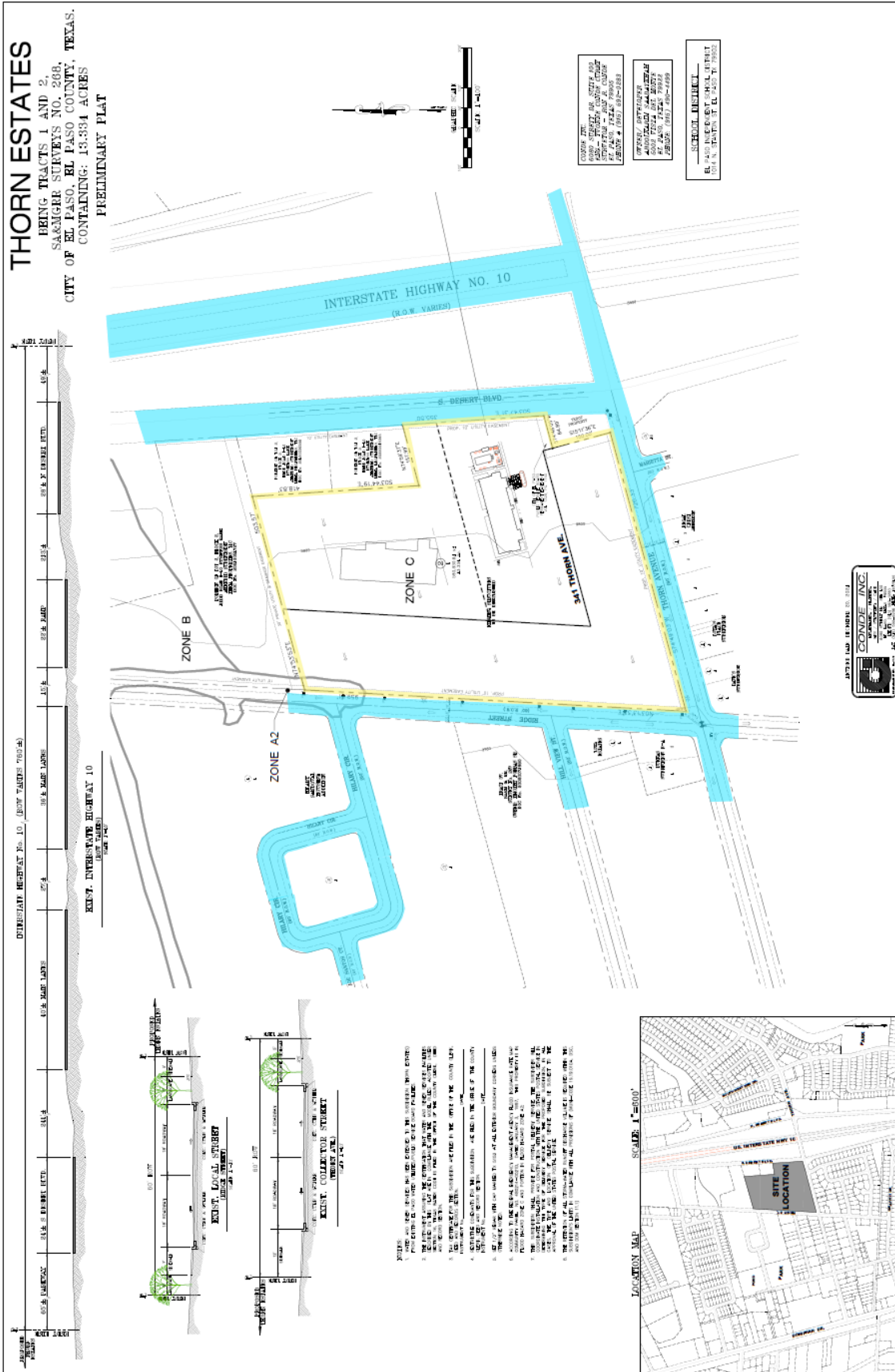
## Thorn Estates



 Subject Property

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# ATTACHMENT 2



# ATTACHMENT 3

**THORN ESTATES**  
 JERRY THANE, I, AND W.  
 SHERIDAN PARTNERS, LTD.,  
 CITY OF LAS VEGAS, THE LAS VEGAS CONCRETE TRUST,  
 CONTRACTING BIRCH JOBS

**NOT TO SCALE**  
 THIS PLAN IS A REPRESENTATION OF THE PROPOSED LAYOUT. THE ACTUAL LAYOUT MAY VARY FROM THE PLAN. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS BEFORE CONSTRUCTION.

**NOT FOR CONSTRUCTION**  
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**NOT FOR PERMITS**  
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# ATTACHMENT 4



**CONDE INC**

January 15, 2025

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

Attention: Andrew Salloum

Re: THORN ESTATES

Dear Andrew,

As per your request, we are submitting a Request for Exception per Section 19.10.050 due to the requirements listed in:

Roadway participation policies—Improvement of roads and utilities within and or abutting the subdivision.

Thus, per section 19.48, we are meeting the following conditions.

