

AGENDA  
PLANNING & ZONING COMMISSION  
COUNCIL CHAMBER

July 21, 2022

1:30 P.M.

1. Approve the minutes of the July 7, 2022 Planning and Zoning Commission meetings
2. CASE FILE NO. 2022-35-P  
Open a public hearing to consider approval of Parks Bell Ranch North, 6th Filing, being a replat of a 0.513 acre portion of Lot 3, Block 5, Parks Bell Ranch North, 3rd Filing City of Odessa, Ector County, Texas (southeast of the intersection of N. Faudree Rd. and E. Yukon Rd.)
3. CASE FILE NO. 2022-29-P (ETJ)  
Consider approval of the preliminary plat of Dalian Acres, being a 7.76 acre tract in Section 40, Block 43, T-2-S, T&P RY. Co. Survey, Ector County, Texas (southwest of the intersection of W. Hubnik Rd. and S. Nieto Ave.)
4. Other Business
5. Adjourn

AGENDA  
PLANNING & ZONING COMMISSION  
COUNCIL CHAMBER

July 7, 2022

1:30 P.M.

1. Approve the minutes of the June 16, 2022 Planning and Zoning Commission meetings
2. CASE FILE NO. 2022-01-SUP  
Open a public hearing to consider approval of the request by Terri Stangby, owner, for a specific use permit to allow a dance hall or night club in a Retail (R) zoning district on Lot 42, Block 13, Wedgewood (1551 John Ben Sheppard Parkway).
3. CASE FILE NO. 2022-31-P  
Open a public hearing to consider approval of Cross Fit Addition, 2<sup>nd</sup> Filing, being a replat of Lot 1, Block 1, Cross Fit Addition, City of Odessa, Ector County, Texas (southeast of the intersection of NE Loop 338 and E 56<sup>th</sup> St.)
4. CASE FILE NO. 2022-32-P  
Consider approval of the short form plat of Big Wynn Addition, being approximately 4.90 ac. tract in Section 35 Block 42, T-2-S, T&P RY Co. Survey, City of Odessa, Ector County, Texas (South of the intersection of Fitch Ave and East Monahans St.)
5. CASE FILE NO. 2022-33-P  
Consider approval of the short form plat of Shiloh Square, 3<sup>rd</sup> Filing, being a 3.84 acre tract located in Section 3, Block 41, T-3-S, T&P RR. Co. Survey, City of Odessa, Ector County, Texas (southwest of the intersection of E. 56<sup>th</sup> St. and S. Castlegate Ln.)
6. CASE FILE NO. 2022-34-P (ETJ)  
Consider approval of Castaneda Fields, being the replat of a 3.71 Acre Tract of Land being a portion of Lot 13, Block 13, Westover Acres, 2<sup>nd</sup> Filing, Section 23, Block 43, T-2-S, T. & P. Railway Co. Survey, a Subdivision to Ector County Texas. (northeast of the intersection of N. Redondo Ave and W. 16<sup>th</sup> St.)
7. CASE FILE NO. 2022-10-P (ETJ)  
Consider approval of the final plat of J & E Place, being a subdivision of 3.24 acres in Section 33, Block 43, T-2-S, T.&P. Ry Co., Ector County Texas. (southwest of the intersection of W Hutson Rd. and S. Tripp Ave.)
8. Other Business
9. Adjourn

Be it said and remembered that at 1:34 p.m. on the 7<sup>th</sup> day of July 2022, there came on and was held a Planning and Zoning Commission meeting in the Council Chambers, 5<sup>th</sup> Floor, 411 W. 8<sup>th</sup> St., Odessa, Texas.

MEMBERS PRESENT: Jimmy Peacock, Chairperson  
Connie Coots, Vice Chairperson  
Renee Earls  
Lance Marker  
Gary Sims  
Steve Tercero

MEMBERS ABSENT: Wayne Russell

OTHERS PRESENT: Randy Brinlee, Director of Development; Lorraine Quimiro, Planning Manager; Maria Prieto, Planner; Jared Aguilar, and Monique Wimberley, Senior Assistant Attorney.

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The minutes of the of June 16, 2022, Planning and Zoning Commission meeting were approved, motion for approval being made by Member Coots, seconded by Member Earls, with the vote being a unanimous "aye".

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CASE FILE NO. 2022-01-SUP (Approved with conditions)

Open a public hearing to consider approval of the request by Terri Stangby, owner, for a specific use permit to allow a dance hall or night club in a Retail (R) zoning district on Lot 42, Block 13, Wedgewood (1551 John Ben Sheppard Parkway).

Ms. Prieto gave the following presentation: This case, previously heard by the Planning & Zoning Commission on June 16, 2022, is being heard again due to an oversight with notification. Thirty-six notices were mailed out. No notices were returned, three were received in protest and four in approval. The notices in protest make up approximately eleven percent of the protest area.

The property involved in this request is located at 1551 John Ben Sheppard Parkway. The site is zoned Retail (R) and is occupied by commercial development. Land use in the general area consists of retail development to the north, with office and commercial uses to the south, east, and west.

The applicant is Terri Stangby, owner, and the purpose of the request is to consider approval of a specific use permit to allow a tavern or night club use in a Retail (R) zoning district.

A site plan has been prepared indicating the location of the proposed dance hall. It will have a total floor area of approximately 11,250 sq. ft. and is required to have fifty-nine (59) parking spaces. The property can accommodate 53 parking spaces and the remainder of the required parking will be met on the adjacent ONCOR right-of-way. The owner has an agreement with ONCOR to use the right-of-way for the additional parking spaces.

If the Commission chooses to approve this request, the Planning Staff recommends adoption of the following conditions:

1. The required parking needs to be striped.
2. Any signs need to meet zoning ordinance requirements.
3. Adoption of the site plan.
4. Review of the permit upon receiving neighborhood complaints. This is a temporary permit, and the City Council shall have the right of termination for violation of the terms and conditions of the permit or because of the negative effect of the use on the neighborhood after a public hearing. Ms. Prieto concluded her presentation and asked if the Commission had any questions.

