

**PLANNING AND ZONING
MINUTES
April 16, 2018
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 16, 2018.

Commissioners present: Chase Gardaphe, Kevin Wilton, Dianne Williams, Warren Ivey, Reggie Lawrence, and Terry Gammage

Alternate Commissioners present: None

Commissioners absent: Joshua Sparks and Diane Williams

Staff members present: Development Services Director Chuck Harrington, Interim Planning Division Manager Cristina Odenborg, Senior Planner Jeremy McNeil, Planner Rolandrea Russell, Planner Elizabeth Shaughnessy and Account Clerk Dalia Salinas.

Chairman Sparks called the meeting to order at 3:31 p.m.

Opening Item

1. Pledge of Allegiance

Announcements

Charles Harrington, Director of Developmental Services, announced the departure of Jessica Carpenter the Manager of Planning & Zoning, he also announced that Cristina Odenborg will service as the Interim Manager of Planning & Zoning. Also announced was the anticipated arrival of 2 new planners and the introduction of the current new Planner Elizabeth Shaughnessy. Lastly announced was the removal of Item 13 (Los Patios) form the agenda.

Consent Items

Commissioner Gammage moved to approve Consent Agenda items 2 – 18, excluding 13; seconded by Commissioner Ivey.

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

2. Approved a motion approving the following minutes:
 - a. Minutes for March 19, 2018

3. Approved a proposed Preliminary Plat of Omma Trucking Addition being a plat of 11.56-acre tract of land out of Section 16, Block 38, T-1-S, T. & P. RR. Co. Survey, Midland, County Texas. (Generally located northeast of North County Road 1147, approximately 662-feet south of East County Road 45. ETJ, Extraterritorial Jurisdiction)
4. Approved a proposed Preliminary Plat of Home Line Addition, Section 5, being a plat of 4.819-acre tract of land out of Section 5, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located at the northwest corner of Bluebird Lane and North Midkiff Road. Council District 1)
5. Approved a proposed Preliminary Plat of B Adams Addition, being an 11.22-acre tract of land out Section 10, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located southeast of the intersection of West County Road 117 and S County Road 1200. ETJ, Extraterritorial Jurisdiction)
6. Approved a proposed Preliminary Plat of Parsley Addition, being a 66.929-acre tract of land out Section 12, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located northwest of the intersection of East County Road 120 and FM 715. ETJ, Extraterritorial Jurisdiction)
7. Approved a proposed Preliminary Plat of Serapa Addition, being a 20.06-acre tract of land out Section 47, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located at the northeast intersection of F.M. 307 and South County Road 1130. ETJ, Extraterritorial Jurisdiction)
8. Approved a proposed Preliminary Plat of SCP Midland West, being a 26.92-acre tract of out of Section 24, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located at the northeast intersection of Briarwood Avenue and Avalon Drive. Council District 4)
9. Approved a proposed Preliminary Plat of Wilshire Park Addition, Section 23, being a replat of Lots 1 and 2, Block 162; 3.138-acres of the south half of Lot 1, Block 163; and the previously vacated 0.505-acres of Executive Drive, all out of Wilshire Park Addition, Section 9, City and County of Midland, Texas. (Generally located northeast on the intersection of South Loop 250 West and Leisure Drive. Council District 4)
10. Approved a proposed Final Plat of Windy Hollow, being a plat of 2.89 acre tract of land out of Section 47, Block 38 T-1-S, T&P RR Co Survey, Midland County, Texas. (Generally located southwest of the intersection of South County Road 1120 and East County Road 93. ETJ, Extraterritorial Jurisdiction).
11. Approved a proposed Final Plat of Brooks Addition, Section 2 being a plat of a 2.00-acre tract of land located in Section 34, Block 38, T-1-S, T & P RR Co. Survey, Midland County, Texas. (Generally located north of FM 307, approximately 1,590-feet east of South County Road 1130. ETJ, Extraterritorial Jurisdiction)

