

AGENDA  
PLANNING & ZONING COMMISSION  
COUNCIL CHAMBER  
APRIL 21, 2022  
1:30 P.M.

1. Approve the minutes of the April 7, 2022 Planning and Zoning Commission meeting
2. CASE FILE NO. 2022-03-Z  
Open a public hearing to consider approval of the request by Midland 256 Rampart LP ETAL, owners, and LCA, agent to amend the uses on Planned Development–Retail (PD-R), Lot 6, Block 27, North Country Club Estates, 5<sup>th</sup> Filing, City of Odessa, Ector County, Texas (6000 East Ridge Rd.)
3. CASE FILE NO. 2022-18-P  
Open a public hearing to consider approval of Lemrod Addition being the replat of Lot 24, Block 14, Beckwood Terrace Addition 2<sup>nd</sup> Filing, Ector County. (Southwest of the intersection of Conover Ave and W 25<sup>th</sup> St.)
4. CASE FILE NO. 2022-19-P  
Open a public hearing to consider approval of a replat of Lot 1, Block 1, Calderon Addition in Section 26, Block 42, T-2-S, T&P RY Co. Survey, City of Odessa, Ector County, TX (north of the intersection of Myrtle St. & Washington Ln.)
5. CASE FILE NO. 2022-20-P (ETJ)  
Consider approval of Ocotillo Park, 6<sup>th</sup> Filing, being a replat of the north 1.5 acres of Lot 4, Block 26, Ocotillo Park, 4<sup>th</sup> Filing, Ector County Texas. (northeast of the intersection of N. Navajo Ave. and W. Swan Rd.)
6. CASE FILE NO. 2022-08-P (ETJ)  
Consider approval of the final plat of Saulsbury Industrial, being a plat of 39.64 acres in Section 30, Block 41, T-2-S, T&P RR Co. Survey Ector County Texas. (northeast of the intersection of S. John Ben Shepperd Parkway Blvd. and E. IH-20)
7. Other Business
8. Adjourn

Be it said and remembered that at 1:30 p.m. on the 21<sup>st</sup> day of April, 2022, 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> St., Odessa, Texas.

MEMBERS PRESENT: Jimmy Peacock, Chairperson  
Lance Marker  
Wayne Russell  
Steve Tercero

MEMBERS ABSENT: Connie Coots, Vice Chairperson  
Renee Earls  
Gary Sims

OTHERS PRESENT: Randy Brinlee, Director of Development; Lorraine Quimiro, Planning Manager; Maria Prieto, Planner; Jared Aguilar, Planner, Joe Tucker, Assistant City Engineer, Fara Hernandez, CIP Coordinator, Jan Baker Senior Assistant City Attorney.

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The minutes of the of April 7, 2022, Planning and Zoning Commission meeting were approved, motion for approval being made by Member Marker, seconded by Member Russell, with the vote being a unanimous "aye".

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CASE FILE NO. 2022-03-Z (approved)

Open a public hearing to consider approval for the request by Midland 256 Rampart LP ETAL, owners, and LCA, agent to amend the uses on Planned Development-Retail (PD-R), Lot 6, Block 27, North County Club Estates, 5<sup>th</sup> Filing, City of Odessa, Ector County, Texas (6000 East Ridge Rd.)

Ms. Quimiro gave the following presentation: Twenty-three notices were mailed out, one was returned, two protests, and zero approvals were received. The property involved in this request is 6000 East Ridge Rd. and is located southeast of the intersection of northeast E Loop 338 and East Ridge Rd. The site is zoned Planned Development-Retail (PD-R) and is occupied by a retail/office strip center. Land use in the area consists of retail/office development and apartments to the north, residential development to the south and east and recreational open space (UTPB Property) to the west.

The applicant is Midland 256 Rampart LP ETAL, owners, and LCA, agent, and the purpose of the request is to amend the existing Planned Development-Retail (PD-R) in order to allow a donut/coffee shop to be allowed on the property.

City Council approved the Planned Development-Retail (PD-R) in August 1998 with the conditions that specific development standards (building setback, height, parking, fencing, landscaping, etc.) and retail/office uses be allowed on the property (see attached list).

The applicant is requesting an amendment to the existing Planned Development-Retail (PD-R) for condition #2 to include as follows:

- a. One (1) building with retail space of approximately 2,000 sq. ft. and a donut shop with approximately 2,000 sq. ft.

The other conditions of the Planned Development will not be affected by the proposed amendment.

Planning Staff analysis of the amendment request is that a donut shop and retail space will meet the land use criteria of the City of Odessa for retail and service uses to be located at the intersection of a major highway (E Loop 338) and a collector street (East Ridge Rd.). Staff is of the opinion that a donut shop and retail space use is a compatible use for this location and has no objection to the request as presented.

