

PLANNING AND ZONING MINUTES

September 16, 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, September 16, 2019.

Commissioners present: Chase Gardaphe, Josh Sparks, Warren Ivey, and Karmen Bryant.

Alternate Commissioners present: None.

Commissioners absent: Kevin Wilton, Dianne Williams, and Reggie Lawrence.

Staff members present: Development Services Director Chuck Harrington, Planning Division Manager Cristina Odenborg Burns, Senior Planner Elizabeth Shaughnessy, Planner Taslima Khandaker, Planner Glenda Arroyo-Cruz, Planner Radford Dickson, and Administrative Clerk Dalia Salinas.

Chairman Sparks called the meeting to order at 3:46 p.m.

Opening Item

1. Pledge of Allegiance

Announcements

Consent Items

Commissioner Gardaphe moved to approve the Consent Items; seconded by Commissioner Ivey.

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

2. Approved a motion approving the following minutes:
 - a. Planning & Zoning Commission Meeting Minutes for September 3, 2019.
3. Approved a proposed Final Plat of Cross Point Addition, Section 3, being a re-plat of Lot 2, Block 1, Cross Pointe Addition, City and County of Midland, Texas. (Generally located on the north side of Briarwood Avenue, approximately 320-ft west of Holiday Hill Road. Council District 4)
4. Approved a proposed Final Plat of High Sky Addition being a plat of a 16.03-acre tract of land out of the Northeast/4 of Section 28, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side of West County Road 60, approximately 1,291-feet west of West State Highway 158. Extraterritorial Jurisdiction)
5. Approved a proposed Preliminary Plat of Vaquero Addition, Section 3, being a plat of a 7.790-acre tract of land out of the NW/4 of Section 35, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the southwest corner of the intersection of East County Road 73 and North County Road 1125. Extraterritorial Jurisdiction)
6. Approved a proposed Final Plat of AMC Junction Addition, being a 5 Acre tract of land out of Section 12, Block 41, T-1-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the northwest corner of the intersection of West County Road 40 and North Farm-to-Market 1788. ETJ, Extraterritorial Jurisdiction)
7. Approved a proposed Final Plat of Indian Acres, Section 3, being a plat of a 2.69-acre tract of land out of Sec. 2, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, TX. (Generally located on the north side of

East I-20, approximately 694 feet west of South Lamesa Rd. Council District 2)

8. Approved a proposed Final Plat of Garrett RV Park, being a plat of a 1-acre tract of land out of Section 17, Block 39, T-2-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the south side of West County Road 120, between South County Road 1215 and South County Road 1216. Extraterritorial Jurisdiction)

Public Hearings

9. Hold a public hearing and consider a Final Plat of Pavilion Park Addition, Section 13, being a residential replat of a portion of Lots 12, 13, 15, and all of Lot 14, Block 7; a portion of Lot 1, and all of Lots 2-12, Block 10; a portion of Lots 6 and 9, and all of Lots 7-8, Block 11; a portion of Lot 11, and Lots 14-19, and all of Lots 12-13, Block 12; Lots 1-17, Block 13; Lots 1-14, Block 14; a portion of Lots 1 and Lots 17-18, and all of Lots 2-16, Block 15; a portion of Lots 8-11, and a portion of Tract 2, Block 16; a portion of Lot 2, and all of Lots 4-9, Block 17; and Lots 1-5, and Tract 17A, Block 19; all out of Pavilion Park, Section 2, City and County of Midland, Texas. (Generally located approximately 588-feet south of E. Mockingbird Lane and approximately 988-feet east of Stonebridge Drive. Council District 1).

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

The public hearing was opened at 3:50 p.m.

The applicant was not present.

The public hearing was closed at 3:50 p.m.