Chairperson Peacock asked if there were any questions of staff. Member Earls stated that she had a question. She referred to the agenda item stating that there was an oversight in notification as being the reason the Commission is revisiting the item. Development Services Director Randy Brinlee responded letting the Commission know that the source of the notification list is the Central Appraisal District, and it had the Old Town Shopping Center under one owner. It was pointed out to that the Shopping Center has multiple owners, so we felt it was the best interest in this case to rehear the case notify all the property owners. Chairperson Peacock asked if there were any other questions of staff. Hearing none, Chairperson Peacock opened the public hearing and asked anyone interested in speaking in favor of or opposition of the item please step forward.

Terri Stangby, owner approached the podium to point out that the one letter that was sent went to the President of the Old Town Shopping Center. He did not reiterate any problem when he received that. He is President but she does see that individuals did not get their own letters. But stated that he is the one in charge of the group. Chairperson Peacock asked Ms. Stangby if there was anything else she wanted to share about her request. She stated that to the opposition that is based on parking she has already addressed that. She also wanted to address issues with crime. She has owned Zucchi's for six years. There is no notable crime that's happened. There is Jimbo's Garage, the wine place, she owns other bars, there is no notable crime that has ever happened. They are worried that we are going to have parking over on their side. She has already ordered signs that illuminate at night that say, "Diamonds parking north side". The entrance is on the north side of the front building. The north side and in the patio. There is no entry to the property from their parking lot. Chairperson Peacock asked if there were any questions for Ms. Stangby. Member Coots asked if the parking was going to be there on the ONCOR right of way. Ms. Stangby replied yes that she was getting the lease with ONCOR. Member Marker asked roughly how much parking was in the ONCOR right-of-way. Ms. Stangby replied that it was a lot. Mr. Vice Chairperson Coots asked if it was enough for their 59 spaces and Ms. Stangby replied yes. Chairperson Peacock asked what the hours of operation will be. Ms. Stangby replied that they would likely be 4pm until 2am like the others. She added that they would have food there, it will be a grill. They are aiming for a sort of a Harrigan's type of atmosphere, but

it will have a dance floor. There being no other questions for Ms. Stangby, Chairperson Peacock asked for anyone else wishing to speak to come forward. Larry Burdette stated that he was not necessarily there to speak in opposition or against the item, but he was merely there to find out information. Ms. Stangby was correct, they did send out one letter out it unfortunately went to one person. He did converse with all of us assumed that they had gotten them as well, that we had sent him what our desires were to oppose or to go along with. He is glad it has been handled properly and everything is good. He stated that they did not know or hear what this was going to be. They had concerns in the beginning about parking and had spent \$7000 previously to find out what their property boundary was which had been unclear. They don't have a problem as long as everyone goes to that bar and parks in that parking lot we didn't know where all the entrances were going to be. With ONCOR's permission for them to use the right-of-way that that brings some ease to them. A lot of people at the complex at Old Town Shopping Center feel like three bars are sufficient for their two spaces. They are concerned about there being another. There have not been any murders that he is aware of in the time that Jimbo's Garage and Zucchi's Sports Bar have been there but there has certainly been damage to the property. When he was at Zucchi's restaurant and she had the sports bar, there was a lot of damage to the parking lot, signs for handicapped parking were damaged when drunk people would run over them. That is what some of the older people in the shopping center are afraid about with two big bars and a medium bar and another bar can compound what can happen after hours. Things tend to be different between 4 and 2 AM than they are between 11:00 am and 10 o'clock at night They wanted to get answers for that. They understand there are three meetings, so hopefully there is time to have considerations. They do not know exactly what type of bar it is going to be. He has people leasing from him concerned with what it is going to be. He didn't want Olive Garden coming in next to Zucchi's when he was there. So, a lot of times when you have a shopping center you want to keep things diverse so you're not competing directly side by side. Sometimes we like that in our little corner of town we do have several of the bars in that area so when people do go that's where people go. Just as you use 42<sup>nd</sup> Street to find restaurants. We are not opposed to that whatsoever. He stated that he had hoped to get information so that he could go back to his people with more information. As of the previous day 40 percent of the shopping center owners, were in opposition, but mainly because they did not have information. Chairperson Peacock informed him that the next meeting would be in front of City Council.

Brenda Worthen identified herself as the owner of the property next to Zucchi's Sports Bar. She stated that as the speaker before her she was not there to hold anyone back from expanding or what they want to do. She did want to know what they considered crime. She has operated a mortgage company there for 15 years and by her approximation they have helped 5,000 to 6,000 people attain home ownership. The bar has worked with them. However, they routinely have urine, vomit, she has cameras and has tried to embarrass people by placing their pictures up in the windows of her office. Because she is routinely power washing her front door. Especially after a weekend or a Wednesday night she might spend the first

hour of her day cleaning up trash and bottles. In their defense when she does show them photos they come out and clean. But in her opinion, in the sports bar and what she is afraid what this is going to turn into there is not enough police security. People go out the back door with alcohol routinely. She sees them. She works late hours Her staff is there sometimes late. She considers that a safety hazard because they run a business that mostly during the day so those are the things that are her concern. The parking and the wear and tear she thinks is an issue they pay for that. She understands that that section has the ONCOR easement, but she wanted to point out that the shopping center behind them also park in the easement, but they do not use it much at night. She feels that the parking is not as much an issue as for her as it is for others in the shopping center. She has installed cameras; she has not paid for security because she doesn't feel it is necessary for her clientele. Those are her concerns being in business in that location. She does think this new bar will double the number of people out there. She pointed out the two bars and the Homemade Wines location currently there. The amount of people that are out there drinking will double. She reiterated the question about what one would consider crime then stated that she considers it a crime to stand in her doorway and do their business. That is what happens a lot. She is not trying to say she is totally against. I know that this is not part of this committee, but she would like to hear that we are going to have paid off duty paid policemen there at night which is what some bars do and some of them don't. That is what I would like to hear is that there is going to be some security and some policing of some of the things I consider crimes.

