

# AGENDA

## PLANNING AND ZONING COMMISSION

### COUNCIL CHAMBER

JULY 15, 2021

1:30 P.M.

1. Approve the minutes of the July 1, 2021 Planning and Zoning Commission meeting
2. CASE FILE NO. 2021-12-Z  
Open a public hearing to consider approval of the request by J&GK Properties, LLC, owner, Franklin Land Associates, LLC, optionee, for original zoning of Light Industrial (LI) on Lot 1, Block 5, Willis Addition, City of Odessa, Ector County Texas, (southwest corner of Maurice Rd. and S. County Road West)
3. CASE FILE NO. 2021-42-P  
Open a public hearing to consider approval of Vista Del Norte, 8<sup>th</sup> Filing, being a replat of Lot 4, Block 6, Vista Del Norte 2<sup>nd</sup> Filing and Lot 17, Block 11, Vista Del Norte 4<sup>th</sup> Filing, Ector County Plat records located in Section 9, Block 41, T-2-S, City of Odessa, Ector County, Texas (southeast of the intersection of Oporto St. and Parks Legado Rd.)
4. CASE FILE NO. 2021-43-P  
Open a public hearing to consider approval of the replat of Lots 90 and 95, Block 1, Mardi Gras Estates, 2<sup>nd</sup> Filing, City of Odessa, Ector County, Texas (northwest of the intersection of NE Loop 338. and E. 87<sup>th</sup> St.)
5. CASE FILE NO. 2021-44-P  
Open a public hearing to consider approval of the replat of Lot 11, Block 4, Leeco Addition 3<sup>rd</sup> Filing, City of Odessa, Ector County, Texas (north of the intersection of Valverde and East Ridge Rd.)
6. CASE FILE NO. 2021-39-P  
Consider approval of the final plat of Mardi Gras Estates, 5<sup>th</sup> Filing, being a subdivision of 19.94 acres of land in Section 38, Block 42, T-1-S, T&P RR Co. Survey, City of Odessa, Ector County, Texas (northeast of Cajun St. and Mardi Gras Blvd.)
7. Other business
8. Adjourn

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Be it said and remembered that at 1:30 p.m. on the 15<sup>th</sup> day of July, 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> St., Odessa, Texas.

MEMBERS PRESENT: Jimmy Peacock, Chairman  
Connie Coots  
Wayne Russell  
Steve Tercero

MEMBERS ABSENT: Renee Earls  
Lance Marker  
Gary Sims

OTHERS PRESENT: Randy Brinlee, Director of Development; Lorraine Quimiro, Planning Manager; Tim McDaniel and Maria Prieto, Planners; Jared Aguilar, Planning Tech; Joe Tucker, Assistant City Engineer; and Anne Roney, Secretary.

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The minutes of the July 1, 2021, Planning and Zoning Commission were approved, motion for approval being made by Member Coots, seconded by Members Russell and Tercero, with the vote being a unanimous "aye".

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

Open a public hearing to consider approval of the request by J&GK Properties, LLC, owner, Franklin Land Associates, LLC, optionee, for original zoning of Light Industrial (LI) on Lot 1, Block 5, Willis Addition, City of Odessa, Ector County Texas, (southwest corner of Maurice Rd. and S. County Road West)

Mr. McDaniel gave the following presentation: There were 6 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 on the southwest corner of Maurice Rd. and S. County Road West. 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 J&GK Properties, owner, Franklin Land Associates, LLC, optionee, 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 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 Peacock opened the public hearing. With no one coming forward to speak for or against the request, Chairman Peacock closed the public hearing.

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

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CASE FILE NO. 2021-42-P (approved with conditions)

Open a public hearing to consider approval of Vista Del Norte, 8<sup>th</sup> Filing, being a replat of Lot 4, Block 6, Vista Del Norte 2<sup>nd</sup> Filing and Lot 17, Block 11, Vista Del Norte 4<sup>th</sup> Filing, Ector County Plat records located in Section 9, Block 41, T-2-S, City of Odessa, Ector County, Texas (southeast of the intersection of Oporto St. and Parks Legado Rd.)

