

AGENDA

PLANNING AND ZONING COMMISSION

COUNCIL CHAMBER  
(meeting held on-line)

JANUARY 7, 2021

1:30 P.M.

1. CASE FILE NO. 2021-01-SUP  
Open a public hearing to consider approval of the request by The Permian Oasis, lessee, Mark Wu, owner, for a specific use permit to operate a halfway house in a Light Industrial (LI) District on Lots 9-27, Block 2, Industrial Sites Addition (155 SE Loop 338)
2. CASE FILE NO. 2021-01-Z  
Open a public hearing to consider approval of the original zoning request by Republic Munitions, LLC, owner, for Light Industrial (LI) on a 2.6 acre tract in Section 25, Block 42, T-2-S, T&P Ry. Co. Survey, Odessa, Ector County Texas, (northeast of the intersection of Meadow Ave. and Pearl St.)
3. CASE FILE NO. 2021-01-P  
Open a public hearing to consider approval of the replat of Lots 32 & 33, Block 1, Mardi Gras Estates, Odessa, Ector County, Texas (southeast of the intersection of Riverboat Blvd. and Canal St.)
4. CASE FILE NO. 2021-02-P  
Consider approval of the short form plat of Permian Machinery Addition being an approximately 9.05 acre tract in Section 40, Block 42, T-2-S, T&P RR. Co. Survey, Odessa, Ector County, Texas (southwest of the intersection of W. Interstate 20 and S. Crane Ave.)
5. CASE FILE NO. 2021-03-P  
Consider approval of the short form plat of Crossroads East, 4th Filing, being an approximately 20.929 acre tract in Sections 8 and 17, Block 41, T-2-S, T&P RR Co. Survey, City of Odessa, Ector County, Texas (northwest of the intersection of Billy Hext Rd. and Eastridge Rd.)
6. CASE FILE NO. 2021-01-SP  
Consider approval of the site plan Billy Hext Apartments being an approximately 20.929 acre lot in the proposed Crossroads East, 4th Filing, in Sections 8 and 17, Block 41, T-2-S, T&P RR Co. Survey, City of Odessa, Ector County, Texas (northwest of the intersection of Billy Hext Rd. and Eastridge Rd.)
7. CASE FILE NO. 2021-04-P (ETJ)  
Open a public hearing to consider approval of Bird Subdivision, 2<sup>nd</sup> Filing, being a replat of Lot 1, Block 1, Bird Subdivision, & 0.23 tract out of Section 5, Block 41, T-2-S, Ector County, Texas. (southeast of the intersection of Montana Ave. and E. 60<sup>th</sup> St.)
8. CASE FILE NO. 2020-36-P  
Consider approval of the final plat of Rattliff Ridge, 7<sup>th</sup> Filing, being a subdivision of 16.70 acres of land in Section 35, Block 42, T-1-S, T&P Ry. Co Survey, City of Odessa, Ector County, Texas (southeast of the intersection of 96<sup>th</sup> St. and Sagebrush Ave.)
9. Other business
10. Adjourn

Be it said and remembered that at 1:30 p.m. on the 7<sup>th</sup> day of January, 2021 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> Street, Odessa, Texas.

Due to the COVID-19, the meeting was teleconferenced, as allowed by Governor Abbott's executive order. The Planning and Zoning Commission was present through teleconference.

MEMBERS PRESENT: Steve Tercero, Vice Chairman  
Lennerd Byrd  
Connie Coots  
Jimmy Peacock

MEMBERS ABSENT: Renee Earls  
Lance Marker  
Gary Sims,

OTHERS PRESENT: Randy Brinlee, Director of Development; Lorraine Quimiro, Planning Manager; Tim McDaniel, Planner; Cory Maxwell, Planning Tech; Joe Tucker, Assistant City Engineer; and Anne Roney, Secretary.

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CASE FILE NO. 2021-01-SUP (approved with conditions)

Open a public hearing to consider approval of the request by The Permian Oasis, lessee, Mark Wu, owner, for a specific use permit to operate a halfway house in a Light Industrial (LI) District on Lots 9-27, Block 2, Industrial Sites Addition (155 SE Loop 338)

Mr. McDaniel gave the following presentation: There were 8 notices mailed to surrounding property owners, with no notices returned, 1 written protest and no written approvals.