Julie Patterson previous owner of the building addressed the Commission. She stated that she had owned the building for six years and only ever had one incident which did not involve any of the existing bars there. A drunk driver came in through their parking lot and wrecked a vehicle in the parking lot. In those six years they did not have any issue, no one peed on their door. She thought it was interesting that those other bars have been there for a very long time, and no one has ever complained about those or asked for additional security. She also informed the Commission that Mr. Burdett and the group he represents were in negotiations with her to lease the building themselves to do the exact same thing. So the fact that they have come forward now and want to oppose what she is doing now is interesting. Chairperson Peacock asked if anyone had questions for Ms. Patterson hearing none, he thanked her for her time.

Ms. Stangby returned to the podium. She stated that Homemade Wines was moving downtown so it would not be there anymore. Some members of the Commission pointed out that they were not moving, and that it would be a second location. Ms. Stangby said that was good because they were nice people. She went on to add that the city is promoting and placing bars and places like this downtown, and they are not concerned about crime.

Ms. Worthen approached the podium again. She stated that she has asked for security and has asked for policemen. She again stated that she is not opposed to the idea at all. She just hadn't been approached previously about her opinion and having this here now has given her the opportunity to express her concerns.

Ms. Patterson returned to the podium to add that this building is a separate building and not a part of the association. Whatever they do to police their area is completely on them. The building at 1551 John Ben Shepperd is not part of that owner's association.

Chairperson Peacock opened for discussion and stated that it would be an opportunity to air out these issues and clarify things. There will be another opportunity to speak at the City Council meeting.

Member Earls asked how many were opposed when the second round of notifications were sent out. Ms. Prieto stated that they received three protests and four approvals. She asked to see them. Member Sims asked Mr. Brinlee if the requirement for security is left up to the owners themselves to determine if they provide security or not. There are no regulations with the city really that make that a city requirement. In this case if it becomes too much of an issue this permission is revoked. Mr. Brinlee agreed that if there is too much of a negative impact the permit can be revoked. That applies to something that is being applied for or something in existence. Member Sims asked if Zucchi's is under a specific use permit. Mr. Brinlee answered no because it is a tavern not a night club. It does not require a specific use permit, but Jimbo's Garage does. Member Earls asked again about the City's oversight in sending the one notification to the shopping center. Mr. Brinlee addressed the questions and stated it was not so much the city but the information from the central appraisal district. It was pointed out that there were multiple property owners and investigated and reinitiated the process. He also pointed out that if it were not for the common area two of the protests would be outside of the notification area and would not have received letters.

Member Sims asked a question of Ms Stangby by stating that in view of the investment that she was making and that this was under a specific use permit, if she found that her business was contributing to the issues that were expressed at the meeting if she would be willing to add some security to her facility rather than loose the specific use permit. Ms. Stangby responded by saying yes, that she does not want any problems and she already plans on having off duty officers. She is doing this because of the size, and not because she anticipates any problems. She does not have them at Zucchi's, but she does have them at the Roxx.

There being no further discussion or questions Chairman Peacock requested a motion. Member Sims made the motion to be approved as presented.

Member Coots seconded the motion, with the vote being a unanimous "aye".

CASE FILE NO. 2022-31-P (Approved with conditions)

Open a public hearing to consider approval of Cross Fit Addition, 2<sup>nd</sup> Filing, being a replat of Lot 1, Block 1, Cross Fit Addition, City of Odessa, Ector County, Texas (southeast of the intersection of NE Loop 338 and E 56<sup>th</sup> St.)

Ms. Prieto made the following presentation: The site is currently designated Retail Zoning District (R) and is occupied by retail development. Land uses adjacent to the property are vacant undeveloped properties.

The applicant is Meredith Whitaker, owner, LCA, consultant, and the purpose of the replat is to create two (2) lots to facilitate retail development and related uses on the property.

A platting conference was held June 28, 2022, with the applicant's consultant and city staff present.

Commission action is requested on the following item:

1. Provide a drainage easement across Lot 3 for the benefit of Lot 2. (Public Works)
2. Provide easements as needed for septic field for Lot 2. (Public Works)
3. Provide a private utility easement for the re-route of the water service line of the existing building as not to be under proposed new building. (Public Works)
4. An Improvements Agreement will be required for drainage improvements (excavation of detention basin). (Public Works)
5. 56<sup>th</sup> Street on the plat is actually E 56<sup>th</sup> Street. Loop 338 on the plat is actually NE Loop 338. (911)

Chairperson Peacock asked if there were any questions for staff. Member Coots asked if they were getting ready to break ground on this now. Ms. Prieto responded yes. Chairperson Peacock opened the public hearing and asked for anyone in favor or against the project to come forward.

Having no one come forward Chairman Peacock asked for discussion or a motion from the Commission. Member Coots made the motion to be approved as presented.

Member Tercero seconded the motion, with the vote being a unanimous "aye".



CASE FILE NO. 2022-32-P (Approved with conditions)

Consider approval of the short form plat of Big Wynn Addition, being approximately 4.90 ac. tract in Section 35 Block 42, T-2-S, T&P RY Co. Survey, City of Odessa, Ector County, Texas (South of the intersection of Fitch Ave and East Monahans St.)

Ms. Prieto gave the following presentation: The site is zoned Planned Development (PD-4) and is currently vacant. Land use to the north is a school and vacant land. Land use to the east is multi-family residential, west is light industrial, and vacant land to the south.

The applicants are Duncan K. McLeod and Don W. McLeod, owners, Maverick Engineering, agent, and the purpose of the plat is to create two (2) lots for development and ownership purposes.

A platting conference was held June 28, 2022 with the applicant's consultant and city staff present.

Commission action is requested on the following items:

1. Submit plans to serve Lot 2 with water for review and acceptance. No pro rata is due. (Public Works)
2. Dedication of Pecos Street is unknown. Provide dedication documentation. (Public Works)
3. If both lots are to use a common detention basin, provide a blanket drainage easement. (Public Works)
4. An Improvements Agreement will be required. (Public Works)
5. A Blanket Refuse Collection Easement Agreement will be required. (Public Works)

This plat is ready for Commission approval as noted. Ms. Prieto asked if there were any questions for staff.

