

AGENDA  
PLANNING AND ZONING COMMISSION  
THIRD FLOOR CONFERENCE ROOM

AUGUST 3, 2017

1:30 P.M.

1. Approve the minutes of the July 20, 2017 Planning and Zoning Commission meeting
2. CASE FILE NO 2017-35-P  
Consider approval of the preliminary plat of Mardi Gras Estates, 3<sup>rd</sup> Filing, being a 41.371 acre tract located in Section 38, Block 42, T-1-S, T&P R.R. CO. Survey, Odessa, Ector County, Texas (northwest of the intersection of E. 87<sup>th</sup> St. and proposed Riverboat Blvd.)
3. CASE FILE NO. 2017-37-P (ETJ)  
Consider approval of the preliminary plat of West Odessa Industrial Park, being a 31.258 acre tract in the northeast part of Section 38, Block 43, T-2-S. T&P Ry Survey, Ector County, Texas (east of Redondo Ave. and north of W. Interstate 20 Service Rd. N. in West Odessa.)
4. CASE FILE NO. 2016-38-P  
Consider approval of the final plat of Mardi Gras Estates 2<sup>nd</sup> Filing, being an approximately 26.456 acre tract in Section 38, Block 42, T-1-S T&P Ry. Survey, Ector County, Texas (northwest corner of the intersection of 87<sup>th</sup> St. and E. Loop 338)
5. Other business
6. Adjourn

Be it said and remembered that at 1:30 p.m. on the 3<sup>rd</sup> day of August, 2017 there came on and was held a Planning and Zoning Commission meeting in the Third Floor Conference Room, 411 W. 8<sup>th</sup> Street, Odessa, Texas.

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

MEMBERS ABSENT: Katherine Kirk  
Jimmy Peacock  
Anabel Spencer

OTHERS PRESENT: Randy Brinlee, Director of Planning and Development; Sherry Bailey and Danielle Pittman, Planners; Tom Kerr, Director of Public Works; Yervand Hmayakyan, City Engineer; Joe Tucker, Civil Engineer; Gary Owens, Assistant Building Official; Todd Stephens, Senior Assistant City Attorney; and Anne Roney, Secretary.

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The minutes of the July 20, 2017 Planning and Zoning Commission meeting were approved, motion for approval being made by Member Tercero, seconded by Member Cleaver, with the vote being a unanimous "aye".

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CASE FILE NO 2017-35-P (approved)

Consider approval of the preliminary plat of Mardi Gras Estates, 3<sup>rd</sup> Filing, being a 41.371 acre tract located in Section 38, Block 42, T-1-S, T&P R.R. CO. Survey, Odessa, Ector County, Texas (northwest of the intersection of E. 87<sup>th</sup> St. and proposed Riverboat Blvd.)

Ms. Pittman gave the following presentation: The property involved in this request is located northwest of the intersection of E. 87<sup>th</sup> St. and proposed Riverboat Blvd. The site is currently zoned Special Dwelling District (SPD) and is vacant. Land use in the area consists of vacant land.

The applicant is Jack Mousa, owner, and the purpose of the request is to create 171 single family residential lots (6,600 sq. ft. to 7,850 sq. ft.) for development purposes.

A platting conference was held July 25, 2017 with the applicant and city staff present.

Staff Comments:

- Original tax/ownership certificates are needed prior to filing the plat.
- A blanket refuse collection easement is noted on the plat.
- Administrative site plan approval to establish development standards (building setbacks, lot coverage, etc.) is required prior to development of 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 be required.
- Water, sewer, paving, drainage and excavation plans need to be submitted for review and acceptance.
- 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 plat is ready for Commission approval as noted above.

There being no questions or comments for City Staff, Member Tercero moved the preliminary plat be approved as presented. Member Earls seconded the motion, with the vote being a unanimous "aye".

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CASE FILE NO. 2017-37-P (ETJ) (approved with conditions)

Consider approval of the preliminary plat of West Odessa Industrial Park, being a 31.258 acre tract in the northeast part of Section 38, Block 43, T-2-S. T&P Ry Survey, Ector County, Texas (east of Redondo Ave. and north of W. Interstate 20 Service Rd. N. in West Odessa.)

Ms. Bailey gave the following presentation: The property involved in this request is located outside of the city limits in Odessa's Extra-Territorial Jurisdiction (ETJ) and does not have a zoning designation. The site is currently vacant.

The applicant is Petroplex Properties, LLC, owner, Chris de la Mora, representative, and the purpose of the plat is to create eight (8) lots to be developed for industrial use.

A platting conference was held on July 25, 2017, and the applicant's representative was present. The following items were discussed concerning the preliminary plat.

Staff Comments:

- Original tax certificates are needed prior to filing the plat.
- An east/west seventy feet (70 ft.) privately maintained ingress and egress and utility easement has been designated on the plat. A north/south sixty feet (60 ft.) privately maintained ingress and egress plus utility easement has also been designated on the plat.
- Water statement of groundwater sufficiency or water district availability is shown on the plat.
- The standard private road statement needs to be on the plat. **"NOTE: The Private Road is the total responsibility of the Property owners. Ector County assumes no responsibility or maintenance on private roads."**
- Reverse image street signs, white with red lettering, should be used to indicate a private street.
- City utilities are not available.
- A drainage report has been submitted. No additional runoff to I-20 R.O.W. is allowed. This tract is not in a special flood hazard area.
- An Improvements Agreement will not be required.
- Driveway locations need to be worked out with TXDOT. Driveway access locations need to be shown on plat.
- It is recommended that consideration to be given to give the roadway with the proposed name Wellstar Ave two different names rather than one name carried through each of the road segments to avoid any addressing issues and any potential confusion for emergency response teams.

