



PLANNING & ZONING COMMISSION

Lance Marker, Chairman
Wayne Russel, Vice Chairman
Connie Coots, Member
Craig Stoker, Member
Gary Simms, Member
Jimmy Peacock, Member
Steve Tercero, Member

**PLANNING & ZONING COMMISSION, Minutes
CITY COUNCIL CHAMBERS – FIFTH FLOOR**

**July 20, 2023
1:30 P.M.**

OPENING ITEMS

I. Call to Order

II. Pledge of Allegiance and Texas Pledge.

Honor the Texas Flag, I pledge allegiance to

thee, Texas, one state under God, one and
Indivisible.

III. CONSENT ITEMS

1. Consider approval of the Planning & Zoning Meeting minutes for July 6, 2023

IV. MISCELLANEOUS

2. CASE FILE NO. 2023-56-P(ETJ)

Motion approving with staff's recommended conditions for a proposed Preliminary Plat of Southwest Industrial Sites, 4th Filing, being a Replat of Lots 4 and 5, Block 6, Southwest Industrial Sites Located in Section 44, Block 22, T-2-S, T&P RR Co. Survey, Ector County, Texas. (Generally located on the northeast corner of the intersection of Dufay Way and S Fulton Ave- Extraterritorial Jurisdiction)

3. CASE FILE NO. 2023-57-P

Motion approving with staff's recommended conditions for a proposed Preliminary Plat of Mardi Gras Estates, 8th Filing, being a plat of a 1.119 Acre Tract in Section 38, Block 42, T-1-S, T&P RR Co. Survey, City of Odessa, Ector County, Texas. (Generally located on the north side of 87th Street, approximately 290-feet east of Evans Boulevard- Council District 4)

V. ADJOURN

Be it said and remembered that at 1:30 p.m. on the 20th Day of July 2023, there came on and was held a Planning and Zoning Commission meeting in the Council Chambers, 5th Floor, 411 W. 8th St., Odessa, Texas.

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

MEMBERS ABSENT: Lance Marker, Chairman
Craig Stoker
Gary Sims

OTHERS PRESENT: Maria Prieto, Planning Manager; James Reber, Planner; Cheynna Torres, Planning Tech, Joe Tucker, Assistant City Engineer; Fara Hernandez, CIP Coordinator; Dan Jones, Interim City Attorney

The minutes of the July 21, 2023, Planning and Zoning Commission meet were approved, motion for approval being made by Commissioner Connie Coots, seconded by Commissioner Steve Tercero, with the vote being a unanimous “aye”.

Recommended Planning and Zoning Commission Action:

Case File 2023-56-P X Approved _____ Deny

Detail of the Request:

The applicant, Newton Engineering, PC, is requesting to replat lots 4 and 5, Block 6, Southwest Industrial Sites Located in Section 44, Block 22, T-2-S, T&P RR Co. Survey, Ector County, Texas, for ownership purposes.

Current Zoning:**Extra-Territorial Jurisdiction (ETJ)**

This request has been routed to all respective departments for internal review.
The comments are below:

PLANNING:(Approved)

Certificate of Ownership.

Need most recent tax certificates.

Indicate cutback on Fulton Dr. Access Easement Lot 23.

Public Works:

This tract is outside 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.

The lots are sufficient size for water well and septic systems.

Ector County signature block is missing.

Ector County 911:

Each access easement should be at least 50 feet wide and have a unique street name.

Recommendation is for consideration to be given to have each street to be at least 50 feet wide to allow access to emergency response vehicles.

Also, recommendation is for consideration to be given to assign each of the four streets a unique street name that is consistent with Ector County addressing standards as well as a proper street suffix and prefix directional. (ex. S Streetname Avenue & W Streetname Street).

Lastly, recommendation is for consideration to be given to send us the four proposed street names prior to plat finalization so that we may check for street names already in use within Ector County and the City of Odessa.

GIS:

No comments.

ECUD:

No comments.

TxDOT:

No comments.

Staff recommends approval of the Preliminary Replat of Southwest Industrial Sites, 4th Filing, subject to conditions A.

Condition:

A. Approval of this Replat is subject to all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Ector County, Texas.

Attachments:

Application
Proposed Plat
Maps

Mr. Reber presented: The applicant is Newton Engineering, PC, is requesting a replat Lots 4 and 5, Block 6, Southwest Industrial Sites Located in Section 44, Block 22, T-2-S, T&P RR Co. Survey, Ector County, Texas, for ownership purposes.

