

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 and Zoning, Minutes
City Hall, 411 W 8th St.
CITY COUNCIL CHAMBERS – FIFTH FLOOR

January 4, 2024
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 and Zoning Meeting Minutes for December 20, 2023.
2. CASE FILE NO. 2023-81-P (ETJ)

Motion approving a Final Plat of Blackhawk Addition, 1st Filing, being a 20.03-acre tract located in Section 42, Block 43, T-2-S T&P RR Co. Survey, Ector County, Texas. (Generally located on the southeast corner of the intersection of W. Drivers Hall of Fame Street and War Admiral Drive – Extraterritorial Jurisdiction)

IV. PUBLIC HEARING

The Planning and Zoning Commission will hold public hearing on the follow items:

3. CASE FILE NO. 2023-18-Z

Consider a request by Compass Academy Charter School, Inc., applicant, for a zone change from MF-1, Multiple-Family Residence District-1, MF-1-SD, Multiple-Family Residence District-1-Surface Drainage, SPD-SD, Special Dwelling District-Surface Drainage, SPD, Special Dwelling District, to SF-1, Single-Family Residence District – 1, being Lot 8, Block 1, Crossroads Fellowship Addition, 5th Filing, and being a 33.813 tract located in Section 9 Block 41, T-2-S, T&P RR. CO. Survey, Odessa, Ector County, Texas. (Generally located on the northeast corner of the intersection of Billy Hext Road and State Highway 191 – Council District 2)

4. CASE FILE NO. 2023-103-P

Motion approving with staff's recommended conditions for a proposed Replat of Crossroads Fellowship Addition, 6th Filing, being a Replat of Lot 2, Block 1, Crossroads Fellowship Addition, 2nd Filing, Lot 8, Block 1, Crossroads Fellowship Addition, 5th Filing, a 199-square foot tract and a 19.84-acre tract, located in Section 9, Block 41, T-2-S, T&P RR. CO. Survey, Odessa, Ector County, Texas. (Generally located on the northeast corner of the intersection of Billy Hext Road and State Highway 191 - Council District 2)

VL. ADJOURN

Be it said and remembered that at 1:33 p.m. on the 4th day of January 2024, there came on and was held a Planning & Zoning meeting in the Council Chambers, 5th Floor, 411 W. 8th St., Odessa, Texas.

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

MEMBERS ABSENT: Lance Marker
Craig Stoker

OTHERS PRESENT: Maria Prieto, Planning Manager; James Reber, Planner; Cheynna Torres and Gracie Rodriguez, Planning Technician, Joe Tucker, Director of Public Works; Yervand Hmayakyan, City Engineer; Rebecca Muniz, City Attorney Assistant; William Mason, Assistant City Attorney

The minutes of the December 20, 2023, Planning and Zoning Commission meet were approved, motion for approval being made by Commissioner Jimmy Peacock, seconded by Commissioner Gary Sims, with the vote being a unanimous "aye".

3. Docket NO. 2023-81-P (ETJ) (Approved)

Motion approving a Final Plat of Blackhawk Addition, 1st Filing, being a 20.03-acre tract located in Section 42, Block 43, T-2-S T&P RR Co. Survey, Ector County, Texas. (Generally located on the southeast corner of the intersection of W. Drivers Hall of Fame Street and War Admiral Drive – Extraterritorial Jurisdiction)

Vice Chairman Wayne Russell stated as consent items and turned to commission for motion, Commissioner Connie Coots approved as presented. Gary Sims seconded the motion, with the vote being a unanimous "aye".

Recommended Planning and Zoning Commission Action: 2023-18-Z (Approved)

_____ Approved Deny _____ Directional/Informational

Detail of the Request:

The applicant, Compass Academy Charter School, Inc., is requesting a zone change

from MF-1, Multiple-Family Residence District-1, MF-1-SD, Multiple-Family Residence District-1-Surface Drainage, SPD-SD, Special Dwelling District-Surface Drainage, and SPD, Special Dwelling District, to SF-1, Single-Family Residence District – 1, being Lot 8, Block 1, Crossroads Fellowship Addition, 5th Filing, and being a 33.813 tract located in Section 9 Block 41, T-2-S, T&P RR. CO. Survey, Odessa, Ector County, Texas.