Ms. Prieto gave the following presentation: There were 20 notices mailed to surrounding property owners, with 1 notice returned, no written protests and no written approvals.

The property involved in this replat request is located southeast of the intersection of Oporto St. and Parks Legado Rd. The site is zoned Single Family-One (SF-1) and is vacant. Land uses in the area consists of residential development and vacant land to the west and southwest, office development to the north, single family residential development to the east and south.

The applicant is Del Norte II LLC, owner, LCA, consultant and the purpose of the replat is to create three (3) lots (approx. 12,632 – 18,580 sq. ft.) for single-family residential development.

Comments were sent to the consultant for review on July 6, 2021.

Staff Comments:

- Original tax/ownership certificates are needed prior to filing the plat.
- A blanket refuse collection easement is shown on the plat.

- Water and sewer are available. No pro rata is due.
- Drainage report has been submitted previously. This tract is not in a special flood hazard area.
- An Improvements 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.

Commission action is requested on the following items:

1. Designate 25' rear yard setback line on proposed Lots 18 and 19 adjacent to Parks Legado Rd. (Planning)
2. Add a note to the plat: Lots 18 & 19, Block 6 shall not have direct access to Parks Legado Road. (Public Works)
3. Add a 15' utility easement on the west side of Lots 18 & 19. (Public Works)
4. Add a 15' utility easement on the south side of Lot 19. (Public Works)
5. La Campana on the plat is actually La Campana Dr. (Ector County 911)

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

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

1. Designate 25' rear yard setback line on proposed Lots 18 and 19 adjacent to Parks Legado Rd.
2. Add a note to the plat: Lots 18 & 19, Block 6 shall not have direct access to Parks Legado Road.
3. Add a 15' utility easement on the west side of Lots 18 & 19 and a 15' utility easement on the south side of Lot 19.
4. La Campana on the plat is actually La Campana Dr.

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

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CASE FILE NO. 2021-43-P (approved with conditions)

Open a public hearing to consider approval of the replat of Lots 90 and 95, Block 1, Mardi Gras Estates, 2<sup>nd</sup> Filing, City of Odessa, Ector County, Texas (northwest of the intersection of NE Loop 338. and E. 87<sup>th</sup> St.)

Mr. McDaniel gave the following presentation: The property involved in this replat request is located northwest of the intersection of NE Loop 338 and E. 87<sup>th</sup> St. The site is zoned Retail (R) and Special Dwelling District-Drill Reservation (SPD-DR) and is vacant. Land use in the area consists of single-family residential development and vacant land.

The applicant is Betenbough Homes, owner, and the purpose of the replat is to create 108 lots (approx. 3,240-7,280 sq. ft.) for a mixture of single-family attached and detached residential development.

Comments were sent to the consultant for review on July 6<sup>th</sup>, 2021.

Staff Comments:

- Separate administrative site plan will be required prior to filing permits.
- Lot sizes are mostly unsuitable for single-family detached housing. Only single-family attached/special housing uses are allowed on lots with width below 50'
- Buildings with lengths of over 300' are not allowed. 10' separation must be supplied between buildings.
- Water and sewer are available for extension. No pro rata is due.
- Drainage report was previously submitted, however this development is denser than originally planned. There will be lesser volumetric flow rate Q because purpose changed from commercial to residential. Supplemental report is needed quantifying excavation requirement. This tract is not in a special flood hazard area.
- Water, sewer, paving and drainage plans need to be submitted for review and acceptance.
- An Improvements 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.
- Post-development drainage/runoff should not exceed pre-development conditions.
- A physical barrier should be placed along the Loop 338 right-of-way to prevent access from/to the proposed development.

