

**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION MINUTES
November 2, 2020
Council Chambers – City Hall**



The City Council convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at 3:30 pm., November 02, 2020.

Commissioners present: Reggie Lawrence, Dianne Williams, Lucy Sisniega, Chase Gardaphe, Zachary Deck, Emily Holeva

Commissioners absent: Stacy Grosse, Karmen Bryant

Staff members present: Dalia Salinas, Cristina Odenborg Burns, Elizabeth Shaughnessy, Glenda Arroyo-Cruz, Joseph Marynak, Valerie Sherman, Charles Harrington

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.)

The public comment period was opened at 3:31 pm. With no one wishing to speak, the public comment period was closed at 3:32 pm.

CONSENT ITEMS

Commissioner Williams moved to approve the Consent items 2 through 5; seconded by Commissioner Gardaphe.

The motion passed by the following vote:

AYE: Lawrence, Williams, Sisniega, Gardaphe, Deck, Holeva

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant

2. Consider a motion approving the Planning and Zoning Commission meeting minutes for October 19, 2020.
3. Consider a proposed Preliminary Plat of Midland College Addition, being a plat of a 216.93-acre tract of land located in Section 15, Block 39, T-1-S, T. & P. R.R. Co. Survey, City and County of Midland, Texas. (Generally located on the east side of N. Garfield Street, approximately 580 feet north of W. Wadley Avenue. Council District 3)
4. Consider a proposed Preliminary Plat of Southern Addition, Section 22, being a replat of Lots 1 through 9, Block 1 Southern Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersect of W. Pennsylvania Avenue and S. Main Street. Council District 2)
5. Consider a proposed Final Plat of Southern Addition, Section 21, being a residential replat of the east 50-feet of L 19 through 24, Block 145, Southern Addition, City and County of Midland, Texas. (Generally located on the northw corner of the intersection of East Pennsylvania Avenue and South Weatherford Street. Council District 2)

PUBLIC HEARINGS

6. Hold a public hearing and consider a request by Curly Fry Holdings, LLC d/b/a Murray's Deli for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 4,800-square foot portion of Block 1, less the 250-foot by 150-foot northwest corner and less the 224-foot by 150-foot southwest corner, Re-plat of Block 1 and 2, Imperial Heights Addition, City and County of Midland, Texas. (Generally located on the south side of West Wadley Avenue, approximately 277 feet east of North Midkiff Road. Council District 2)

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

Commissioner Lawrence asked staff to clarify the hours of operation. Senior Planner Elizabeth Shaughnessy provided the new hours.

The public hearing was opened at 3:37 pm.

The applicant was present but deferred to staff.

The public hearing was closed at 3:38 pm.

Commission Sisniega moved to approve this request, with the service hours to be Monday-Sunday from 11 am to 10 pm; seconded by Commissioner Williams.

The motion passed by the following vote:

AYE: Lawrence, Williams, Sisniega, Gardaphe, Deck, Holeva

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant

7. Hold a public hearing and consider a request by JE Midland Ops, LLC for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a restaurant, on a 3,588 square foot portion of Lot 2, Block 1, Wallace Heights, Section 2, City and County of Midland, Texas. (Generally located on the east side of N. Loop 250 West, approximately 377 feet south of Sinclair Avenue. Council District 4)

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

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

The applicant, Katherine Chambly, 511 W 7th Street, Austin, Texas, was present. She gave a brief summary of the project and was open for questions.

The public hearing was closed at 3:46 pm.

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

The motion passed by the following vote:

AYE: Lawrence, Williams, Sisniega, Gardaphe, Deck, Holeva

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant

8. Hold a public hearing and consider a proposed Preliminary Plat of Sheeler Addition, Section 10, being a residential re-plat of Lots 17 and 18, Block 2, Sheeler Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of West Griffin Avenue and South Fisher Street. Council District 2)

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

The public hearing was opened at 3:49 pm.

The applicant was not present.

The public hearing was closed at 3:49 pm.

Item #8 died on the floor due to lack of a motion.

9. Hold a public hearing and consider a request by Jorge Chavez for a zone change from RR, Regional Retail District to SF-3, Single Family Dwelling District on Lots 8 and 9, Block 44, Moody Addition, City and County of Midland, Texas. (Generally located on the east side of South Lamesa Road, approximately 80 feet north of East Kentucky Avenue. Council District 2)

Planner Joseph Marynak gave an overview of the project, he reported that after routing the item to all city departments an objection from the transportation department was made. With no letters of objection received, staff recommended approval.

The public hearing was opened at 3:54 pm.

The applicant, Jorge Chavez, 714 N. Calhoun St. Midland, Texas, was present and with the help of translation from Senior Planner Elizabeth Shaughnessy addressed questions from the commission.

Commissioner Lawrence asked how the applicant plans on addressing the objection made by the Transportation department. Mr. Chavez explained that he has had projects with similar high access roads on and was successful in building homes there.

Commissioner Lawrence asked for an example of how the issue was handled. Mr. Chavez again explained that he had already built six homes on Terrell with no issues there. Commissioner Lawrence asked if Terrell was an arterial road. Planning Manager Cristina Odenborg Burns explained that it was a collector road not an arterial road.

The public hearing was closed at 4:00 pm.

Commissioner Deck expressed his concerns with the project and agreed with the objections made by the transportation department. He stated he would like to see what the other option for parking would be before going forth with zoning.

Commissioner Gardaphe asked if alley access was an option. Planning Manager Cristina Odenborg Burns explained that alley access is an option, but it is something that would have to be taken care of at the building permit stage.

Commissioner Lawrence stated that although he commends anyone trying to develop the area, he has to side with the objection and concerns stated by the transportation department and the commission.

Mr. Chavez readdressed the commission and explained that he would be willing to build the garages with alley access. Commissioner Lawrence explained that per code he would have to pave the entire alley. Mr. Chavez stated that if that was his only option he would do it.

Commissioner Gardaphe stated that although this is only an application for zone change, he has concerns allowing it to go forward.

Commissioner Lawrence explained to Mr. Chavez that if his application is denied he does have the right to appeal it with City Council.

Commissioner Lawrence moved to deny this request; seconded by Commissioner Williams.

The motion passed by the following vote:

AYE: Lawrence, Williams, Gardaphe, Deck, Holeva

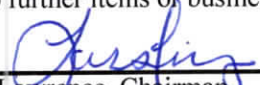
NAY: Sisniega

ABSTAIN: None

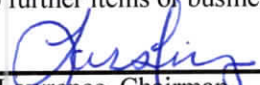
ABSENT: Grosse, Bryant

MISCELLANEOUS

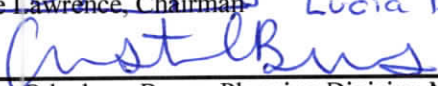
With no further items or business to come before the Commission, Chairman Sparks adjourned the meeting at 4:11 pm.

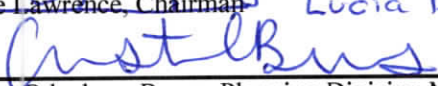

Reggie Lawrence, Chairman


Lucia D. Sisniega


Date

11-16-20


Cristina Odenborg Burns, Planning Division Manager
Department of Development Services


Date

11/16/20