

**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION MINUTES
April 5, 2021
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 3:30 p.m., April 05, 2021.

Commissioners present: Reggie Lawrence, Dianne Williams, Lucy Sisniega, Stacy Grosse, Zachary Deck, Emily Holeva, Adrian Carrasco

Commissioners absent: Karmen Bryant, Chase Gardaphe

Staff members present: Charles Harrington, Dalia Salinas, Elizabeth Shaughnessy, Joseph Marynak,

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.)

Commissioner Lawrence opened the public comment period at 3:31 p.m. With no one wishing to speak, the public comment period was closed at 3:32 p.m.

CONSENT ITEMS

Commissioner Carrasco moved to approve; seconded by Commissioner Williams.

The motion passed by the following vote: 7 to 0

AYE: Lawrence, Williams, Sisniega, Grosse, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Bryant, Gardaphe,

2. Consider a motion approving the Planning and Zoning Commission meeting minutes for March 15, 2021.
3. Consider a proposed Final Plat of Lone Star Trails II, Section 8, being a plat of a 9.90-acre tract of land located in Section 7, Block 38, T-1-S, T&P, R.R. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Carriage Road, approximately 137- feet south of Rio Place. Council District 1)
4. Consider a proposed Final Plat of Sun Country Addition, Section 2, being a re-plat of Lot 1, Block 1, Sun Country Addition, Midland County, Texas. (Generally located on the east side of N. County Road 1130, approximately 164 feet north of E. County Road 90. Extraterritorial Jurisdiction)
5. Consider a proposed Preliminary Plat of Tower Addition, Section 1, being a plat of a 2.00-acre tract of land located in the southwest quarter of Section 9, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of S. County Road 1210, approximately 53 ft north of W. County Rd 118. Extraterritorial Jurisdiction)
6. Consider a proposed Final Plat of Vaquero Addition, being a plat of a 7.666-acres tract of land located in the northwest quarter of Section 35, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of North County Rd 1130, approximately 2,147-ft north of East Business Interstate 20. Extraterritorial Jurisdiction)
7. Consider a proposed Final Plat of Lozoya Addition, Section 2, being a plat of a 4.42-acres tract of land located in the southeast quarter of Section 12, Block 41, T&P, RR Co. Survey, Midland County, Texas. (Generally located on the west side of N. FM 1788, approximately 1054 feet south of W. County Road 35. Extraterritorial Jurisdiction)
8. Consider a proposed Final Plat of Southern Addition, Section 22, being a replat of Lots 1 through 9, Block 156, Southern Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of W. Pennsylvania Avenue and S. Main Street. Council District 2)

9. Consider a proposed Final Plat of Southwest Ranch Addition, being a plat of a 9.98-acres tract of land located in Section 19, Block 39, T-2-S, T & P RR Co. Survey, Midland County, Texas. (Generally located on the west side of South County Road 1226, approximately 340 feet south of West County Road 130. Extraterritorial Jurisdiction)
10. Consider a proposed Final Plat of Greenwood Retail Addition, being a plat of a 6-acre tract of land located in Section 47, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the northeast corner of the intersection of South County Road 1130 and Farm to Market Road 307. Extraterritorial Jurisdiction)
11. Proposed Final Plat of Rusty Arrow Addition, being a plat of a 4.001-acre tract of land located in the southwest quarter of Section 16, Block 38, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the south side of E. County Road 136, approximately 336 feet west of S. County Road 1157. Extraterritorial Jurisdiction)

PUBLIC HEARINGS

12. Hold a public hearing and consider a request by Aaron Burrell Land Surveyors, LLC for a Zone Change from AE, Agricultural Estate District to CE, Country Estate District on a 9.53 acre tract of Lot 1, Block 4, Freeland Addition, Section 6, City and County Of Midland, Texas (Generally located at the southwest corner of the intersection of East Golf Course Road and Elkins Road. Council District 2)

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

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

The applicant was not present.

The public hearing was closed at 3:40 p.m.

Commissioner Sisniega moved to approve this request; seconded by Commissioner Holeva.

