

AGENDA

PLANNING AND ZONING COMMISSION

COUNCIL CHAMBER

OCTOBER 19, 2017

1:30 P.M.

1. Approve the minutes of the October 5, 2017 Planning and Zoning Commission meeting
2. CASE FILE NO. 2017-13-Z
Open a public hearing to consider approval of the request by Sherwood Christian Academy, owner, Johnny Fayo, Board of Directors representative, to rezone from Single Family-Three (SF-3) to Retail (R) on an approximately 1.01212 acre tract, the E. 140 ft. of Lot 1 and the S.125 ft. of the W. 140 ft of Lot 1, Block 31 Sunset Heights Subdivision, East Half of Section 3, T&P Survey , Block 42, T-2-S, Ector County, Texas (northwest of Ector Avenue and the city limits line at the future E. 57th St.).
3. CASE FILE NO 2017-51-P
Open a public hearing to consider approval of the replat of Lots 2 and 3, Block 3, Douthit Addition and Lot 2 less the West 85 ft. Block 2, Replat of Block 2, Douthit Addition and Block 3, Douthit Addition, 2nd Filing, Odessa, Ector County, Texas, being approximately a total of 1.04 acres (west side of Andrews Highway, State Hwy 385 between Ellis Dr. and W. 31st St.).
4. CASE FILE NO. 2017-52-P(ETJ)
Open a public hearing to consider approval of the replat of Lot 5, Block 3, West Terminal Addition, 1st Filing (northwest of the intersection of South County Road 1301 and West County Road 100)
5. CASE FILE NO. 2017-53-P(ETJ)
Open a public hearing to consider approval of the replat of Tract 64 and approximately 4.77 acres of Tract 49, North Gate Addition (northeast corner of the intersection of Oregon St. and Golder Ave.)
6. CASE FILE NO 2017-54-P(ETJ)
Open a public hearing to consider approval of the replat of Lot 33-39, Block 3, Industrial Sites, Ector County, Texas, being approximately a 1.61 acre tract located southeast of the intersection of Dock Rd. and Victor St. east of SE Loop 338.
7. CASE FILE NO 2016-44-P
Consider approval of the final plat of Homestead At Parks Bell Ranch, 3rd Filing being approximately 60.35 acre tract in Section 45 & 46, Block 41, T-1-S, T&P RR Co. Survey, Odessa, Ector County, Texas (north and east of the intersection of proposed Kate Reed Dr. and Cross B Rd.)
8. Adjourn

Be it said and remembered that at 1:30 p.m. on the 19th day of October, 2017, there came on and was held a Planning and zoning Commission meeting in the Council Chamber, 5th Floor, 411 W. 8th Street, Odessa, Texas.

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

MEMBERS ABSENT: Jimmy Peacock

OTHERS PRESENT: Sherry Bailey and Danielle Pittman, Planners; Yervand Hmaykayan, City Engineer; Todd Stephens, Senior Assistant City Attorney; and Anne Roney, Secretary.

The minutes of the October 5, 2017 Planning and Zoning Commission meeting were approved, motion for approval being made by Member Tercero, seconded by Member Spencer, with the vote being a unanimous "aye".

CASE FILE NO. 2017-13-Z (approved)

Open a public hearing to consider approval of the request by Sherwood Christian Academy, owner, Johnny Fayo, Board of Directors representative, to rezone from Single Family-Three (SF-3) to Retail (R) on an approximately 1.01212 acre tract, the E. 140 ft. of Lot 1 and the S.125 ft. of the W. 140 ft of Lot 1, Block 31 Sunset Heights Subdivision, East Half of Section 3, T&P Survey , Block 42, T-2-S, Ector County, Texas (northwest of Ector Avenue and the city limits line at the future E. 57th St.)

Ms. Bailey gave the following presentation: There was one notice mailed to surrounding property owners, with no notices returned, no written protest and no written approval.

The property involved in this request is located at 5611 Ector Ave. approximately where Ector Ave. and the north city limits line intersect at future E. 57th St. The site is currently zoned Single Family-Three (SF-3) and is the existing Sherwood Christian Academy. The property to the east, west and north is outside the city limits. The property to the south is zoned Single Family-Three (SF-3) but is part of a drainage area.