Current Zoning:

MF-1, Multiple-Family Residence District-1, MF-1-SD, Multiple-Family Residence District-1-Surface Drainage, SPD-SD, Special Dwelling District-Surface Drainage, SPD, Special Dwelling District.

Surrounding Land Use:

Properties located to the north are located in the ETJ, Extraterritorial Jurisdiction. Properties to the east are zoned SPD-SD, Special Dwelling District-Surface Drainage,

MF-1-DR, Multiple-Family Residence District-1-Drill Reservation, and MF-1-SD, Multiple-Family Residence District-1-Surface Drainage. Properties to the south are zoned R, Retail District, SF-1, Single-Family Residence District – 1, and MF-1-DR, Multiple-Family Residence District-1-Drill Reservation. Properties to the east are located in an FD, Future Development District.

Analysis:

The property involved in this request is located southeast of the intersection of Billy Hext Rd. and E 56th St. The site is currently designated MF-1, Multiple-Family Residence District-1, MF-1-SD, Multiple-Family Residence District-1-Surface Drainage, SPD-SD, Special Dwelling District-Surface Drainage, and SPD, Special Dwelling District, and is currently the site of Compass Academy Charter School. The applicant is Compass Academy Charter School, Inc, owner, Newton Engineering, PC, agent, and the purpose of the zone change request is to create a uniform zoning designation to construct a sports complex.

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

Comprehensiveness' This request is not out of line with the City of Odessa's Comprehensive Plan. The property is located near to MF-1-DR, Multiple-Family Residence District-1-Drill Reservation, SF-1, Single-Family Residence District – 1, and R, Retail District, which allow for SF-1, Single-Family Residence District – 1, and the associated less intense uses.

Livability The proposed zoning would not have a negative impact on this site or surrounding properties. The proposed commercial development is not out of line with development in the area.

Reasonableness' The proposed zoning district will facilitate a reasonable transition between land uses of varying intensities and would not create a conflict to the existing land uses in the area.

PLANNING:

- Show Utility easement and CRMWD on zoning map.
- Certificate of Ownership.

TxDOT:

- Not sure of the existing drainage paths from this area, but if it is routed towards a state system and is being developed post-development drainage/runoff should not exceed pre-development conditions.

CRMWD:

- The district has reviewed the zone change plat for Compass Academy Charter School. Newton did not make note of CRMWD's 33" water transmission pipeline running through this plat. **Prior to finalizing the plat, the developer shall determine the locations of the CRMWD pipelines. If needed, the existing CRMWD easement shall be adjusted on the new plat so that the existing pipelines are within the easement.** District personnel shall be notified prior to excavation of pipelines.
- Our pipelines and easements carry certain restrictions prohibiting the construction of habitable structures as well as other features designed to protect the pipelines. It is also worth noting that the pipelines may be relatively shallow, which may impact streets, drainage ways, pipelines or other improvements planned to cross the district's line. The developer shall determine the amount of cover existing over the pipelines to determine their potential impact on planned improvements. All proposed crossing utilities must cross under the pipeline with a minimum clearance of two feet and be encased throughout the easement. District personnel shall be notified prior to excavation of pipelines or any work on the easement.

In order to help ensure the integrity of these pipelines, CRMWD requests that a copy of the proposed construction plans be provided for review. This review will allow CRMWD the opportunity to provide comments prior to issuance of the final construction plans and will help to make the construction process go smoother. Electronic copies of the plans can be provided via e-mail.

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

Attachments:

Area zoning/notification map

List of uses allowed in an SF-1, Single-Family Residence District – 1.