There being no questions for staff, Chairman Peacock opened the floor for public hearing. Brooks Landgraf approached the lectern as council for the owner and applicant of Midland 256 Rampart LP and stated the following: amendment would only apply to Lot 6 for development and no request to change the remainder of the shopping center. Spencer Robinette, developer, also approached the lectern. Mr. Robinette stated that along with Paul Anderson their intent is to open a Shipley Donut shop in the 2,000 sq. ft. of the proposed building and use the remaining 2,000 sq. ft. for retail. Chairman Peacock inquired on hours of operation to which Mr. Robinette indicated that they would be open 13 hours a day, open at 5:00 a.m. and close at 6:00 p.m. Chairman Peacock inquired on the traffic impact, to which Mr. Robinette responded that there would not be much new traffic for this location, they're intended target is customers who are on their way to work and traffic along Loop 338. Chairman Peacock asked about food smell circulation since it had been an issue in the past and how Mr. Robinette's donut shop would be able to minimize the smell. Mr. Robinette indicated that frequency in changing grease and a use of vent a hood would reduce smell. Mr. Robinette also stated that their trash bins would be enclosed in a cinder block fence to reduce smell of trash. Member Russel inquired on type of business for other 2,000 sq. ft. space to which Mr. Robinette responded it was unknown what type of business it will be. Doug Hoskins approached the lectern to inquire if the proposed building was a new construction to which Mr. Robinette responded yes, also, questioned if existing building was also owned by Mr. Robinette & Mr. Anderson, to which they replied no. Mr. Hoskins concluded his comments by stating he does not oppose the project. Chairman Peacock closed the public portion of the hearing. Chairman Peacock then addressed the planning staff inquiring if the proposed building would still be limited, to which Ms. Quimiro responded it would that the amendment would only affect the corner lot to which the proposed business would be donut/coffee shop and retail. Chairman Peacock addressed the applicants inquiring if the remaining 2,000 sq. ft. space would be a restaurant? Paul Anderson, owner, approached the lectern stating if in the future the remaining space were to be a restaurant, they seek approval from the commission once again.

There being no other questions or comments Chairman Peacock requested a motion. Member Tercero moved the request be approved as presented.

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

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CASE FILE NO. 2022-18-P (Approved with conditions)

Consider approval of Lemrod Addition being the replat of Lot 24, Block 14, Beckwood Terrace Addition 2nd Filing, Ector County. (Southwest of the intersection of Conover Ave and W 25th St.)

Ms. Quimiro gave the following presentation: Seven notices were mailed out, zero were returned, one protest, and one approvals were received. The property involved in this replat request is located southwest of the intersection of Conover Ave and W 25th St. The site is zoned Single Family-Three (SF-3) and is currently vacant.

The applicant is Edgar Rodriguez, owner, N3Brito, LLC., consultant and the purpose of the replat is to create seven (7) lots for residential purposes.

Commission action is requested on the following item:

1. Adjust lot lines to allow 50 ft. width for each lot to meet minimum requirements for residential development (Planning)
2. Water, sewer, paving and drainage plans need to be submitted for review and acceptance. (Public Works)
3. An Improvements Agreement will be required. (Public Works)
4. Impact Fees will be due at time of building permit issuance and utility connections. (Public Works)
5. Conover Drive on the plat is actually Conover Avenue. (911 Ector County)

Comments were sent to the consultant for review on April 12, 2022.

Based on the preceding analysis, staff recommends approval of this request.

Ms. Quimiro explained that lot width will need to comply with development standards and will require removal of one proposed lot or moving the front setback to the point where the width of the lot is 50 ft.

Chairman Peacock opened the floor for a public hearing. Member Tercero inquired on possibility of capped well or oil lines in the location. Mr. Brito, consultant, approached the lectern and stated that location was previously a well site and that he had contacted the Railroad Commission who confirmed that the well site had been abandoned and capped. Mr. Brito stated they will address the minimum 50 ft. width as requested for lots and address the conditions. Mr. Brito also indicated that if the site is contaminated, the owner is aware he will need to address the issue and mitigate contamination. Paul Miller, property owner, approached the lectern and stated that there is a well running thru the property which is condemned. Mr. Miller indicated he would like to see property developed but is concerned about well contamination and Fontana serving as access since it is an alley. Member Russell inquired if an environmental study was done, to which consultant Brito indicated no environmental study was done. Mr. Miller voiced concerns due to previous water and salt injection into well. Chairman Peacock inquired on cul-de-sac design, consultant Brito indicated he would coordinate with city and owners to be able to accommodate cul-de-sac, and open alley for trash pickup, easement, and access for utilities. Member Marker presented a question to staff: If street to be paved would be named Fontana or Corona, to which Ms. Quimiro replied it could be one or the other depending on numbering sequence. Chairman Peacock asked staff If the commission could approve plat as presented even though there are issues regarding the lots meeting development requirements. Ms. Quimiro stated that if there ended up being two or three lots it would not be a very significant difference, but it would be finalized by staff if it did not meet the conditions approved by the Commission. Member Tercero stated he would like to see the lot developed and it would be helping to improve the safely and appearance of the neighborhood.

