

AGENDA

PLANNING AND ZONING COMMISSION

COUNCIL CHAMBER

MAY 21, 2020

1:30 P.M.

1. Approve the minutes of the May 7, 2020 Planning and Zoning Commission meeting
2. CASE FILE NO. 2020-39-P  
Open a public hearing to consider approval of the replat of Lots 1, 2, 3, & 4, Block 1, Valley Apple Addition, Odessa, Ector County Texas (south of the intersection of E. Loop 338 and E. 52<sup>nd</sup> St.)
3. Other business
4. Adjourn

AGENDA  
PLANNING AND ZONING COMMISSION  
COUNCIL CHAMBER

MAY 7, 2020

1:30 P.M.

1. Approve the minutes of the April 16, 2020 Planning and Zoning Commission meeting
2. CASE FILE NO. 2020-35-P  
Consider approval of the preliminary plat of Ratliff Ridge, 6<sup>th</sup> Filing, being a subdivision of 19.62 acres of land in Section 35, Block 42, T-1-S, T&P Ry. Co Survey, City of Odessa, Ector County, Texas (northeast of the intersection of Wagon Way and Red Cliff Ave.)
3. CASE FILE NO. 2020-36-P  
Consider approval of the preliminary plat of Ratliff Ridge, 7<sup>th</sup> Filing, being a subdivision of 19.70 acres of land in Section 35, Block 42, T-1-S, T&P Ry. Co Survey, City of Odessa, Ector County, Texas (southeast of the intersection of 96<sup>th</sup> St. and Sagebrush Ave.)
4. CASE FILE NO. 2019-84-P  
Consider approval of the final plat of Ratliff Ridge, 4<sup>th</sup> Filing, Phase 2, being a 9.09 ac. tract in Section 35, Block 42, T-1-S, T&P Ry. Co. Survey, City of Odessa, Ector County, Texas (northeast of the intersection of Wagon Way and E. 91<sup>st</sup> St.)
5. CASE FILE NO. 2020-19-P  
Consider approval of the final plat of Ratliff Ridge, 5<sup>th</sup> Filing, being an approximately 19.26 acre tract in Section 35, Block 42, T-1-S, T&P RR Co. Survey, Ector County, Texas (east of E. 89<sup>th</sup> St. and west of Loop 338)
6. Other business
7. Adjourn

Be it said and remembered that at 1:30 p.m. on the 7<sup>th</sup> day of May, 2020 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> Street, Odessa, Texas.

Due to the COVID-19, the meeting was teleconferenced, as allowed by Governor Abbott's executive order. The Planning and Zoning Commission was present through teleconference.

MEMBERS PRESENT: Steve Tercero, Vice Chairman  
Lennerd Byrd  
Connie Coots  
Renee Earls  
Jimmy Peacock

MEMBERS ABSENT: Jim Rector  
Gary Sims

OTHERS PRESENT: Randy Brinlee, Director of Development; Lorraine Quimiro, Planning Manager; Tim McDaniel, Planner; Maria Prieto and Cory Maxwell, Planning Techs; Robert Carroll, Senior Assistant City Attorney; and Anne Roney, Secretary.

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The minutes of the April 16, 2020 Planning and Zoning Commission were approved, motion for approval being made by Member Peacock, seconded by Member Coots, with the vote being a unanimous "aye".

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CASE FILE NO. 2020-35-P (approved with conditions)

Consider approval of the preliminary plat of Ratliff Ridge, 6<sup>th</sup> Filing, being a subdivision of 19.62 acres of land in Section 35, Block 42, T-1-S, T&P Ry. Co Survey, City of Odessa, Ector County, Texas (northeast of the intersection of Wagon Way and Red Cliff Ave.)

Mr. McDaniel gave the following presentation: The property involved in this request is located northeast of the intersection of Wagon Way and Red Cliff Ave. The site is currently zoned Special Dwelling District (SPD) and is vacant. Land use in the area consists of single-family residential development as well as vacant land.

The applicant is Betenbough Homes, owner, and the purpose of the preliminary plat request is to create approx. 115 lots (5,000-7,500 sf) for single-family residential development and ownership purposes.

