

AGENDA
PLANNING AND ZONING COMMISSION
THIRD FLOOR CONFERENCE ROOM

JULY 6, 2017

1:30 P.M.

1. Approve the minutes of the June 15, 2017 Planning and Zoning Commission meeting
2. CASE FILE NO. 2017-10-Z
Open a public hearing to consider approval of the request by Wanda Watkins Living Trust, owner, City of Odessa, agent, to rezone from Planned Development-Office (PD-O) to Planned Development-Light Commercial (PD-LC) Lot 11, Block 4, Normandy Addition (southwest corner of E. University and N. Hancock Ave.)
3. CASE FILE NO. 2017-14-Z
Open a public hearing to consider approval of the request by Sunoco/Stripes LLC, owner, for original zoning to Light Industrial (LI) Lots 9 and 10, Block 1, Odessa Industrial Development Park (southwest of the intersection of Murphy St. and Market Ave.)
4. CASE FILE NO 2017-31-P
Open a public hearing to consider approval of the replat of Lots 9 & 10, Block 1 Odessa Industrial Development Park, 1st Filing, being approximately a 6.485 acre tract in Section 36, Block 42, T-2-S, T&P RR. Co. Survey, Ector County, Texas (located southwest of the intersection of Murphy St. and Market Ave.)
5. CASE FILE NO 2017-32-P
Open a public hearing to consider approval of the replat of Lots 17 and 19, Block 1, Grant Avenue Industrial Sites, City of Odessa, Ector County, Texas, being approximately a 2.021 acre tract [located approximately 142 ft. east of the southeast corner of Andrews Highway (U.S. Highway 385) and University Blvd.]
6. CASE FILE NO. 2017-29-P
Consider approval of the preliminary plat of North Park Addition, 20th Filing, being approximately a 39.07 ac. tract in Section 34, 38, and 39, Block 42, T-1-S, T&P RR. Co. Survey, Ector County, Texas (northwest of the intersection of E. 87th St. and proposed Evans Blvd.)
7. CASE FILE NO. 2017-30-SP
Consider approval of the request of Real Property Resources, owner, for site plan approval for 170 single family residential lots (min 5,000 sq. ft.) approximately a 39.07 ac. tract in Section 34, 38, and 39, Block 42, T-1-S, T&P RR. Co. Survey, Ector County, Texas (proposed North Park 20th Filing) (northwest of the intersection of E. 87th St. and proposed Evans Blvd.)
8. CASE FILE NO. 2017-33-P(ETJ)
Open a public hearing to consider approval of the replat of Lot 3, Block 11, Westover Acres, 2nd Filing (southwest of the intersection of W. 22nd St. and Alturas Ave.)
9. CASE FILE NO. 2017-34-P(ETJ)
Consider approval of the short form plat of Ponderosa Estates East 13th Filing, being a 3.00 acre tract in Section 4, Block 41, T-2-S, T&P Ry Co. Survey, Ector County, Texas (southeast of the intersection of N. Lagow Ln. and N. Faudree Rd.)
10. Other business
11. Adjourn

Be it said and remembered that at 1:30 p.m. on the 6th day of July, 2017 there came on and was held a Planning and Zoning Commission meeting in the Third Floor Conference Room, 411 W. 8th Street, Odessa, Texas.

MEMBERS PRESENT: Gary Sims, Chairman
Marcia Cleaver
Renee Earls
Katherine Kirk
Steve Tercero

MEMBERS ABSENT: Jimmy Peacock
Anabel Spencer

OTHERS PRESENT: Randy Brinlee, Director of Planning and Development; Danielle Pittman and Sherry Bailey, Planners; Joe Tucker, Civil Engineer; Todd Stephens, Senior Assistant City Attorney; and Anne Roney, Secretary.

The minutes of the June 15, 2017 Planning and Zoning Commission meeting were approved, motion for approval being made by Member Tercero, seconded by Member Kirk, with the vote being a unanimous "aye".

CASE FILE NO. 2017-10-Z (approved with conditions)

Open a public hearing to consider approval of the request by Wanda Watkins Living Trust, owner, City of Odessa, agent, to rezone from Planned Development-Office (PD-O) to Planned Development-Light Commercial (PD-LC) Lot 11, Block 4, Normandy Addition (southwest corner of E. University and N. Hancock Ave.)

Ms. Bailey gave the following presentation: There were 18 notices mailed to surrounding property owners, with no notices returned, 2 written protests and 2 written approvals.