Questions from our Commissioner Jimmy Peacock; The request to expand the access from 30' to 50' feet, is that new or future plat requirements. Those three-access show on this plat to be 30', expanding by 20 more feet? My question is it must do whether or not its unique to this plat or in the future we will receive more.

M. Prieto indicated she spoke with Mr. Landrum, regarding the request. This request is unique to this plat. Mr. Landrum had no objections, or comments on the request. As far as the city is concerned, we are going more towards requirements

J. Peacock ask if other consultants need to be considerate over this, since it takes up acres, by losing requesting the additional 20. I have not done any hard math, however looks like it could work out.

Wayne Russell, chairman, states if whether we will comment this in all future developments outside of City Limits.

M. Prieto states “as far as the lots are concerned, for outside city limits, I did reach out to Eddie Landrum, and ordinance requires one acre outside of the City, this is one of them. Comment in the Ector County 911 this is what they request.

K. Newton- I’ve reached out for the 30’ access, preferred, we provided enough space in the development. My client request to stick to the 30’ since it is not public more private. Chairman ask if we could reach out to Landrum for this requirement and ensure the access could be 30 or 50.

K. Newton comments “unaware of outside City Limits and their ordinances” access easement is 50’ and comment says Consider and we have considered and want to keep 30 not 50 feet.

W. Russell ask him if he plans to use in the future and need a clear statement for other plats.

M. Prieto ask; Did you want to plan to go as is or wait for comments and table?

J. Peacock, Commissioner, asked How much of a bind will this put you, if we were to table it to decide.

Connie Coots, Commissioner, comments “he would much likely want to move forward, since this says consider instead of required”.

K. Newton says Ector County 911 recommends, to me that does not say you have to do. We feel like we have considered this and want to move forward with the 30’ access instead, feel like it is justified in our case. The client would like to get this moving as quick as possible, so, delaying it is if we have to we have to.

M. Prieto comments this is a Preliminary, and we can continue with if approved with conditions. If he proposes the 50’.

C. Coots, Commissioner, says considerations so does not even show he has to do so.

K. Newton comments with unaware of anything in the County Development regulations, where it has to be 50’.

W. Russell, Chairman, how considerations become permanent after.

Newton comments on this is how you set a president on consulting, and I think you all understand, how difficult it is when its not said in “Ordinance or Code”. Hard to plan around things like this, as we do other developments.

W. Russell, states must leave this at thirty if they don’t have those requirements.

M. Prieto, considering other conditions are met, this is an undecided access point.

J. Peacock approves as presented with recommendations from staff.

Connie Coots Seconds the approval as presented, with the vote being a unanimous "aye".

Recommended Planning and Zoning Commission Action:
Case File 2023-57-Z X Approved Deny

Details of Request:

The applicant, Piper Surveying Co., is requesting to replat a 1.119 Acre Tract in Section 38, Block 42, T-1-S T&P RR Co. Survey, City of Odessa, Ector County, Texas, for ownership purposes.

Current Zoning: **R, Retail District**

This request has been routed to all respective departments for internal review. The comments are below:

PLANNING:(Approved)

Certificate of Ownership.

Need most recent tax certificates.

Need to indicate (POB) Point of Beginning.

Director of Planning needs to change to Director of Development.

Public Works:

Water and sewer are available for extension. No pro rata is due.

Drainage report has been submitted. On-site or off-site detention of 0.244 acre-feet per acre of development it required per drainage report.

This tract is not in a special flood hazard area.

Water, sewer and drainage excavation plans need to be submitted for review and acceptance.

\$25,761.45 street pro-rata for 195' of 87th Street frontage is due prior to recording the plat (invoice is attached).

An Improvement 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 polices.

Ector County 911:

No Comments.

GIS:

No comments.

ECUD:

No comments.

TxDOT:

No comments.

Staff recommends approval of the Preliminary Plat of Mardi Gras Estates, 8th Filing, subject to conditions A.

Condition:

B. Approval of this Replat is subject to all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Ector County, Texas.

Attachments:

Application
Proposed Plat
Maps

Mr. Reber presented: The applicant is Piper Surveying Co., is requesting a replat a 1.119 Acre tract in Section 38, Block 42, T-1-S, T&P RR Co. Survey, City of Odessa, Ector County, Texas, for ownership purposes.