Ms. Maria Prieto presents: The applicant, Compass Academy Charter School, Inc., is requesting a zone change from MF-1, Multiple-Family Residence District-1, MF-1-SD, Multiple-Family Residence District-1-Surface Drainage, SPD-SD, Special Dwelling District-Surface Drainage, and SPD, Special Dwelling District, to SF-1, Single-Family Residence District – 1, being Lot 8, Block 1, Crossroads Fellowship Addition, 5th Filing, and being a 33.813 tract located in Section 9 Block 41, T-2-S, T&P RR. CO. Survey, Odessa, Ector County, Texas. MF-1, Multiple-Family Residence District-1, MF-1-SD, Multiple-Family Residence District-1-Surface Drainage, SPD-SD, Special Dwelling District-Surface Drainage, SPD, Special Dwelling District. The property involved in this request is located southeast of the intersection of Billy Hext Rd. and E 56th St. The site is currently designated MF-1, Multiple-Family Residence District-1, MF-1-SD, Multiple-Family Residence District-1-Surface Drainage, SPD-SD, Special Dwelling District-Surface Drainage, and SPD, Special Dwelling District, and is

currently the site of Compass Academy Charter School. The applicant is Compass Academy Charter School, Inc, owner, Newton Engineering, PC, agent, and the purpose of the zone change request is to create a uniform zoning designation to construct a sports complex.

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

Comprehensiveness' This request is not out of line with the City of Odessa's Comprehensive Plan. The property is located near to MF-1-DR, Multiple-Family Residence District-1-Drill Reservation, SF-1, Single-Family Residence District – 1, and R, Retail District, which allow for SF-1, Single-Family Residence District – 1, and the associated less intense uses.

Livability The proposed zoning would not have a negative impact on this site or surrounding properties. The proposed commercial development is not out of line with development in the area.

Reasonableness' The proposed zoning district will facilitate a reasonable transition between land uses of varying intensities and would not create a conflict to the existing land uses in the area.

PLANNING:

- Show Utility easement and CRMWD on zoning map.
- Certificate of Ownership.

TxDOT:

- Not sure of the existing drainage paths from this area, but if it is routed towards a state system and is being developed post-development drainage/runoff should not exceed pre-development conditions.

CRMWD:

- The district has reviewed the zone change plat for Compass Academy Charter School. Newton did not make note of CRMWD's 33" water transmission pipeline running through this plat. **Prior to finalizing the plat, the developer shall determine the locations of the CRMWD pipelines. If needed, the existing CRMWD easement shall be adjusted on the new plat so that the existing pipelines are within the easement.** District personnel shall be notified prior to excavation of pipelines.
- Our pipelines and easements carry certain restrictions prohibiting the construction of habitable structures as well as other features designed to protect the pipelines. It is also worth noting that the pipelines may be relatively shallow, which may impact streets, drainage ways, pipelines or other improvements planned to cross the district's line. The developer shall determine the amount of cover existing over the pipelines to determine their potential impact on planned improvements. All proposed crossing utilities must cross under the pipeline with a minimum clearance of two feet and be encased throughout the easement. District personnel shall be notified prior to excavation of pipelines or any work on the easement.

In order to help ensure the integrity of these pipelines, CRMWD requests that a copy of the proposed construction plans be provided for review. This review will allow CRMWD the opportunity to provide comments prior to issuance of the final construction plans and will help to make the construction process go smoother. Electronic copies of the plans can be provided via e-mail.

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

Vice Chairman ask if any other concerns or comments, hearing no one, opens the public portion. As no one coming forward he proceeds to close the public hearing and turns to his commissioners for motion or discussion. Connie Coats motions to approve; Seconds the Motion, speak in all in favor, with the vote being a unanimous "aye".

Recommended Planning and Zoning Commission Action

Case File 2023-103-P(Approved) Approved Deny

Detail of the Request:

The applicant is Compass Academy Charter School, Inc., owner, Newton Engineering, PC, consultant, and the purpose of the plat is to create three (3) lots for ownership purposes.

