SUBDIVISION

Azzam Estates

City Plan Commission — November 20, 2025

CASE NUMBER/TYPE:	**SUSU25-00089 – Major Preliminary**
CASE MANAGER:	Saul Fontes (915) 212-1606, FontesSA@elpasotexas.gov
PROPERTY OWNER:	Fuel Depot, LLC.
REPRESENTATIVE:	Conde, Inc.
LOCATION:	East of Mesa St. and North of Mesa Hills Dr. (District 1)
PROPERTY AREA:	14.48 acres
VESTED RIGHTS STATUS:	Not Vested
PARK FEES:	$39,730.00
EXCEPTIONS/MODIFICATIONS:	Yes, see following section
ZONING DISTRICT(S):	R-3 (Residential)

- **SUMMARY OF RECOMMENDATION:** Staff recommends **PENDING** of Azzam Estates on a Major Preliminary basis and **PENDING** of the exception design requests

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

- To waive the dedication and construction of 14’ feet of right-of-way, 4.5’ of pavement, 5’ of sidewalk, 5’ of planter strip along Azzam Drive.
- To waive the requirements for Barbaree Drive.
- To allow for the construction of a private street, in accordance with the Street Design Manual

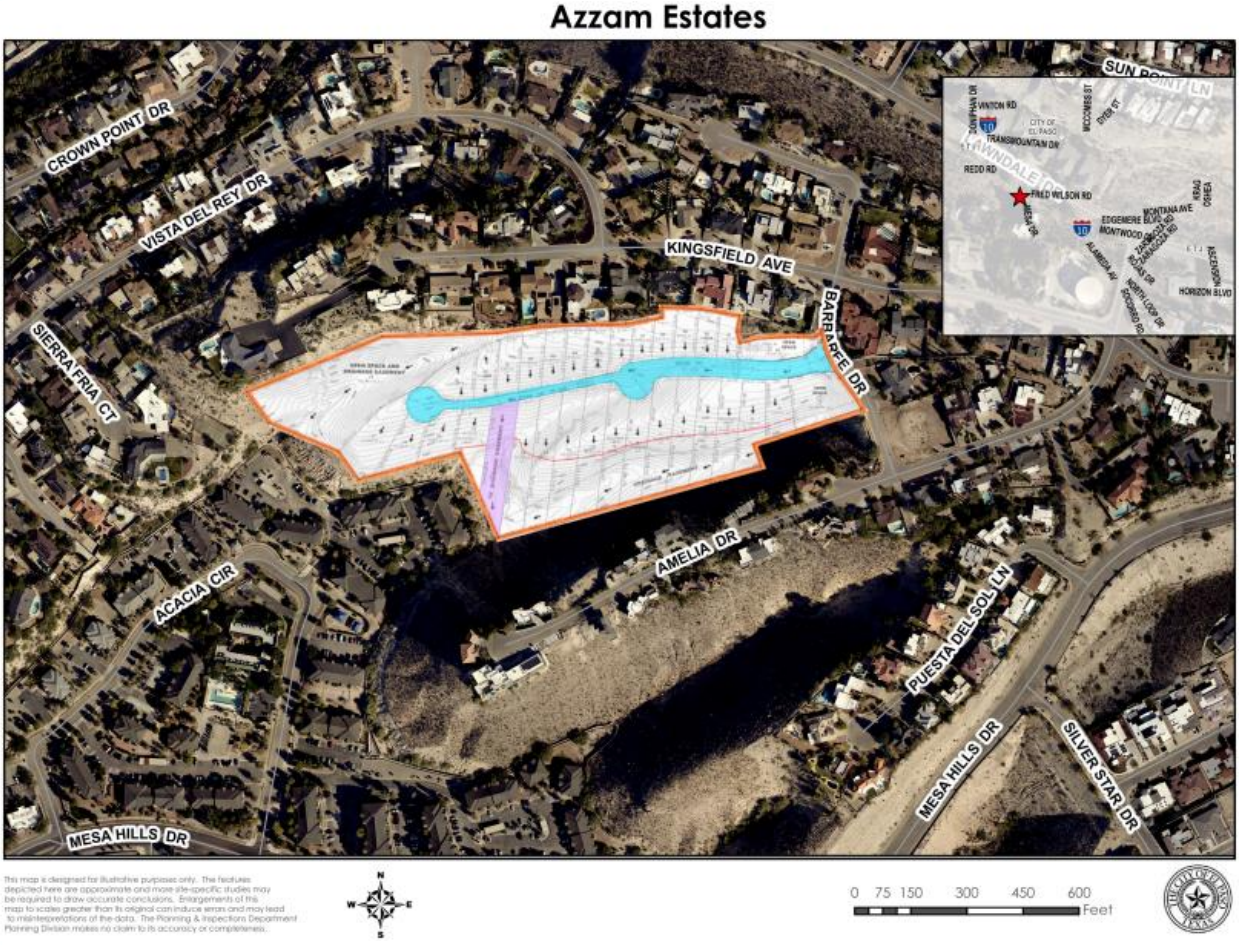


Figure A: Proposed plat with surrounding area

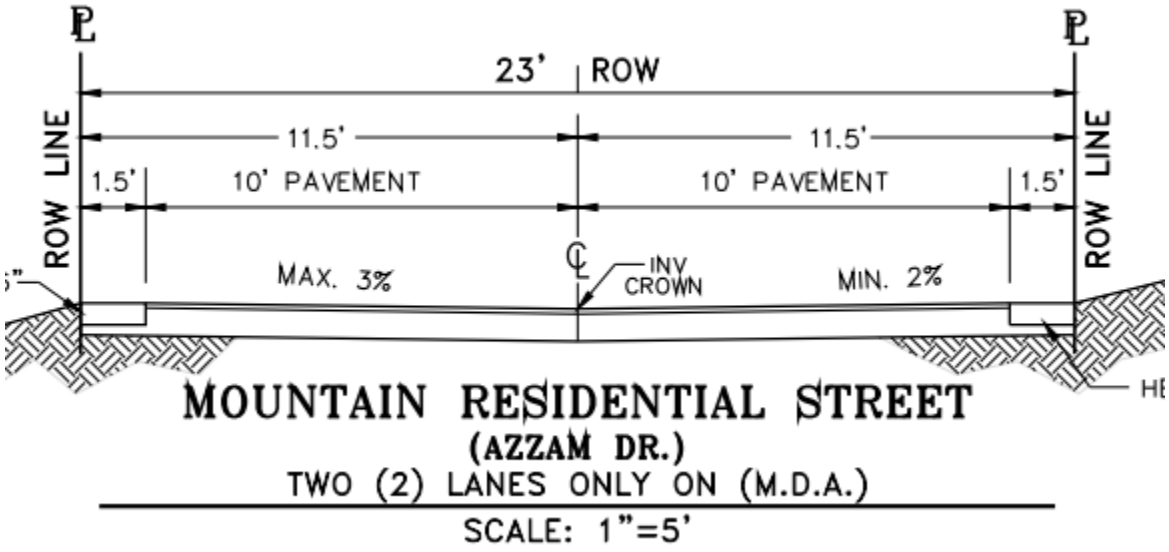
DESCRIPTION OF REQUEST: The applicant is proposing to subdivide 14.48 acres of land into 29 residential lots and 3 lots for open space. Residential lots range from 6,872 sq. ft. to 24,574 sq. ft. in size and open space lots total 3.26 acres in size. Stormwater drainage will be conveyed from lots to drainage easements to the nearest arroyo. Access shall be from Azzam Drive as it will connect to Barbaree Drive. This application was reviewed under the current subdivision code.

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

EXCEPTIONS, MODIFICATIONS, OR WAIVER REQUESTS: The applicant is requesting (2) exception requests pursuant to El Paso City Code Section 19.48 – (Petition for Waivers or Exceptions) of the current code and (1) exception request pursuant to the El Paso Street Design Manual Section 4.11.11 – Private Street of the City of El Paso Street Design Manual. The exceptions include the following:

1. To waive the dedication and construction of 14' feet of right-of-way, 4.5' of pavement, 5' of sidewalk, 5' of planter strip.

PROPOSED CROSS-SECTION:



2. To waive the requirements for Barbaree Drive.
3. To allow for the construction of a private street, in accordance with the Street Design Manual.