Comments were sent to the applicant on April 28<sup>th</sup>, 2020.

Staff Comments:

- Ownership and original tax certificates needed prior to filing the plat.
- Site plan approval will be required prior to development of this subdivision.
- Water and sewer are available for extension. No pro rata is due.
- Drainage report has been submitted. 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 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.

-- Parks Dept. has concerns over lack of open space in this area.

Commission action is requested on the following items:

1. Plains Ct. on the plat is similar in name to Plains Ave. located in the City of Odessa. Recommendation is for consideration to be given to a new street name to avoid any confusion for emergency response teams. (Ector County 911)
2. Post-development discharge should not exceed pre-development conditions. (TxDOT)

Mr. Peacock referred to the comment from the Parks Department. Mr. Brinlee stated the Parks Department looked at the plat and wanted to note there is nothing being done to provide a park for this area. Mr. Peacock stated this has been brought up for some time. Mr. Brinlee stated there have been several proposals that have been submitted but nothing goes forward. There are plans for a park but nothing has been worked out.

Mr. Chris Berry with Betenbough Homes stated they have talked with Mr. Patton with the Parks Department. They have property south/southeast of this development for a drainage basin. They are proposing to place a park just outside the basin that is an approximately 1 acre tract. This area will be addressed in future filings for a park.

There being no further questions or comments, Member Coots moved the preliminary plat be approved with the following conditions:

1. Plains Ct. on the plat is similar in name to Plains Ave. located in the City of Odessa. Recommendation is for consideration to be given to a new street name to avoid any confusion for emergency response teams.
2. Post-development discharge should not exceed pre-development conditions.

Member Peacock seconded the motion and noted he would not approve any future plats until a park is provided. The preliminary plat was approved with a unanimous "aye".

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CASE FILE NO. 2020-36-P (approved with conditions)

Consider approval of the preliminary plat of Ratliff Ridge, 7<sup>th</sup> Filing, being a subdivision of 19.70 acres of land in Section 35, Block 42, T-1-S, T&P Ry. Co Survey, City of Odessa, Ector County, Texas (southeast of the intersection of 96<sup>th</sup> St. and Sagebrush Ave.)

Mr. McDaniel gave the following presentation: The property involved in this request is located Southeast of the intersection of 96<sup>th</sup> St. and Sagebrush Ave. The site is currently zoned Special Dwelling District (SPD) and is vacant. Land use in the area consists of single-family residential development as well as vacant land.

The applicant is Betenbough Homes, owner, and the purpose of the preliminary plat request is to create approx. 96 lots (5,000-10,000 sf) for single-family residential development and ownership purposes.

Comments were sent to the applicant on April 28<sup>th</sup>, 2020.

Staff Comments:

- Ownership and original tax certificates needed prior to filing the plat.
- Site plan approval will be required prior to development of this subdivision.
- Water and sewer are available for extension. No pro rata is due.
- Drainage report has been submitted. 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 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.
- Parks Dept. has concerns over lack of open space in this area.

Commission action is requested on the following item:

1. Post-development discharge should not exceed pre-development conditions. (TxDOT)

Mr. Tercero asked what type of discharge is being referred to, being told the comment refers to rainwater. Mr. Tercero then asked what is being expected. Mr. Brinlee stated that is a standard comment from TxDOT to make sure there is no runoff onto the roads.

There being no further questions or comments, Member Byrd moved the preliminary plat be approved with the following condition:

1. Post-development discharge should not exceed pre-development conditions.

Member Coots seconded the motion, with the vote as follows: Members Coots, Earl, Byrd and Tercero – “aye”; Member Peacock – “nay”.

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CASE FILE NO. 2019-84-P (approved)

Consider approval of the final plat of Ratliff Ridge, 4<sup>th</sup> Filing, Phase 2, being a 9.09 ac. tract in Section 35, Block 42, T-1-S, T&P Ry. Co. Survey, City of Odessa, Ector County, Texas (northeast of the intersection of Wagon Way and E. 91<sup>st</sup> St.)

Mr. McDaniel gave the following presentation: The property involved in this request is located northeast of the intersection of Wagon Way and E. 91<sup>st</sup> St. The site is zoned Special Dwelling District (SPD) and is vacant. Land use in the general area consists of single-family residential development and vacant land.