12. Approved a proposed Final Plat of Brooks Addition, Section 3 being a plat of a 2.00-acre tract of land located in Section 34, Block 38, T-1-S, T &P RR Co. Survey, Midland County, Texas. (Generally located north of FM 307, approximately 1,360-feet east of South County Road 1130. ETJ, Extraterritorial Jurisdiction)
13. Consider a proposed Final Plat of Los Patios Addition, Section 5, being a 49.99-acre tract out of Section 25, Block 40, T-1-S, T&P Railroad Survey, City and County of Midland, Texas. (Generally located on the south side of Briarwood Ave, approximately 900-feet west of Holiday Hill Road.) **(Pulled from Consent Items)**
14. Approved a proposed Final Plat of West Terminal Addition, Section 6, being a replat of Lot 10, Block 5, West Terminal Addition, Section 4, Midland County, Texas. (Generally located on the north side of West County Road 100, approximately 150-feet east of South County Road 95. ETJ, Extraterritorial Jurisdiction.)
15. Approved a proposed Final Plat of Young Addition, Section 3 being a replat of lots 5 and 6, Block 1 Young Addition, Midland County, Texas. (Generally located northeast of South County Road 1210, approximately 417 feet north of West County Road 130.- Extraterritorial Jurisdiction)
16. Approved a proposed Final Plat of Tall City, being a 15.280 acre tract of land out Section 14, Block 38, T-2-S, T&P RR.CO. Survey, Midland County, Texas. (Generally Located east of South County Road 1161 and approximately 668-feet south of east County Road 120. ETJ, Extraterritorial Jurisdiction)
17. Approved a proposed Preliminary Plat of Bush Tennis Center, Section 2, being a plat out 3.312-acre tract of land out of Section 24, Block 40, T-1-S, T&P RR co. Survey Midland County Texas. (Generally located on the north side of Briarwood Avenue, approximately 2,391 feet west of Holiday Hill Road. Extraterritorial Jurisdiction)
18. Approved a proposed Final Plat of Northwestern Addition, Section 16, being out of 3.80-acre tract of land out of N/W 4 of Section 5, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located approximately 1,662 feet east of North Midland Drive. Council District 1)

Public Hearings

19. Hold a public hearing and consider a Residential Preliminary Replat of Southern Addition Section 14, being a replat of Lots 5 and 6, Block 165, Southern Addition, City and County of Midland, Texas. (Generally located on the northwest intersection of South Atlanta, and East California Avenue Council District 2).

Planner Rolandrea Russell gave an overview of the project. With no letters of objection, staff recommended approval.

The public hearing was opened at 3:38 p.m.

The applicant was present but chose not to speak.

The public hearing was closed at 3:39 p.m.

Commissioner Gardaphe moved to approve a Residential Preliminary Replat of Southern Addition Section 14, being a replat of Lots 5 and 6, Block 165, Southern Addition, City and County of Midland, Texas. (Generally located on the northwest intersection of South Atlanta, and East California Avenue Council District 2).; seconded by Commissioner Wilton.

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

20. Hold a public hearing and consider a request by Mario's Spanish Inn for a Specific Use Permit with Term, for the sale of all alcohol beverages for on-premises consumption in a restaurant, on Lot 1, Block 93, Permian Estates, Section 3 City and County of Midland, Texas. (Generally located on the west side of Thomason Drive, approximately 320-feet south of Anetta Drive. Council District 2)

Planner Rolandrea Russell gave an overview of the project. With no letters of objection received, staff recommended approval.

Commissioner Gardaphe questioned the zoning map and property location, the question was answered by staff.

The public hearing was opened at 3:42 p.m.

Applicant was present but chose not to speak.

The public hearing was closed 3:43 p.m.

Commissioner Wilton moved to approve a request by Mario's Spanish Inn for a Specific Use Permit with Term, for the sale of all alcohol beverages for on-premises consumption in a restaurant, on Lot 1, Block 93, Permian Estates, Section 3 City and County of Midland, Texas. (Generally located on the west side of Thomason Drive, approximately 320-feet south of Anetta Drive. Council District 2); seconded by Commissioner Gammage.

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

21. Hold a public hearing and consider a request by Olshii Sushi & Habachi, for a Specific Use Permit with Term, for the sale of all alcohol beverages for on-premises consumption in a restaurant, on Lot 4A, Block 1, North Park Addition, Section 5, City and Council of Midland, Texas. (Generally located at the northeast intersection of North Midkiff Road and West Loop 250 North. Council District 3)

Planner Jeremy McNeil gave an overview of the project. With no letters of objection received, staff recommended approval.

The applicant was present but deferred to staff.

With no one wishing to speak the public hearing was opened and closed at 3:46 p.m.

Commissioner Gammage moved to approve a request by Olshii Sushi & Habachi, for a Specific Use Permit with Term, for the sale of all alcohol beverages for on-premises consumption in a restaurant, on Lot 4A, Block 1, North Park Addition, Section 5, City and Council of Midland, Texas. (Generally located at the northeast intersection of North Midkiff Road and West Loop 250 North. Council District 3); seconded by Commissioner Gardaphe.