The applicant is Sherwood Christian Academy Board of Directors, Johnny Fayo representative and the purpose of the request is to enable the school to sell their property for development 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 northern part of the City of Odessa's Future Land Use Map. This area is considered one of the growth areas for low density residential development, open space and park land as well as commercial/retail development adjacent to the airport and at major intersections and along major streets. The proposed zoning is consistent with the Comprehensive Plan in that open space/drainage is intended for the land to the south and immediately to the east of this site.

Land Use: The proposed land use for this area is consistent with the identified City priority of a Mixed-Use Commercial Development for the North side Community. The land to the north, west and directly to the east is in Ector County and annexation is not anticipated for this area.

Livability: The proposed future use will be part of a local service 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. The access to this site cannot accommodate major traffic generators. Interest in this site will reflect the access restrictions.

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 Spencer moved the rezoning be approved as requested. Member Earls seconded the motion, with the vote being a unanimous "aye".

CASE FILE NO 2017-51-P (approved)

Open a public hearing to consider approval of the replat of Lots 2 and 3, Block 3, Douthit Addition and Lot 2 less the West 85 ft. Block 2, Replat of Block 2, Douthit Addition and Block 3, Douthit Addition, 2nd Filing, Odessa, Ector County, Texas, being approximately a total of 1.04 acres (west side of Andrews Highway, State Hwy 385 between Ellis Dr. and W. 31st St.)

Member Cleaver joined the Commission at this time. Ms. Bailey then gave the following presentation: There were 20 notices mailed to surrounding property owners in this request, with no notices returned, 1 written protest and 1 written approval.

The property involved in this request is located on the west side of Andrews Highway, State Hwy 385 between Ellis Dr. and W. 31st St. The site is zoned Light Commercial (LC) and General Residential (GR). The site is occupied by commercial development along Andrews Hwy and vacant land. Land use consists of commercial development to the north, east and south and residential development to the west.

The applicant is Mary Varesi (owner), SW Howell, Inc. representative. The purpose of the request is to create a single lot with street access and for ownership purposes.

A platting conference was held on October 10, 2017. The following items were discussed with the applicants 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.
- Water and sewer are available. No pro rata is due.
- Original drainage report has been submitted. This tract is not in a special flood hazard area.
- Dedicate minimum of 15' width for North-South utility easement.
- 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 corrected. The Planning Staff recommends approval of the replat.

There being no questions for City Staff, Chairman Sims opened the public hearing. Mr. Richard Romero, 205 Ellis, approached the lectern. He asked what was involved when replatting a property and how does it affect the people adjacent to the property. Ms. Bailey

stated the applicant is going to place a mobile home on the back portion of the property, and place a gate from the property going to the north. Access will be from Andrews Hwy. The gate will be opened on the days there is trash pick-up. There being no further questions or comments, Chairman Sims closed the public hearing.

Ms. Earls pointed out there was a protest with no explanation of what the protest was. Ms. Bailey stated there was an approval sent in for this request. Ms. Spencer stated there would not be any effect on the surrounding properties, with Ms. Cleaver stating the only entrance will be for trash pick-up.

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

CASE FILE NO. 2017-52-P(ETJ) (approved)

Open a public hearing to consider approval of the replat of Lot 5, Block 3, West Terminal Addition, 1st Filing (northwest of the intersection of South County Road 1301 and West County Road 100)

Ms. Pittman gave the following presentation: The property involved in this request is located northwest of the intersection of South County Road 1301 and West County Road 100. 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 commercial development to the east and vacant land to the north, west, and south.

The applicants are Derek Osburn and Craig Swenson, owners, and the purpose of the request is to divide an existing lot into two (2) lots to facilitate development and for ownership purposes.

A platting conference was held October 10, 2017 with the applicants' consultant and city staff present.

