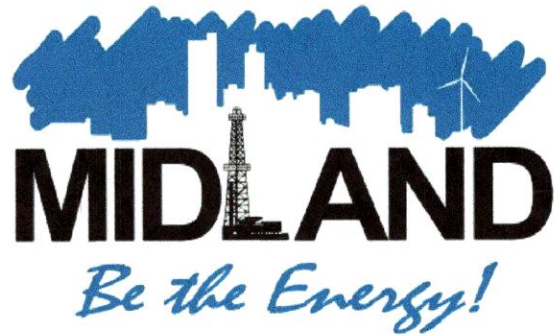


**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION
MINUTES
April 15, 2024
Council Chambers – City Hall**



The Planning and Zoning Commission convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at , April 15, 2024.

Commissioners present: Brennan Berry, Lucy Sisniega, John Burkholder, Emily Holeva, Adrian Carrasco, Abraham Bejil, Steven Villela, Joshua Sparks

Commissioners absent: Sallie Vega

Staff members present: Landon Ochoa, Alexis M. Martinez, Elizabeth Triggs, Xavier Bauguess, Andrew Meyers, Daniel Humbert, Diana E. Geerts, Sarah Yeilding, Taha Sakrani, Stephen Gates, Jose Ortiz

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

Receive comments from members of the public who desire to address the Planning and Zoning Commission regarding items on the present agenda for which public hearings will not be held. (Please limit comments to three minutes or less.)

CONSENT ITEMS

2. MOTION APPROVING THE FOLLOWING MINUTES:

Abraham Bejil moved to approve; seconded by Adrian Carrasco.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

- 2a. REGULAR SESSION OF MARCH 18, 2024

Abraham Bejil moved to approve; seconded by Adrian Carrasco.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

2b. REGULAR SESSION OF APRIL 1, 2024

Abraham Bejil moved to approve; seconded by Adrian Carrasco.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

3. Motion approving with staff's recommended conditions, a proposed Final Plat of Greenwood Industrial Park, Section 6, being a Replat of Lots 2A, 2B, and 2C, Re-Subdivision of Lot 2, 26.450-acres, Greenwood Industrial Park, Section 5, and Lot 1, Block 2, Greenwood Industrial Park, Section 5, Midland County, Texas. Generally located on the south side of East County Road 1110, approximately 765-feet west of N. County Road 79. (DISTRICT: NONE) (DEVELOPMENT SERVICES)
(DISTRICT: NONE) (DEVELOPMENT SERVICES)

Abraham Bejil moved to approve; seconded by Adrian Carrasco.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

4. Motion approving a Final Plat of YMCA Addition, Section 1, being a plat of a 7.017-acre tract of land out of Sections 23 and 24, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south corner of the intersection of Avalon Drive and Mockingbird Lane) (DISTRICT 4) (DEVELOPMENT SERVICES) **(DISTRICT 4) (DEVELOPMENT SERVICES)**

Planning and Development Officer Elizabeth Triggs presented an overview of the project. No letters of objection were received; staff recommends approval.

Planning and Development Officer Elizabeth Triggs notes that according to Texas law if the plat meets zoning it must be approved.

1st Assistant City Attorney Stephen Gates reiterates that the only topic available to be discussed today is the one listed on the public agenda which is zoning.

City Traffic Engineer Taha Sakrani spoke on the status of Avalon Street improvements.

Assistant City Manager Jose Ortiz expounds on Avalon Street improvements, reduction of speed, and traffic signals all currently in the design phase.

City Traffic Engineer Taha Sakrani confirmed that speed reduction will be implemented.

Commissioner Abraham Bejil asked if they could discuss information brought up in the previous meetings.

1st Assistant City Attorney Stephen Gates reiterates that the only topic available to be discussed today is the one listed on the public agenda which is the plat.

Commissioner Abraham Bejil requested information to speak to the changes made since the preliminary plat.

YMCA Consultant Levi Bryant notes that financial guarantees have been made for the Avalon improvements and Mockingbird improvements are deferred until the city is ready for them.

Chair Lucy Sisneiga requested information about the timing of the project.

YMCA Consultant Levi Bryant answered that they will submit for building permit and begin in 9-12 months including the YMCA's end of Avalon Street improvements.

Public hearing was opened at 3:57p.m.

Gabriel Zertuche speaks in support of the YMCA.

Public hearing closed 3:58 p.m.

Adrian Carrasco moved to approve this request; seconded by Emily Holeva.