The applicant is Betenbough Homes, owner, and the purpose of this final plat is to create approx. 54 lots (5,000-7,000 sq. ft.) for single-family residential development, and for ownership purposes.

The Planning and Zoning Commission gave preliminary approval of this request on January 16<sup>th</sup>, 2020, with the following conditions:

1. Adoption of the amended concept plan, which changes the following:
  - a. Retail area has been reduced in favor of more single-family dwellings
  - b. Amended concept plan has reduced in scope to include land only up to 96<sup>th</sup> St.  
(Planning)
2. If drainage from this plat is towards LP 338, post-development drainage/runoff should not be changed/increased from pre-existing conditions. (TxDOT)

These conditions have been met; final plat is ready for approval.

There being no questions or comments, Member Peacock noted this plat has already been approved previously and moved the final plat be approved as presented. Member Earls seconded the motion, with the vote being a unanimous “aye”.

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CASE FILE NO. 2020-19-P (approved with conditions)

Consider approval of the final plat of Ratliff Ridge, 5th Filing, being an approximately 19.26 acre tract in Section 35, Block 42, T-1-S, T&P RR Co. Survey, Ector County, Texas (east of E. 89<sup>th</sup> St. and west of Loop 338)

Mr. McDaniel gave the following presentation: The property involved in this request is located east of 89th St. and west of Loop 338. The site is zoned Special Dwelling District (SPD) and is vacant. Land use in the general area consists of single family residential development and vacant land.

The applicant is Betenbough Homes, owner, and the purpose of the request is to create 86 single family residential lots (approx. avg. size of 5750 sq. ft.). Secondary access for subdivision needs to be worked out prior to filing final plat.

The Planning and Zoning Commission gave preliminary approval of this request on March 5, 2020 with the following conditions:

1. Lots with double frontage need to have rear yard building setback line (10') on the face of the plat. (Planning)
2. Note on Plat "Access to Loop 338 not allowed for proposed Lots 39 thru 46, Block 18". (Planning)

Conditions 1 and 2 have been met, however secondary access for the subdivision has not been worked out and needs to be resolved before final plat can be approved and filed for record.

Mr. Byrd asked if the applicant does not have secondary access worked out why is it coming before the Commission as a condition. Mr. Brinlee stated the secondary access could not be worked out between the applicant and the city. It will be up to the Commission to decide if the final plat will be approved with the condition of a secondary access being provided or if the plat will be approved as submitted. Mr. Brinlee stated there are two options available for secondary access. One option would be removed lots between 89<sup>th</sup> Street and Derrick to provide access. The other option would be to take 89<sup>th</sup> Street to the Loop and have a gate for emergency vehicles only. Ms. Earls asked if the applicant was aware a secondary access was being requested, being told the need for a secondary access was brought up during preliminary approval. An agreement for secondary access could not be worked out between the applicant and the City and the applicant requested the final plat be brought to the Commission for their decision. Mr. Brinlee stated there is only one access noted for entry into the subdivision which could create a bottleneck for emergency vehicles. The City is requesting the secondary access for safety concerns.

Mr. Berry stated they have worked with the City Staff on many occasions as they have developed within the City of Odessa. This particular section of the overall subdivision originally had a retail strip along Loop 338. TxDOT made some changes along the Loop and they rezoned the strip for additional single family development. Betenbough felt they gave the City ample opportunity to get back to them about a secondary access. It will be difficult for them to redesign this plat in order to provide a second access and would like to proceed with the plat as presented. Ms. Earls asked about the lots along 89<sup>th</sup> St. and Derrick Ave. Mr. McDaniel indicated the streets on the map. Mr. Brinlee stated if 89<sup>th</sup> Street is taken out to the Loop, the access would be for emergency vehicles only. Mr. Brinlee also stated there is a fence proposed between the Loop and this subdivision. If a gate is provided emergency vehicles would be able to access the area. He also indicated with either option the applicant would only lose two lots.

