

AGENDA

PLANNING AND ZONING COMMISSION

COUNCIL CHAMBER
(meeting held on-line)

MAY 6, 2021

1:30 P.M.

1. Approve the minutes of the April 15, 2021 Planning and Zoning Commission meeting
2. CASE FILE NO. 2021-05-Z
Open a public hearing to consider approval of the request by Tania Hospitality Management LLC and Carl Floyd, owners, Maverick Engineering, agent for original zoning of Light Industrial (LI) on a 17.35 ac. tract in Section 32, Block 42, T-2-S, City of Odessa, Ector County Texas, (northwest of the intersection of Walther Rd. and W. Remington Rd.)
3. CASE FILE NO. 2021-06-Z
Open a public hearing to consider approval of the request by Sonya A Wilson, owner, to rezone from Neighborhood Services (NS) to General Residential (GR) on the west 134' of Lot 21, Block 3, Smith Heights, City of Odessa, Ector County Texas (southeast of the intersection of Murphy St. and Fitch Ave.)
4. CASE FILE NO. 2021-25-P
Open a public hearing to consider approval of the replat of Lot 7, Block 1, Crossroads Fellowship Addition, 5th Filing and a portion of an 11.967 ac. tract out of Section 9, Block 41, T-2-S, T&P Ry. Co. Survey, City of Odessa, Ector County, Texas (southeast of the intersection of E. 56th St. and Billy Hext Rd.)
5. CASE FILE NO. 2021-26-P
Open a public hearing to consider approval of the replat of Lot 13, Block 5, of the replat of Lots 1-12, Block 5 North Port Commercial Sites, City of Odessa, Ector County, Texas (east of the intersection of Andrews Hwy. and E. 92nd St.)
6. CASE FILE NO. 2021-27-P (ETJ)
Open a public hearing to consider approval of the replat of a 4.00 acre tract out of the west part of Lots 12 and 13, Block 4, Westover Acres, Ector County, Texas (southeast of the intersection of N. Alturas Ave. and W. 18th St.)

7. CASE FILE NO. 2021-12-P
Consider approval of the final plat of Desert Ridge, 2nd Filing, Phase 6, being approximately 1.2 ac. tract in Section 2, Block 42, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (northwest of the intersection of Wrigley Dr. and Forbes Dr.)
8. CASE FILE NO. 2021-24-P (ETJ)
Consider approval of the final plat of Westfork Subdivision, 3rd Filing, being a 38.61 acre tract located in Section 10, Block 43, T-2-S, T&P Ry. Co. Survey, Ector County, Texas (northwest of the intersection of Meadowpark Lane and Westfork Drive.)
9. Other business
Election of Chairman and Vice Chairman
10. Adjourn

Be it said and remembered that at 1:30 p.m. on the 6th day of May, 2021 there came on and was held a Planning and Zoning Commission meeting in the Council Chambers, 5th Floor, 411 W. 8th Street, Odessa, Texas.

MEMBERS PRESENT: Gary Sims, Chairman
Connie Coots
Renee Earls
Jimmy Peacock
Wayne Russell

MEMBERS ABSENT: Lance Marker
Steve Tercero

OTHERS PRESENT: Randy Brinlee, Director of Development; Lorraine Quimiro, Planning Manager; Tim McDaniel, Planner; Yervand Hmayakyan, City Engineer; Joe Tucker, Assistant City Engineer; Jan Baker, Senior Assistant City Attorney; and Anne Roney, Secretary.

The minutes of the April 15, 2021 Planning and Zoning Commission meeting were approved, motion for approval being made by Member Peacock, seconded by Member Coots, with the vote being a unanimous "aye".

CASE FILE NO. 2021-05-Z (approved)

Open a public hearing to consider approval of the request by Tania Hospitality Management LLC and Carl Floyd, owners, Maverick Engineering, agent for original zoning of Light Industrial (LI) on a 17.35 ac. tract in Section 32, Block 42, T-2-S, City of Odessa, Ector County Texas, (northwest of the intersection of Walther Rd. and W. Remington Rd.)

Ms. Quimiro gave the following presentation; There were 4 notices mailed to surrounding property owners, with no notices returned, no written protests and no written approvals.

The property involved in this request is located northwest of the intersection of Walther Rd. and W. Remington Rd. The site is currently designated Future Development (FD) and is occupied by industrial development. Land use in the area consists of industrial development and vacant land.

The applicant is Tania Hospitality Management LLC and Carl Floyd, owners, Maverick Engineering, agent, and the purpose of the original zoning request is for industrial development.

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 within an existing industrial area and will match the existing zoning in nearby tracts of land.

Reasonableness: This request will assign zoning to an area that was relatively recently annexed and will allow the current owner to maintain compliance with the zoning ordinance.

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

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

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

CASE FILE NO. 2021-06-Z (approved)

Open a public hearing to consider approval of the request by Sonya A Wilson, owner, to rezone from Neighborhood Services (NS) to General Residential (GR) on the west 134' of Lot 21, Block 3, Smith Heights, City of Odessa, Ector County Texas (southeast of the intersection of Murphy St. and Fitch Ave.)

