

**PLANNING AND ZONING
MINUTES
February 18, 2020
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, February 18, 2020.

Commissioners present: Chase Gardaphe, Josh Sparks, Kevin Wilton, Dianne Williams, Warren Ivey, Reggie Lawrence and Karmen Bryant.

Alternate Commissioners present: Stacy Grosse

Commissioners absent: None.

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

Chairman Sparks called the meeting to order at ____ p.m.

Opening Item

1. Pledge of Allegiance

Announcements

Public Comment

Opened at 3:31

Closed at 3:32

Consent Items

3. Approved a motion approving the following minutes:

Commissioner Bryant moved to approve Consent Items, excluding item #4; seconded by Commissioner Lawrence.

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

- a. Planning & Zoning Commission Meeting Minutes for February 3, 2020.

Commissioner Bryant moved to approve Consent Items, excluding item #4; seconded by Commissioner Lawrence.

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

4. Consider a proposed Preliminary Plat of Ortloff Addition, being Re-Plat of Lots 3 and 4, Block 1, Ortloff Addition, Section 5, City and County of Midland, Texas. (Generally located on the west side of Westcliff Drive, approximately 291 – feet south of Andrews Highway. Council District 4)

Commissioner Bryant moved to approve Consent Items, excluding item #4; seconded by Commissioner Lawrence.

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

5. Consider a proposed Preliminary Plat of Baker Service Tools Addition, being a plat of a 10-acre tract of land located in the northeast quarter of Section 18, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the north side of West State Highway 80 East, approximately 2,279-feet east of South County Road 1290. Extraterritorial Jurisdiction)

Commissioner Bryant moved to approve Consent Items, excluding item #4; seconded by Commissioner Lawrence.

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

6. Consider a proposed Final Plat of Barnes Addition, being a 5-acre tract of land out of the southeast quarter of Section 33, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of North County Road 1140, approximately 191-feet north of East County Road 77. Extraterritorial Jurisdiction).

Commissioner Bryant moved to approve Consent Items, excluding item #4; seconded by Commissioner Lawrence.

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

7. Consider a proposed Final Plat of CER Addition, being a plat of a 11.110-acre tract of located in Section 32, Block 40, T-2-S, T&P, RR. Co. Survey, Midland County, Texas. (Generally located on the east side of South Farm to Market Road 1788, approximately 563-feet north of West County Road 160. Extraterritorial Jurisdiction)

Commissioner Bryant moved to approve Consent Items, excluding item #4; seconded by Commissioner Lawrence.

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

8. Consider a proposed Final Plat of Chesmire Acres, Section 3 being a residential re-plat of the south 67 feet of the east 137.00 feet of Lot 2 and the east 137.00 feet of Lot 3, Block 5, Chesmire Acres, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Neely Avenue and Cessna Drive. Council District 3)

Commissioner Bryant moved to approve Consent Items, excluding item #4; seconded by Commissioner Lawrence.

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

9. Consider a proposed Preliminary Plat of Sheeler Addition, Section 8, being a re-plat of the West 119.31-feet of Lot 2, Block 7, Sheeler Addition, and a plat of a 19.207-acre tract of land out of Section 3, Block 39, T-2-S, T&P, RR. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of West Francis Avenue, approximately 317-feet east of South Garfield Street. Council District 2)

Commissioner Bryant moved to approve Consent Items, excluding item #4; seconded by Commissioner Lawrence.

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

10. Consider a proposed Preliminary Plat of Sunridge Ranch Estates, Section 7, being a re-plat of Lots 6 and 7, Block 5, Sunridge Ranch Estates, Section 3, Midland County, Texas. (Generally located on the north side of West County Road 44, approximately 1,221-feet west of North County Road 1246. Extraterritorial Jurisdiction)

Commissioner Bryant moved to approve Consent Items, excluding item #4; seconded by Commissioner Lawrence.