There being no further questions or comments for City Staff, Chairman Peacock closed the public hearing.

Member Marker moved the replat be approved with the following conditions.

1. Adjust lot lines to allow 50 ft. width for each lot to meet minimum requirements for residential development.
2. Water, sewer, paving and drainage plans need to be submitted for review and acceptance.
3. An Improvements Agreement will be required.
4. Impact Fees will be due at time of building permit issuance and utility connections.
5. Conover Drive on the plat is actually Conover Avenue.

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

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CASE FILE NO. 2022-19-P (Approved)

consider approval of a replat of Lot 1, Block 1, Calderon Addition in Section 26, Block 42, T-2-S, T&P RY Co. Survey, City of Odessa, Ector County, TX (north of the intersection of Myrtle St. & Washington Ln.)

Ms. Quimiro gave the following presentation: The site is currently zoned as Light Industrial (LI) and is currently occupied by light industrial use. Land use in the area consists of industrial development to the west, with a mix of vacant land and residential development to the north, south, and east.

The applicants are Reynolds Real Estate Investments, LLC & Akard Acquisitions 200 LLC, owners, and S. W. Howell, agent and the purpose of the preliminary plat is to create two (2) lots for ownership and industrial development.

Comments were sent to the consultant for review on April 12, 2022.

Staff Comments:

- Tax certificates need to be submitted prior to filing the plat.
- A blanket refuse collection easement needs to be noted on the plat.
- Water and sewer are available. No pro rata is due.
- Drainage statement has been submitted. Part of this tract is in a special flood hazard area, Playa No. 19.
- Drainage report indicates flow to the north. Provide a drainage easement across Lot 2 for the benefit of Lot 3.
- Remove the 10' alley dedication from the plat. It's already dedicated.
- Access is sufficient from Myrtle Street and Pearl Street.

- An Improvements Agreement will not be required.
- Impact Fees will be due at time of building permit issuance and utility connections.
- 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 consultant has addressed all staff comments and plat is ready for commission approval.

There being no questions or comments for City Staff, Member Tercero moved the zoning plat be approved as presented.

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

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CASE FILE NO. 2022-20-P (ETJ) (approved with conditions)

Consider approval of Ocotillo Park, 6th Filing, being a replat of the north 1.5 acres of Lot 4, Block 26, Ocotillo Park, 4th Filing, Ector County Texas. (northeast of the intersection of N. Navajo Ave. and W. Swan Rd.)

Ms. Quimiro gave the following presentation: The site is located in the City of Odessa Extra-Territorial Jurisdiction (ETJ), does not have a zoning designation and is currently vacant. Land use in the general area is residential.

The applicants are Amparo Medina and Mario Almarez, owners, and Piper Surveying, Agent. The purpose of the replat is to create one (1) lot for development and ownership purposes.

Comments were sent to the consultant for review on April 12, 2022.

Staff Comments:

- Original tax certificates are needed prior to filing the plat.
- This tract is outside the City limits and is in the ETJ.
- Water is available through ECUD. Sewer is not available.
- Both lots are of sufficient size for a water well and septic system.
- Drainage report needs to be submitted. This tract is not in a special flood hazard area.

Commission action is requested on the following items:

1. Navajo Trail on the plat is actually N. Navajo Ave. (Ector County 911)

There being no questions or comments for City Staff, Chairperson Peacock called for a discussion or motion.

Member Tercero moved the replat be approved as presented.

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

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CASE FILE NO. 2022-08-P (ETJ)

Consider approval of the final plat of Saulsbury Industrial, being a plat of 39.64 acres in Section 30, Block 41, T-2-S, T&P RR Co. Survey Ector County Texas. (northeast of the intersection of S. John Ben Shepperd Parkway Blvd. and E. IH-20)

Ms. Quimiro gave the following presentation: The site is in the City of Odessa Extra-Territorial Jurisdiction (ETJ) with a section of the dedicated roadway leading to the plat being within the City Limits. The portion within the city limits is zoned Light Industrial (LI) and the portion in the County does not have a zoning designation. The property is vacant. Land use in the general area includes Industrial uses to the north and south with vacant land to the east and west.

The applicant is Saulsbury Ventures LLC. Owner, and Newton Engineering, PC, Agent, and the purpose of the replat is to create six (6) lots for industrial development and ownership.

Comments were sent to the consultant for review on April 12, 2022.

These conditions have been met and the final plat is ready for Commission approval.

There being no questions or comments for City Staff, Chairperson Peacock called for discussion of motion. Member Tercero moved the final plat be approved as presented.

Member Russell 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 2:13 p.m.

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Maria Prieto, Planner, placed the minutes in the Minute Book on May 11, 2022.

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Jimmy Peacock, Chairperson