EVALUATION OF EXCEPTION REQUEST 1 & 2: The exception requests to waive right-of-way improvements meets the following criteria under El Paso City Code Section 19.48.030(A) – Criteria for Approval – (Petition for Waivers or Exceptions). The section reads as follows:
The following criteria shall be applied in deciding a waiver or exception:

1. There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land such that the strict application of the provisions of this title to the proposed use would create an unnecessary hardship or inequity upon or for the applicant, as distinguished from a mere inconvenience, in developing the land or deprive the applicant of the reasonable and beneficial use of the land;
2. The circumstances causing the hardship do not similarly affect all or most properties in the vicinity of the applicant's land;
3. The waiver or exception is necessary for the preservation and enjoyment of a substantial property right of the applicant;
4. Granting the waiver or exception will not be detrimental to the public health, safety or welfare, or injurious to other property within the area;

5. 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 title, or adversely affect the rights of owners or residents of surrounding property;
6. The hardship or inequity is not caused wholly or in substantial part by the applicant;
7. The request for a waiver or exception is not based exclusively on the applicant's desire for increased financial gain from the property, or to reduce an existing financial hardship; and
8. The degree of variation requested is the minimum amount necessary to meet the needs of applicant and to satisfy the standards in this title.

The location of the proposed subdivision creates a special circumstance due to the topographical nature of the location as well as the surrounding development. The proposed development is located within the Hillside Development Area, which encourages limited physical impact within the area. Thus, the exception request meets the criteria for the exception request to waive the right-of-way improvements and is recommended for approval.

EVALUATION OF EXCEPTION REQUEST 3:
Pursuant to El Paso Street Design Manual Section 4.11.11 – *Private Streets* of the City of El Paso Street Design Manual. The exception is as follows:

- Private streets shall require approval as an exception at the time of preliminary plat approval by the City Plan Commission in accordance with this title.

In order to be considered for an exception to allow the construction of private streets, the developer shall meet the requirements set out in Section 4.11.11.D of the El Paso Street Design Manual, which requires private streets to be developed to meet the standards of a public street.

The applicant is to submit subdivision improvement plans that include the private streets designed and to be constructed to meet city standards for a public street; the applicant is also to submit covenants, conditions, and covenants prior to recordation establishing a homeowners or property owners association assuming perpetual maintenance of the private streets. Such exception is subject to City Plan Commission approval.

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

Surrounding Zoning and Use	
North	R-3 (Residential) / Residential development
South	R-3 (Residential) / Residential development
East	R-3 (Residential) / Residential development
West	R-4 (Residential) & A-2/CSC (Apartments/condition/special contract) / Apartment development
Nearest Public Facility and Distance	
Park	Palo Verde Park (0.88 mi.)
School	Dr. Green Elementary School (0.44 mi)
***Plan El Paso* Designation**	
G4 Designation, Suburban Walkable	
Impact Fee Service Area	
N/A	

PUBLIC COMMENT: N/A

PLAT EXPIRATION: This application will expire on **November 20, 2028**, pursuant to El Paso City Code Section 19.03.060 (Expiration). If subdivision improvement plans and a final plat application have not been approved within the specified date, the preliminary plat application, unless extended in accordance with El Paso City Code Chapter 19.41 (Expiration, extension and reinstatement), shall expire and the preliminary plat shall be 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:

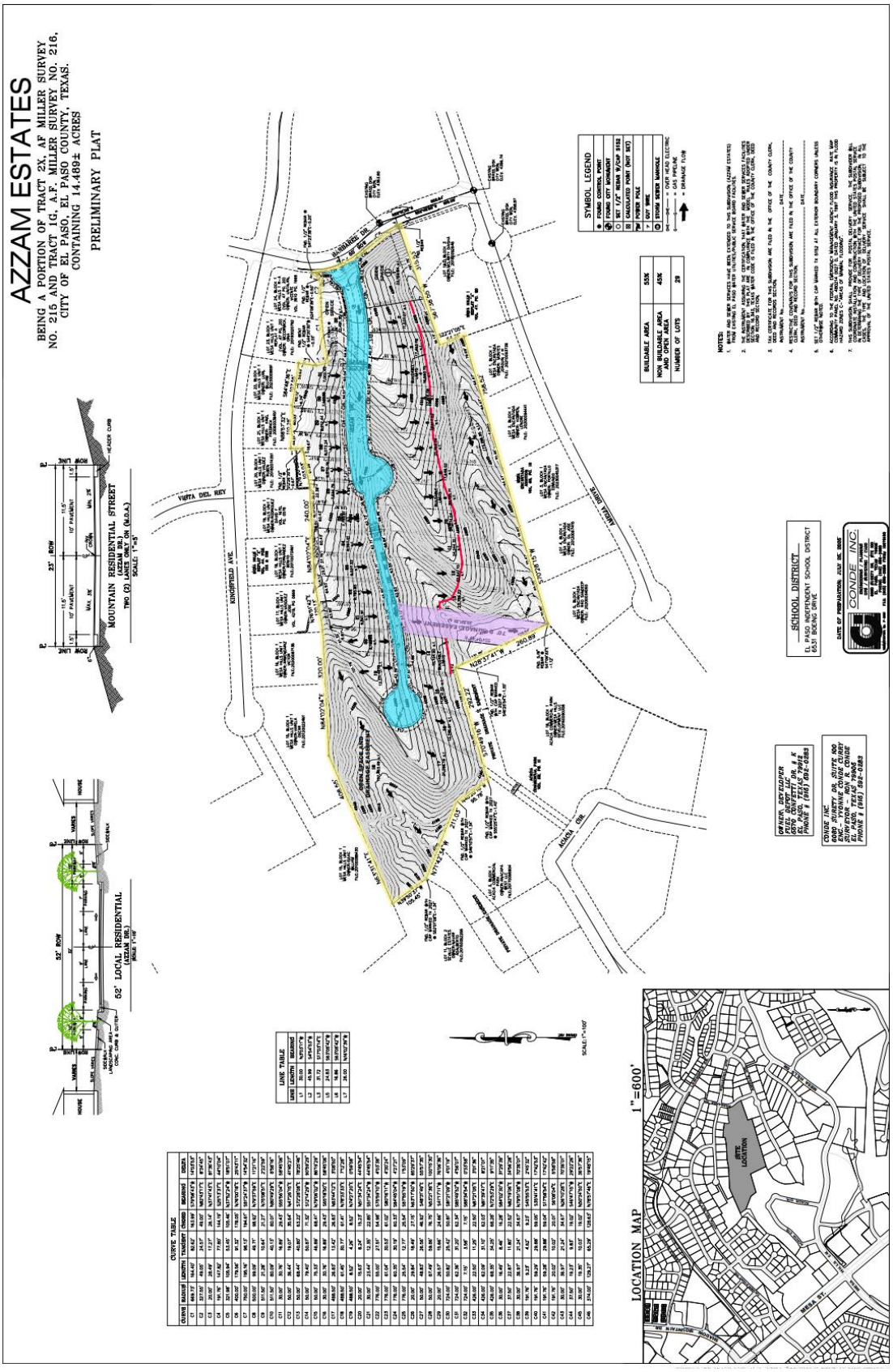
1. **Approval** of the waiver, exception, or modification request(s), finding that the request(s) is in conformance with the relevant review criteria provided by the El Paso City Code, as reflected in the Staff Report. **(Staff Recommendation)**
2. **Partial approval of the waiver, exception, or modification 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. Exception Request
4. Application
5. Department Comments

ATTACHMENT 1

ATTACHMENT 2



ATTACHMENT 3

CONDE INC

September 10, 2025

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

Attention: Saul Fontes

Re: AZZAM ESTATES

Dear Saul,

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 a Private Street with a gated entrance.
- El Paso Street Design Manual – To allow for a modified Street Cross Section to allow for a private gated entrance as well as meeting a Mountain development cross section to preserve slopes.
- El Paso Street Design Manual – To allow for a Cul-de-Sac greater than 600' in length due to topographic constraint.

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 Conde
CONDE, INC.