Ms. Coots asked why the applicant was not told about a secondary access. Mr. Brinlee stated when the preliminary plat was brought in the applicant was told about providing a secondary access. The preliminary plat was approved with a secondary access being worked out with the City before final plat was submitted. Mr. Berry pointed out they have a concept plan for the entire development and nothing was mentioned about a secondary access. Mr. Brinlee noted a concept plan is simply an idea of the overall development. The preliminary plat addresses the specifics for an area. Mr. Brinlee reminded the Commission

although the City is proposing this subdivision provide a secondary access the plat could be approved as presented. Ms. Earls stated she did not see where providing a secondary access in the middle of the block made that much of a difference. Ms. Coots asked what the length of the block was, being told approximately 1500 ft. Mr. Peacock noted having a secondary access for a particular subdivision has been brought up by the City in the past. Ms. Earls asked if this request would be taken to City Council, being told it would not. Mr. Peacock stated the City has already mentioned in previous requests they want this area to have more accessibility.

Member Peacock moved the request be approved with the following condition:

1. Secondary access for this subdivision be coordinated with the City prior to filing the plat.

Mr. Byrd stated he could see splitting the block but did not see going out to the Loop. Mr. Tercero stated the street going out through the corner lots would be for emergency vehicles only. Mr. Byrd stated going out to the Loop the lots would have to be reconfigured. Ms. Coots asked what the financial benefit would be. Mr. Berry stated they will be losing 2 lots. They could reconfigure the lots going out to the Loop for emergency access only. Ms. Earls asked how this would affect the look of the development, being told there should not be any impact. Mr. Brinlee stated once the work on Loop 338 is completed the gate would be removed and the subdivision would have direct access. Ms. Earls asked about the concept plan. Mr. Brinlee stated the concept plan is a fluid document that can change as the areas are developed. Mr. Earls verified the preliminary has been approved and now they are coming back for final approval, being told that was correct. Ms. Earls then asked if the applicant is saying the secondary access was not mentioned on the preliminary plat. Mr. Berry stated the City did let them know with the preliminary plat a secondary access was being requested.

There being no further questions or comments, Vice Chairman Tercero stated a motion had been made to approve the final plat with the condition for a secondary access. Member Byrd 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 2:11 p.m.

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Anne Roney, Secretary, placed the minutes in the Minute Book on May 7, 2020.

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Steve Tercero, Vice Chairman

TO: PLANNING AND ZONING COMMISSION  
FROM: LORRINE QUIMIRO, PLANNING MANAGER  
SUBJECT: CASE FILE NO. 2020-39-P  
APPLICANT: Nakia Ventures II, LLC, Owner  
Maverick Engineering, PC, Consultant

REQUEST: Replat

PROPERTY INVOLVED: Lots 1, 2, 3, & 4, Block 1, Valley Apple Addition, Odessa, Ector County Texas. (South of the intersection of E. Loop 338 and E. 52nd St.)

The property involved in this replat request is located South of the intersection of E. Loop 338 and E. 52nd St. The site is currently zoned Planned Development-Retail-One (PD-R-1) and occupied by vacant land.

The applicant is Nakia Ventures II, LLC, Owner, and Maverick Engineering, Consultant and the purpose of the replat is to create one (1) lot for retail ownership purposes.

A platting conference was held May 12, 2020, comments were sent to the applicant's consultant.

Staff Comments:

- Water is available, sewer needs to be extended to the north end of the property. No pro rata is due.
- Drainage report has been submitted. This tract is not in a special flood hazard area.
- Submit plans for sewer extension 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

