



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** SUSU15-00075 Libby Estates  
**Application Type:** Major Combination  
**CPC Hearing Date:** December 3, 2015

**Staff Planner:** Armida Martinez, (915) 212-1605, [martinezar@elpasotexas.gov](mailto:martinezar@elpasotexas.gov)  
**Location:** East of Bosque and South of Vinton  
**Acreage:** 1.188 acres  
**Rep District:** ETJ

**Existing Use:** Vacant  
**Existing Zoning:** N/A  
**Proposed Zoning:** N/A

**Nearest Park:** Rio Grande River Trail #1 (1.77 miles)  
**Nearest School:** Bill Childress Elementary (.08 miles)  
**Park Fees Required:** N/A  
**Impact Fee Area:** N/A

**Property Owner:** Tom and Maria Elena Hernandez and Jose A. and Ana I Trejo  
**Applicant:** Tom and Maria Elena Hernandez and Jose A. and Ana I Trejo  
**Representative:** Calderon Engineering

### **SURROUNDING ZONING AND LAND USE**

**North:** ETJ Residential, vacant land  
**South:** ETJ Residential, agricultural  
**East:** ETJ Residential  
**West:** ETJ Residential, Agricultural

**PLAN EL PASO DESIGNATION:** 03, Agricultural

### **APPLICATION DESCRIPTION**

The applicant proposes to subdivide 1.818 acres of vacant land into two residential lots. Access to the subdivision is from Libby Road. The applicant has submitted a request to waive ROW dedication and improvements on Libby Road. Libby Road currently has 50' ROW, with 22' of pavement and no sidewalks.

### **DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee recommendation is **pending** of the waiver request and **pending** of Libby Estates on a Major Combination basis subject to the following conditions and requirements:

**Planning Division Recommendation:**

The staff recommendation is **pending** of the waiver request and **pending** of Libby Estates on a Major Combination basis. Per Section 19.01.050.A.1 (below), written concurrence from the County is required to approve the waiver of ROW dedication and/or improvements.

*1. 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:*

*b. The plat is located within the City of El Paso's Extraterritorial Jurisdiction area, is not within the city's annexation path and written documentation from the County of El Paso has been received stating that the substandard road meets all County requirements and the County is willing to accept the dedication of the substandard road;*

*c. For all plats located in the City of El Paso's extraterritorial jurisdiction area, written concurrence from the County of El Paso is required prior to the waiver of any dedication and/or improvements.*

**Planning & Inspections Department - Land Development**

We have reviewed subject plats and recommend **Approval**.  
The Developer/Engineer shall address the following comments.

1. Verify if utility easement also serves as an irrigation easement.

**Parks and Recreation Department**

We have reviewed **Libby Estates**, a major combination plat map, and on behalf of CID Parks Planning Division we offer Developer / Engineer the following comments:

**Per City standards a total of \$2,740.00 on "Park fees" would have been required,** however,

Please note that this subdivision composed of **2 Lots** 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**.

**El Paso Water Utilities**

We have reviewed the subdivision referenced above and provide the following comments:

1. The comment on the plat plans and the preliminary plat under Notes stating that “Water and Sewer services have been extended to this subdivision (Libby Estates) from existing El Paso Water Utilities/Public Service Board Facilities” must be removed since EPWU does not provide water or sewer service to this area and no water mains or sewer mains have been extended to the subject subdivision. Also, the Westside Impact Fee table shall be removed, since the subject subdivision does not fall in to any of the impact fee areas.

2. This property is located within El Paso County, outside the limits of the City of El Paso. The El Paso Water Utilities – Public Service Board (EPWU-PSB) does not provide water service to this area. The Applicant may contact the El Paso County Road and Bridges Department to solicit water service.

**Water:**

3. There is an existing 42-inch diameter water transmission main extending along Bosque Rd. There is also a 48-inch diameter water transmission main extending along Bosque Rd. These two existing transmission mains are owned and operated by El Paso Water Utilities – Public Service Board. No direct service connections are allowed to these mains as per El Paso Water Utilities – Public Service Board Rules and Regulations.