Chairperson Peacock asked what the issue was with the dedication of Pecos Street. Staff response was that no record for the dedication had been found. Chairperson Peacock asked if it was dedicated? Planning Manager, Lorraine Quimiro said that was unclear, but the road is paved and directed Commission attention to the aerial in the presentation.

There being no other questions or comments Chairman Peacock requested a motion. Member Tercero made the motion to be approved as presented.

Member Sims seconded the motion, with the vote being a unanimous "aye".

1. CASE FILE NO. 2022-33-P (Approved with conditions)

Consider approval of the short form plat of Shiloh Square, 3<sup>rd</sup> Filing, being a 3.84 acre tract located in Section 3, Block 41, T-3-S, T&P RR. Co. Survey, City of Odessa, Ector County, Texas (southwest of the intersection of E. 56<sup>th</sup> St. and S. Castlegate Ln.)

Mr. Aguilar made the following presentation: The site is zoned Retail–One (R-1) and is vacant. Land use in the area consists of vacant land.

The applicant is Wyly Brown and Fredna Family Partnership, owner, LCA, consultant, and the purpose of the plat is to create commercial development for ownership purposes.

A platting conference was held June 28<sup>th</sup>, 2022 with the applicant’s consultant, and city staff present.

Commission action is requested on the following items:

1. The south half of 56<sup>th</sup> Street will need to be built as a requirement of this plat. Plans for 56<sup>th</sup> Street are available.
2. Sidewalk will be required along 56<sup>th</sup> Street in the pedestrian easement.
3. Curb & gutter and sidewalk will need to be built along 191. Submit plans for review and acceptance.
4. An improvements Agreement will be required.

This plat is ready for Commission approval as noted above.

There being no other questions or comments Chairman Peacock requested a motion. Member Coots made the motion to be approved as presented.

Member Marker seconded the motion, with the vote being a unanimous "aye".

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CASE FILE NO. 2022-34-P (ETJ) (Approved)

Consider approval of Castaneda Fields, being the replat of a 3.71 Acre Tract of Land being a portion of Lot 13, Block 13, Westover Acres, 2<sup>nd</sup> Filing, Section 23, Block 43, T-2-S, T. & P. Railway Co. Survey, a Subdivision to Ector County Texas. (northeast of the intersection of N. Redondo Ave. and W. 16<sup>th</sup> St.)

Mr. Aguilar made the following presentation: The property involved in this replat request is located northeast of the intersection of N. Redondo Ave. and W. 16<sup>th</sup> St. The site is located in the City of Odessa ETJ, does not have a zoning designation and is currently occupied by residential development and vacant land. Land use consists of vacant land to the north and west, residential development to the south, and commercial to the east.

The applicant is Julio and Araclie Polanco, Rogelio and Luz Armida Polanco, Owner, and S W Howell, Inc., Consultant and the purpose of the replat is to create one (1) lot for development and ownership purposes.

A platting conference was held June 28<sup>th</sup>, 2022 with the applicants' consultant, and city staff present.

Commission action is requested on the following items:

1. Drainage report needs to be submitted. This tract is in a special flood hazard area, zone AE. (Public Works)
2. Castaneda Fields plat needs 2 control points. (GIS)

There being no other questions for staff Chairman Peacock requested discussion or a motion. Member Coots made the motion to be approved as presented.

Member Tercero seconded the motion, with the vote being a unanimous "aye".

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CASE FILE NO. 2022-10-P (ETJ) (Approved)

Consider approval of the final plat of J & E Place, being a subdivision of 3.24 acres in Section 33, Block 43, T-2-S, T.&P. Ry Co., Ector County Texas. (southwest of the intersection of W Hutson Rd. and S. Tripp Ave.)

Mr. Aguilar presented the following: The site is in the ETJ, does not have a zoning designation and is currently occupied by residential development.

The applicants are Juanito Albarado Hinojos, Marisol Alvarado Valenzuela, and Anjelica Hinojosa Abolos, Owners, and S W Howell, Inc., Consultant, and the purpose of the replat is to create two (2) lots for ownership purposes and dedicate S. Eva Ave.

The Planning and Zoning Commission gave preliminary approval of this request on March 17, 2022 and the final plat is ready for Commission approval.

Chairman Peacock asked a question about private roads. He pointed out the note on the plat for the private road South Eva Avenue and it states that the owners have the responsibility for property maintenance. He had this question come up twice in his law practice in the last week. That there was not a private road maintenance agreement in place. There's the plat and the plat saying there would be an agreement among the parties, but he ran into a situation just recently parties couldn't get a loan on the property because there was not a road maintenance agreement. That is not necessarily our issue but in a way it is. We are approving these plats and these people cannot get financing. Mr. Brinlee explained that what is happening is that these are agreements between the property owners, and they are designating these as private roads, per the county subdivision ordinance. If they designate it as private road then that is what they are doing on the face of the plat, and it is their responsibility. Chairperson Peacock asked if technically there is not a road maintenance agreement in place. Mr. Brinlee agreed there wasn't. They would have certain classes of roads not necessarily standards as if it were public roads. Chairperson Peacock asked if they could require they submit something, either the City of the Council? Mr. Brinlee responded no, not on a private road. Member Coots asked if the County could require that. Mr. Brinlee replied that the County would have to write it into their