The motion passed by the following vote: 7 to 0

AYE: Lawrence, Williams, Sisniega, Grosse, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Bryant, Gardaphe

13. Hold a public hearing and consider a request by Manor Park, Inc., for a zone change from PD, Planned District for a Housing Development to Amended PD, Planned Development District for a Housing Development on Lot 2, Block 2, Wallace Heights Addition, Section 9, City and County of Midland, Texas. (Generally located on the south side of Sinclair Avenue, approximately 290 feet east of N. Loop 250 West. Council District 4)

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

The public hearing was opened at 3:43 p.m.

The applicant was not present.

The public hearing was closed at 3:44 p.m.

Commissioner Williams moved to approve this request; seconded by Commissioner Carrasco.

The motion passed by the following vote: 7 to 0

AYE: Lawrence, Williams, Sisniega, Grosse, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Bryant, Gardaphe

14. Hold a public hearing and consider a request by Daniel Lira for a zone change from MH, Manufactured Housing District to SF-3, Single-Family Dwelling District on the west half less 0.798-acres of Tract 5, the west 100 feet of the

north 134.4 feet of Block 6; and 204 feet of the north 134.4 feet of the west part of Block 6, all out of Lindsay Acres, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Montgomery Avenue and Moran Street. Council District 2)

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

The public hearing was opened at 3:47 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 3:48 p.m.

Commissioner Carrasco moved to approve this request; seconded by Commissioner Grosse.

The motion passed by the following vote: 7 to 0

AYE: Lawrence, Williams, Sisniega, Grosse, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Bryant, Gardaphe

15. Consider a proposed Preliminary Plat of Wilshire Park Addition, Section 25, being a replat of Lots 1-13, Block 91, and Lot 1, Block 92, Wilshire Park Addition, and a previously vacated portion of Leisure Drive adjacent to said blocks, City and County of Midland, TX (Generally located on the southeast corner of the intersection of Thomason Drive and Monty Drive. (Council District 4)

Senior Planner Elizabeth Shaughnessy 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.

Commissioner Williams asked if the applicant has specified what they are planning to do with the property. Senior Planner Elizabeth Shaughnessy explained that the applicant was not present and that on the application it was not stated what the plans are but that it is most likely going to be a housing development.

The applicant was not present.

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

Commissioner Williams moved to approve this request; seconded by Commissioner Holeva.

The motion passed by the following vote: 7 to 0

AYE: Lawrence, Williams, Sisniega, Grosse, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Bryant, Gardaphe

16. Hold a public hearing and consider a request by Roy Avila for a Zone Change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on the south 50 feet of the northwest quarter, also known as Lot 10, Block 4, Homestead Addition, City and County of Midland, Texas. (Generally located on the east side of North Terrell Street approximately 150 feet north of East Kansas Avenue. Council District 2)

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

The public hearing was opened at 3:56 p.m.

The applicant was not present.

The public hearing was closed at 3:57 p.m.

Commissioner Deck moved to approve this request; seconded by Commissioner Sisniega.

The motion passed by the following vote: 7 to 0

AYE: Lawrence, Williams, Sisniega, Grosse, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Bryant, Gardaphe

17. Hold a public hearing and consider a request by Ruedas Homes, Inc. for a Zone Change from C, Commercial District, to SF-3, Single-Family Dwelling District on the north 50 feet of Lot 2, Block 11, Original Town Addition, City and County of Midland, Texas. (Generally located on the west side of North Fort Worth Street approximately 100 feet north of East Ohio Avenue. Council District 2)

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

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

The applicant, Rafael Ruedas owner of Ruedas homes, was present and open to any questions.

Resident Kevin Williams, 401 N. Fort Worth, Midland Texas, spoke in opposition to the project due to safety and security issue to his future project.

Planner Joseph Marynak addressed some of Mr. Williams safety concerns and deferred to the applicant for further questions.

Commissioner Carrasco asked staff if the applicant was to build a residential home would Mr. Williams have to conform to new standards. Staff explained that Mr. Williams property would be considered nonconforming and he would not have to make improvements.