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

22. Hold a public hearing and consider a request by L.C. Polk Jr., for a Specific Use Permit with Term for the sale of all alcoholic beverages for on premise consumption, in a Bar and Lounge, , on Lot 1 and 2, Block 24, Moody Addition, City and County of Midland, Texas. Generally located on the southwest intersection of East Illinois and North Lee Street. (Council District 2)

Planner Elizabeth Shaughnessy gave an overview of the project. With no letters of objection received, staff recommended approval.

Commissioner Ivey questioned the linear footage from door to door and what the requirement is, and Commissioner Sparks questioned the original application for the SUP. Planner Shaughnessy answered Commissioner Ivey's question and deferred to Director Harrington for Commissioner Sparks' question.

The public hearing was opened at 3:53 p.m.

The applicant, Mr. L.C. Polk, Jr., who resides at 1809 English Drive, Midland, Texas, spoke on behalf of his father (previous owner). He explained the reason for the lapse in the SUP.

The public hearing was closed at 3:54 p.m.

Commissioner Gardaphe moved to approve a request by L.C. Polk Jr., for a Specific Use Permit with Term for the sale of all alcoholic beverages for on premise consumption, in a Bar and Lounge, , on Lot 1 and 2, Block 24, Moody Addition, City and County of Midland, Texas. Generally located on the southwest intersection of East Illinois and North lee Street. (Council District 2) seconded by Commissioner Ivey.

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

23. Hold a public hearing and consider a request by Kim Rivera for a Zone Change from PD, Planned District for Mixed Use Development to LR-2, Local Retail District on Lot 2, Block 12, Kelview Heights, City and County of Midland, Texas. (Generally located southwest of the intersection of West Pine Avenue and North Big Spring Street. Council District 3)

Planner Rolandrea Russell gave an overview of the project. With no letters of objection received, staff recommended approval.

Commissioner Gardaphe questioned the position of the awning; the question was answered by staff.

The public hearing was opened at 3:58 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 3:59 p.m.

Commissioner Gammage moved to approve a request by Kim Rivera for a Zone Change from PD, Planned District for Mixed Use Development to LR-2, Local Retail District on Lot 2, Block 12, Kelview Heights, City and County of Midland, Texas. (Generally located southwest of the intersection of West Pine Avenue and North Big Spring Street. Council District 3); seconded by Commissioner Gardaphe.

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

24. Hold a public hearing and consider a request by Ed Ostrom for a Zone Change from a PD, Planned District for a Shopping Center to an Amended Planned District for a Shopping Center, on Lot 6A, Block 2, Westridge Park Addition, Section 24, City and County of Midland, Texas. (Generally located on the east side of Westridge Boulevard, approximately 445-feet south of Deauville Boulevard. Council District 4)

Planner Rolandrea Russell gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 4:01p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 4:02 p.m.

Commissioner Gardaphe moved to approve a request by Ed Ostrom for a Zone Change from a PD, Planned District for a Shopping Center to an Amended Planned District for a Shopping Center, on Lot 6A, Block 2, Westridge Park Addition, Section 24, City and County of Midland, Texas. (Generally located on the east side of Westridge Boulevard, approximately 445-feet south of Deauville Boulevard. Council District 4); seconded by Commissioner Ivey.

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

25. Hold a public hearing and consider a request by Mesquite Terrace Apartments for a Zone Change from a PD, Planned District for a Housing Development, to an Amended PD, Planned District for a Housing Development on Lot 1, Block 161, Lot 2A, Block 165, Wilshire Park Addition, Section 9, City and County of Midland, Texas. (Generally located at the southeast intersection of S. Loop 250 West and Leisure Drive. Council District 4)

Planner Jeremy McNeil gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 4:04 p.m.

The applicant, Jay Winfrey, who resides at 3504 29th Street, Lubbock, Texas, spoke on behalf of the project, explaining the need to amend the planned district for the fence, pool cabana, and sculpture.

The public hearing was closed at 4:07 p.m.

Commissioner Gammage moved to approve a request by Mesquite Terrace Apartments for a Zone Change from a PD, Planned District for a Housing Development, to an Amended PD, Planned District for a Housing Development on Lot 1, Block 161, Lot 2A, Block 165, Wilshire Park Addition, Section 9, City and County of Midland, Texas. (Generally located at the southeast intersection of South Loop 250 West and Leisure Drive. Council District 4); seconded by Commissioner Wilton.

