



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 & ZONING COMMISSION, Minutes  
CITY COUNCIL CHAMBERS – FIFTH FLOOR**

**June 1, 2023  
1:30 P.M.**

**I. Call to order**

**II. Consent Agenda**

1. Approve the minutes of the May 19, 2023, Planning and Zoning Commission meeting.

**III. Other**

**Public Hearing**

2. CASE FILE NO. 2023-07-Z

Consider a request by Paul Garcia for a Zone Change from NS, Neighborhood Services to SF-3, Single-Family Dwelling 3 District an approx. 0.0015 acre tract, being Lot 1 Less S 5, Block 2, Kennedy Heights, City of Odessa, Ector County, Texas (northeast of the intersection of West Ave. and E. Clements. District -1)

**Miscellaneous**

3. CASE FILE NO. 2023-01-ZSP

Motion approving a request by LCA, Inc for a Master Sign Plan on an 8.06 Acre portion of Section, Block 41, T-2-S, T&P RR Co. Survey, Odessa, Ector County, Texas. (Generally located on the north side of State Highway 191, Approximately 760-Feet east of N. Faudree Road-District 2)

4. CASE FILE NO. 2023-37-P  
Motion approval with Staff's recommended conditions, a proposed Replat of Davis Commercial Sites 4<sup>th</sup> Filing, being a replat of Lot 1, Block 1, Davis Commercial Sites 2<sup>nd</sup> Filing & Lot 1, Block 3, Davis Commercial Sites 3<sup>rd</sup> Filing, City of Odessa, Ector County, Texas. (Southwest of the intersection of Barrett Ave and Pecos St. – Council District -1)
  
5. CASE FILE NO. 2023-38-P  
Motion approving with staff's recommended conditions, a proposed Replat of Parks Estates, 7<sup>th</sup> Filing, being a replat of Lot 8, Block 1, Parks Estates, 3<sup>rd</sup> Filing, Ector County, Texas. (Southeast of the intersection of De Morada Dr. and Parks Legado Ct. -Council District -2)
  
6. CASE FILE NO. 2023-39-P  
Motion approving with staff's recommended conditions, a proposed Short Form Plat of Valley Heights, being a 0.708-acre tract of land in section 29, Block 42, T-2-P, T&P RY Co. Survey, City of Odessa, Ector County Texas. (Southeast of the intersection of Macarthur Ave. and W. 3<sup>rd</sup> St -Council District -5)
  
7. CASE FILE NO. 2023-40-P(ETJ)  
Motion approving with staff's recommended conditions, a proposed short form plat of Marigold Addition, being a 10.00 acre tract of land in Section 6, Block 41, T-1-S, T&P RY Co. Survey, Ector County, Texas. (Southeast of the intersection of N. Pecan Ave. and E. Marigold St) (Extra-Territorial Jurisdiction-ETJ)
  
8. CASE FILE NO. 2023-41-P(ETJ)  
Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Lot 14, Block 6, Gunsmoke Subdivision 2<sup>nd</sup> Filing, being a 3.73-acre tract Ector County, Texas/ (southeast of the intersection S. Tashya Ave. and Angel Trail) – (Extra Territorial Jurisdiction-ETJ)

**IV. Adjourn**

Be it said and remembered that at 1:31 p.m. on the 19<sup>th</sup> Day of May 2023, 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: Lance Marker, Chairman  
Steve Tercero  
Jimmy Peacock  
Connie Coots

MEMBERS ABSENT: Wayne Russell, Vice Chairman  
Craig Stoker  
Gary Sims

OTHERS PRESENT: Maria Prieto, Planner; Cheynna Torres, Planning Tech, Joe Tucker, Assistant City Engineer; Fara Hernandez, CIP Coordinator; Dan Jones, Interim City Attorney

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The minutes of the May 19, 2023, Planning and Zoning Commission meet were approved, motion for approval being made by Commissioner Jimmy Peacock, seconded by Commissioner Steve Tercero, with the vote being a unanimous “aye”.

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**Recommended Planning and Zoning Commission Action:**

Case File 2023-07-Z        X   Approved    \_\_\_\_\_ Deny

**Current Zoning:**                      Neighborhood Services (NS)

## Surrounding Land Use:

The adjacent properties in all directions are zoned Single Family-Three (SF-3) to the north and east, Light Commercial to the south, and Planned Development-Commercial (PD-C) to the west. 1115 West Ave was rezoned from Single Family-Three (SF-3) to Neighborhood Services (NS) in 1995. (Ordinance No. 95-46).

Ms. Prieto presented: The applicant, Paul Garcia, is requesting a rezone from Neighborhood Services (NS) to Single Family-Three (SF-3) of an approx. 0.0015-acre tract, being Lot 1 Less S 5, Block 2, Kennedy Heights, City of Odessa, Ector County, Texas. The is located at 1115 West Ave. and is occupied by a single-family residence.

Chairman Lance Marker noted this is a Public Hearing, Chairman Marker then asked Audience to come forward and at this time Paul Garcia came forward and stated his name.

