

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 18, 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 January 4, 2024.

2. CASE FILE NO. 2023-94-PZ (ETJ)

Motion approving a Final Plat of Westridge Subdivision, 3rd Filing, being a Replat of the South 4.71 Acres of Lot 1, Block 5, Westridge Subdivision, Ector County, Texas. (Generally located on the east side of N Moss Ave, approximately 550-feet south of W 42nd St – Extraterritorial Jurisdiction)

3. CASE FILE NO. 2023-42-PZ

Motion approving a Final Plat of Harmony Schools, being 22.00 acres located in Section 3, Block 41, Township-2-South, of the T.&P. R.R. Co. Survey, Abstract 347, and Lot 1, Block 4, Dorado Center, 6th Filing, City of Odessa, Midland County, Texas. (Generally located on the southeast corner of the intersection of Dr. Emmitt Headlee Road and Mission Boulevard - Council District 2)

4. CASE FILE NO. 2023-100-PZ

Motion approving a Final Plat of Little Addition, being a 0.43-acre tract of land out of Section 10, Block 42, T-2-S, T. & P. RY. CO. Survey, City of Odessa, Ector County, Texas. (Generally located on the south side of E 52nd St, approximately 340-feet west of Lancaster Dr – Council District 3)

IV. PUBLIC HEARING

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

5. CASE FILE NO. 2023-19-Z

Consider a request by Border Engine Rebuilders & Diesel Services, applicant, for a zone change from FD, Future Development District, to LI, Light Industrial District, on Lots 1, 2, & 3, Block 3, Dovecote Industrial Park, being 19.52 acres of land in Section 36, Block 42, T-2-S T&P RY. CO. Survey Ector County, Texas. (Generally located on the west side of S Meadow Ave, approximately 50-feet south of Production St – Council District 1)

6. CASE FILE NO. 2023-05-SUP

Consider a request by Reynon Roque for a Specific Use Permit on Lots 13-16, Block 2, College Campus, an Addition to the City of Odessa, being 0.3214-acre tract of land, City of Odessa, Ector County, Texas. (Generally located on the east side of N Grant Ave., approximately 90-feet south of E 15th St. – Council District 3)

V. MISCELLANEOUS

7. CASE FILE NO. 2023-97-P

Motion approving with staff's recommended conditions for a proposed short form plat, being a Replat of 144.28 Square Feet in Lot 14, and all of Lots 15 and 16, Block 44A, Herbert & Wight Addition, being a total of 0.263 acres, located in Section 28, Block 42, T-2-S, T&P RR. CO. Survey, City of Odessa, Ector County, Texas. (Generally located on the northeast corner of the intersection of Golder Avenue and 11th Street – Council District 5)

8. CASE FILE NO. 2023-107-P

Motion approving with staff's recommended conditions for a proposed Replat of Lots 4 & 5, Block 4, Bella Vista Addition, being 0.48 acres, located in Section 9, Block 41, T-2-S, T. & P. RY. CO. Survey, City of Odessa, Midland County, Texas.,(Generally located on the north side of Bella Vista Circle, approximately 175-feet south of Bella Noche Dr – Council District 2.)

VI. ADJOURN

Be it said and remembered that at 1:32 p.m. on the 18th 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
Craig Stoker

MEMBERS ABSENT: Lance Marker

OTHERS PRESENT: Elizabeth Shaughnessy, Director of Development; Jeff Fisher, Strategic Development and Policy Manager; Cheynna Torres and Gracie Rodriguez, Planning Technician, Joe Tucker, Director of Public Works; Yervand Hmayakyan, City Engineer; Naira Enriquez, SR Legal Assistant; William Mason, Assistant City Attorney

The minutes of the January 4, 2024, Planning and Zoning Commission meet were approved, motion for approval being made by Commissioner Connie Coots, seconded by Commissioner Gary Sims, with the vote being a unanimous "aye".

3. Docket NO. 2023-94-P (ETJ) (Approved)

Motion approving a Final Plat of Westridge Subdivision, 3rd Filing, being a Replat of the South 4.71 Acres of Lot 1, Block 5, Westridge Subdivision, Ector County, Texas. (Generally located on the east side of N Moss Ave, approximately 550-feet south of W 42nd St – Extraterritorial Jurisdiction)

Vice Chairman Wayne Russell stated as consent items and turned to commission for motion, Commissioner Craig Stoker approved as presented. Jimmy Peacock seconded the motion, with the vote being a unanimous "aye".