The property involved in this request is located at 155 SE Loop 338. The site is currently designated Future Development (FD) with a pending application for Light Industrial (LI) and is occupied by office development. Land use in the general area consists of industrial development.

The applicant is The Permian Oasis, lessee, Mark Wu, owner, and the purpose of the request is to consider approval of a specific use permit to operate a halfway house in a Light Industrial (LI) district.

A site plan has been prepared indicating the location of the structure and parking requirements. No additional structures are proposed for this development. The building setbacks and lot coverage meet ordinance requirements. The proposed location also meets separation requirements for a halfway house use as set forth in Sec. 14-2-10 of the City of Odessa Zoning Ordinance.

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.

Mr. Peacock asked what the protest card stated, with Mr. McDaniel showing the response card to the Commission. Mr. Tercero asked the location of the protest, being told it is

northeast of the property in this request. There being no further questions for City Staff, Vice Chairman Tercero opened the public hearing.

Mr. George Satterfield, member of the project, approached the lectern to answer any questions. Mr. Tercero asked if the people would be coming to this location or would they be housed on site. Mr. Satterfield stated they are partnering with the State as well as other companies. The people who will be living at this facility are first-time offenders. They are proposing to teach a skill to the people on-site in order for them to be able to obtain a job. The main focus will be on truckers, welders and diesel mechanics. They have to be labeled as a halfway house. The people living on-site will be supported by families, by the State or by grants. Many of the people coming into the facility have never held a job. Mr. Satterfield stated they will be giving them access to an accredited school to give them the tools to obtain a job. The minimum time at the facility will be three months. Through this program they will become certified. The applicant will not be taking in any hard-core criminals. There being no questions or comments, Vice Chairman Tercero closed the public hearing.

Member Peacock moved the specific use permit be approved with 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.

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

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CASE FILE NO. 2021-01-Z (approved)

Open a public hearing to consider approval of the original zoning request by Republic Munitions, LLC, owner, for Light Industrial (LI) on a 2.6 acre tract in Section 25, Block 42, T-2-S, T&P Ry. Co. Survey, Odessa, Ector County Texas, (northeast of the intersection of Meadow Ave. and Pearl St.)

Mr. McDaniel gave the following presentation: There were 2 notices sent to surrounding property owners, with no notices returned, no written protests and no written approvals.

The property involved in this request is located northeast of the intersection of Meadow Ave. and Pearl St. and is currently designated Future Development (FD). Land use in the area consists of industrial uses and vacant land.

The applicant is Republic Munitions, LLC, owner, and the purpose of the original zoning request is to establish zoning to facilitate industrial use on the property.

Using the City's identified priorities contained in the City of Odessa's Comprehensive Plan to evaluate zoning amendments the following comments are offered:

Comprehensiveness: This request is not out of line with the City of Odessa's Comprehensive Plan.

Livability: This request is located away from residential development and is in an area that is largely industrial.

Reasonableness: This request is not out of line with existing industrial uses in the area.

Based on the preceding analysis, staff recommends approval of the request.

There being no questions for City Staff, Vice Chairman Tercero opened the public hearing.

Mr. Tercero asked about the applicant. Mr. Thornton Underwood with Republic Munitions approached the lectern. He stated they have the property licensing to manufacture ammunition on site. Their sales will be through the internet. Mr. Tercero asked if they would be taking all the necessary precautions, being told they would. They will have containers to store the power and ammunition. Mr. Tercero asked if this was inside the city limits, with Mr. McDaniel stating that it is. There being no further questions or comments, Vice Chairman Tercero closed the public hearing.

Member Coots moved the original zoning be approved to Light Industrial (LI). Member Byrd seconded the motion, with the vote being a unanimous "aye".

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CASE FILE NO. 2021-01-P (approved)

Open a public hearing to consider approval of the replat of Lots 32 & 33, Block 1, Mardi Gras Estates, Odessa, Ector County, Texas (southeast of the intersection of Riverboat Blvd. and Canal St.)

Mr. Maxwell gave the following presentation: There were 33 notices mailed to surrounding property owners, with 1 notice returned, 1 written protests and no written approvals.