Speaking in favor of, the property as a NS Zone, only house on the block and possibly resale, or possibly build a bigger home, purpose of rezone.

Chairman Marker turned to commission for questions for Mr. Paul Garcia. Hearing none, Chairman Marker closed public portion of the Hearing, then turned to commission and asked for discussion or a motion, Member C. Coots moved the item be approved as presented. Commissioner S. Tercero seconded the motion, with the vote being a unanimous "aye".

## Recommended Planning and Zoning Commission Action:

Case File 2023-01-ZSP        X   Approved      Deny

## Conditions:

**That the freestanding sign for the private right-of way of the location in section 4, Block 41, T-2-S, T&P RR CO. Survey, Odessa Ector County, Texas, shall confirm in all aspects to Exhibits A, B and C. (PLANNING)**

**Current Zoning:**

R-1, Retail-1 District.

**Surrounding Land Use:**

The properties to the north are zoned PD-SF-1, Planned Development-Single Family-1 District and the location of residential homes. The properties to the west are in Ector County and the location of residential homes and vacant land. The property to the east is zoned LC, Light Commercial District, and the location of Vera in Odessa apartment complex. The properties to the south across State Hwy. 191 are zoned R, Retail District and LC, Local Commercial District and the location of retail and restaurants.

Ms. Prieto Gave the following presentation: The applicant, LCA Inc., is requesting a Master Sign Plan on an 8.06 Acre portion of Section 4, Block 41, T-2-S, T&P RR CO. Survey, Odessa Ector County, Texas. The primary purpose of this request is to locate a freestanding sign for Shiloh Square, total area of the freestanding sign about 186 square feet, and other retail establishments on the private road median of Lionsgate Access. This meets the 25 Ft setback requirement for freestanding sign as outlined in our sign ordinance. The freestanding will have a height of 28-feet and a feature two face panels. The upper panel will be 14-feet wide by 3-feet long and will have a 1-foot depth, that will read "Shiloh Square". The lower panel is a 12'x12' double sided internally illuminated cabinet, with a 1-foot deep. The proposed freestanding sign will be used for Shiloh Square and other retail establishment within the shopping center property.

Chairman Lance Marker asking if any other requestions for staff, Hearing none, Chairman Marker turned to commission and asked for discussion or a motion, Commissioner J. Peacock moved the item be approved.

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

**Recommended Planning and Zoning Commission Action:**

Case File 2023-37-p        X   **Approved** (CONDITIONS)        **Deny**

**Current Zoning:**

Light Industrial (LI), Light Commercial (LC)

**PLANNING:**

- Original tax certificates are needed prior to filing the plat.
- Indicate size of lot (s) in square feet on the plat.

**TXDOT: (Approved)**

- If there is a material change in land use, driveway traffic volume, or vehicle type for the sites, then access to the IH 20 frontage road should be re-evaluated as the current driveways do not conform with current Access Management Standards. In reviewing access, the proposed IH 20 layouts should also be reviewed to ensure that there is not any impacts to the proposed layout and operation.

**PUBLIC WORKS: (Approved)**

- Water and sewer are available. No pro rata is due.
- Drainage report has been submitted. This tract is not in a special flood hazard area.
- Submit plans for fire hydrant relocation, alley approach installation and ally grading for review and acceptance.
- 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.

**FIRE: (Approved)**

- Hydrants must be provided to maintain required fire flow which will be based on projects individually and proposed access roads must meet minimum requirements of IFC.
- Staff recommends approval of the Replat Davis Commercial Sites 4th Filing, subject to condition A

Ms. Prieto Gave the following presentation: The applicant, LCA Inc., Champion Truck and Trailer, owner, is requesting a replat of Davis Commercial Sites 4th Filing, being a replat of Lot 1, Block 1, Davis Commercial Sites, Lot 1, Block 2, Davis Commercial Sites 2nd Filing & Lot 1, Block 3, Davis Commercial Sites 3rd Filing, City of Odessa, Ector County, Texas.

Chairman asking if any other requestions for staff, Hearing none, Chairman Marker turned to commission and asked for discussion or a motion, Member S. Tercero moved the item be approved as presented.

Commissioner C. Coats seconded the motion, with the vote being a unanimous "aye".

**Recommended Planning and Zoning Commission Action:**

Case File 2023-38-p                        X   Approved (CONDITIONS) \_\_\_\_\_ Deny

**Current Zoning:**                                  Planned Development-Light Commercial (PD-LC)

**PLANNING:**

- Original tax certificates are needed prior to filing the plat.
- Indicate size of lot (s) in square feet on the plat.

**TXDOT: (Approved)**

- Post development drainage/runoff should not exceed pre-development conditions through some type of mitigation and evaluation.