The property involved in this request is located southwest of the corner of E. University Blvd. and N. Hancock Ave. The site is impacted by the University Blvd. widening project and as part of the negotiation the applicant wants to rezone in order to build a small greenhouse incidental to her florist business and the city is requesting from her a significant front yard easement to facilitate creating a cul-de-sac at the end of Hancock Ave. The property to the north is Single Family-Three (SF-3) and Light Commercial (LC); to the west is Light Commercial (LC), and to the east and south is Two Family-One (2F-1).

The applicant is Wanda Watkins Living Trust—owner and the purpose of the request is to facilitate a business expansion and to meet the needs of the University Blvd. widening project.

As part of the Planned Development zoning a site plan is submitted for approval with the following conditions:

1. The site plan has been submitted indicating the expansion of the business to the west (Blooming Rose) by facilitating the development of only a greenhouse (associated with the florist shop) on the property.
2. Four paved surfaced parking spaces are required on site for the greenhouse.
3. Building setbacks include twenty-five (25) feet front yard setback off Hancock Avenue, fifteen (15) feet setback off University Blvd. and ten (10) feet side yard interior setback.
4. Landscaping per the City of Odessa's Landscape Ordinance will be required (including street trees along both street frontages).
5. Delivery trucks will not be allowed to access or exit the lot through the residential district from the twenty-foot gate off Hancock Ave.

6. Adoption of the site plan.

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

Consistency: The subject area is located in the northern area of the City of Odessa's Future Land Use Map. This area is considered prime area for commercial/retail development backed by medium density residential growth in Odessa. The Future Land Use Map calls for commercial development along major streets adjacent to medium density residential in this area which serves as a buffer to adjacent single family residential development. The proposed zoning is consistent with the Comprehensive Plan.

Land Use: The proposed land use for this area is consistent with the identified City priority of a Mixed-Use Commercial area for the North side Community adjacent to medium density residential.

Livability: The proposed future use will be an attractive commercial area with aesthetic and landscape enhancements consistent with the City's priority for a high quality of life for its residents.

Transportation: The zoning requested for this site is consistent with the City's priority for attractive, safe and context sensitive roadways taken into consideration.

Based upon the preceding analysis, Staff recommends approval of the request.

Mr. Joe Tucker referred to the site plan and stated the city is trying to correct some traffic problems along with the widening of University. They are creating a cul-de-sac on the south side of University. The city is also requesting a 50' easement. The owner is requesting to allow a greenhouse. Mr. Sims asked if this is a commercial use, being told it will be an accessory building to the existing florist shop. Mr. Tercero asked if Hancock will be a through street, being told Hancock on the south side of University will end in a cul-de-sac. Mr. Sims asked if the streets surrounding this area would be two-way, being told they would be. Ms. Kirk asked if the property owners who were protesting would be impacted with this request. Mr. Tucker stated the property owners protesting would not be impacted.

There being no further questions for City Staff, Chairman Sims opened the public hearing. Ms. Janie Howell asked if the city would be completing the cul-de-sac at the same time University is being widened, being told that was correct. There being no further questions or comments, Chairman Sims closed the public hearing.

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

1. The use for the property will be limited to an accessory greenhouse associated with the florist shop.
2. Four paved parking spaces are required to be provided on the property.
3. Building setbacks include twenty-five (25) feet front yard setback off Hancock Avenue, fifteen (15) feet setback off University Blvd. and ten (10) feet side yard interior setback.
4. Landscaping per the City of Odessa's Landscape Ordinance will be required (including street trees along both street frontages).
5. Delivery trucks will not be allowed to access or exit the lot through the residential district from the twenty-foot gate off Hancock Ave.
6. Adoption of the site plan.

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

CASE FILE NO. 2017-14-Z (approved)

Open a public hearing to consider approval of the request by Sunoco/Stripes LLC, owner, for original zoning to Light Industrial (LI) Lots 9 and 10, Block 1, Odessa Industrial Development Park (southwest of the intersection of Murphy St. and Market Ave.)

Ms. Bailey gave the following presentation: There were 7 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 southwest of the intersection of E. Murphy St. and Market Ave. The site was recently annexed into the City of Odessa. The site is vacant. The land to the north is vacant, while the land to the east, south and west contains industrial development.

The applicant is Sunoco/Stripes LLC, owner and the purpose of the request is for site development for Sunoco Energy Services and for ownership purposes.

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

Consistency: The subject area is located in the southeast portion of the City of Odessa's Future Land Use Map. This area is considered one of the main areas for industrial development in Odessa. The Future Land Use Map calls for commercial and industrial development in this area. The proposed zoning is consistent with the Comprehensive Plan.

Land Use: The proposed land use for this area is consistent with the identified City priority of a commercial/industrial mix of uses separated from residential development but with easy access to Interstate 20.

