

**PLANNING AND ZONING
MINUTES
April 15, 2019
3:30 p.m.**

The Planning and Zoning Commission convened in regular session in the Midland City Hall Council Chamber, 300 North Loraine, Midland, Texas, on, April 15, 2019.

Commissioners present: Josh Sparks, Chase Gardaphe, Dianne Williams, Reggie Lawrence and Karmen Bryant.

Alternate Commissioners present: None.

Commissioners absent: Kevin Wilton and Warren Ivey.

Staff members present: Development Services Director Chuck Harrington, Planning Division Manager Cristina Odenborg Burns, Senior Planner Elizabeth Shaughnessy, Planner Glenda Arroyo-Cruz, Planner Radford Dickson, Planner Intern Landon Ochoa, Administrative Assistant Mirna Acosta, and Account Clerk Dalia Salinas.

Chairman Sparks called the meeting to order at 3:30 p.m.

Opening Item

1. Pledge of Allegiance

Announcements

2. The City Council and the Planning and Zoning Commission will hold a joint public hearing at 6:00 p.m. on Tuesday, April 23, 2019, at the Midland Municipal Court Building, 201 E. Texas Avenue, Midland, Texas, to hear comments regarding the proposed adoption of the Zoning Ordinance.

Consent Items

Commissioner Lawrence moved to approve Approved a consent items 3 through 5; seconded by Commissioner Williams.

The motion carried by the following vote: AYE: Williams, Gardaphe, Sparks, Lawrence, and Bryant. NAY: None. ABSTAIN: None. ABSENT: Wilton and Ivey.

3. Approved a motion approving the following minutes:
 - a. Planning & Zoning Commission Meeting Minutes for April 1, 2019.
4. Approved a proposed Final Plat of LMB Addition being a 5.00 Acre Tract of Land out of the SE/4 of Section 35, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the west side of N. County Road 1120, approximately 2,580-ft. south of E. State Highway 80. Extraterritorial Jurisdiction).
5. Approved a proposed Preliminary Plat of Southern Meadows Industrial, being a Plat of a

10.00-acre tract of land out of the SE/4 of Section 23, Block 39, T-2-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the north side of East County Road 140, approximately 2,400-feet east of South County Road 1185. Extraterritorial Jurisdiction)

Public Hearings

6. Hold a public hearing and consider a proposed residential replat of 349 Ranch Estates, Section 21, being a re-plat of Lot 14, Block 12, 349 Ranch Estates, City and County of Midland, Texas. (Generally located on the north side of Washita Court, approximately 140-feet west of Choctaw. Council District 1)

Planner Radford Dickson gave an overview of the project. With one letter of objection received, staff recommended approval.

Commissioner Lawrence asked what the background for the letter of objection received was. Planner Radford Dickson explained that the resident who wrote the letter is present and deferred to them.

The public hearing was opened at 3:34 p.m.

The applicant, Cindy Klatt with Schumann Engineering, was present. She gave a summary of the project and was open for questions.

Commissioner Bryant asked if there are other lots that have two residencies on them. Mrs. Klatt answered that yes there are others.

Resident Dane Walker, 1805 Washita, spoke in opposition of the project due to the lack of space and the closeness to his property.

Commissioner Lawrence asked staff if they knew the size of the homes to the south of the property. Staff requested a moment to retrieve that information.

Resident Jeff Sanchez, 1806 Washita, spoke in opposition of the project due to fear the new house will eventually become an oilfield rental.

Commissioner Lawrence asked Mr. Sanchez to explain where his property is located. Mr. Sanchez used the map to show his location.

Commissioner Williams asked if the owner of the property also owned the properties to the east. Applicant Cindy Klatt explained that they do not.

Resident Kathrine Walker, 1805 Washita, spoke in opposition of the project. She expressed concerns because it was their understanding that the owner has no intention of living in the home, and they only intend on selling or renting it. She also said that the company doing the work on the lot has been trespassing on their property.

Commissioner Gardaphe explained to Mrs. Walker that unfortunately with the lot being zoned 1F-3, the owner has the option to build down.

Applicant Cindy Klatt re-addressed the commission to address some of the questions asked by residents. She explained that the owner never intended to live on the property; they bought it as an investment.

Commissioner Lawrence asked staff if they knew what the sum of the square footage of

the lots to the south of the property. Planning Manager Cristina Odenborg Burns stated that as far as the square footage of the homes staff did not know, but the width of the lots are all similar in size.

The public hearing was closed at 3:49 p.m.

Commissioner Lawrence, Commissioner Gardaphe and Commissioner Sparks explained that as the Planning & Zoning Commission they are governed by a set of rules and what the applicant is requesting falls in those guidelines. They advised that the resident's arguments would be better heard with City Council.

Planning Manager Cristina Odenborg Burns explained that unfortunately the plat will not go before City Council.

Commissioner Gardaphe asked if it would have to go to City Council when they are ready to build. Planning Manager Cristina Odenborg Burns explained that they are within all the building codes, so it would not need to go to City Council.

Commissioner Sparks asked staff if there was any kind of help the City could give the home owners with their complaints of trespassing.

Planning Manager Cristina Odenborg Burns offered to meet with the residents after the meeting to discuss their options.

Applicant Cindy Klatt said she would personally speak to the client to assure they do not trespass.

Commissioner Gardaphe moved to approve a proposed residential replat of 349 Ranch Estates, Section 21, being a re-plat of Lot 14, Block 12, 349 Ranch Estates, City and County of Midland, Texas. (Generally located on the north side of Washita Court, approximately 140-feet west of Choctaw. Council District 1); seconded by Commissioner Lawrence.

The motion carried by the following vote: AYE: Williams, Gardaphe, Sparks, Lawrence, and Bryant. NAY: None. ABSTAIN: None. ABSENT: Wilton and Ivey.

Miscellaneous

With no further items or business to come before the Commission, Chairman Sparks adjourned the meeting at 3:58 p.m.



Josh Sparks, Chairman

5/6/19

Date



Cristina Odenborg Burns, Planning Division Manager
Development Services Department

5/6/19

Date