**PUBLIC WORKS: (Approved)**

- Water and sewer are available. No pro rata is due.
- Drainage report has been submitted. This tract is not in a special flood hazard area.
- Part of parking for Lot 14 is on Lot 15. Provide a cross access and parking agreement on the plat.
- Drainage swale crosses both lots. Provide a drainage easement or blanket drainage agreement on the plat.
- An Improvements Agreement will not 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

**FIRE:**

- Hydrants must be provided to maintain required fire flow which will be based on projects individually
- and proposed access roads must meet minimum requirements of IFC
- Staff recommends approval of the Replat of Parks Estates, 7th 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.**

Ms. Prieto Gave the following presentation: The applicant, Newton Engineering., Prevarian AL, owner, is requesting a replat of Parks Estates, 7th Filing, being a replat of Lot 8, Block 1, Parks Estates, 3rd Filing, Ector County, Texas.

Chairman asking if any other requestions for staff, Hearing none, Chairman Marker turned to commission and asked for discussion or a motion, Member C. Coots moved the item be approved as presented.

J. Peacock seconded the motion, with the vote being a unanimous "aye".

**Recommended Planning and Zoning Commission Action:**

Case File 2023-39-P  X  Approved (CONDITIONS) \_\_\_\_\_ Deny

**Current Zoning:** General Residence (GR)

**PLANNING:**

- Original tax certificates are needed prior to filing the plat.
- Indicate size of lot (s) in square feet on the plat.

**PUBLIC WORKS: (Approved)**

- This tract is outside the city limits and part of it is in the ETJ.
- City water and sewer are not available.
- Drainage report needs to be submitted. This tract is not in a special flood hazard area.
- 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

**FIRE:**

- Hydrants must be provided to maintain required fire flow which will be based on projects individually and proposed access roads must meet minimum requirements of IFC.
- Staff recommends approval of the Short Form plat of Marigold Addition, 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.**

Ms. Prieto Gave the following presentation: The applicant, S. W. Howell, Inc., Jose Ibarra, owner, is requesting a Short Form plat of Valley Heights, being a 0.708 acre tract of land in section 29, Block 42, T-2-S, T&P RY Co. Survey, City of Odessa, Ector County Texas.



Chairman asking if any other requestions for staff, Hearing none, Chairman Marker turned to commission and asked for discussion or a motion, Member Tercero moved the item be approved as presented.

Commissioner J. Peacock seconded the motion, with the vote being a unanimous "aye".

**Recommended Planning and Zoning Commission Action:**

Case File 2023-40-P  X  Approved (CONDITIONS) \_\_\_\_\_ Deny

**Current Zoning:** Extra-Territorial Jurisdiction (ETJ)

**PLANNING:**

- Original tax certificates are needed prior to filing the plat.
- Indicate size of lot (s) in square feet on the plat.

**PUBLIC WORKS: (Approved)**

- This tract is outside the city limits and part of it is in the ETJ.
- City water and sewer are not available.
- Drainage report needs to be submitted. This tract is not in a special flood hazard area.
- 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

**FIRE:**

- Hydrants must be provided to maintain required fire flow which will be based on projects individually and proposed access roads must meet minimum requirements of IFC.
- Staff recommends approval of the Short Form plat of Marigold Addition, 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.

Ms. Prieto Gave the following presentation: The applicant, Gloria Jane Mehringer, owner, Piper Surveying, Co., consultant, is requesting a Short Form plat of Marigold Addition, being a 10.00 acre tract of land in section 6, Block 41, T-1-S, T&P RY Co. Survey, Ector County Texas.

Chairman asking if any other requestions for staff, Hearing none, Chairman Marker turned to commission and asked for discussion or a motion, Member J. Peacock moved the item be approved as presented.

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

**Recommended Planning and Zoning Commission Action:**

Case File 2023-41-p   X   Approved (CONDITIONS) \_\_\_\_\_ Deny

**Current Zoning:** Extra-Territorial Jurisdiction (ETJ)

**PLANNING:**

- Original tax certificates are needed prior to filing the plat.
- Indicate size of lot (s) in square feet on the plat.

**PUBLIC WORKS: (Approved)**

- This tract is outside the city limits and part of it is in the ETJ.
- City water and sewer are not available.
- All lots are of sufficient size for water well & septic systems.
- Drainage report needs to be submitted. This tract is in a special flood hazard area, Zone A.

**FIRE:**

- Hydrants must be provided to maintain required fire flow which will be based on projects individually and proposed access roads must meet minimum requirements of IFC.
- Staff recommends approval of the Replat of Parks Estates, 7th 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.**

Ms. Prieto Gave the following presentation: The applicant, Maria and Enrique Alarcon owners, S.W. Howell Inc., consultant, is requesting a Preliminary Plat of Lot 14, Block 6, Gunsmoke Subdivision 2nd Filing, being a 3.73-acre tract Ector County, Texas.

Chairman asking if any other requestions for staff, Hearing none, Chairman Marker turned to commission and asked for discussion or a motion, Commissioner S. Tercero moved the item be approved as presented.

Commissioner J. Peacock 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 1:36 p.m.

Maria Prieto, Planner, placed the minutes in the Minute Book on May 24, 2023

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Lance Marker, Chairman