Transportation: The zoning requested for this site and the proposed development's design is consistent with the City's priority for placing major traffic generators in areas with ready access to transportation corridors.

Based upon 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 Tercero moved the zoning be approved as requested. Member Cleaver seconded the motion, with the vote being a unanimous "aye".

CASE FILE NO 2017-31-P (approved)

Open a public hearing to consider approval of the replat of Lots 9 & 10, Block 1 Odessa Industrial Development Park, 1st Filing, being approximately a 6.485 acre tract in Section 36, Block 42, T-2-S, T&P RR. Co. Survey, Ector County, Texas (located southwest of the intersection of Murphy St. and Market Ave.)

Ms. Bailey gave the following presentation: The property involved in this request is located southwest of the intersection of Murphy St. and Market Ave. The site is in the process of an original zoning application request for Light Industrial (LI) and the property is vacant land.

The applicant is Sunoco/Stripes, LLC (owner) and the purpose of the request is for site development for Sunoco Energy Services and for ownership purposes.

A platting conference was held on June 27, 2017 where city staff and the applicant's representative were present. The following items were discussed with those present concerning the replat.

Staff Comments:

-- Original tax certificates are needed prior to the recording of the plat.

- County Clerk signature line and recording information needs to be on the face of the plat.
- The plat title needs to be centered at the top of the plat.
- Production Street needs right-of-way width indicated or labeled Private Street.
- Water and sewer are available. No pro rata is due.
- Drainage report has been submitted and needs to be worked out prior to recording the plat. 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.

The replat is ready for Commission approval as noted above.

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

CASE FILE NO 2017-32-P (approved)

Open a public hearing to consider approval of the replat of Lots 17 and 19, Block 1, Grant Avenue Industrial Sites, City of Odessa, Ector County, Texas, being approximately a 2.021 acre tract [located approximately 142 ft. east of the southeast corner of Andrews Highway (U.S. Highway 385) and University Blvd.]

Ms. Bailey gave the following presentation: The property involved in this request is located approximately 200 ft. east of the southeast corner of Andrews Highway (U.S. Highway 385) and University Blvd. The site is zoned Light Commercial (LC)..

The applicant is Odessa FD, LLC (owner) and the purpose of the request is to combine two (2) lots into one (1) lot to facilitate retail use development and for ownership purposes.

A platting conference was held on June 27, 2017. Staff and the applicant's agent was present. The following items were discussed with the applicant's representative concerning the replat.

Staff Comments:

- Original tax certificates are needed prior to filing the plat.
- A blanket refuse collection easement is noted on the plat, a separate instrument will have to be executed with the city.
- Water and sewer are available. No pro rata is due.
- Need to show the existing 10 ft. utility easement.
- Need to remove the extraneous "lot" lines within Lot 21.
- Drainage report needs to be submitted. This tract is not in a special flood hazard area.
- An improvements Agreement will be required for alley paving.
- Alley paving and drainage plans need to be submitted for review and approval.

- All laydown curb on University needs to be stood up.
- Any work in the right of way or easements will require a permit from the Engineering Division and must comply with current Ordinances and policies.

Staff recommends the approval of the proposed replat as noted above.

There being no questions for City Staff, Chairman Sims opened the public hearing. Ms. Elaine Gollaher, 8830 W. 26th, asked what the proposed use was going to be, with Ms. Bailey stating it will be a Chick-Fil-A. Ms. Thais Ahstrand, applicant's representative, stated the owner of the property is Odessa Retail, LLC. There being no further questions or comments, Chairman Sims closed the public hearing.

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

CASE FILE NO. 2017-29-P (approved with conditions)

Consider approval of the preliminary plat of North Park Addition, 20th Filing, being approximately a 39.07 ac. tract in Section 34, 38, and 39, Block 42, T-1-S, T&P RR. Co. Survey, Ector County, Texas (northwest of the intersection of E. 87th St. and proposed Evans Blvd.)

Ms. Pittman gave the following presentation: The property involved in this request is located northwest of the intersection of E. 87th St. and proposed Evans Blvd. The site is currently zoned Planned Development–Single Family (PD-SF) and is vacant. Land use in the general area consists of residential development to the north and vacant land to the west, east and south.

The applicant is Real Property Resources, owner, and the purpose of the plat is to create 170 lot single-family residential subdivision (min. 5,000 sq. ft.) and for ownership purposes.

A platting conference was held June 27, 2017 with the applicant and city staff present.

