

AGENDA

PLANNING AND ZONING COMMISSION

COUNCIL CHAMBER

AUGUST 5, 2021

1:30 P.M.

1. Approve the minutes of the July 15, 2021 Planning and Zoning Commission meeting
2. CASE FILE NO. 2021-04-SUP
Open a public hearing to consider approval of the request by Noe Garcia, lessee, Town & Country Plaza Woodcrest, LTD, owner, for a specific use permit to allow a bar use in a Retail (R) zoning district on Lot 24, Block 2, Springdale Addition (3131 E University Blvd.)
3. CASE FILE NO. 2021-46-P
Consider approval of the preliminary plat of Paradigm Addition, being a 10.476 acre tract of land, situated in Section 10, Block 4, T-2-S, S.R. McKinney Survey, Abstract 813, being 10.391 acres, and Abstract 769 Ector County, being 0.085 acre, T&P RWY Co. Survey, City of Odessa, Ector & Midland Counties, Texas (northwest of Medical Park Rd. and Dorado Dr.)
4. CASE FILE NO. 2021-48-P (ETJ)
Consider approval of the preliminary plat of Hillmont Estates, 1st Filing, being approximately 34.241 acre tract in Section 39, Block 42, T-1-S, T&P RR. Co. Survey, Ector County, Texas (northeast of the intersection of Hwy. 385 and E. Hillmont Rd.)
5. Other business
6. Adjourn

Be it said and remembered that at 1:30 p.m. on the 5th day of August, 2021, there came on and was held a Planning and Zoning Commission meeting in the Council Chambers, 5th Floor, 411 W. 8th St., Odessa, Texas.

MEMBERS PRESENT: Jimmy Peacock, Chairman
Connie Coots
Renee Earls
Lance Marker
Wane Russell
Gary Sims

MEMBERS ABSENT: Steve Tercero

OTEHRS PRESENT: Randy Brinlee, Director of Development; Lorraine Quimiro, Planning Manager; Tim McDaniel and Maria Prieto, Planners; Dan Jones, Senior Assistant City Attorney; and Anne Roney, Secretary.

The minutes of the July 15, 2021, Planning and Zoning Commission meeting were approved, motion for approval being made by Member Coots, seconded by Member Russell, with the vote being a unanimous "aye".

CASE FILE NO. 2021-04-SUP (approved with conditions)

Open a public hearing to consider approval of the request by Noe Garcia, lessee, Town & Country Plaza Woodcrest, LTD, owner, for a specific use permit to allow a bar use in a Retail (R) zoning district on Lot 24, Block 2, Springdale Addition (3131 E University Blvd.)

Ms. Prieto gave the following presentation: There were 44 notices mailed to surrounding property owners, with no notices returned, 2 written protests and 1 written approval.

The property involved in this request is located at 3131 E. University Blvd. The site is currently designated Retail (R) zoning district and is occupied by commercial development use. Land use in the general area consists of residential development to the north and west, retail development to the east and south.

The applicant is Noe Garcia, lessee, Town & Country Plaza Woodcrest LTD, owner, and the purpose of the request is to consider approval of a specific use permit to allow a bar use in a Retail (R) zoning district.

A site plan has been prepared indicating the location of the bar within a retail development. The proposed bar will have a total floor area of approximately 1,080 sq.

ft. and is required to have eight (8) parking spaces. The retail development has approximately 592 parking spaces.

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

1. The required parking needs to be striped.
2. Any signs need to meet zoning ordinance requirements.
3. Adoption of the site plan.
4. 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.

Mr. Russell asked if there were any other establishment in the shopping center that served alcohol. Ms. Prieto stated Tequila Tony's serves alcohol, however it was considered an accessory use attached to the restaurant. Ms. Coots asked what the proposed hours of operation were. Being told the applicant would have to answer her question and there being no further questions for City Staff, Chairman Peacock opened the public hearing.

Mr. Noe Garcia, applicant in this request, approached the lectern. Mr. Russell asked what the hours of operation were, being told 11 a.m. to 11 p.m. during weeknights and 11 a.m. to 12 p.m. on weekends. Mr. Russell asked what time they opened, with Mr. Garcia stating they would open at 11 a.m. Mr. Garcia also indicated they could amend that time. He then stated this will be a cigar lounge and will include a humidor. They will not be staying open until 2 a.m. Mr. Garcia also stated they will be serving food. He indicated they will have 45 employees. Ms. Coots asked where they were located, being told across the parking lot from the school.

Mr. Luis Burrola, 1601 W. 24th, approached the lectern. He stated he wants to bring an up-scale cigar lounge to this area. He is wanting to expand in the Permian Basin. He wants to provide a great atmosphere for people to come in and hang out. Ms. Earls asked what the lounge is called, being told House of Havana Cigar Company. There being no further questions, Chairman Peacock closed the public hearing.