Current Zoning:

MF-1, Multiple-Family Residence District-1, MF-1-SD, Multiple-Family Residence District1-Surface Drainage, SPD-SD, Special Dwelling District-Surface Drainage, SPD, Special Dwelling District

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

PLANNING:

Indicate access to Lots 9 & 10. If access will be public or private.

ECTOR COUNTY 911:

No comments.

PUBLIC WORKS:

- Water is available. Sewer is available for Lots 9 and 10 only.
- Sewer needs to be extended to serve Lot 11. Submit plans for review and acceptance.
- Drainage report has been submitted. This tract is not in a special flood hazard area.
- Add a note: No direct access to State Highway 191 shall be allowed.
- Show access easement between Lots 10 and 11 for benefit of Lot 11.

- Curb and gutter needs to be installed along SH 191 adjacent to Lot 11. Submit plans for review and acceptance.
- \$61,545.49 Pro-rata for Estancia Blvd. development is due upon filing the plat.
- An Improvements 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 policies.

GIS:

No comment.

TxDOT:

- Not sure of the existing drainage paths from this area, but if it is routed towards a state system and is being developed post-development drainage/runoff should not exceed pre-development conditions. If any additional access is proposed to SH 191 frontage road, it should be in accordance with current Access Management Standards and should be checked against current and ultimate ramp configurations.

CRMWD:

- The district has reviewed the replat for Crossroads Fellowship Addition 6th. As noted by Newton, CRMWD'S 33" water transmission pipeline runs through this plat. Prior to finalizing the plat, the developer shall determine the locations of the CRMWD pipelines. If needed, the existing CRMWD easement shall be adjusted on the new plat so that the existing pipelines are within the easement. District personnel shall be notified prior to excavation of pipelines.
- Our pipelines and easements carry certain restrictions prohibiting the construction of habitable structures as well as other features designed to protect the pipelines. It is also worth noting that the pipelines may be relatively shallow, which may impact streets, drainage ways, pipelines or other improvements planned to cross the district's line. The developer shall determine the amount of cover existing over the pipelines to determine their potential impact on planned improvements. All proposed crossing utilities must cross under the pipeline with a minimum clearance of two feet and be encased throughout the easement. District personnel shall be notified prior to excavation of pipelines or any work on the easement.

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PERMIAN BASIN MPO:

- No comments.

Staff recommends approval of the Replat of Crossroads Fellowship Addition, 6th Filing, subject to condition 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

Ms. Maria Prieto presents: The applicant is Compass Academy Charter School, Inc., owner, Newton Engineering, PC, consultant, and the purpose of the plat is to create three (3) lots for ownership purposes. MF-1, Multiple-Family Residence District-1, MF-1-SD, Multiple-Family Residence District1-Surface Drainage, SPD-SD, Special Dwelling District-Surface Drainage, SPD, Special Dwelling District. This request has been routed to all respective departments for internal review. The comments are below:

PLANNING:

Indicate access to Lots 9 & 10. If access will be public or private.

ECTOR COUNTY 911:

No comments.

PUBLIC WORKS:

- Water is available. Sewer is available for Lots 9 and 10 only.
- Sewer needs to be extended to serve Lot 11. Submit plans for review and acceptance.
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GIS:

No comments.

TxDOT:

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PERMIAN BASIN MPO:

- No comments.

Staff recommends approval of the Replat of Crossroads Fellowship Addition, 6th Filing, subject to condition 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.**

Vice-Chairman Russell turns to commission for comments. Vice Chairman proceeds to open a public hearing asking for comments or concerns, hearing no one come forward closes the public portion. Turned to commission for motion or discussion Member Jimmy Peacock moved the item be approved. Commissioner Steve Tercero 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 1:44 pm.

Cheylna Torres, Planning Technician, placed the minutes in the Minute Book on January 5, 2024

Wayne Russell, Vice-Chairman