Commissioner Gardaphe moved to approve a Final Plat of Pavilion Park Addition, Section 13, being a residential replat of a portion of Lots 12, 13, 15, and all of Lot 14, Block 7; a portion of Lot 1, and all of Lots 2-12, Block 10; a portion of Lots 6 and 9, and all of Lots 7-8, Block 11; a portion of Lot 11, and Lots 14-19, and all of Lots 12-13, Block 12; Lots 1-17, Block 13; Lots 1-14, Block 14; a portion of Lots 1 and Lots 17-18, and all of Lots 2-16, Block 15; a portion of Lots 8-11, and a portion of Tract 2, Block 16; a portion of Lot 2, and all of Lots 4-9, Block 17; and Lots 1-5, and Tract 17A, Block 19; all out of Pavilion Park, Section 2, City and County of Midland, Texas. (Generally located approximately 588-feet south of E. Mockingbird Lane and approximately 988-feet east of Stonebridge Drive. Council District 1); seconded by Commissioner Bryant.

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

10. Hold a public hearing and consider a proposed Preliminary Plat of Lost Mountain Addition, Section 5, being a residential re-plat of Lot 5, Block 2, Lost Mountain Addition, Section 3, City and County of Midland, Texas. (Generally located on the north side of Passage Way, approximately 1,725-feet east of Midkiff Road. Council District 1)

Planner Glenda Arroyo-Cruz gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 3:52 p.m.

The applicant was not present.

The public hearing was closed at 3:52 p.m.

Commissioner Bryant moved to approve a proposed Preliminary Plat of Lost Mountain Addition, Section 5, being a residential re-plat of Lot 5, Block 2, Lost Mountain Addition, Section 3, City and County of Midland, Texas. (Generally located on the north side of Passage Way, approximately 1,725-feet east of Midkiff Road. Council

District 1); seconded by Commissioner Ivey.

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

11. Hold a public hearing and consider a request by Jose Chavez for a zone change from a LI, Light Industrial District to SF-3, Single-Family Dwelling District on Lot 1, Block 3, Moody Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of South Street and North Madison Street. Council District 2)

Planner Glenda Arroyo-Cruz gave an overview of the project. With no letters of objection received, staff recommended approval.

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

The applicant was not present.

Resident Lilia Prieto, 2627 Marianna, requested information on the two zoning districts. Planning Manager Cristina Odenborg Burns explained the difference between the two zoning districts. Mrs. Prieto asked if it will affect the value of her property. Commissioner Sparks explained that it would actually help to keep certain businesses out of the area that would be detrimental to her property value.

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

Commissioner Gardaphe moved to approve a request by Jose Chavez for a zone change from a LI, Light Industrial District to SF-3, Single-Family Dwelling District on Lot 1, Block 3, Moody Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of South Street and North Madison Street. Council District 2); seconded by Commissioner Bryant.

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

12. Hold a public hearing and consider a request by Jose Chavez for a zone change from a C, Commercial District to SF-3, Single-Family Dwelling District on Lot 18, Block 132, Southern Addition, City and County of Midland, Texas. (Generally located on the east side of South Forth Worth Street, approximately 75-feet north of East Washington Avenue. Council District 2)

Planner Glenda Arroyo-Cruz gave an overview of the project. With no letters of objection received, staff recommended approval.

Commission Gardaphe asked if the lot met the minimum lot requirements. Planning Manager Cristina Odenborg explained that the lot does not meet the minimum lot requirement but because of a clause in the code that states if a lot was platted prior to the zoning ordinance, it is considered a non-conforming lot can be developed as a residence.

Commissioner Gardaphe asked for the dimensions. Planner Glenda Arroyo-Cruz explained that it is 25 feet by 140 Feet.

Commissioner Sparks asked if the developer planned to build a home. Planner Glenda Arroyo-Cruz explained that yes they did, and she pulled up the site plan for review. She also explained that it does meet the setbacks.

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

The applicant was not present.