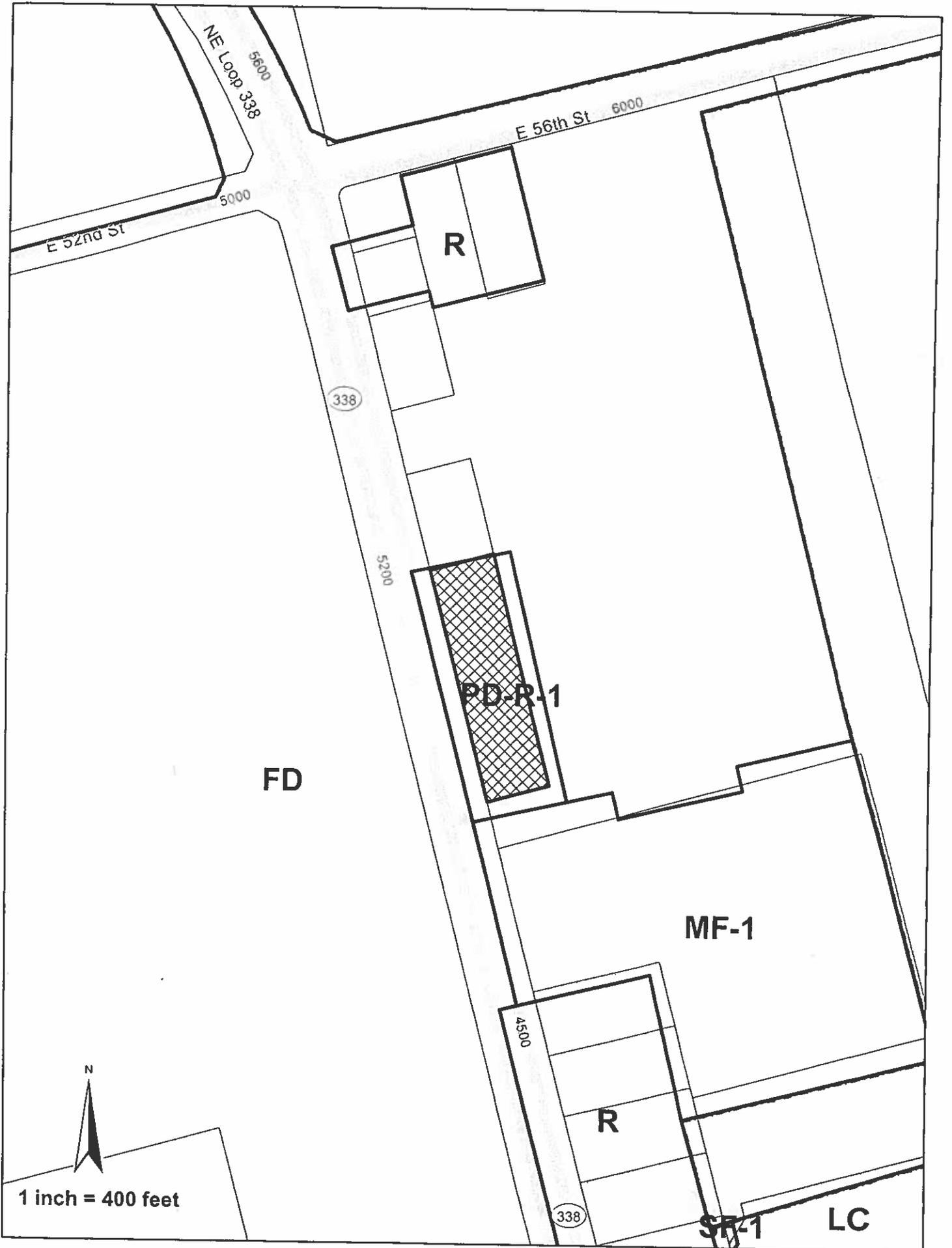
Commission action is requested on the following item:

1. Show driveway access to E. Loop 338. Access should be in compliance with TXDOT Access Management Manual. (Public Works)
2. A Blanket Refuse Collection Easement Agreement will be required. (Public Works)

The following agencies submitted no comments or response with regard to this replat: Fire, Legal, Utility Billing and Collection, Parks and Recreation, Utilities Administration, Police, Traffic, Building Inspection, Sparklight, Atmos Energy, ECISD, SBC, PostMaster, El Paso Natural, Oncor, Appraisal District, Grande Communications, ConocoPhillips Pipeline Company, and Chevron

Information in order of inclusion:

- Area zoning map
- Copy of proposed replat



# VALLEY APPLE ADDITION, 2ND FILING

RE-PLAT

REPLAT OF LOT 1 THROUGH 4, BLOCK 1, VALLEY APPLE ADDITION  
AN ADDITION TO THE CITY OF ODESSA, ECTOR COUNTY, TEXAS