ENGINEERING/PLANNING/SURVEYING
5080 SURETY DR., SUITE 100 / EL PASO, TEXAS 79905 / (915) 592-0283 / FAX (915) 592-0288

ATTACHMENT 4

MAJOR PRELIMINARY APPLICATION

DATE: September 9, 2025 CASE NO. _____

SUBDIVISION NAME: AZZAM ESTATES

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
BEING A PORTION OF TRACT 2X, A.F. MILLER SURVEY NO. 215 AND TRACT 1G, A.F. MILLER SURVEY NO. 216, CITY OF EL PASO, EL PASO COUNTY, TEXAS

2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	8.3286	29	Office		
Duplex			Street & Alley	2.8978	1
Apartment			Ponding & Drainage		
Mobile Home			Institutional		
P.U.D.			Other (specify below):		
Park			Open Space	3.2626	3
School					
Commercial			Total No. Sites:	33	
Industrial			Total (Gross) Acreage:	14.489	

3. What is existing zoning of the above described property? R-3 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 [X] No [ ]

5. What type of utility easements are proposed: Underground [ ] Overhead [ ] Combination of Both [X]

6. What type of drainage is proposed? (If applicable, list more than one)
Lots to open space/drainage easements

7. Are special public improvements proposed in connection with development? Yes [X] No [ ]

8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes [X] No [ ]
If answer is "Yes", please explain the nature of the modification or exception Street cross section in order to allow for a private gated street as well as reduce grading to preserve slopes.

9. Remarks and/or explanation of special circumstances: _____

10. **Improvement Plans submitted?** Yes [ ] No [X]

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 [X]

If yes, please submit a vested rights petition in accordance with Title 1 (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 Fuel Depot, LLC 5570 Confetti Dr., Ste. K, El Paso, TX 79912 915-592-0283
(Name & Address, Zip) (Email) (Phone)

13. Developer Fuel Depot, LLC 5570 Confetti Dr., Ste. K, El Paso, TX 79912 915-592-0283
(Name & Address, Zip) (Email) (Phone)

14. Engineer Conde, Inc., 6080 Surety Dr., Ste. 100, El Paso, TX 79905 cconde@condeinc.com (915)592-0283
(Name & Address) (Email) (Phone)

OWNER SIGNATURE:

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 5

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. Set of restrictive covenants.
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. Per El Paso Electric,note a 10' wide utility easement along the front of the proposed lots and along Barbaree Dr.
4. Provide a plat note stating who will be maintaining the proposed private street.
5. Provide a plat note stating who will be maintaining the proposed Open Space.
6. Provide size for Open Space and Drainage Easements in acres on the face of the plat.
7. Subdivision improvement plans will be required at the time of Major Final application submittal.

Planning and Inspections Department- Land Development Division

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

The Developer/Engineer shall address the following comments.

1. Provide print-out of the mathematical closure of the exterior boundary of the subdivision indicating the error of closure.
2. Provide a minimum 5' bench abutting both sides of the proposed Azzam Street on the typical street cross section view.
1. Subdivision improvement plans will be required at time of major final plat.

Fire Department

Approval with condition.

Check for sprinkler system requirements due to mountain development and distance to subdivision entrance.

Parks and Recreation Department

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

Please note that this subdivision is composed of **29** lots zoned "R-3" and is required to comply with the parkland dedication ordinance Title 19 – Subdivision & Development Plats, Chapter 19.20 - Parks & Open Space in the form of "Park fees" based on requirements for residential subdivisions.

1. Applicant shall be required to pay "Park fees" in the amount of **$39,730.00** calculated as follows:

29 single-family dwellings @ rate of **$1,370.00** per dwelling unit = **$39,730.00**

2. Please provide a note on the plat stating who will be maintaining the proposed Open Space. The Parks & Recreation Department will not accept the open space for maintenance.

Please allocate any generated funds under Park Zone: **NW-3**

Nearest Park: **Palo Verde 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 and Transportation Engineering:

- No Objection to Application
- Follow required DSC standards

El Paso Water

Stormwater:

1. Provide an acceptable Stormwater Management plan in accordance with Section 19.19.030 of the current subdivision ordinance.
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. There were erosion issues on Cumbre Estates due to concentrated flows. This development is similar to that one. Improvement Plans need to show how the existing flows and velocities will be maintained.

Texas Gas

Texas Gas Service has no comments.

El Paso Electric

Please note a 10’ wide utility easement along the front of the proposed lots and along Barbaree Dr.

El Paso County Water Improvement District #1

The above mentioned item is not within the boundaries of EPCWID

El Paso County 911 District

No comments received.

Texas Department of Transportation

No comments received.

El Paso County

No comments received.

Capital Improvement Department

No comments received.

Sun Metro

No comments received.