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

Commissioner Gardaphe moved to approve a request by Jose Chavez for a zone change from a C, Commercial District to SF-3, Single-Family Dwelling District on Lot 18, Block 132, Southern Addition, City and County of Midland, TX. (Generally located on the east side of South Ft. Worth St, approximately 75-feet north of East Washington Ave. Council District 2); seconded by Commissioner Ivey.

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

13. Hold a public hearing and consider a request by Jose Chavez for a zone change from a RR, Regional Retail Dist. to SF-3, Single-Family Dwelling District on Lot 9, Block 26, Moody Addition, City and County of Midland, TX. (Generally located on the east side of North Lee St, approximately 100-feet north of East Wall St. Council Dist.2)

Planner Glenda Arroyo-Cruz 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 was not present.

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

Commissioner Bryant moved to approve a request by Jose Chavez for a zone change from a RR, Regional Retail District to SF-3, Single-Family Dwelling District on Lot 9, Block 26, Moody Addition, City and County of Midland, Texas. (Generally located on the east side of North Lee Street, approximately 100-feet north of East Wall Street. Council District 2); seconded by Commissioner Ivey.

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

14. Hold a public hearing and consider a request by Merced Rico for a zone change from a C, Commercial District to SF-3, Single-Family Dwelling District on Lots 10, 11 and 12, Block 167, Southern Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of South Atlanta Street and East California Avenue. Council District 2)

Planner Glenda Arroyo-Cruz gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 4:06 p.m.

The applicant was not present.

The public hearing was closed at 4:06 p.m.

Commissioner Gardaphe moved to approve a request by Merced Rico for a zone change from a C, Commercial District to SF-3, Single-Family Dwelling District on Lots 10, 11 and 12, Block 167, Southern Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of South Atlanta Street and East California Avenue. Council District 2); seconded by Commissioner Bryant.

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

15. Hold a public hearing and consider a request by Alejandro Quezada for a Specific Use Designation with term, for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 2,400 square foot portion of

Lot 2B, Block 52, Belmont Addition, Section 21, City and County of Midland, Texas. (Generally located on the north side of West Longview Avenue, approximately 290 feet east of Belmont Street. Council District 2)

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

The public hearing was opened at 4:08 p.m.

The applicant was not present.

The public hearing was closed at 4:09 p.m.

Commissioner Gardaphe moved to approve a request by Alejandro Quezada for a Specific Use Designation with term, for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 2,400 square foot portion of Lot 2B, Block 52, Belmont Addition, Section 21, City and County of Midland, Texas. (Generally located on the north side of West Longview Avenue, approximately 290 feet east of Belmont Street. Council District 2); seconded by Commissioner Ivey.

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

16. Hold a public hearing and consider a Final Plat of Northwest Acres, Section 3, being a residential replat of the north 3 feet of Lot 18, and all of Lots 19 and 20, Block 2, a subdivision of Tracts 8, 9, 20, 21, 22, and 23, Northwest Acres Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of North "H" Street and Stanolind Avenue. Council District 3)

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

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

The applicant was not present.

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

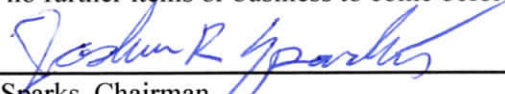
Commissioner Bryant moved to approve a Final Plat of Northwest Acres, Section 3, being a residential replat of the north 3 feet of Lot 18, and all of Lots 19 and 20, Block 2, a subdivision of Tracts 8, 9, 20, 21, 22, and 23, Northwest Acres Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of North "H" Street and Stanolind Avenue. Council District 3); seconded by Commissioner Gardaphe.

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

Miscellaneous

Planning Manager Cristina Odenborg Burns announced the resignation of Planner Radford Dickson.


With no further items or business to come before the Commission, Chairman Sparks adjourned the meeting at 4:12 p.m.



Josh Sparks, Chairman

10/7/19

Date



Cristina Odenborg Burns, Planning Division Manager
Development Services Department

10/7/2019

Date