Member Coots moved the specific use permit be approved with the following conditions:

1. The required parking needs to be striped.
2. Any signs need to meet zoning ordinance requirements.

3. Adoption of the site plan.
4. 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.

Member Earls seconded the motion, with the vote as follows: Members Earls, Coots, Marker, Peacock and Sims – “aye”; Member Russell – “nay”.

CASE FILE NO. 2021-46-P (approved with conditions)

Consider approval of the preliminary plat of Paradigm Addition, being a 10.476 acre tract of land, situated in Section 10, Block 4, T-2-S, S.R. McKinney Survey, Abstract 813, being 10.391 acres, and Abstract 769 Ector County, being 0.085 acre, T&P RWY Co. Survey, City of Odessa, Ector & Midland Counties, Texas (northwest of Medical Park Rd. and Dorado Dr.)

Mr. McDaniel gave the following presentation: The property involved in this request is located northwest of Medical Park Dr. and Dorado Dr. The site is within the City of Odessa and is zoned Retail-One (R-1). The land is currently vacant. Land use in the area consists of retail and commercial development, as well as vacant land.

The applicant is William Dobson, owner, Maverick Engineering, agent and the purpose of the request is to create six (6) lots (approx. avg. size of 1.75 acres) for ownership and retail development.

Comments were sent to the consultant for review on July 27th, 2021.

Staff Comments:

- Original ownership and tax certificates are needed prior to filing the plat.
- A Blanket Refuse Collection Easement Agreement will be required and is noted on the plat.
- Details such as pavement, elevation, metes and bounds, etc. are not necessary on the face of the plat.
- Plat will need to be filed in both counties.
- Water and sewer extension plans have been submitted and accepted. No pro rata is due.

- Drainage report has been submitted and needs to be revised to address Pre vs. Post development runoff volume retention and location of the basin. This tract is not in a special flood hazard area.
- Utility easements need to be worked out prior to filing the final 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.
- From the current Access Management Standards, 425' is the minimum spacing on a roadway with a posted speed of 50 mph. There are existing driveways approximately 120' north and 140' south of the area shown on the plat to be public access.
- Post-development drainage/runoff should not be increased from pre-development conditions.
- Access to SP-588 (Faudree) will need to be permitted with the City of Odessa.

Commission action is requested on the following items:

1. Access easements should be named for ease of addressing. (Planning)
2. Add a note to the plat: This development will be allowed one median cut on Dorado Drive lined up with the 45' wide access easement. (Public Works)
3. Medical Plaza Road needs to be labeled as Medical Park Drive. (Ector County 911)

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

1. Access easements should be named for ease of addressing.
2. Add a note to the plat: This development will be allowed one median cut on Dorado Drive lined up with the 45' wide access easement.
3. Medical Plaza Road needs to be labeled as Medical Park Drive.

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

CASE FILE NO. 2021-48-P (ETJ) (approved with conditions)

Consider approval of the preliminary plat of Hillmont Estates, 1st Filing, being approximately 34.241 acre tract in Section 39, Block 42, T-1-S, T&P RR. Co. Survey, Ector County, Texas (northeast of the intersection of Hwy. 385 and E. Hillmont Rd.)

Ms. Quimiro gave the following presentation: The property involved in this request is located east of the intersection of Hwy. 385 and E. Hillmont Rd. The site is within the City of Odessa Extra-Territorial Jurisdiction (ETJ), does not have a zoning designation and is currently vacant. Land use in the general area consists of single-family residential development and vacant land.

The applicant is LOA Investments, owner, and the purpose of the plat is to create one hundred and ninety-two (192) mobile home lots (approx. 5,003 sq. ft. – 9,227sq. ft.), 1 common area park and a detention basin.

A platting conference was held July 27, 2021, with the applicant's consultant and city staff present.

Staff Comments:

- This tract is outside the City limits and is in the ETJ.
- City utilities are available for extension.
- Drainage report has been submitted. This tract is not in a special flood hazard area.
- Water and sewer plans have been submitted and accepted.
- Any work in the right of way or easements will require a permit from the Engineering Division and must comply with City Ordinances and policies.
- Drainage in this area but appears to drain from east to west towards US 385. Post-development drainage/runoff should not be increased from pre-development conditions."

Commission action is requested on the following items:

1. Signature block for "Director of Planning" should be "Director of Development Services".
2. Water and sewer will have to be constructed and accepted prior to filing the plat. (Public Works).
3. 2 GPS points are needed on Hillmont Estates, 1st Filing. (GIS)

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

1. Signature block for "Director of Planning" should be "Director of Development Services".
2. Water and sewer will have to be constructed and accepted prior to filing the plat.
3. 2 GPS points are needed on Hillmont Estates, 1st Filing.

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

Other Business: It was mentioned this was Mr. McDaniel's last meeting. Mr. McDaniel stated he had accepted a job El Paso.

There being no further business to come before the Commission, the meeting was adjourned at 1:42 p.m.

Anne Roney, Secretary, placed the minute sin the Minute Book on August 5, 2021.

Jimmy Peacock, Chairman