Mr. McDaniel gave the following presentation: There were 14 notices mailed to surrounding property owners, with no notices returned, no written protests and no written approvals.

The property involved in this request is located southeast of the intersection of Murphy St. and Fitch Ave. The site is currently zoned Neighborhood Services (NS) and is vacant. Land use in the area consists of single-family residential development and vacant land.

The applicant is Sonya A Wilson, owner, and the purpose of the rezone request is to accommodate residential development.

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 within an existing residential area and will match the existing zoning in nearby tracts of land.

Reasonableness: This request will remove a previous spot zone request and return the tract to the surrounding zoning designation. This will prevent the strain that a commercial use may have caused in that location.

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

Mr. Peacock asked what the prior use of the property had been, being told a barber shop.

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

Member Coots moved the rezoning be approved to General Residential (GR). Member Earls seconded the motion, with the vote being a unanimous "aye".

CASE FILE NO. 2021-25-P (approved with conditions

Open a public hearing to consider approval of the replat of Lot 7, Block 1, Crossroads Fellowship Addition, 5th Filing and a portion of an 11.967 ac. tract out of Section 9, Block 41, T-2-S, T&P Ry. Co. Survey, City of Odessa, Ector County, Texas (southeast of the intersection of E. 56th St. and Billy Hext Rd.)

Ms. Quimiro gave the following presentation: The property involved in this request is located southeast of the intersection of E. 56th St. and Billy Hext Rd. The site is zoned Multi-Family-Residence-One (MF-1), Special Dwelling District (SPD) and Special Dwelling District – Surface Drainage (SPD-SD). The land uses on the property are a school and vacant land. Land use in the area consists of single-family residential development, a drainage basin, vacant land and a church.

The applicant is Compass Academy Charter School, Inc., owner, Newton Engineering, agent, and the purpose of this replat is to create one lot (25.95 Ac.) for ownership purposes and the expansion of the campus.

Platting comments were sent to the developer on April 27, 2021 for review.

Staff Comments:

- A Blanket Refuse Collection Easement is noted on the plat.
- Ownership and original tax certificates needed prior to filing the plat.
- Water needs to be extended. No pro rata is due.
- Drainage report has been submitted. This tract is not in a special flood hazard area.

- Include the dedication for Estancia Road adjacent to the plat. A pro-rata agreement needs to be executed prior to filing the plat.
- Water extension plans need to be submitted for review and acceptance.
- 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.
- Includes two GPS points per plat as required.
- Street names are good.
- As noted on this plat by Newton Engineering CRMWD (District) has their 33" pipeline running through the southeastern part. Previously they sent a conflict letter on Crossroads Fellowship 3rd Filing in December of 2018 which included part of this plat.
- District personnel shall be notified prior to excavation of pipelines.
- District pipeline and easements carry certain restrictions prohibiting the construction of habitable structures as well as other features designed to protect the pipeline. It is also worth noting that the pipelines are relatively shallow, which may impact streets, drainage ways, pipelines or other improvements planned to cross the District's lines.
- The developer shall determine the amount of cover existing over the pipelines to determine their potential impact on planned improvements.
- All proposed crossing utilities must cross under the pipeline with a minimum clearance of two feet and be encased throughout the easement.
- To help ensure the integrity of this pipeline, CRMWD requests that a copy of the proposed construction plans be provided for this property for review. This review will allow CRMWD to the opportunity to provide comments prior to issuance of the final construction plans and will help to make the construction process go smoother. Electronic copies of the plans can be provided via e-mail.

Commission action is requested on the following items:

1. An Improvements Agreement will be required. (Public Works)
2. Prior to finalizing the plat, the locations of the existing CRMWD pipelines shall be determined. If needed, the existing CRMWD easements shall be adjusted on the new plat so that the existing pipelines are within the easements. (CRMWD)

Mr. Peacock noted one of the comments was for expansion of the road. Ms. Quimiro stated the road has not been platted is not there at this time. It was also stated 56th St. will eventually be platted to 191 and this has not been done.

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

Member Earls moved the replat be approved with the following conditions:

1. An Improvements Agreement will be required.
2. Prior to finalizing the plat, the locations of the existing CRMWD pipelines shall be determined. If needed, the existing CRMWD easements shall be adjusted on the new plat so that the existing pipelines are within the easements.

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

CASE FILE NO. 2021-26-P (approved with conditions)

Open a public hearing to consider approval of the replat of Lot 13, Block 5, of the replat of Lots 1-12, Block 5 North Port Commercial Sites, City of Odessa, Ector County, Texas (east of the intersection of Andrews Hwy. and E. 92nd St.)