Staff Comments:

- Original tax/ownership certificates are needed prior to filing the plat.
- Preliminary Plat needs to be removed from the face of the plat.
- County Clerk Signature line needs to reflect Midland County.
- Title needs to be corrected to read West Terminal Addition, 4th Filing
- Street name needs to be corrected to read West County Road 100
- Pipeline easement needs to be dimensioned.
- City utilities are not available.
- The original drainage report is in effect. Part of this tract is not in a special flood hazard area.
- An Improvements Agreement will not be required.
- CRMWD has indicated they have their 33" Martin pipeline running through the southern portion of this plat. They request that the applicant work with their office prior to any construction on the site.

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

CASE FILE NO. 2017-53-P(ETJ) (approved with conditions)

Open a public hearing to consider approval of the replat of Tract 64 and approximately 4.77 acres of Tract 49, North Gate Addition (northeast corner of the intersection of Oregon St. and Golder Ave.)

Ms. Pittman gave the following presentation: The property involved in this request is located at the northeast corner of the intersection of Oregon St. and Golder 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 occupied by commercial development. The property is surrounded by commercial development.

The applicant is Emmitt Worley, owner, and the purpose of the request is to reconfigure two exiting lots for ownership purposes.

A platting conference was held October 10, 2017 with the applicant, applicants' consultant and city staff present.

Staff Comments:

- Original tax certificates are needed prior to filing the plat.
- Title needs to be corrected to read Northgate Addition, 2nd Filing.
- Water is available to Lot 1 thru Industrial District contract. Sewer is not available
- Drainage report has been submitted. Portion of this tract is in a special flood hazard area.

Commission action is requested on the following items:

1. Need cut-back for the south-west corner of Lot 1. (Public Works)

Ms. Spencer asked if the only request from the city was the cutback. Ms. Pittman stated the cutback is being requested and will be shown on the plat when the mylar is submitted for signatures.

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 Spencer moved the replat be approved with the following condition:

1. Need cut-back for the south-west corner of Lot 1.

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

CASE FILE NO 2017-54-P(ETJ) (approved)

Open a public hearing to consider approval of the replat of Lot 33-39, Block 3, Industrial Sites, Ector County, Texas, being approximately a 1.61 acre tract located southeast of the intersection of Dock Rd. and Victor St. east of SE Loop 338.

Ms. Bailey gave the following presentation: The property involved in this request is approximately a 1.61 acre tract located southeast of the intersection of Dock Rd. and Victor St. east of SE Loop 338. 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 industrial development to the east and south, vacant to the north, and residential land to the west.

The applicants are Michael R. and Liz Laferney, owners, and the purpose of the request is to combine seven (7) lots into one (1) for development and ownership purposes.

A platting conference was held October 10, 2017 with the applicants' consultant and city staff present.

Staff Comments:

- Original tax certificates are needed prior to filing the plat.
- Water statement of groundwater sufficiency or water district availability needs to be shown on the plat.
- City sewer line is available thru Industrial District contract. Water is not available.
- Drainage report was submitted. This tract is not in a special flood hazard area.
- An Improvements Agreement will not be required.

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

CASE FILE NO 2016-44-P (approved)

Consider approval of the final plat of Homestead At Parks Bell Ranch, 3rd Filing being approximately 60.35 acre tract in Section 45 & 46, Block 41, T-1-S, T&P RR Co. Survey, Odessa, Ector County, Texas (north and east of the intersection of proposed Kate Reed Dr. and Cross B Rd.)

Ms. Bailey gave the following presentation: The property involved in this request is zoned Special Dwelling District (SPD) and Special Dwelling District-Surface Drainage (SPD-SD) and vacant. Land use in the general area consists of residential development to the west and Future Development to the east, north and south.

The applicant is D. R. Horton – Texas LTD, owner, and the purpose of the request is to create 242 residential lots.

The Planning and Zoning Commission gave preliminary approval to this request on October 20, 2016 and the final plat is ready for Commission approval.

Ms. Spencer asked about the area marked as a community center. Ms. Pittman stated in previous requests for this area the community center would include a pool and a playground. Ms. Bailey stated the Planning Department has not received a site plan for this area.

Member Tercero moved the final plat be approved as presented. 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 1:50 p.m.

Anne Roney, Secretary, placed the minutes in the Minute Book on October 19, 2017.

Gary Sims, Chairman