The property involved in this replat request is located southeast of the intersection of Riverboat Blvd. and Canal St. The site is currently zoned Special Dwelling District (SPD) and occupied by residential development.

The applicant is JRJW Enterprises Inc., Owner, and SW Howell, Consultant and the purpose of the replat is to remove the common lot line between the properties to create one (1) lot for ownership purposes.

Platting comments were sent to the developer on December 29<sup>th</sup>, 2020 for review.

Staff Comments:

- Original ownership and tax certificates need to be submitted prior to filing the plat.
- A Blanket Refuse Collection Easement is noted on the plat.
- Water and sewer are available. No pro-rata is due.
- Drainage report has been submitted. This tract is not in a special flood hazard area.
- There are 2 (two) water and 2 (two) sewer taps adjacent to the lot. The existing taps to lot 33 will be abandoned.
- 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.
- Requesting that an additional GPS point be added to Mardi Gras Estates Replat.

Based on the preceding analysis, staff recommends approval of this request.

There being no questions for City Staff, Vice Chairman Tercero opened the public hearing.

Mr. Frank Gutierrez, 1802 Canal Street, approached the lectern. He stated he was against the request. He felt it would bring down the property values in the area. He indicated he has spoken with the neighbors and they are also opposed to the request.

Ms. Janie Howell, applicant's representative, approached the lectern. She stated the applicant is building a storage building for his classic cars. Mr. Tercero stated the applicant would have to meet all the City requirements. Ms. Howell stated this is a residential lot and the applicant wishes to build a garage. Ms. Coots stated there was not indication of the materials that will be used for the building. Ms. Gutierrez stated that was one of their concerns. Ms. Howell stated the applicant will meet all of the requirements for the neighborhood. This is not a commercial. The applicant just wants a place to store his vehicles. Mr. Brinlee stated any building will need to meet the City building codes and meet all the setback requirements. There being no further questions or comments, Vice Chairman Tercero closed the public hearing.

Member Byrd moved the replat be approved as presented. Member Peacock seconded the motion, with the vote being a unanimous "aye".

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CASE FILE NO. 2021-02-P (approved with conditions)

Consider approval of the short form plat of Permian Machinery Addition being an approximately 9.05 acre tract in Section 40, Block 42, T-2-S, T&P RR. Co. Survey, Odessa, Ector County, Texas (southwest of the intersection of W. Interstate 20 and S. Crane Ave.)

Mr. Maxwell gave the following presentation; The property involved in this request is located southwest of the intersection of W. Interstate 20 and S. Crane Ave. The site is currently designated Light Industrial (LI) and is currently vacant.

The applicant is Permian Machinery Movers Inc., owner, Maverick Engineering, consultant and the purpose of the plat is to create one (1) lot to facilitate industrial development and related uses on the property.

Comments were sent to the consultant for review on December 29th, 2020.

Staff Comments:

- Original ownership and tax certificates are needed prior to filing the plat.
- Signature block needs to read Director of Development.
- Preliminary does not need to be noted on the plat.
- Water and sewer are available. No pro rata is due.
- 25' utility easement needs to be shown on the plat.
- Drainage report has been submitted. On-site detention will be required. This tract is not in a special flood hazard area.
- Submit plans for curb construction across the frontage of the property.
- An Improvements Agreement will be required.
- A Blanket Refuse Collection Easement Agreement will 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.
- Requesting that an additional GPS point be added to Permian Machinery Addition.
- Post development drainage/runoff should not be increased from pre-development conditions through detention, retention, or other means.

Commission action is requested on the following items:

1. Show and dimension the driveway location on the plat (based on TXDOT ramp reversal design the center line of the driveway must be at least 90' from the east property line). (Public Works)
2. The minimum spacing for a two – way frontage road with speed of 50 mph or greater is 510'. Once the frontage roads are converted to one-way, the minimum spacing is 425'. This property is also located in the vicinity of the future EB entrance ramp based on the latest IH 20 schematic. Any proposed access should be located to not interfere with the entrance ramp. (TxDOT)

Mr. Tercero stated there is an EB entrance mentions and what did EB stand for, being told East Bound. Mr. Byrd stated all of the Interstate is going to be overhauled. There will be three lanes each direction and the Service Roads will be one-way.