Ms. Quimiro gave the following presentation: The property involved in this replat request is located east of the intersection of Andrews Hwy. and E. 92nd St. The site is currently zoned Planned Development-Industrial District (PD-I) and is occupied by industrial development. Land uses in the area consists of retail development to the north and multi-family and single-family development to the east and south.

The applicant is John Sparkman and Monnie Sparkman, owners, and SW Howell, Inc., consultant and the purpose of the replat is to create two lots for industrial purposes.

Comments were sent to the consultant for review on April 27, 2021.

Staff Comments:

- Original ownership and tax certificates need to be submitted prior to filing the plat.
- A blanket refuse collection easement needs to be 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.

- 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.

Commission action is requested on the following item:

1. Show existing driveways (2) on the plat. (Public Works)
2. Add a note to the plat, No driveways to U.S. 385 other than as shown. (Public Works)
3. Add an access easement to access Lot 15 from existing driveway. (Public Works)

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

Member Peacock moved the replat be approved with the following conditions:

1. Show existing driveways (2) on the plat.
2. Add a note to the plat, No driveways to U.S. 385 other than as shown.
3. Add an access easement to access Lot 15 from existing driveway.

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

CASE FILE NO. 2021-27-P (ETJ) (approved with conditions)

Open a public hearing to consider approval of the replat of a 4.00 acre tract out of the west part of Lots 12 and 13, Block 4, Westover Acres, Ector County, Texas (southeast of the intersection of N. Alturas Ave. and W. 18th St.)

Ms. Quimiro gave the following presentation: The property involved in this replat request is located southeast of the intersection of N. Alturas Ave. and W. 18th 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 industrial development.

The applicants are Monnie Glenn Sparkman and John Robert Sparkman, owners, and SW Howell, Inc, consultant and the purpose of the replat is to create three (3) lots for ownership purposes.

Comments were sent to the consultant for review on April 27, 2021.

Staff Comments:

- Original tax certificates are needed prior to filing the plat.

- Water is available through ECUD.
- Drainage report needs to be submitted. This tract is not in a special flood hazard area.
- Alturas is built to County standards.

Commission action is requested on the following items:

1. Mobil Pipeline Road does not appear to be platted. Submit documentation of dedication. Remainders of Lot 12 and 13 appear to be landlocked. (Public Works)

Ms. Earls asked about the documentation, being told the Consultant has indicated the documentation for the road will be forthcoming.

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

Member Peacock moved the replat be approved with the following condition:

1. Mobil Pipeline Road does not appear to be platted. Submit documentation of dedication. Remainders of Lot 12 and 13 appear to be landlocked.

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

CASE FILE NO. 2021-12-P (approved)

Consider approval of the final plat of Desert Ridge, 2nd Filing, Phase 6, being approximately 1.2 ac. tract in Section 2, Block 42, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (northwest of the intersection of Wrigley Dr. and Forbes Dr.)

Mr. McDaniel gave the following presentation: The property involved in this request is located northwest of the intersection of Wrigley Dr. and Forbes Dr. The site is currently designated Future Development (FD) with an application for original zoning of Special Dwelling District (SPD) pending and is vacant. Land use in the area consists of single-family residential development and vacant land.

The applicant is Leeco Energy & Investment, Inc. owner, LCA, consultant, and the purpose of the plat is to create eight (8) single-family residential lots (approx. 6,400 sq. ft./lot).

The Planning and Zoning Commission gave preliminary approval to this request on March 4, 2021, and the final plat is ready for Commission approval.

Member Coots moved the final plat be approved as presented. Member Earls seconded the motion, with the vote being a unanimous "aye."

CASE FILE NO. 2021-24-P (ETJ) (approved)

Consider approval of the final plat of Westfork Subdivision, 3rd Filing, being a 38.61 acre tract located in Section 10, Block 43, T-2-S, T&P Ry. Co. Survey, Ector County, Texas (northwest of the intersection of Meadowpark Lane and Westfork Drive.)

Mr. McDaniel gave the following presentation: The property involved in this request is located northwest of the intersection of Meadowpark Lane and Westfork Drive. The site is located outside the City limits, is in the City of Odessa ETJ and is vacant.

The applicant is OBBCO Ranch Corporation, owner, SW Howell, consultant, and the purpose of the plat is to create six (6) lots for ownership purposes.

The Planning and Zoning Commission gave preliminary approval to this request on April 15, 2021 and the final plat is ready for Commission approval as noted above.

Member Peacock moved the final plat be approved as presented. Member Russell seconded the motion, with the vote being a unanimous "aye".

Other business: Election of Chairman and Vice Chairman

After a brief discussion, Member Earls moved Jimmy Peacock be elected as Chairman. Member Coots seconded the motion, with the vote being a unanimous "aye".

Member Sims moved Connie Coots be elected as Vice Chairman. Member Earls seconded the motion, with the vote being a unanimous "aye".

There being no further business to come before the Commission, the meeting was adjourned at 1:47 p.m.

Anne Roney, Secretary, placed the minutes in the Minute Book on May 6, 2021.

Gary Sims, Chairman