subdivision ordinance, either they would not accept private roads or that private roads would have to be built and developed to the same standards as public county roads. Chairperson Peacock clarified that the City can not but the County possibly could. Mr. Brinlee agreed that yes, the County possibly could if they amended their subdivision ordinance. Sam S. W. Howell, of S.W. Howell Inc. approached the podium. Mr. Howell stated that Chairperson Peacock posed a good question and that he is of the opinion that the County started their subdivision ordinance and stated that they would not take any road into our maintenance unless it is paved, they opened this up to the public access, private maintenance road and they started accepting those. At that time, he objected vehemently, letting them know they were creating a can of worms. Who is going to maintain these down the line? There is no provision at this time in their regulations or any other regulations that say they have to form an HOA or anything to maintain that road and in a lot of cases that road still remains the ownership of just the developer whoever that individual happens to be. It is up to them to take care of it. If they leave the town and disappear, they are stuck with road that no one is maintaining. He followed by saying that there isn't anything in the ordinance and even the new subdivision regulations that the County's is working on don't address this any clearer than what it is right now. Chairperson Peacock brought up another issue, that being taxation. The roads are still subject to taxation. Mr. Howell agreed, that has happened, and the Appraisal District has caught that and has started going back and showing ownership on some of those private roads and is collecting taxes. There are a lot that they haven't gotten back to yet. Many of them were marked exempt simply because they were roads. Since this has become such an issue the Appraisal District has been working to get them back on the tax rolls. Chairman Peacock expressed concern over that. Someone could come in and buy the roads in a tax sale and tell the adjacent owners, sorry. Mr. Howell agreed.

Chairman Peacock requested discussion or a motion. Member Coats moved to approve the plat as presented.

Member Tercero seconded the motion, with the vote being a unanimous "aye".

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There being no further business to come before the Commission, the meeting was adjourned at 2:11 p.m.

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Lorraine Quimiro, Planning Manager, placed the minutes in the Minute Book on 7/13/2022.

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Jimmy Peacock, Chairperson

TO: PLANNING AND ZONING COMMISSION  
FROM: LORRINE QUIMIRO, PLANNING MANAGER  
SUBJECT: CASE FILE NO. 2021-35-P

APPLICANT: 2012 Cross B, LLC, owner,  
LCA, agent

REQUEST: Replat

PROPERTY INVOLVED: Parks Bell Ranch North, 6<sup>th</sup> Filing, being a replat of a 0.513 acre portion of Lot 3, Block 5, Parks Bell Ranch North, 3<sup>rd</sup> Filing, City of Odessa, Ector County, Texas (southeast of the intersection of E. Yukon Road and N. Faudree Road)

The property involved in this request is located southeast of the intersection of E. Yukon Road and N. Faudree Road. The site is zoned Retail (R) and is currently vacant. Land use in the area consists of single-family residential development, retail development, and vacant land.

The applicant is 2012 Cross B, LLC, owner, LCA, agent, and the purpose of this replat is to create one lot (0.513 ac.) for retail development and ownership purposes.

Comments were sent to the consultant for review on July 13, 2022.

Staff Comments:

- A Blanket Refuse Collection Easement is noted on the plat.
- Ownership and original tax certificates needed prior to filing the plat.
- Remnant of Lot 3 will need to be re-platted to avoid potential for future permitting problems.
- Water and sewer are available for extension. No pro rata is due.
- Drainage report has been submitted. This tract is not in a special flood hazard area.
- No direct access to Faudree is allowed as noted on the plat.

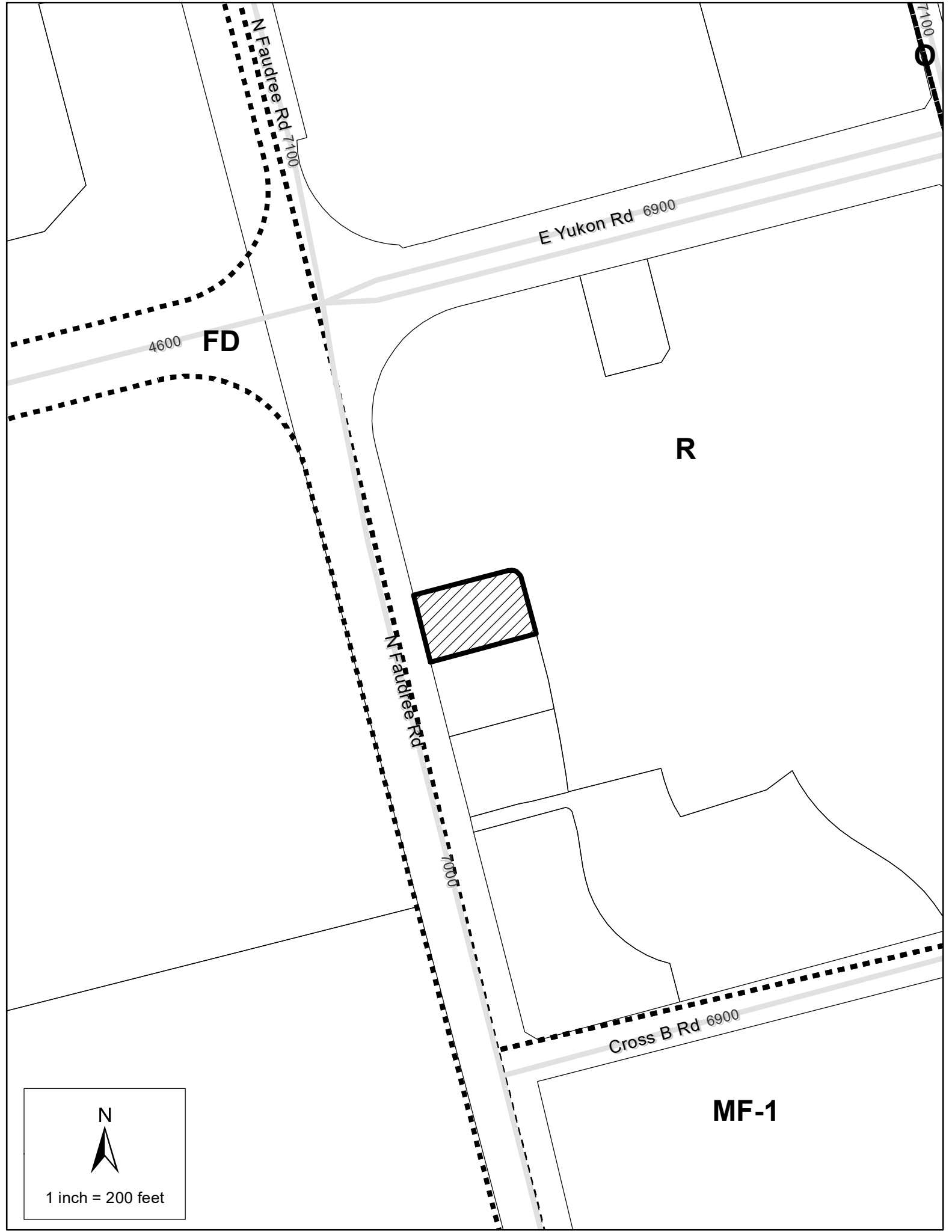
- Impact Fees will be due at the time of issuance of building permit.
- An Improvements Agreement will not be required.
- Any work in the right of way or easements will require a permit from the Engineering Division and must comply with current City Ordinances and policies.