The motion passed by the following vote:

AYE: Berry, Sisniega, Holeva, Carrasco, Villela

NAY: None

ABSTAIN: Burkholder, Bejil

ABSENT: Vega, Sparks

5. Motion approving a Final Plat of West 191 Industrial Park, Section 15, being a plat of a 2.96-acre tract of land out of Section 31, Block 40, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of State Highway 191, approximately 1,380 feet west of Holdridge Road.) (DISTRICT 4) (DEVELOPMENT SERVICES)
(DISTRICT 4) (DEVELOPMENT SERVICES)

Abraham Bejil moved to approve this request; seconded by Adrian Carrasco.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

6. Motion approving a Final Plat of Mockingbird Ridge, Section 9, being a plat of an 18.99-acre tract of land situated in Section 18, Block 38, T-1-S, A-734, T&P RY. Co. Survey, City and County of Midland, Texas. (Generally located immediately southeast of Waxwing Drive.) (DISTRICT 1) (DEVELOPMENT SERVICES)
(DISTRICT 1) (DEVELOPMENT SERVICES)

Senior Planner Landon Ochoa gave an overview of this project. No letters of objection were received, staff recommends approval.

Commissioner Adrian Carrasco asks for clarification on having to pull consent items when there is a commissioner abstaining.

Planning and Development Officer Elizabeth Triggs responds that it is necessary since consent items are block voted.

Adrian Carrasco moved to approve this request; seconded by Emily Holeva.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Holeva, Carrasco, Bejil

NAY: None

ABSTAIN: Villela

ABSENT: Vega, Sparks

PUBLIC HEARINGS

The Planning and Zoning Commission will hold public hearings on the following items:

7. Consider a request by Jesus Sanchez for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 1, Block 61, Park Avenue Heights, Section 2, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of East California Avenue and S. Tyler Street.) (DISTRICT 2) (DEVELOPMENT SERVICES) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Planner Daniel Humbert gave an overview of this project. No letters of objection were received, staff recommends approval.

Commissioner John Burkholder confirms that there are no multifamily dwellings in the area.

Planner Daniel Humbert confirms there are only single family houses.

The public hearing was opened at 4:05p.m.

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

Steven Villela moved to approve this request; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

8. Consider a request by Jesus Sanchez for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 2, Block 61, Park Avenue Heights, Section 2, City and County of Midland, Texas. (Generally located west of South Tyler Street, approximately 55 feet south of E. California Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Planner Daniel Humbert gave an overview of this project. No letters of objection were received, staff recommends approval.

Commissioner John Burkholder asked if this item and the previous are abutting.

Planner Daniel Humbert confirms they are abutting.

Commissioner Steven Villela asked if rezonings can be done administratively instead of coming to council.

Planning and Development Officer Elizabeth Triggs responds that rezonings must be public hearings. However, there are discussions on having the city rezone large areas to help reduce the number of zoning hearings or to change the ordinance in the code.

Commissioner Steven Villela shares his concern over the cost for residents to have to go through the rezoning process.

Planning and Development Officer Elizabeth Triggs mentions they are looking to council to potentially waive certain rezoning fees.

Commissioner Steven Villela asks how the P&Z Committee can help expedite the process.

Planning and Development Officer Elizabeth Triggs thanks him for the question and mentions their continued support on the matter when it's brought to City Council will help strengthen the request.

Chair Lucy Sisneiga supports the batch rezoning made by the city and to have it be its own public hearing.

Planning and Development Officer Elizabeth Triggs agreed it is an option.

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

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

Abraham Bejil moved to approve this request; seconded by Steven Villela.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

9. Consider a request by Jose Mendez for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lots 7 and 8, Block 15, Greenwood Addition, Section 3, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of South Tilden Street and E. Washington Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Planner Daniel Humbert gave an overview of this project. No letters of objection were received, staff recommends approval.

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

There was no one wishing to speak on this item.

The public hearing was closed at 4:14p.m.

Steven Villela moved to approve this request; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

10. Hold a public hearing and consider a request by Zoo Midland, on behalf of Green Acres Golf Course, LLC, for a Specific Use Designation without Term for a Wildlife Rehabilitation Center on 4.352-acre parcel of land situated in Section 42, Block 38, Township 1 South, E.C. Kneply Survey, Abstract No. 541, Midland County, Texas. (Generally located on the west side of Todd Street, approximately 420 feet south of East Golf Course Road.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Planner Andrew Meyers gave an overview of this project. No letters of objection were received, staff recommends approval.