The applicant, Rafael Ruedas owner of Ruedas Homes, spoke to the commission to address some of Mr. Williams concerns. He explained that he has been building homes for years and has always complied with the city standards.

Commissioner Lawrence asked Mr. Ruedas if he has plans to make accommodation for commercial lighting to be next door to the home. Mr. Ruedas explained that he is ready to build the home to accommodate the additional lighting.

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

Commissioner Grosse moved to approve this request; seconded by Commissioner Sisniega.

The motion passed by the following vote: 7 to 0

AYE: Lawrence, Williams, Sisniega, Grosse, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Bryant, Gardaphe

18. Hold a public hearing and consider a request by Ruedas Homes, Inc. for a zone change from LI, Light Industrial District to SF-3, Single-Family Dwelling District on Lots 5 and 6, Block 118, Southern Addition, City and County of Midland, Texas. (Generally located on the west side of S. Weatherford Street, approximately 122-feet south of E. Washington Avenue. Council District 2)

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

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

The applicant was present but deferred to staff.

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

Commissioner Deck moved to approve this request; seconded by Commissioner Holeva.

The motion passed by the following vote: 7 to 0

AYE: Lawrence, Williams, Sisniega, Grosse, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Bryant, Gardaphe

19. Hold a public hearing and consider a request by Rosalinda Acosta for a zone change from C, Commercial District to SF-3, Single-Family Dwelling District on Lot 3, Block 14, Original Town, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of N. Terrell Street and E. Ohio Ave. Council District 2)

Planner Joseph Marynak gave an overview of the project. With 1 letter of objection received, staff recommended approval.

Commissioner Williams asked staff to clarify where the property was located and what was next to it. Staff used the map to specify the location to the commissioners.

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

The applicant was not present.

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

Commissioner Deck moved to approve this request; seconded by Commissioner Williams.

The motion passed by the following vote: 7 to 0

AYE: Lawrence, Williams, Sisniega, Grosse, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Bryant, Gardaphe

20. Hold a public hearing and consider a request by KEA Builders, LLC for a zone change from RR, Regional Retail District to SF-3, Single-Family Dwelling District on Lot 6, Block 44, Moody Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of S. Lee Street and E. Kentucky Avenue. Council District 2)

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

The public hearing was opened at 4:21 p.m.

The applicant was not present.

Resident, Keith Stretcher, 5000 Chappell Hill Drive, Midland Texas, requested additional information. He addressed the commission with question and comments in regard to the lot size and the projected size of the home to be built. Staff addressed his concerns and explained the allotted lot size and the city required setbacks.

The public hearing was closed at 4:23 p.m.

Commissioner Carrasco moved to approve this request; seconded by Commissioner Deck.

The motion passed by the following vote: 7 to 0

AYE: Lawrence, Williams, Sisniega, Grosse, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Bryant, Gardaphe

21. Hold a public hearing and consider a request by Midland-Odessa Golf Corp., for the initial zoning of a 21.91-acre tract of land located in Lot 1, Block 21, Grassland Estates, Section 16, Midland County, Texas. (Generally located approximately 266 feet east of Homeland Drive and approximately 258 feet east of Homestead Boulevard. Extraterritorial Jurisdiction)

Senior Planner Elizabeth Shaughnessy gave an overview of the project. With 17 letters of objection received, staff recommended approval.

Commissioner Williams asked for clarification on an item from the application. Planning staff deferred to the applicant for clarification.

Commissioner Lawrence asked staff to explain what the properties to north, south and west are zoned. Planning staff explained that the properties to the north, south and west are zoned as SF-1 and the property to the east is zoned AE.

Commissioner Carrasco asked what changes were made to the new application. Staff explained that the applicant had originally applied to change the zoning to a PD with an SF-1 underlining. The new application is an annexation with an AE zoning.

Commissioner Deck and Commissioner Williams asked if this application is just to zone the land in order to annex it into the city. Planning staff confirmed that it is just to do an initial zoning in order to annex the property.

The public hearing was opened at 4:36 p.m.

The applicant Eric West with Parkhill, Smith & Cooper was present. He gave a summary of the project and was open for questions.