The plat is ready for Commission approval.

The following agencies submitted no comments or response with regard to this replat: Fire, Legal, Utility Billing and Collection, Parks and Recreation, Utilities Administration, Police, Traffic, Building Inspection, Sparklight, Atmos Energy, ECISD, SBC, PostMaster, El Paso Natural, Ector County 911, GIS, Oncor, Appraisal District, Grande Communications, ConocoPhillips Pipeline Company, and Chevron

Information in order of inclusion:

- Area zoning map
- Copy of proposed replat



N Faudree Rd 7100

E Yukon Rd 6900

4600 FD

R

N Faudree Rd

7000

Cross B Rd 6900

MF-1



1 inch = 200 feet

# PARKS BELL RANCH NORTH, 6th FILING

BEING A REPLAT OF A 0.513 ACRE PORTION OF LOT 3 BLOCK 5

PARKS BELL RANCH NORTH, 3RD FILING

RECORDED IN CABINET C, PAGE 62-D

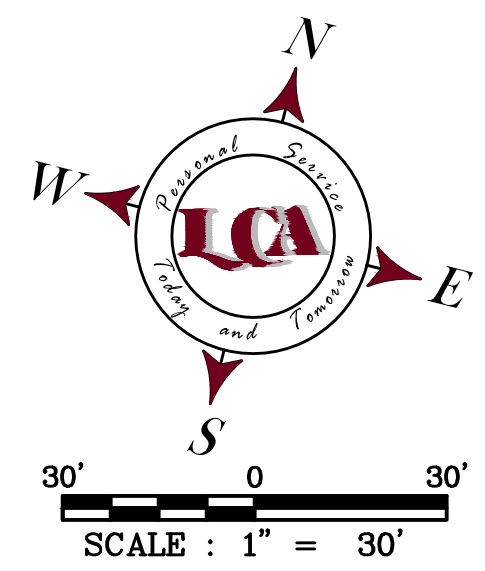
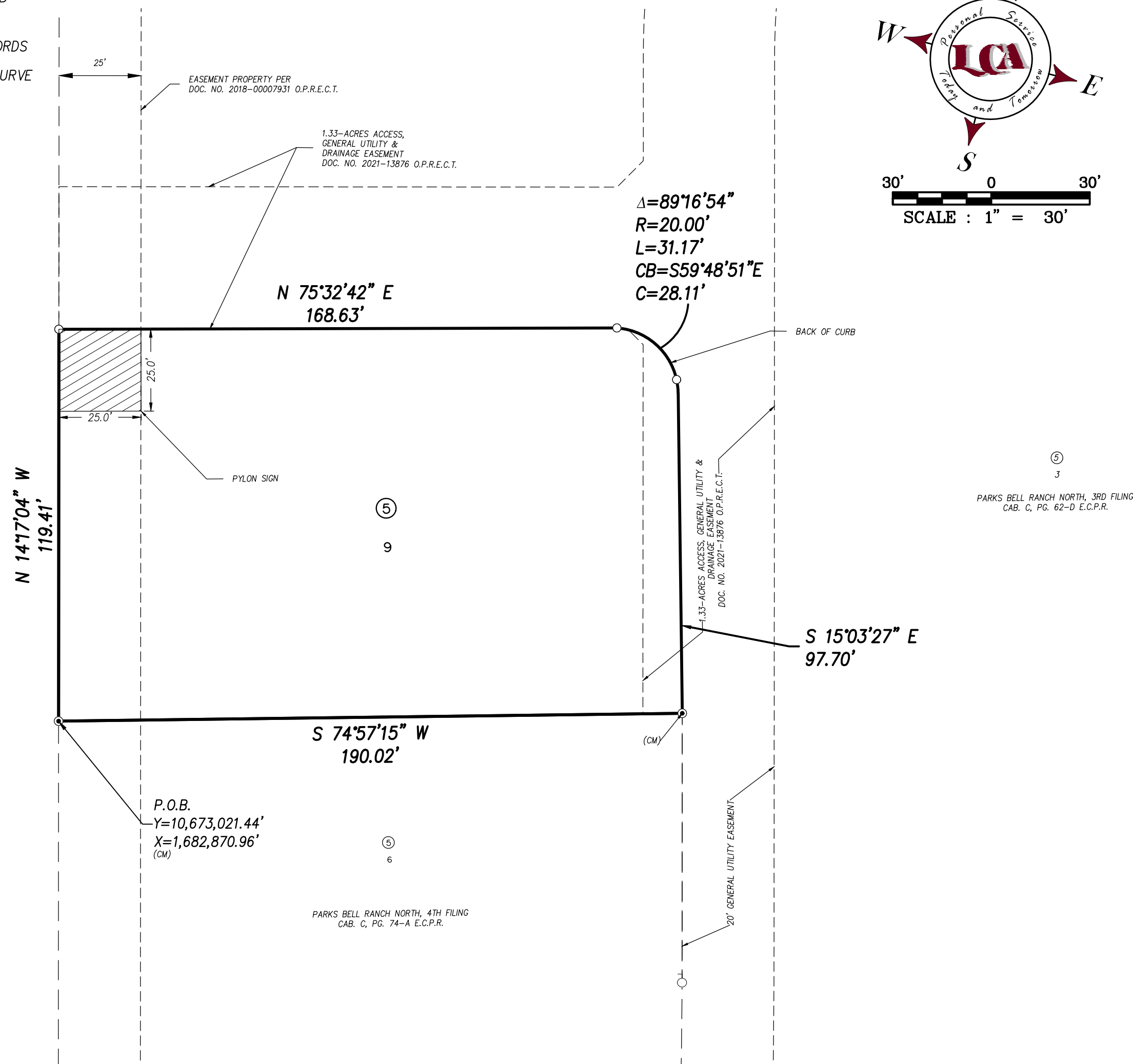
ECTOR COUNTY PLAT RECORDS