4. Docket NO. 2023-42-P (Approved)

Motion approving a Final Plat of Harmony Schools, being 22.00 acres located in Section 3, Block 41, Township-2-South, of the T.&P. R.R. Co. Survey, Abstract 347, and Lot 1, Block 4, Dorado Center, 6th Filing, City of Odessa, Midland County, Texas. (Generally located on the southeast

corner of the intersection of Dr. Emmitt Headlee Road and Mission Boulevard - Council District 2)

Vice Chairman Wayne Russell stated as consent items and turned to commission for motion, Commissioner Craig Stoker approved as presented. Jimmy Peacock seconded the motion, with the vote being a unanimous "aye".

3. Docket NO. 2023-100-P (Approved)

Motion approving a Final Plat of Little Addition, being a 0.43-acre tract of land out of Section 10, Block 42, T-2-S, T. & P. RY. CO. Survey, City of Odessa, Ector County, Texas. (Generally located on the south side of E 52nd St, approximately 340-feet west of Lancaster Dr – Council District 3)

Vice Chairman Wayne Russell stated as consent items and turned to commission for motion, Commissioner Craig Stoker approved as presented. Jimmy Peacock seconded the motion, with the vote being a unanimous "aye".

Recommended Planning and Zoning Commission Action: 2023-19-Z (Approved)

_____ **Approved** _____ **X** _____ **Deny** _____ **Directional/Informational**

Detail of the Request:

The applicant, Border Engine Rebuilders & Diesel Services, is requesting a zone change from Future Development (FD) Zoning District to a Light Industrial (LI) Zoning District, on Lots 1, 2, & 3, Block 3, Dovecote Industrial Park, Being 19.52 Acres of Land in Section 36, Block 42, T-2-S T&P RY. CO. Survey Ector County, Texas.

Current Zoning:

FD, Future Development

Surrounding Land Use:

Properties located to the north and east are zoned Light Industrial (LI) Zoning District, and the location of industrial services and storage, properties to the south are designated (FD) Future Development and the location of industrial services and storage, and the property to the west has an Industrial District Contract.

Analysis:

The property involved in this request is located on the west side of S Meadow Ave, approximately 50-feet south of Production St. The site is currently designated Future Development and is occupied by a building. The applicant is Border Engine Rebuilders & Diesel Services, and the purpose of the zone change request is to be able to place a service repair shop for heavy duty vehicles and equipment including buses. A repair garage is an allowed use in the Light Industrial (LI) Zoning District.

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 Industrial (LI) zoning which allows for industrial and associated uses.

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

Reasonableness' The proposed zoning district will facilitate a reasonable transition between land uses of similar intensities and would not create a conflict to the existing land uses in the area. The proposed use is compatible with the existing industrial uses in the area.

PLANNING:

- Prior to City Council:
- Certificate of Ownership.
- Provide the Metes and bounds.

Public Works:

- No comments

TxDOT:

No Comments

GIS:

No Comments

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.

Mr. Jeffery Fisher presents: Zone Change which was annex into the city in a Future Development block and now they are changing, which have three platted lots, changing to LI, Light Industrial. Currently a building is placed on the property. The purpose of the change is to have a repair shop, to which is allowed. As you are looking northeast into meadows is the property and northeast. Any question as staff is recommending approval.

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 Coots motions to approve; Jimmy Peacock Seconds the Motion, speak in all in favor, with the vote being a unanimous "aye".

Recommended Planning and Zoning Commission Action

Detail of the Request:

Consider a request by Reynon Roque, applicant, for a Specific Use Permit on Lots 1316, Block 2, College Campus. The site is zoned Light Commercial (LC) and occupied by a commercial development uses. Land use in the general area consists of Retail development to the south, north, and west, and a religious institution with school and daycare to the east.

A site plan has been prepared indicating the location of the said Repair and Rebuilding Garage within a commercial development. The proposed repair and rebuilding garage will have a total floor area of approximately 6,000 sq. ft. and is required to have 6 vehicle parking spaces. The site plan shows 5 vehicle parking spaces, however, there is sufficient paved area for an additional parking space.