**Sewer:**

4. There are no existing sewer mains in the area.

**Sun Metro**

No comments received.

**El Paso County 911 District**

No comments received.

**El Paso Department of Transportation**

No comments received.

**El Paso Fire Department**

No comments received.

**Central Appraisal District**

No objections.

**El Paso Electric Company**

No comments received.

**Texas Gas Company**

No comments received.

**Additional Requirements and General Comments:**

1. Submit to the Planning & Inspections Department – Planning Division the following prior to recording of the subdivision.
  - a. Current certified 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. Remove impact fee service table from the plat and note advising that Libby Estates is subject to impact fees. Libby Estates is not in an impact fee area.
4. Remove comment under Notes stating that “Water and Sewer services have been extended to subdivision from existing El Paso Water Utilities/Public Service Board Facilities” since EPWU does not provide water or sewer service to this area and no water mains or sewer mains have been extended to the subdivision.

**Attachments**

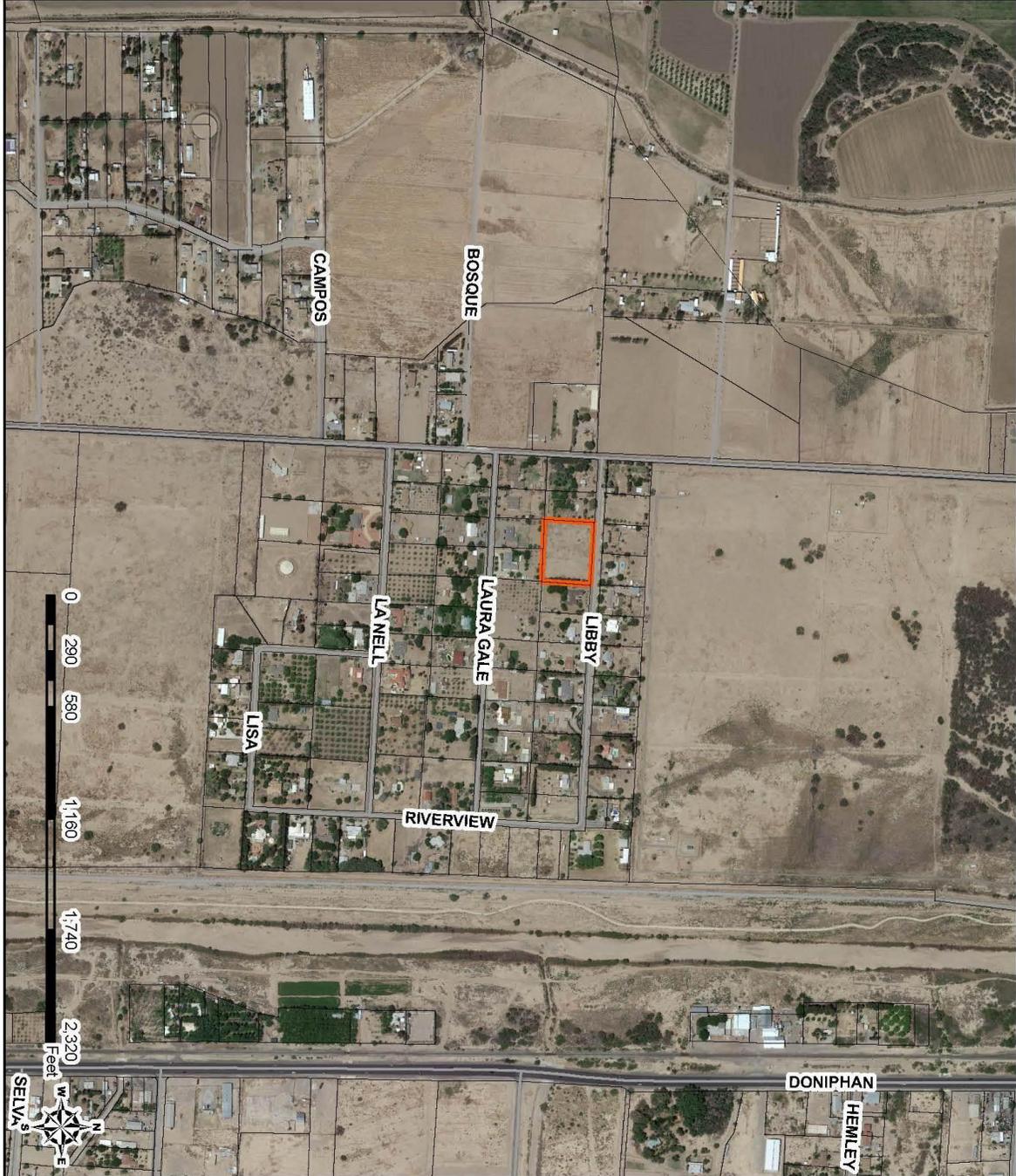
1. Location map
2. Aerial map
3. Preliminary plat
4. Final Plat
5. Waiver Request
6. Application