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

5080 SURETY DR., SUITE 100 / EL PASO, TEXAS 79905 / (915) 592-0283 / FAX (915) 592-0286

# ATTACHMENT 5

dotloop signature verification: (http://www.dotloop.com) 1/13/25 12:01



## MAJOR COMBINATION APPLICATION

DATE: 1/13/25 FILE NO. \_\_\_\_\_

SUBDIVISION NAME: THORN ESTATES

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)  
BEING TRACTS 1 AND 2, SA&MGRR SURVEYS NO. 268, CITY OF EL PASO, 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	_____	_____		_____	_____
Commercial	<u>13.334</u>	<u>1</u>	Total No. Sites:	<u>1</u>	
Industrial	_____	_____	Total (Gross) Acreage:	<u>13.334</u>	

3. What is existing zoning of the above described property? R-3 Proposed zoning? C-4

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)  
Lot to drainage structure

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 \_\_\_\_\_

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 Abdolkarim Saadatkah, 5002 Vista Del Monte, El Paso, Texas (915)490-4499  
(Name & Address, Zip) (Email) (Phone)
- 13. Developer Abdolkarim Saadatkah, 5002 Vista Del Monte, El Paso, Texas (915)490-4499  
(Name & Address, Zip) (Email) (Phone)
- 14. Engineer Conde, Inc., 6080 Surety Drive, Ste. 100, cconde@condeinc.com (915)592-0283  
(Name & Address, Zip) (Email) (Phone)

OWNER SIGNATURE: *Abdolkarim Saadatkah* dotloop verified  
01/17 3/25 9:26 AM MST  
SIG-5224-W44-DRC5

REPRESENTATIVE SIGNATURE: \_\_\_\_\_

REPRESENTATIVE CONTACT (PHONE): 915-592-0283

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.
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. The rezoning of the subject property be approved by City Council prior to the recordation of the final plat. This is to ensure frontage to an arterial is allowed.
4. Preliminary plat shall include location and outline, to scale, of each building or other structure existing within the proposed subdivision, noting whether such building or structure is to be removed or remain in the development, and other physical features which would influence the layout or design
5. Provide full cross-section for S. Desert Boulevard (I-10).

## Planning and Inspections Department- Land Development Division

We have reviewed subject plats and recommend Approval.

The Developer/Engineer shall address the following comments

1. No objections to proposed plat.

## Parks and Recreation Department

We have reviewed Thorn Estates, a major combination plat map and on behalf of the Parks & Recreation Department, we offer Developer / Engineer the following comments:

Please note that this subdivision is zoned "R-3" and it is required to comply with the parkland dedication ordinance Title 19 – Subdivision & Development Plats, **Chapter 19.20 - Parks & Open Space**.

Applicant is proposing a non-residential use (commercial) and a rezoning to "C-4". If the proposed rezoning is approved. Covenants need to be provided restricting all residential uses and if gross density waiver is granted by the City Manager or the Planning Department designee, then Applicant shall be required to pay "Park fees" at a rate of **\$1,000.00** per acre or portion thereof calculated as follows:

**13.33 acres** non-residential @ rate of \$1,000.00 per acre = **\$13,330.00**

Please allocate generated funds under Park Zone: **NW-7**

Nearest Park: Thorn Park

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 has the following comments:

We received TIA report and approve its conclusion and recommendations.

## El Paso Water

We have reviewed the request described above and provide the following comments:

EPWater does not object to this request.

**Water:**

There is an existing 12-inch diameter water main that extends along the Ridge Street. It is approximately 20 feet west of the eastern right of way line. This water main is available to provide service.

There is an existing 8-inch diameter water main that extends along a 30-foot PSB easement north of and parallel to property. The water main is located approximately 5 feet north of the property. This main is available to provide service.

There is an existing 48-inch diameter water main that extends along Thorn Avenue. It is located approximately 19-feet north of the southern right of way line. No direct service connections are allowed to this main as per the El Paso Water – Public Service Board (EPWater-PSB) Rules and Regulations.

There is an existing 12-inch diameter water main that extends along Thorn Avenue from Ridge Street to Marieta Street, located approximately 24-feet south of the northern right-of-way line. This water main is available to provide service.

Previous water pressure from fire hydrant #02422, located at the northeast corner of Ridge Street and Thorn Avenue, has yielded a static pressure of 42 psi, a residual pressure of 36 psi and a discharge of 919 gallons per minute.

EPWater records indicate an active 3/4-inch yard meter and one 3-inch water service serving the subject property. The service address for these meters is 341 Thorn Avenue.

**Sanitary Sewer:**

There is an existing 8-inch diameter sanitary sewer main that extends along Ridge Street. It is located approximately 25-feet west of the eastern property line. This sanitary sewer main is available to provide service.

There is an existing 12-inch diameter sanitary sewer main that extends along Thorn Avenue. It is located approximately 15-feet north from the southern property line. This sanitary sewer main is available to provide service.

There is an existing 8-inch diameter sanitary sewer main that extends along a 30-foot PSB easement north of and parallel to property. The sanitary sewer main is located approximately 25-feet north of property. This sanitary sewer main is available to provide 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.

**Texas Gas**

in reference to case SUSU25-00007 - Thorn Estates, Texas Gas Service has a service line at 341 Thorn Ave. along Hills View St across Ridge St.

**El Paso Electric**

Please note the existing anchor and line on the property, shown below:



**Texas Department of Transportation**

Please submit civil drawings for TXDOT review and approval. Work on TXDOT ROW will require a permit are our comments for the time being.

**Capital Improvement Department**

No comments received.

**Sun Metro**

No comments received.

**Fire Department**

No comments received.

**El Paso County**

No comments received.

**El Paso County 911 District**

No comments received.

**El Paso County Water Improvement District #1**

No comments received.