ODESSA, ECTOR COUNTY, TEXAS

## LEGEND

- FOUND 1/2" I.R. W/CAP MARKED "LCA ODESSA TX" UNLESS OTHERWISE NOTED
- SET 1/2" I.R. W/CAP MARKED "LCA ODESSA TX" UNLESS OTHERWISE NOTED
- ▲ NAIL SET @ BACK OF CURB
- (CM) CONTROL MONUMENT
- E.C.P.R. ECTOR COUNTY PLAT RECORDS
- INDICATES PC OR PT OF CURVE

**FAUDREE ROAD**  
(120' R.O.W.)  
(DEDICATED VOL. 968, PG. 611 & VOL. 968, PG. 593, E.C.D.R.)



STATE OF TEXAS §  
COUNTY OF ECTOR §

KNOW ALL MEN BY THESE PRESENTS: THAT I, THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS PARKS BELL RANCH NORTH, 6TH FILING, BEING A REPLAT OF A 0.513 ACRE PORTION OF LOT 3, BLOCK 5, PARKS BELL RANCH NORTH, 3RD FILING, RECORDED IN CABINET C, PAGE 62-D ECTOR COUNTY PLAT RECORDS ODESSA, ECTOR COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, THEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED, AND AN EASEMENT OF EGRESS AND INGRESS FOR TRASH COLLECTION PURPOSES IS HEREBY GRANTED.

BY: \_\_\_\_\_  
2012 CROSS B, LLC  
BRIAN R. BELL, PRESIDENT

STATE OF TEXAS §  
COUNTY OF ECTOR §

BEFORE ME, THE UNDERSIGNED AUTHORITY A NOTARY PUBLIC IN AND FOR THE COUNTY OF ECTOR AND THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED BRIAN R. BELL, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS: THAT I, RANDY A ANDERSON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN HEREON WERE PROPERLY PLACED UNDER MY SUPERVISION.

## PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED FOR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

DATED: \_\_\_\_\_, 2022. REGISTERED PROFESSIONAL LAND SURVEYOR

THIS PLAT IS HEREBY APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022, BY THE PLANNING AND ZONING COMMISSION, CITY OF ODESSA, TEXAS.

CHAIRMAN, PLANNING COMMISSION \_\_\_\_\_ DIRECTOR OF DEVELOPMENT \_\_\_\_\_

CERTIFICATE OF DIRECTOR OF PUBLIC WORKS

I HEREBY CERTIFY THAT ALL REQUIREMENTS OF THE "URBAN DEVELOPMENT ORDINANCE" CONCERNING SUBMISSION AND/OR APPROVAL OF INFORMATION AND DATA TO THE DIRECTOR OF PUBLIC WORKS AND THE CITY ENGINEER REQUIRED FOR FINAL PLAT APPROVAL HAVE BEEN COMPLIED WITH FOR THIS SUBMISSION.

DATED: \_\_\_\_\_, 2022 \_\_\_\_\_ FOR DIRECTOR OF PUBLIC WORKS

FILED FOR RECORD ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022,

AT \_\_\_\_\_ M. RECORDED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022,

AT \_\_\_\_\_ M. IN CABINET \_\_\_\_\_, PAGE \_\_\_\_\_, ECTOR COUNTY PLAT RECORDS.

COUNTY CLERK OF ECTOR COUNTY, TEXAS \_\_\_\_\_

**LCA** ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING  
521 North Texas, Odessa Tx. 79761 F-001363 F-10034300  
Phone # (432) 332-5058 E-Mail : lca@lcaodessa.com  
*Personal Service, Today and Tomorrow*

- NOTES:
1. BASIS OF BEARINGS: BEARINGS & DISTANCES ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, 1983 NAD, CENTRAL ZONE, WITH A COMBINED GRID FACTOR OF 0.999870096 AND A THETA ANGLE OF -01°00'53" AT CITY OF ODESSA STATION "OD8P" WITH PUBLISHED VALUES OF Y=10,662,407.787' AND X=1,685,243.801' IN US SURVEY FEET.
  2. ALL CORNERS WILL BE SET WITH 1/2" IRON RODS WITH CAPS MARKED "LCA ODESSA TX", UNLESS OTHERWISE NOTED.
  3. THERE SHALL BE NOT DIRECT ACCESS TO FAUDREE ROAD FROM LOT 9 BLOCK 5.



TO: PLANNING AND ZONING COMMISSION  
FROM: LORRINE QUIMIRO, PLANNING MANAGER  
SUBJECT: CASE FILE NO. 2022-29-P (ETJ)

APPLICANT: Dalian Enterprises, LLC, and Elizabeth Tercero,  
owner  
SW Howell, consultant

REQUEST: Final Plat

PROPERTY INVOLVED: Dalian Acres, being a 7.76 acre tract in Section 40, Block 43, T-2-S, T&P RY. Co. Survey, Ector County, Texas (Southwest of the intersection of W. Hubnik Rd. and S. Nieto Ave.)

The property involved in this final plat request is located southwest of the intersection of W. Hubnik Rd and S. Nieto Ave. The site is located in the City of Odessa Extra-Territorial Jurisdiction (ETJ), does not have a zoning designation and is currently occupied by a commercial building and vacant land. Land use in the area consists of residential development to the north and east, and vacant land to the south and west.

The applicant is Dalian Enterprises, LLC, Valois and Elizabeth Tercero, owner, and S.W. Howell, Inc., consultant, and the purpose of the request is to create seven (7) lots (approx. 1.00 – 1.76 acres) for development and ownership purposes.