If the Commission chooses to approve this request, the Planning Staff recommends adoption of the following conditions:

1. Six (6) vehicle parking spaces must be provided.
2. All wrecked and dismantled vehicles need to be stored inside the building or behind a solid screening fence.
3. The storage yard screening fence will need to be an eight ft. (8') solid fence.
4. Building will need to meet all fire, building, electrical and mechanical code requirements.
5. All signs need to meet ordinance requirements.
6. Hours of operation will be limited to 8:00 a.m. to 6:00 p.m.
7. Days of operation Monday thru Saturday.
8. Adoption of the site plan
9. Review of the permit upon receiving neighborhood complaints. This is a temporary permit, and the City Council shall have the right of termination for violation of the terms and conditions of the permit or because of the negative effect of the use on the neighborhood after a public hearing.

Planning staff recommends approval of this request subject to the eight (8) conditions stated and submittal of additional information related to the proposed use which include, a revised site plan showing required parking, fencing of vehicle storage, and a privacy fence along the east property line.

Attachments:

**Application
Site Plan
Notification
Map
Use List**

Mr. Jeffery Fisher presents: For a special use permit is to create an Autobody shop which is only allowed with a SUP in a LC, Light Commercial Zoning District. This one was an existing shop as the as the Certificate of Occupancy had not been renewed in such a long time, this indicated for the new owners to update. Requiring for this request for them to renew with the current standards as they present this body shop through SUP, Specific Use Permit. Based on the floor area inside the building as the exterior would remain the same. The vehicle of the building is requiring 6 as they have 5 and will work towards them having 6. This is in an area where existing churches and day care were placed, staff recommend approval with these conditions. They could submit this site plan with the Planning Manager, as there is no need to come back to these meeting as they must meet the staff requirements. These are the conditions: (as he reads them out loud)

CONDITIONS OF APPROVAL

1. Six (6) vehicle parking spaces must be provided.
2. All wrecked and dismantled vehicles need to be stored inside the building or behind a solid screening fence.
3. The storage yard screening fence will need to be an eight ft. (8') solid fence.
4. Building will need to meet all fire, building, electrical and mechanical code requirements.
5. All signs need to meet ordinance requirements.
6. Hours of operation will be limited to 8:00 a.m. to 6:00 p.m.
7. Days of operation Monday thru Saturday.
8. Adoption of the site plan.
9. Review of the permit upon receiving neighborhood complaints. This is a temporary permit, and the City Council shall have the right of termination for violation of the terms and conditions of the permit or because of the negative effect of the use on the neighborhood after a public hearing.

Jimmy Peacock at this time as "is there a fence along the alley"?

Mr. Fisher replies "at this moment no".

Mr. Peacock states this has been reviewed before and was stated to build a fence, as this was a case done years ago for this area.

Mr. Fisher does respond to Mr. Peacocks statement with yes, I do believe this case has been awhile ago before zoning or before we had this requirement. Unsure what was the situation from that standpoint.

Steve Tercero ask "What would happen if someone does not pick up their automobile, which would stall till 6pm. Would they be docked for that, or wait longer until the customer shows".

Mr. Fisher mentions being open to them staying later or ensuring everyone around them would be okay for the hours. Our Planning Manager had a previous discussion with them all.

Vice-Chairman Russell turns to commission for comments. Vice Chairman proceeds to open a public hearing asking for comments or concerns, the owners at this time approach the podium, stating their names. Christopher Zapata and Reynon Roque, as they are both owners of this location. Stating they currently do not have a fence near the alley, we are being told we are required to place one as we have some gentleman ready for that. Commissioner Connie Coots ask if the 6pm will work with them. Mr. Zapata states they will do whatever it takes for them to open shop. We could work with that as rescheduling the vehicles for next day. Mr. Fisher ask them if they see it as maybe staying later would help be in favor of them? Mr. Zapata replies with experience from their current shop, as stating their age factors into how many hours they pull normally. We could schedule for the next business day, which would not be a problem, as we don't need to be at the shop till 10pm. Commissioner S. Tercero mentions "Customers not picking up their vehicles on time, should be okay". Commissioner Connie Coots questions "Could we go later, we could, couldn't we?" "As to 10 pm would be okay, just ensure with the *Noise complaints*, which is the city's concern is the **noise**".