Staff Comments:

- Original tax/ownership certificates are needed prior to filing the plat.
- Development standards (building setbacks, lot coverage, etc.) will be established with the site plan approval (Case File 2017-30-SP).
- Lot and Block numbers need to be corrected on the face of the plat
- Building setback lines are shown/noted on the plat.
- Note on the plat needs to be corrected to read "Rear yard building setbacks of ten feet (10') required on properties without an adjacent alley, no rear yard when alley is present."
- Note on the plat that refers to ten feet (10') side yard setback for Block 7 zero lot line needs to be removed.
- Water and sewer are available for extension. No pro rata is due.
- Drainage report needs to be submitted. Some of the lots are in a special flood hazard area.
- We recommend including triangle parcel at 87th Street into the Evans ROW.
- Dedicate 80' right of way for Evans Boulevard.
- An Improvements Agreement will be required.

- Water, sewer, paving and drainage plans need to be submitted for review and approval.
- 15' water line easement by a separate instrument needed.
- 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. Reverse traffic onto thoroughfares (Evans Blvd) will not be allowed and needs to be noted on the plat. (Planning and Public Works)
2. No access to Evans Street shall be allowed with the exception of Lot 5, Block 57, and needs to be noted on the plat. (Public Works and Planning)
3. E. 90th Ct. needs to be corrected to E. 90th St. and E. 89th Ct. needs to be corrected to E. 89th St. (Planning and Ector County 911)
4. Starling St. needs to be renamed Big Easy Street. (Planning and Public Works)

There being no questions for City Staff, Member Tercero moved the preliminary plat be approved with the following conditions:

1. Reverse traffic onto thoroughfares (Evans Blvd) will not be allowed and needs to be noted on the plat.
2. No access to Evans Street shall be allowed with the exception of Lot 5, Block 57, and needs to be noted on the plat.
3. E. 90th Ct. needs to be corrected to E. 90th St. and E. 89th Ct. needs to be corrected to E. 89th St.
4. Starling St. needs to be renamed Big Easy Street.

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

CASE FILE NO. 2017-30-SP (approved with conditions)

Consider approval of the request of Real Property Resources, owner, for site plan approval for 170 single family residential lots (min 5,000 sq. ft.) approximately a 39.07 ac. tract in Section 34, 38, and 39, Block 42, T-1-S, T&P RR. Co. Survey, Ector County, Texas (proposed North Park 20th Filing) (northwest of the intersection of E. 87th St. and proposed Evans Blvd.)

Ms. Pittman gave the following presentation: The property involved in this request is located northwest of the intersection of E. 87th St. and proposed Evans Blvd. The site is currently zoned Planned Development–Single Family (PD-SF) and is vacant. Land use in the general area consists of residential development to the north and vacant land to the west, east and south.

The applicant is Real Property Resources, owner, and the purpose of the site plan approval request is to establish development standards for a 170 lot single family residential subdivision. The site plan is associated with North Park Addition, 20th Filing and the related Planned Development Single Family (PD-SF) zoning.

A development conference was held June 6, 2017 with the applicants' consultant, and city staff present.

Staff Comments:

- Front yard building setbacks shall be twenty feet (20'), with fifteen feet (15') front setbacks in cul-de-sacs.

- Side yard building setbacks shall be five feet (5'). Side yards adjacent to side streets shall be ten feet (10'). Rear yard building setbacks of ten feet (10') required on properties without an adjacent alley, no rear yard set back when alley is present.
- Minimum lot size is 5,000 sq. ft. with an average lot size of 6,836 sq. ft.
- The maximum lot coverage of a primary building shall not exceed fifty percent (50%). The maximum lot coverage of combined buildings (primary and accessory buildings) shall not exceed sixty percent (60%).
- No driveways allowed on thoroughfare street Evans Blvd, with the exception of Lot 5, Block 57.
- Note on the site plan needs to be corrected to read ten feet (10') rear setback on lots without alleys.
- Note on site plan needs to be corrected to read maximum lot coverage main building = fifty percent (50%).
- Note on the site plan needs to be corrected to read maximum lot coverage main building and all accessory buildings = sixty percent (60%).
- No driveways allowed on thoroughfare street Evans Blvd, with the exception of Lot 5, Block 57.
- Reverse traffic onto thoroughfares (Evans Blvd) will not be allowed and needs to be noted on the plat
- Any significant change from the approved site plan will require a site plan amendment.
- Adoption of the site plan.

The opinion of the Planning Staff is that the request for site plan approval for the 170 lot single family residential subdivision is reasonable and in keeping with the City's ordinances. Staff has no objection to the approval of this request.

Ms. Kirk asked where Lot 5, Block 57 was located, with Ms. Pittman stating it is the largest lot in the north portion of this proposed subdivision. Mr. Brinlee stated since the lot is large the property owner would not have to back up into Evans Blvd.