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

Public Hearings

11. Hold a public hearing and consider a request by Cumberland & Western Resources, LLC, for the initial zoning of a 37.9539 - acre tract of land located in Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of State Highway 158, approximately 2,372-feet north of State Highway 191. Extraterritorial Jurisdiction)

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

Commissioner Williams asked if this lot was in the city limits.

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

The applicant, Robert Rendal with Cumberland and Western, gave a summary of the project and was open for questions.

Commissioner Lawrence asked for an explanation for the shortage of parking. Mr. Rendall explained that they are in the planning process and will propable come back with a different site plan.

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

Commissioner Lawrence asked

Commissioner Lawrence moved to approve a request by Cumberland & Western Resources, LLC, for the initial zoning of a 37.9539 - acre tract of land located in Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of State Highway 158, approximately 2,372-feet north of State Highway 191. Extraterritorial Jurisdiction); seconded by Commissioner Williams.

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

12. Hold a public hearing and consider a request by Cornerstone Funding, LLC for a Zone Change from PD, Planned District for an Office Center to an Amended PD, Planned Development District for an Office Center on Lot 1A, Block 2, Grassland Estates West, Section 2, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Homestead Boulevard and Hereford Boulevard. Council District 4)

Planner Elizabeth Shaughnessy gave an overview of the project. With 4 letters of objection received, staff recommended approval.

Commissioner Lawrence asked what the change in the square footage was and what the maximun height is.

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

The applicant, Kevin Harrington with cornerstone Funding, gave a summary of the project and was opened for questions.

Luis Del Valle spoke on behalf of the project. He gave further information regarding the project and was open for questions.

Resident Andrew Viscanio spoke in opposition of the project due to the size of the proposed project.

Resident Charles Terry spoke in opposition of the project due to the size of the gym.

Resident Jason Smith spoke in opposition of the project due the addition of the gym.

Resident Kathy White spoke in opposition of the project due to the proposed wall that will face her property and the addition of the light brought by the building.

Resident Victor Salazar spoke in opposition of the project due the increase in traffic that would affect the near by school. He also stated the main issue that the residents have is the height of the building.

Resident Curt Pinkpainter spoke in opposition to the project due to the his concerns with the possibility of the gym being used for recreational use in the event that the building is sold in the future.

Luis Del Valle readdressed the commission to answer some of the residents concerns. He explained that in order to use the gym either now or in the furture the building would have to go through the city Planning division in order to get approval.

Kevin Harrington also readdressed the commission to further answer quetion in regards to the intended use of the gym.

Commissioner Lawrence asked how many feet the wall was offset from the property line.

Commissioner Sparks asked how many feet from the building to the nearest house on Hereford.

Commissioner Lawrence asked how many light fixtures would be visual at night.

Commissioner Williams asked if they have addressed the issue of traffic using the back alley.

The public hearing was closed at 4:22 p.m.

Commissioner Lawrence asked staff when the property was zoned and prior to the new ordiance what was the height requirement.

Commissioner Lawrence moved to approve a request by Cornerstone Funding, LLC for a Zone Change from PD, Planned District for an Office Center to an Amended PD, Planned Development District for an Office Center on Lot 1A, Block 2, Grassland Estates West, Section 2, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Homestead Boulevard and Hereford Boulevard. Council District 4); seconded by Commissioner Gardaphe.

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

13. Hold a public hearing and consider a request by Edward Martinez for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 7, Block 24, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of East New York Avenue and South Benton Street. Council District 2)

Planner Glenda Arroyo-Cruz gave a summary of the project. With letters of objection received, staff recommended approval.

The public hearing was opened at 4:28 p.m.

The applicant was not present.

The public hearing was closed at 4:28 p.m.

Commissioner Gardaphe moved to approve a request by Edward Martinez for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 7, Block 24, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of East New York Avenue and South Benton Street. Council District 2); seconded by Commissioner Sisniega.

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

Miscellaneous

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

Josh Sparks, Chairman

Date

Cristina Odenborg Burns, Planning Division Manager
Development Services Department

Date