Commission action is requested on the following items:

1. Add a note to the plat: No fences may be constructed crossing any easements. (Public Works)
2. Add a note to the plat: Access from Street 6 to Loop 338 shall be for emergency vehicles only. (Public Works)
3. Add a note to the plat: There shall be no direct access to Loop 338 from Lots 32-34, Block 12, Lot 65, Block 12, and Lot 107, Block 1. (Public Works)
4. Mustang Circle is similar in name to Mustang Ave. in the City of Odessa; Lantana Lane is similar in name to Lantana Court in the City of Odessa; and Plains Avenue is identical in name to Plains Avenue in the City of Odessa. Recommendation is to assign new street names to these streets to avoid any potential confusion for emergency response teams. (Ector County 911)

Mr. McDaniel stated the applicant submitted a corrected plat after the agendas went out and items 1-3 have been corrected and no longer need Commission action, however item 4 regarding the street names still needs Commission action.

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

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

1. Mustang Circle is similar in name to Mustang Ave. in the City of Odessa; Lantana Lane is similar in name to Lantana Court in the City of Odessa; and Plains Avenue is identical in name to Plains Avenue in the City of Odessa. Recommendation is to assign new street names to these streets to avoid any potential confusion for emergency response teams.

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

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CASE FILE NO. 2021-44-P (approved with conditions)

Open a public hearing to consider approval of the replat of Lot 11, Block 4, Leeco Addition 3<sup>rd</sup> Filing, City of Odessa, Ector County, Texas (north of the intersection of Valverde and East Ridge Rd.)

Ms. Quimiro gave the following presentation: The property involved in this replat request is located north of the intersection of Valverde and East Ridge Rd. The site is zoned Retail (R) and is currently vacant. Land use in the area consists of recreational use to the north, single family residential to the south, retail to the east and west.

The applicant is LEECO Energy & Investments Inc., owner, LCA, agent, and the purpose of the replat is to create two (2) lots for retail purposes.

Comments were sent to the consultant for review on July 6, 2021.

Staff Comments:

- Original ownership and tax certificates need to be submitted prior to filing the plat.
- A Blanket Refuse Collection Easement Agreement will be required and 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.
- Add a note to the plat: Access to Eastridge Rd. is limited to the 3 locations identified.
- An Improvements Agreement may be required for fire protection across Eastridge.
- Submit plans for fire protection 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.

Commission action is requested on the following items:

1. Eastridge Road on the plat needs to be corrected to East Ridge Road. (Ector County 911)

Ms. Coots asked if the City knew what was going into this location. Mr. Casey Maxwell, consultant with LCA, stated it will be a Pody's BBQ.

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

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

1. Eastridge Road on the plat needs to be corrected to East Ridge Road.

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

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CASE FILE NO. 2021-39-P (approved)

Consider approval of the final plat of Mardi Gras Estates, 5th Filing, being a subdivision of 19.94 acres of land in Section 38, Block 42, T-1-S, T&P RR Co. Survey, City of Odessa, Ector County, Texas (northeast of Cajun St. and Mardi Gras Blvd.)

Ms. Quimiro gave the following presentation: The property involved in this request is located northeast of Cajun St. and Mardi Gras Blvd. The site is within the City of Odessa and is zoned Special Dwelling District (SPD). The land is currently vacant. Land use in the general area consists of single family residential development to the north, east, and west and vacant land to the south.

The applicant is Betenbough Homes, owner, and the purpose of the request is to create 124 single-family residential lots (approx. avg. size of 5,726 sq.ft.).

The Planning and Zoning Commission gave preliminary approval to the Preliminary Plat on June 17, 2021.

The final plat has been reviewed and is ready for approval.

There being no questions or comments, Member Tercero moved the final plat be approved as presented. Member Russell 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 1:40 p.m.

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Anne Roney, Secretary, placed the minutes in the Minute Book on July 15, 2021.

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Jimmy Peacock, Chairman