Vice Chairman Wayne Russell turned to commission, as Stan Piper approaches stand, Russell indicates not a public hearing.

Stan Piper responds, I am representing the developer, application was for a short form as stated in the plat. As well, the ownership is going to be changed from 87th Partners (Betenbough) to Dollar Store. Request from Public Works-Joe requesting for shared

driveway. As stated in the paperwork (agenda) not a preliminary, submitted as Short Form. (Approaches stand, to show the agenda Plat)

S. Tercero mentions short form has been circled, and reason for the short form.

J. Peacock, commissioner, asked for Staff please, assist with direction? Says short form on the approval application list. Showing on the intro as prelim, and paperwork with short form.

M. Prieto states, when it was submitted, I indicated it as a short form, however on the agenda it went ahead and carried over as preliminary.

C. Coots comments so we could amend the agenda, and go over it to fix?

One additional comment if it could be additional driveway and east of 87th. To limit access to it on 87th, adding that comment. J. Tucker from Public Works, mentions.

J. Peacock ask, so, you have remainder of 11 acres, common owners

Stan Piper comments "Today its common owners".

Jimmy Peacock ask How will that effect the other acres. There will be 10 acres, will that one driveway be sufficient to remaining

J. Tucker, Public Works, the carwash in the same area, will not have a street access as they do not have.

So, the remainder will not come off 87th, will come off Mardi gras, Commissioner J. Peacock ask.

J. Tucker answers with if they split into three different, but two works perfectly either way, for the shared Driveway.

Mr. piper, we discuss the driveway and the effects. Engineer has the site plan and I doubt he has it centered, so I guess we will have to contingent upon approval of shared driveway

C. Coots ask if we are Tabling it?

Piper lets joe know, another thing, if we want to leave driveway where it is, include an easement inside the property, in the frontage. Use it for mighty wash and they have their

plans, and they are extending their water lines. What I understood for mighty wash, as I get from the engineers.

J. Tucker answers with we have reviewed those clients and their site plan; they are approved.

S. Tercero ask what do we conclude?

J. Peacock ask, "Do you prefer to not do additional driveway, but you must have to get with your client"?

Piper answers with I have a client and my direct client has an engineering firm company, and the development company he's working for. Betenbough still owns it so, all I could say is I could take it back to them with approach of this driveway. They do have a site plan, unless they knew it was going to be a shared driveway. I would accept based on their submitting to them. I do not have the right to say yes or no.

J. Peacock statement of I am confused, since I have been getting complaints about the murphy's we have approved on Grandview and University, and it has been on Facebook and My community pages. The traffic with them having access. I have a new coffee shop across from my office now, and I think there is going to be another car wash, as it is already difficult to get out of my office, on Grandview. I understand the need to limit access.

S. Piper comments "do you want to know something"? Traffic light is out in the intersection right now on university and Grant. Somebody hit it.

Commissioner Peacocks ask we need direction from staff, should we approve, or should we table this?

M. Prieto answers with I have received notification the improvement agreements have not been done yet. My understanding is that it was originally going short form, for improvements agreements have not gone in, in situations like this it would have to go preliminary. Regarding short form to preliminary, however it is decided we could table. Do you think the improvements will be done by then?

S. Piper answers with "I'm not in charge of those".

Commissioner mentions for progress to happen, it would have to be preliminary plat, if we approve it. Could you work out access issue before it comes back. If we table it, we will have to do back log and redo it all. Would it give you opportunities to work things out before coming back?

S. Piper notes I'm glad to be here now, not 60 days later.

J. Peacock ask, so, my question to staff is, if we approve it preliminary, does it give you enough time to work thing out.

Do we table it? W. Russell ask.

We are not tabling it, so we could keep moving forward. Jimmy Peacock notes.

Jimmy Peacock approved as presented

Connie's coots second the approval, however do we need to approve it as prelim.

We have by saying approve as presented. All commissioner vote with "aye", being an unanimous vote

There being no further business to come before the Commission, the meeting was adjourned at 1:52 p.m.

James Reber, Planner, placed the minutes in the Minute Book on July 21, 2023.

Wayne Russell, Vice-Chairman