ATTACHMENT 1



ATTACHMENT 2

LIBBY ESTATES







**ATTACHMENT 5**

**Calderon Engineering**

3031 Trawood Drive  
El Paso, Texas 79936  
(915) 855-7552  
FAX: 855-8350

**Email: calderonengineering@elpbizclass.com**

November 24, 2015

**Armida R. Martinez**

Planner  
Planning and Inspections Department  
801 Texas 1<sup>st</sup> Floor  
El Paso, TX 79901

Dear Armida R. Martinez  
Re: Libby Estates

We respectfully request a waiver on the requirement to improve Libby Road (on the proposed subdivision Libby Estates) to city standards. The reason is that all the streets in this area do not have curbs, sidewalks, nor standard width pavement and the county does not require them.

Thank you,



Manuel Calderon, P.E.

**Engineering . Planning . Surveying**

**ATTACHMENT 6**



CITY PLAN COMMISSION APPLICATION FOR  
MAJOR COMBINATION SUBDIVISION APPROVAL

DATE: NOV 9, 2015 FILE NO. SUSU15-00075  
SUBDIVISION NAME: Libby ESTATES

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)  
Being A portion of Tract 9412, Block 18, Upper Vaney Surveys,  
El Paso County, Texas

2. Property Land Uses:

	<u>ACRES</u>	<u>SITES</u>		<u>ACRES</u>	<u>SITES</u>
Single-family	<u>1.818</u>	<u>2</u>	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	_____	_____	_____
School	_____	_____	_____	_____	_____
Commercial	_____	_____	Total No. Sites	_____	<u>2</u>
Industrial	_____	_____	Total (Gross) Acreage	<u>1.818</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

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)  
ON SITE 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

REQUEST WAIVER OF STREET IMPROVEMENTS FOR LIBBY RD.

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



City Development Department  
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

*[Handwritten signatures and initials]*  
pg 1 of 2

TOM A. HERNANDEZ AND MARIA ELON HERNANDEZ AND  
 JOSE A. TREJO AND ANA I. TREJO

12. Owner of record 910 116 LIBBY CANUTILLO, TX 79835 915/383-1906  
(Name & Address) (Zip) (Phone)

13. Developer TOM HERNANDEZ  
116 LIBBY DR CANUTILLO, TX 79835 (915) 383-1906  
(Name & Address) (Zip) (Phone)

14. Engineer JOSE TREJO 11 LAURA GALE CANUTILLO, TX 79835 (915) 637-1421  
(Name & Address) (Zip) (Phone)

14. Engineer MANUEL CALDERON, CALDERON ENGINEERING 3031 TRAMM DR CEPASO, TX  
(915) 855-7552 elpbiz class.com 79936  
(Name & Address) (Zip) (Phone)

\*Effective September 1, 2014, a 3% Technology fee has been added to all Planning application fees.

OWNER SIGNATURE: Maria Elena Hernandez

REPRESENTATIVE: X [Signature]

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

pg 2 of 2