Commissioner John Burkholder asks what animals will be at the facility.

Planner Andrew Meyers defers to Zoo Midland Project Coordinator Chuck Harrington.

Commissioner Steven Villela asks if the facility is only meant to be temporary.

Planner Andrew Meyers confirms the facility is for temporary time spans.

Zoo Midland Project Coordinator Chuck Harrington expounds on the use of the land. He states that it will be used for the temporary housing and veterinary screening of animals scheduled to be added to the zoo. This screening will help protect the animals within the zoo from the introduction of any sickness or disease. He also stated that the property has a greenhouse and another will be added once moved from Midland College. These greenhouses will serve as aquaponic growing facilities to grow produce for the feeding of the animals at the zoo. This offsite location will also help reduce the number of large vehicles going into and out of the zoo location, which was a previous concern. Those vehicles will instead be going to this offsite location then smaller transport vehicles or trailers will be dispatched to the zoo. There is also a small storage building at this location for event storage. He mentioned it is a small location that will be used when animals are onsite with 2-4 people staffing it.

Chair Lucy Sisneiga asked about fencing on the property.

Zoo Midland Project Coordinator Chuck Harrington cited the USDA requirement to have fencing in facilities such as this.

Commissioner Steven Villela asked if the facility will be used after the zoo has its animals.

Zoo Midland Project Coordinator Chuck Harrington responded that it would be used periodically as new animals are introduced or when on loan from other zoos.

Chair Lucy Sisneiga asked how long the quarantine period is.

Zoo Midland Project Coordinator Chuck Harrington responded that it depended on the animal.

Commissioner John Burkholder spoke to the size of the pens and to ensure that the holding period was as temporary as possible for the wellbeing of the animal.

Zoo Midland Project Coordinator Chuck Harrington agreed that this is a temporary holding facility and the goal is to get them to the zoo as soon as possible. There are large and small animal holding areas that include indoor and outdoor areas.

The public hearing was opened at 4:17p.m.

Freddie Arbaldo at 1605 Todd Road came to speak. His objection is due to the animals that will be present on site. The wildlife will pose a danger to the neighborhood and depreciate the value of the homes in the area. He is also concerned about the future development of the area being negatively impacted by the housing of animals. He was clear on his objection pertaining to the animals and not the growing or storage areas. He

also shared concerns on how humane it would be to have large animals on such a small piece of land.

Commissioner Adrian Carrasco repeated the question about fencing for the safety of the neighborhood.

Zoo Midland Project Coordinator Chuck Harrington stated there is an 8ft security fence as well as a screened fence on the North side of the property. Confinement areas will also have fencing.

Commissioner Steven Villela asked if the expected amount of time for an animal to be held on site would be 30 days or less.

Zoo Midland Project Coordinator Chuck Harrington said it should be 30 days or less.

Commissioner Brennan Berry asked if they would be housed inside or outside.

Zoo Midland Project Coordinator Chuck Harrington answered they have an inside area as well as an outdoor exercise pen.

Chair Lucy Sisneiga asked about fencing on the property.

Zoo Midland Project Coordinator Chuck Harrington reiterated it is a USDA requirement to have fencing in facilities such as this.

Commissioner Adrain Carrasco asked if its possible that there will be times when there are no animals on site.

Zoo Midland Project Coordinator Chuck Harrington agreed it is very possible there will be time periods where animals will not be on site.

Commissioner John Burkholder asked if there is a maximum number of animals at one time.

Zoo Midland Project Coordinator Chuck Harrington said capacity all depends on the size of the animals.

Commissioner Abraham Bejil clarified that the zoo will have more housing areas and animals than this facility.

Zoo Midland Project Coordinator Chuck Harrington confirmed the zoo will have more area and animals.

Commissioner Abraham Bejil asked if this is a short-term site.

Zoo Midland Project Coordinator Chuck Harrington confirmed this is a temporary screening site.

Commissioner Adiran Carrasco asked if they had received feedback from neighbors prior to today's meeting.

Zoo Midland Project Coordinator Chuck Harrington said they had not, other than having a lot nearby need cleaning out.

Commissioner Abraham Bejil asked if the surrounding area is also zoned AE.

Planner Andrew Meyers confirmed surrounding areas are zoned AE.

Commissioner Steven Villela confirmed that the fire code regulating occupancy is for humans only.