It is also, recommended that consideration to be given to add a proper prefix directional (N, S, E, W) to the roadways

Commission action is requested on the following item:

1. Dedication of 65 ft. of R.O.W for Redondo Ave.

Mr. Tercero asked if the staff new the use of the property, being told it would be an industrial use.

Member Tercero moved the preliminary plat be approved with the following condition:

1. Dedication of 65 ft. of R.O.W for Redondo Ave.

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

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CASE FILE NO. 2016-38-P (tabled)

Consider approval of the final plat of Mardi Gras Estates 2<sup>nd</sup> Filing, being an approximately 26.456 acre tract in Section 38, Block 42, T-1-S T&P Ry. Survey, Ector County, Texas (northwest corner of the intersection of 87<sup>th</sup> St. and E. Loop 338)

Ms. Bailey gave the following presentation: The property involved in this request is located at the northwest corner of the intersection of 87<sup>th</sup> St. and E. Loop 338. The site is currently zoned Retail (R) and Special Dwelling District-Drill Reservation (SPD-DR) and is vacant. Land use in the general area consists of vacant land to the north, west, east, and south.

The applicant is Jack N. Mousa, owner, and the purpose of the request is to facilitate retail development and create a drill reservation on the property.

The Planning and Zoning Commission gave preliminary approval of this request on September 1, 2016 with the following condition:

1. Pro Rata for 87<sup>th</sup> Street Improvements will be required at time of filing of Final Plat.

This condition has been met. However, Engineering is requesting final plat approval with the following condition:

1. Right-of-Way Dedication of 125 feet to 139 feet adjacent and contiguous to Loop 338 as provided in City of Odessa Subdivision Ordinance Section 16A-9.1.i. The need for this right-of-way is as designated by the October 2010 design schematic developed by the Texas Department of Transportation for safety and functional development of the Loop 338 Urban Freeway corridor.

Mr. Brinlee stated Mr. Kerr would like to address the Commission on the proposed conditions concerning right-of-way dedication. Mr. Kerr stated the additional right-of-way dedication is for development of Loop 338 for a future overpass where 87<sup>th</sup> street intersects Loop 338. Ms. Earls asked if the property owner new this recommendation has been made.

Mr. Jack Mousa, applicant, stated he has had conversations with the city. He read the definition of a freeway to the Commission. Mr. Mousa stated Loop 338 does not fall under the definition of a freeway, however it is a major street. He then stated the property owner across the Loop was given an access lane. He pointed out the preliminary plat was submitted in 2016.

Mr. Kerr stated they have talked on numerous occasions on this request and an agreement on the right-of-way has not been achieved. They are initiating action at this time. The right-of-way being requested is for a freeway in the future. He mentioned there have already been encroachments o the city right-of-way. Mr. Kerr stated it would be an injustice to take out a facility in order to building a freeway. He mentioned there are many types of solutions. He has been told it will never be a freeway, however he does not believe that. It does not happen overnight. If the right-of-way is not secured now there will never be a freeway.

Mr. Andrew Mellon, applicant's representative, stated he has seen the TxDOT design. He stated it is a conception and they are not willing to change it. Mr. Kerr pointed out it was adopted in 2010. If the right-of-way is not secured now there will be no access to the freeway from 87<sup>th</sup> Street. This is one of the areas where there will eventually be an overpass. Mr. Mousa stated rights-of-way are purchased and not taken. This is the only subdivision where the city is requesting free right-of-way. Ms. Earls stated this may be the only chance for a freeway system. Mr. Tercero asked if this was the intersection of 87<sup>th</sup> and the Loop. Mr. Mellon stated this affects 4 acres of land. Mr. Kerr stated they are hoping they will have access to that corner with the requested right-of-way. Mr. Simms asked about the purchase of the property and if that was normal. Mr. Kerr stated it has not be normal for the City of Odessa. It is something the city is trying to make consideration of but there is nothing at this time. TxDOT does not take part in the purchase of right-of-way. TxDOT has started the process but it will be awhile before anything can begin to happen. There is another developer in the area who is willing to sell a portion at a reasonable cost. Mr. Kerr stated they have spoken to the applicant about something similar. The city does take right-of-way during the platting process. They require right-of-way when roads are built. The ordinance does provide for 300' or more for a freeway. Mr. Sims asked if the city was prepared to discuss the purchase of some land. Mr. Kerr stated the offer from the other developer came to the city just this week. Mr. Mousa stated there has been a street right-of-way for some time. This additional requirement comes from TxDOT and it should be up to them to acquire the land. Mr. Mellon pointed out the applicant is already giving 200' of right-of-way and they are being asked to give up more. Mr. Sims stated it appears the Commission should table this request in order to give the applicant and the city time to work everything out.

Member Earls moved the request for final plat be tabled. Member Cleaver 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 1:55 p.m.

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Anne Roney, Secretary, placed the minutes in the Minute Book on August 3, 2017.

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Gary Sims, Chairman