Member Peacock moved the short form plat be approved with the following conditions:

1. Show and dimension the driveway location on the plat (based on TXDOT ramp reversal design the center line of the driveway must be at least 90' from the east property line).
2. The minimum spacing for a two – way frontage road with speed of 50 mph or greater is 510'. Once the frontage roads are converted to one-way, the minimum spacing is 425'. This property is also located in the vicinity of the future EB entrance ramp based on the latest IH 20 schematic. Any proposed access should be located to not interfere with the entrance ramp.

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

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CASE FILE NO. 2021-03-P (approved with conditions)

Consider approval of the short form plat of Crossroads East, 4th Filing, being an approximately 20.929 acre tract in Sections 8 and 17, Block 41, T-2-S, T&P RR Co. Survey, City of Odessa, Ector County, Texas (northwest of the intersection of Billy Hext Rd. and Eastridge Rd.)

Ms. Quimiro gave the following presentation: The property involved in this request is located northwest of the intersection of Billy Hext Rd. and Eastridge Rd. The site is within the City of Odessa and is currently zoned Light Commercial District (LC). The land is currently vacant.

The applicant is ICA Development II LLC, owner, and the purpose of the request is to create one lot for the development of an apartment complex with 295 units in varying building arrangements. The apartment complex will include community amenities and a proposed drainage basin.

Comments were sent to the consultant for review on December 29, 2020.

Staff Comments:

- Original ownership and tax certificates need to be submitted prior to filing the plat.
- An 18 x24 Mylar needs to be submitted prior to filing the plat.
- Signature block needs to read for Director of Development.
- A Blanket Refuse Collection Easement is noted on the plat.
- Site plan approval is required prior to developing the property.
- Water and sewer are available for extension. No pro rata is due.

- Drainage report needs to be submitted. This tract is not in a special flood hazard area.
- 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.
- We are requesting that an additional GPS point be added to Crossroads East, 4<sup>th</sup> filing. Two GPS points on each plat are needed.
- Post development runoff should not exceed pre-development conditions to state facilities.

Commission action is requested on the following items:

1. Provide easement for water meter vault location. (Public Works)
2. A Blanket Refuse Collection Easement Agreement will be required. (Public Works)
3. Eastridge Road on the plat is actually East Ridge Rd. Recommendation is for consideration by developers to not change the names of previously platted and finalized roadways to avoid any potential confusion during future addressing phases by Ector County personnel. (Ector County 911)

Mr. Byrd asked if all of the adjustment noted in the Platting Conference have been met. Ms. Quimiro stated the mylar will not be recorded until everything has been met.

Member Coots moved the short form plat be approved with the following conditions:

1. Provide easement for water meter vault location.
2. A Blanket Refuse Collection Easement Agreement will be required.
3. Eastridge Road on the plat is actually East Ridge Rd. Recommendation is for consideration by developers to not change the names of previously platted and finalized roadways to avoid any potential confusion during future addressing phases by Ector County personnel.

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

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CASE FILE NO. 2021-01-SP (approved with conditions)

Consider approval of the site plan Billy Hext Apartments being an approximately 20.929 acre lot in the proposed Crossroads East, 4th Filing, in Sections 8 and 17, Block 41, T-2-S, T&P RR Co. Survey, City of Odessa, Ector County, Texas (northwest of the intersection of Billy Hext Rd. and Eastridge Rd.)

Ms. Quimiro gave the following presentation: The property involved in this request is located northwest of the intersection of Billy Hext Rd. and Eastridge Rd. The site is within the City of Odessa and is currently zoned Light Commercial (LC). The land is currently vacant.

The applicant is ICA Development II LLC, owner, and the purpose of the request is lay out the development of a multi-family apartment complex with 295 units in varying building arrangements.

Comments were sent to the consultant for review on December 29, 2020.

Staff Comments:

- The site plan has been submitted indicating the development of a multi-family complex units, community amenities and a proposed drainage basin.