Zoo Midland Project Coordinator Chuck Harrington confirmed that it is for humans and that they were having similar questions with the zoo.

Chair Lucy Sisneiga inquired about zoo timeline for building.

Zoo Midland Project Coordinator Chuck Harringtons said the drawings would be 100% in May and utility and the site would begin work in June with a hopeful timeline of 18 months.

Commissioner Steven Villela asked if they will use this site before the zoo is built.

Zoo Midland Project Coordinator Chuck Harrington replied that the greenhouses are in use, and they are currently raising birds on site.

Commissioner John Burkholder asked if it would be classified as a wildlife rehabilitation.

Zoo Midland Project Coordinator Chuck Harrington confirmed.

The public hearing was closed 4:31 p.m.

A motion was made by Adrian Carrasco and seconded by Abraham Bejil. The public seating area became restless with multiple people standing and talking. A resident in the notification area of the property came up to speak, not stating his name or other information.

Resident 1 stated he has three children, one of whom is deaf, and two small grandchildren. He equated the fence to a seat belt and a car with the chance of a wreck, it's a precaution but doesn't protect from the full effects of the accident. He also stated that an 8ft fence won't keep a motivated animal inside. His primary question that he would restate was asking who would be responsible when things go bad, and someone gets hurt or worse. He stated that he didn't have an issue with the greenhouses but the animals were a danger to the area. If a domestic pet could be dangerous a wild animal would be more so.

Commissioner Adrian Carrasco encouraged him to speak at City Council. He also asked if more or higher fences would make him feel better.

Resident 1 replied the fences wouldn't fix the problem for him. He suggested they find property in the county further away from anyone since you cannot control or predict an animal's behavior. He agreed he would take it to City Council.

Commissioner Adrian Carrasco encouraged Zoo Midland to look into ways to limit risk and encouraged both parties to work together.

Resident 1 replied that fencing wouldn't be sufficient.

Chair Lucy Sisneiga encouraged him to go to City Council in May and to speak with Zoo Midland Project Coordinator Chuck Harrington and Planning and Development Officer Elizabeth Triggs. Both of whom gave their card or information to the gentleman.

Commissioner John Burkholder thanked him and everyone for speaking and being involved. He asked them to continue to do so at the City Council.

A second resident in the notification area then came forward to speak.

At this time, 4:40p.m. Chair Lucy Sisneiga reopened the public hearing.

Resident 2 then began to speak quickly in Spanish with Chair Lucy Sisneiga responding.

Chair Lucy Sisneiga encouraged her to go to City Council.

Commissioner Steven Villela said they would need a translator for the meeting to continue in Spanish.

The conversation continued off and on with Resident 2 and Chair Lucy Sisneiga.

Commissioner Adrian Carrasco called for a translator.

Chair Lucy Sisneiga briefly recapped the conversation but encouraged Resident 2 to take her concerns to City Council.

The public hearing was closed at 4:43 p.m.

Adrian Carrasco moved to approve this request; seconded by Abraham Bejil.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

MISCELLANEOUS

11. Proposed Preliminary Plat of Westview Addition, Section 6, being a replat of Lots 13-14,

Block 2, Westview Addition, Midland County, Texas.

Generally located on the south side of West County Road 58, approximately 1,000 feet west of North County Road 1278. **(DISTRICT: NONE) (ADMINISTRATIVE SERVICES)**

Planner Daniel Humbert gave an overview of this project. No letters of objection were received, staff recommends approval.

Abraham Bejil moved to approve this request; seconded by Steven Villela.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

12. Motion approving with staff's recommended conditions a Preliminary Plat of Hannah Addition, Section 6, being a Replat of a 13.84-acre tract of land out of Lot 7, Block 5, Hannah Addition, Section 5, County of Midland, Texas. (Generally located on the northwest corner of the intersection of S County Road 1230 and W County Road 130. (Extra Territorial Jurisdiction) (DEVELOPMENT SERVICES) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**

Planner Diana Geerts gave an overview of this project. No letters of objection were received, staff recommends approval.

Steven Villela moved to approve this request; seconded by Adrian Carrasco.

The motion passed by the following vote:

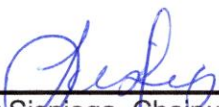
AYE: Berry, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

With no further items or business to come before the Commission, Chairwoman Sisniega adjourned the meeting at



Lucy Sisniega, Chairwoman

5-20-24

Date



Xavier Bauguess, Planning Division Manager
Department of Development Services

4-17-2024

Date