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

26. Hold a public hearing and consider a request by Calvin Wood, for a zone change from a PD, Planned District for a Shopping Center to LR-2, Local Retail District on Lot 18E, Block 14, Briarwood Addition, Section 20, City and County of Midland, Texas. (Generally located at the northwest intersection of Briarwood Avenue and Northcrest Drive. Council District 4)

Planner Jeremy McNeil gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 4:10 p.m.

Commissioner Sparks questioned the ratio of parking spaces to occupancy. Director Harrington answered the question.

The applicant was present but deferred to staff.

The public hearing was closed at 4:11 p.m.

Commissioner Ivey moved to approve a request by Calvin Wood, for a zone change from a PD, Planned District for a Shopping Center to LR-2, Local Retail District on Lot 18E, Block 14, Briarwood Addition, Section 20, City and County of Midland, Texas. (Generally located at the northwest intersection of Briarwood Avenue and Northcrest Drive. Council District 4); seconded by Commissioner Gammage.

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

27. Hold a public hearing and consider a request by Bush Tennis Center/Opportunity Park, for the initial zoning of a 3.31- acre tract of land located in Section 24, Block 40, T-1-S, T & P RR. Co. Survey, Midland County, Texas. (Generally located on the north side of Briarwood Avenue, approximately 2,460-feet west of Holiday Hill Road. ETJ, Extraterritorial Jurisdiction.)

Planner Jeremy McNeil gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 4:13 p.m.

The applicant was present and was open to questions, but no questions were asked.

The public hearing was closed at 4:13 p.m.

Commissioner Wilton moved to approve a request by Bush Tennis Center/Opportunity Park, for the initial zoning of a 3.31- acre tract of land located in Section 24, Block 40, T-1-S, T & P RR. Co. Survey, Midland County, Texas. (Generally located on the north side of Briarwood Avenue, approximately 2,460-feet west of Holiday Hill Road. ETJ, Extraterritorial Jurisdiction.); seconded by Commissioner Gardaphe.

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

28. Hold a public hearing and consider a request by Warren CAT for the initial zoning of a 43.97-acre tract of land out of the east 1/2 of Section 18, Block 40, T-1-S, T & P RR. Co. Survey, Midland County, Texas. (Generally located on the east side of South FM 1788, approximately 187-feet north of West. County Road 127. ETJ, Extraterritorial Jurisdiction)

Planner Jeremy McNeil gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 4:15 p.m.

The applicant was not present.

The public hearing was closed at 4:16 p.m.

Commissioner Gammage moved to approve a request by Warren CAT for the initial zoning of a 43.97-acre tract of land out of the east 1/2 of Section 18, Block 40, T-1-S, T & P RR. Co. Survey, Midland County, Texas. (Generally located on the east side of South FM 1788, approximately 187-feet north of West County Road 127. ETJ, Extraterritorial Jurisdiction); seconded by Commissioner Ivey.

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

29. Hold a public hearing and consider a request by Mark Russell Mays for the initial zoning of a 70.04- acre tract of land located in Section 20, Block 38, T-1-S, T & P RR. Co. Survey, Midland County, Texas. (Generally located on the north side of East Loop 250 North, approximately 1,872-feet east of North County Road 1162. ETJ, Extraterritorial Jurisdiction)

Planner Jeremy McNeil gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 4:18 p.m.

The applicant was present and was open to questions, but no questions were asked.

The public hearing was closed at 4:19 p.m.

Commissioner Ivey moved to approve a request by Mark Russell Mays for the initial zoning of a 70.04- acre tract of land located in Section 20, Block 38, T-1-S, T & P RR. Co. Survey, Midland County, Texas. (Generally located on the north side of East Loop 250 North, approximately 1,872-feet east of North County Road 1162. ETJ, Extraterritorial Jurisdiction); seconded by Commissioner Gammage.

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

Miscellaneous

Director of Development Services, Charles Harrington announced that at the May 7th P & Z meeting the Draft Zoning Ordinance would be brought forward by the consultants who will be present.

With no further items or business to come before the Commission, Vice Chairman Lawrence adjourned the meeting at 4:20 p.m.

Joshua Sparks, Chairman

Date

Cristina Odenborg, Interim Planning Division Manager
Development Services Department

Date