At this time Mr. Christopher Zapata and Mr. Reynon Roque leave the podium for public hearing.

Vice Chairman, Wayne Russell, as for any other public hearing or question.

Commissioner Craig Stoker ask for the signs on the building, looks like this is flopped. What are we going to require of them to do about the sign, as I do not need the ordinance?

Mr. Fisher stated this is an existing sign, we would require them to meet the sign ordinance.

As Ms. Torres, Planning Technician, approaches the podium and states the sign is an existing from previous ownership. If they were to replace a banner, per code the requirement is a thirty-day window for this banner to be up, otherwise they would have a sign.

Vice-Chairman ask for any additional 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 Gary Sims seconded the motion, with the vote being a unanimous "aye".

Recommended Planning and Zoning Commission Action: **2023-97-P (Approved)**

_____ **Approved** _____ **Deny** _____ **Directional/Informational**

Detail of the Request:

The applicants and owners are Jesus and Olivia Muro, and the consultant is Newton Engineering, PC. The purpose of the plat is to create one (1) lot for ownership purposes. This plat meets the criteria for a short form plat as outlined in the City's Subdivision Ordinance.

Current Zoning:

2F-1, Two-Family Residence District-1

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

PLANNING:

- No comments

Public Works:

- No comments

Ector County 911:

No Comments

GIS:

No Comments

TXDOT:

No comments

CRMWD:

No comments

Permian Basin MPO:

No comments

Staff recommends approval of the short form plat, being a Replat of 144.28 Square Feet in Lot 14, and all of Lots 15 and 16, Block 44A, Herbert & Wight Addition, a total of 0.263 acres, subject to condition A.

Condition:

- A. Approval of this short form plat is subject to all plat comments conditions, and requirements being satisfied by all pertinent City departments before filing for recordation with the County Clerk of Ector County, Texas**

Attachments:

Application
Proposed Plat
Maps

Ms. Elizabeth Shaughnessy mentions the owner and consultant discussion. The owner did not know her property was being replat into one lot. Explaining how she had an in-law suite, and the construction company removed her home instead of the unit. Let me ask if they would like to continue. And yes, they would as rebuild for the property, they are required to replat all into one lot. As this was the condition of rebuild.

Vice Chairman turns to his commissioners for motion or discussion. Connie Coots motions to approve; Jimmy Peacock Seconds the Motion, speak in all in favor, with the vote being a unanimous "aye".

Recommended Planning and Zoning Commission Action: 2023-107-P (Approved)

_____ **Approved** _____ **Deny** _____ **Directional/Informational**

Detail of the Request:

The applicant and owner are Daniel Carroll Jr, and the consultant is S.W. Howell. The purpose of the plat is to create one (1) lot for ownership purposes.

Current Zoning:

PD-SF, Planned Development-Single Family

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

PLANNING:

- Change legal description on plat to "An addition to the City of Odessa, Midland County, Texas.

Public Works:

- Water and sewer are available. No pro rata is due.
- Drainage report needs to be submitted. This tract is not in a special flood hazard area.
- Right of way is private.
- Plug existing water and sewer service connections not being used.
- Front yard setback shown is less than the original plat.
- 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.

Ector County 911:

No Comments

GIS:

No Comments

TXDOT:

No comments

CRMWD:

No comments

Permian Basin MPO:

No comments

Staff recommends approval of the Replat of Bella Vista Addition, subject to condition A.

Condition:

B. Approval of this short form plat is subject to all plat comments conditions, and requirements being satisfied by all pertinent City departments before filing for recordation with the County Clerk of Ector County, Texas

Attachments:

Application
Proposed Plat
Maps

Ms. Elizabeth Shaughnessy presents: the applicant being SW Howell is requesting to replat two lots into one for ownership purposes. Rerouted the application to other city departments and had no objections previously. Therefore, staff is recommending approval of this replat.

Vice Chairman turns to his commissioners for motion or discussion. Gary Sims motions to approve; Jimmy Peacock Seconds the Motion, speak in all in favor, with the vote being a unanimous "aye".

There being no further business to come before the Commission, the meeting was adjourned at 1:47 pm.

Cheyenna Torres, Planning Technician, placed the minutes in the Minute Book on January 18, 2024

Wayne Russell, Vice-Chairman