- The building setbacks, separations, parking, and height all meet ordinance requirements.
- The total lot area is approximately 20.929 acres. Lot coverage needs to be provided.
- A total of 585 parking spaces are provided. With efficiency and one bedroom one and three fourths (1.75) space per dwelling unit; two (2) bedroom or more two (2) spaces per dwelling unit, 553 parking spaces are required.
- Two (2) drives accessing to the site are from Billy Hext Rd. North drive to serve as both ingress and egress to the development. South Drive to serve as site egress and access for fire only.
- Trash receptacle locations are proposed throughout the complex. Locations appear acceptable.
- A six (6') feet perimeter metal fence is proposed for this development with controlled entrances.
- All lighting for this development needs to be designed so that no light will bleed over to adjacent properties.
- All signage for the site must meet ordinance requirements. Permits are required for all signage.
- Water and sewer need to be available to property in order to be issued a permit for development of a multi-family property.
- Water & Sewer lines will be private.
- Storm drain lines and detention will be private.
- Maintain maximum spacing between driveways.
- There is a drainage swale behind the curb on Billy Hext Rd. Provide culverts under driveways

Commission action is requested on the following items:

1. Water and sewer need to be available to property in order to be issued a permit for development of a multi-family property (Planning)
2. Move water meter vault onto site to remove conflict with drainage ditch. (Public Works)
3. Construct city sidewalk along Billy Hext Rd. frontage. (Public Works)
4. Shift south driveway to remove conflict with drainage structure. (Public Works)

The site plan is ready for Commission approval as noted above.

There being no questions or comments, Member Peacock moved the site plan be approved with the following conditions:

1. Water and sewer need to be available to property in order to be issued a permit for development of a multi-family property.
2. Move water meter vault onto site to remove conflict with drainage ditch.
3. Construct city sidewalk along Billy Hext Rd. frontage.
4. Shift south driveway to remove conflict with drainage structure.



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

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CASE FILE NO. 2021-04-P (ETJ) (approved)

Open a public hearing to consider approval of Bird Subdivision, 2<sup>nd</sup> Filing, being a replat of Lot 1, Block 1, Bird Subdivision, & 0.23 tract out of Section 5, Block 41, T-2-S, Ector County, Texas. (southeast of the intersection of Montana Ave. and E. 60<sup>th</sup> St.)

Mr. Maxwell gave the following presentation: The property involved in this replat request is located southeast of the intersection of Montana Ave. and E. 60<sup>th</sup> St. 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 single-family residence.

The applicant is Luke Royce Bird and Bront Lee Bird, Owners, and SW Howell, Consultant and the purpose of the replat is to create one (1) lot for ownership purposes.

Platting comments were sent to the developer on December 29<sup>th</sup>, 2020 for review.

Staff Comments:

- Original tax certificates will be needed prior to filing the plat.
- This tract is outside the City limits and is in the ETJ.
- Water and sewer are not available.
- Drainage report has been submitted. This tract is not in a special flood hazard area.
- An Improvements Agreement will not be required.

Staff recommends approval of the request as presented

There being no questions for City Staff, Vice Chairman Tercero opened the public hearing. With no one coming forward to speak for or against the request, Vice Chairman Tercero closed the public hearing.

Member Byrd moved the replat be approved as presented. Member Peacock seconded the motion, with the vote being a unanimous "aye">

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CASE FILE NO. 2020-36-P (approved)

Consider approval of the final plat of Ratliff Ridge, 7<sup>th</sup> Filing, being a subdivision of 16.70 acres of land in Section 35, Block 42, T-1-S, T&P Ry. Co Survey, City of Odessa, Ector County, Texas (southeast of the intersection of 96<sup>th</sup> St. and Sagebrush Ave.)

Mr. McDaniel gave the following presentation: The property involved in this request is located southeast of the intersection of 96<sup>th</sup> St. and Sagebrush Ave. The site is currently zoned Special Dwelling District (SPD) and is vacant. Land use in the area consists of single-family residential development as well as vacant land.

The applicant is Betenbough Homes, owner, and the purpose of the plat request is to create approx. 96 lots (5,000-10,000 sf) for single-family residential development and ownership purposes.

The Planning and Zoning Commission gave preliminary approval to this request on May 7, 2020 with the following condition:

1. Post-development discharge should not exceed pre-development conditions.

This condition has been met and the final plat is ready for Commission approval.

There being no questions or comments, Member Coots moved the final plat be approved as presented. Member Byrd 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 2:04 p.m.

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Anne Roney, Secretary, placed the minutes in the Minute Book on January 7, 2021.

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Steve Tercero, Vice Chairman