The Planning and Zoning Commission gave preliminary approval of the request on June 16, 2022. The Final plat is ready for Commission approval

Information in order of inclusion:  
-- Area zoning map  
-- Copy of proposed preliminary plat



400

S Lott Ave

9400

W Hutson Rd

9200

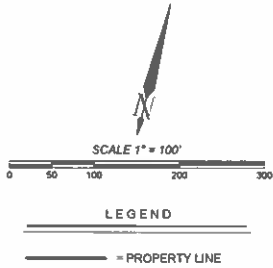
9000 W Hubnik Rd



1 inch = 400 feet

# DALIAN ACRES

A SUBDIVISION 7.76 ACRES OF LAND  
IN SECTION 40, BLOCK 43, T-2-S, T. & P. RY. CO. SURVEY,  
ECTOR COUNTY, TEXAS



STATE OF TEXAS:  
COUNTY OF ECTOR:

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED, BEING THE PRESENT OWNERS OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS "DALIAN ACRES" A SUBDIVISION OF 7.76 ACRES IN SECTION 40, BLOCK 43, T-2-S, T. & P. RY. CO. SURVEY, ECTOR COUNTY, TEXAS AND WHOSE NAMES ARE SUBSCRIBED HERETO DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

VALOIS TERCERO \_\_\_\_\_ ELIZABETH TERCERO \_\_\_\_\_

STATE OF TEXAS:  
COUNTY OF ECTOR:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON \_\_\_\_\_, BY VALOIS TERCERO.

MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC FOR THE STATE OF TEXAS \_\_\_\_\_

STATE OF TEXAS:  
COUNTY OF ECTOR:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON \_\_\_\_\_, BY ELIZABETH TERCERO.

MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC FOR THE STATE OF TEXAS \_\_\_\_\_

CERTIFICATE OF DIRECTOR OF PUBLIC WORKS, ODESSA, TEXAS:

I HEREBY CERTIFY THAT ALL REQUIREMENTS OF THE "URBAN DEVELOPMENT ORDINANCE" CONCERNING SUBMISSION AND/OR APPROVAL OF INFORMATION AND DATA TO THE DIRECTOR OF PUBLIC WORKS AND THE CITY ENGINEER, REQUIRED FOR THE FINAL PLAT APPROVAL, HAVE BEEN COMPLIED WITH FOR THIS SUBMISSION.

DATED: \_\_\_\_\_ FOR DIRECTOR OF PUBLIC WORKS \_\_\_\_\_

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF ODESSA, TEXAS.

CHAIRMAN \_\_\_\_\_ DIRECTOR OF DEVELOPMENT \_\_\_\_\_

THIS PLAT IS HEREBY REVIEWED AS PER THE INTERLOCAL AGREEMENT WITH THE CITY OF ODESSA FOR REGULATION OF SUBDIVISION PLATS IN THE EXTRA TERRITORIAL JURISDICTION OF THE CITY ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE ECTOR COUNTY PUBLIC WORKS, ECTOR COUNTY, TEXAS.

ECTOR COUNTY PUBLIC WORKS \_\_\_\_\_

STATE OF TEXAS:  
COUNTY OF ECTOR:

KNOW ALL BY THESE PRESENTS THAT I, SAM HOWELL, II A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN HEREON WERE PROPERLY PLACED UNDER MY SUPERVISION.

**PRELIMINARY, THIS DOCUMENT  
SHALL NOT BE RECORDED FOR ANY  
PURPOSE AND SHALL NOT BE USED  
OR VIEWED OR RELIED UPON AS A  
FINAL SURVEY DOCUMENT**



SAM HOWELL II  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4631

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, AT \_\_\_\_\_ AM/PM,  
RECORDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, AT \_\_\_\_\_ AM/PM, IN  
CABINET \_\_\_\_\_ PAGE \_\_\_\_\_, ECTOR COUNTY PLAT RECORDS.

	<b>S.W. HOWELL, INC.</b> 409 West 57th Street, Odessa, Texas, 79712 Phone: (409) 944-1711 cell: (409) 944-1711	
	RELAY CENTERING FROM ITRF 2011 AT 90 TEXAS EXISTING TIES TO NAD 83 Engineering, Surveying and GIS Planning © 2012 All Rights Reserved	Job Number: <b>22-36697</b>

COUNTY CLERK OF ECTOR COUNTY, TEXAS

**NOTES:**

BASIS OF BEARINGS AND COORDINATES ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM NAD 1983, TEXAS CENTRAL ZONE (4203), AS MEASURED BY GPS OBSERVATION AND FOUND MONUMENTS.

THE PROPERTY SHOWN HEREON APPEARS TO BE IN ZONE X, AS INTERPRETED FROM FLOOD INSURANCE RATE MAP FOR ECTOR COUNTY, TEXAS, PANEL NO. 48135C0350E DATED MARCH 14, 2012. AS MAPS ARE SUBJECT TO CHANGE, THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THIS INFORMATION; THE LOCAL FEMA FLOOD PLAIN ADMINISTRATOR SHOULD BE CONTACTED FOR VERIFICATION.

PER ECTOR COUNTY "EACH PURCHASE CONTRACT MADE BETWEEN A SUBDIVIDER AND A PURCHASER OF LAND IN THE SUBDIVISION SHALL CONTAIN A STATEMENT DESCRIBING THE EXTENT TO WHICH WATER WILL BE MADE AVAILABLE TO THE SUBDIVISION - AND IF IT WILL BE AVAILABLE, HOW AND WHEN WATER WILL BE MADE AVAILABLE TO THE SUBDIVISION."

GROUNDWATER SUFFICIENCY DISCLAIMER - THE SOURCE OF THE WATER SUPPLY INTENDED FOR THIS SUBDIVISION IS GROUNDWATER UNDER THE SUBDIVISION LAND. NO GUARANTEE CAN BE MADE THAT ADEQUATE GROUNDWATER UNDER THE LAND IS AVAILABLE FOR THIS SUBDIVISION.