Resident Alka Kumar 2608 Homeland Drive, Midland Texas, spoke in opposition of the project due to lack of information of the future plans for the project.

Resident Kim Helm, 6508 Homestead, Midland Texas, spoke in opposition to the project due to it becoming an apartment complex.

Resident Mr. Kumar, 2608 Homeland Drive, Midland Texas, spoke in opposition to the project.

Resident Amy Stretcher Burks, 6408 Homestead Blvd, Midland Texas, spoke in opposition to the project due to the lack of recreational activities in Midland.

Resident Cindy Smith, 6412 Homestead Blvd, Midland Texas, spoke in opposition to the project lack of green space in Midland.

Resident Dr. Doug Cooper, 6504 Homestead Blvd, Midland Texas, spoke in opposition to the project due to the impact the loss of the golf course would have.

Resident James Garret, 6404 Homestead Blvd, Midland Texas, spoke in opposition to the project on behalf of the HOA for Grasslands Estates West.

Resident Vicky Byers, 6900 Homestead Blvd, Midland Texas, spoke in opposition to the project due to the drainage in the area.

Resident Ken Smith, 6412 Homestead Blvd, Midland Texas, spoke in opposition to the project due to the intended use on the application.

The applicant, Eric West, readdressed the commissioner to answer some of the concerns of the residents and was open for further questions from the commission.

Commissioner Grosse asked if the property has been sold. Mr. West confirmed that it is under contract but there has been no final sale.

Commissioner Carrasco asked Mr. West to explain why he stated that the golf course is not viable. Mr. West explained that he is not at liberty to give any specifics.

The public hearing was closed at 5:16 p.m.

Resident, Mr. Kumar, 6508 Homeland Drive, Midland Texas, readdressed to the commission to call out the applicant for their lack of transparency.

Commissioner Carrasco asked staff to once again clarify the process of an annexation with initial zoning. Staff explained the process and the need to choose a zoning in order to proceed with the annexation. However, the applicant can come and request a new zone change which would then include plans for the development.

Commissioner Lawrence stated that he can see both sides of the equation and understands the requests and oppositions of both sides.

Commissioner Carrasco stated that he would like to emphasize that just because the annexation goes through does not mean that any development can go through without approval.

Commissioner Williams commented that the audience will have another opportunity to voice their concerns. She explained to the audience that the applicant will still need to process additional applications before any development can begin.

Commissioner Deck addressed the also audience to thank them for voicing their concerns and reassuring them that they will get another opportunity to address their concerns.

Commissioner Grosse commented that the Grasslands community could take the opportunity to invest in the property as a group in order to keep their community the same.

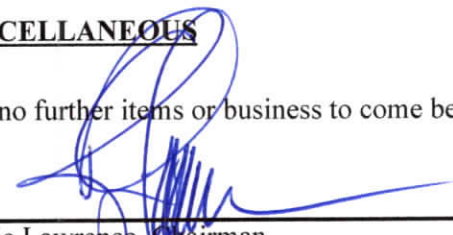
Commissioner Lawrence advised the audience to appeal to the City Council since they will have the final say.

Commissioner Williams moved to approve this request; seconded by Commissioner Deck.

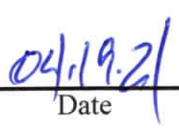
The motion passed by the following vote: 6 to 0
AYE: Lawrence, Williams, Deck, Grosse, Holeva, Carrasco
NAY: None
ABSTAIN: Sisniega
ABSENT: Bryant, Gardaphe

MISCELLANEOUS

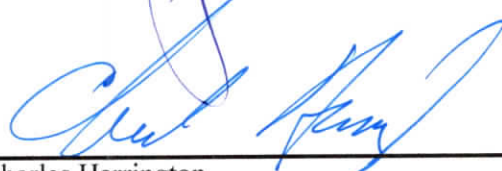
With no further items or business to come before the Commission, Chairman Lawrence adjourned the meeting at



Reggie Lawrence, Chairman



Date



Charles Harrington
Director of Department of Development Services



Date