Member Kirk moved the site plan be approved with the following conditions:

1. The minimum required lot area shall be five thousand (5,000) square feet.
2. Front yard building setbacks shall be twenty feet (20') with fifteen foot (15') front setbacks in cul-de-sacs.
3. Side yard building setbacks shall be five feet (5'). Side yards adjacent to side streets shall be ten feet (10').
4. Rear yard building setbacks of ten feet (10') required on properties without an adjacent alley.
5. The maximum lot coverage of a primary building shall not exceed fifty percent (50%). The maximum lot coverage of combined buildings (primary and accessory buildings) shall not exceed sixty percent (60%)
6. Maximum building height shall not exceed two stories.
7. Adoption of the site plan.

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

CASE FILE NO. 2017-33-P(ETJ) (approved with conditions)

Open a public hearing to consider approval of the replat of Lot 3, Block 11, Westover Acres, 2nd Filing (southwest of the intersection of W. 22nd St. and Alturas Ave.)

Ms. Pittman gave the following presentation: The property involved in this request is located southwest of the intersection of W. 22nd St. and Alturas Ave. The site is located outside the city limits in Odessa's Extra-Territorial Jurisdiction (ETJ) does not have a zoning designation and is currently vacant. Land use in the general area consists of residential development to the north, west, and east and vacant land to the south.

The applicants are Jose Perez and Lourdes Jasmin Molina, owners, and the purpose of the request is to divide a portion of an existing lot into four (4) lots to facilitate development and for ownership purposes.

A platting conference was held June 27, 2017 with the applicants' consultant and city staff present.

Staff Comments:

- Original tax certificates are needed prior to filing the plat.
- Lot numbers need to be corrected to Lot 6-9.
- Remainder of Lot 3 needs to be included in the plat.
- Drainage report has been submitted. This tract is not in a special flood hazard area.

Commission action is requested on the following items:

1. Cut back corner at 22nd and Alturas needs to be included within the boundary of the replat. (Public Works)

There being no questions for City Staff, Chairman Sims opened the public hearing. Ms. Elaine Gollaher asked what the purpose of the replat since this is a residential area. Ms. Pittman stated this property is located outside the city limits and would therefore have to meet any requirements set forth by Ector County. The property owner would also have to meet any deed restrictions this property may have. There being no further questions or comments, Chairman Sims closed the public hearing.

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

1. Cut back corner at 22nd and Alturas needs to be included within the boundary of the replat.

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

CASE FILE NO. 2017-34-P(ETJ) (approved with conditions)

Consider approval of the short form plat of Ponderosa Estates East 13th Filing, being a 3.00 acre tract in Section 4, Block 41, T-2-S, T&P Ry Co. Survey, Ector County, Texas (southeast of the intersection of N. Lagow Ln. and N. Faudree Rd.)

The property involved in this request is located southeast of the intersection of N. Lagow Ln. and N. Faudree Rd. The site is located outside the city limits in Odessa's Extra-Territorial Jurisdiction (ETJ) does not have a zoning designation and is currently vacant. Land use in the general area consists of residential development to west and south and vacant land to the north and east.

The applicant is Tommy Pugh, owner, and the purpose of the plat is to create one (1) lot to facilitate residential development and for ownership purposes.

A platting conference was held June 27, 2017 with the applicants' consultant and city staff present.

Staff Comments:

- Original tax certificates are needed prior to filing the plat.
- Right of Way for Brandon Ct. needs to be noted on the plat
- Lot needs to be identified as Lot 13, Block 9.
- Drainage report has been submitted. This tract is not in a special flood hazard area.
- An Improvements Agreement will not be required.

Commission action is requested on the following item:

1. Recording information for alley access easement needs to be provided and noted on the plat prior to signing the mylar. (Planning and Public Works)

Ms. Earls asked about the city limit line that was shown on the map. Ms. Pittman stated the north side of Faudree Road is inside the city limits. This property is south of Faudree Road. Ms. Kirk asked if the property owner would access the property from Faudree. Ms. Janie Howell, applicant's representative, stated access will be from Faudree.

There being no further questions or comments, Member Tercero moved the short form plat be approved with the following condition:

1. Recording information for alley access easement needs to be provided and noted on the plat prior to signing the mylar.

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

Mr. Sims stated he was informed prior to the meeting that Jimmy Peacock is hoping to be able to attend the next meeting.

There being no further business to come before the Commission, the meeting was adjourned at 2:03 p.m.

Anne Roney, Secretary, placed the minutes in the Minute Book on July 6, 2017

Gary Sims, Chairman