

**PLANNING AND ZONING
MINUTES
March 04, 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, March 04, 2019.

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

Alternate Commissioners present: Karmen Bryant and Stacy Grosse

Commissioners absent: None.

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

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

Opening Item

1. Pledge of Allegiance

Announcements

2. Karmen Bryant has been appointed as a commissioner to the Planning and Zoning Commission.

Consent Items

3. Approved a motion approving the following minutes:

Commissioner Lawrence moved to approve Consent Items; seconded by Commissioner Gardaphe.

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

- a. Planning & Zoning Meeting Minutes for February 19, 2019.

Commissioner Lawrence moved to approve Consent Items; seconded by Commissioner Gardaphe.

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

4. Consider a proposed Preliminary Plat of Grassland Estates West, Section 11, being a plat of a 15.83-acre tract of land located in Section 35, Block 40, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of North County Road 1247 and West State Highway 158. Council District 4)

Commissioner Lawrence moved to approve Consent Items; seconded by Commissioner Gardaphe.

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

5. Consider a proposed Preliminary plat of Lone Star Trails II, Section 2, being a plat of 23.58-acre tract of land in Section 7, Block 38, T-1-S, T&P, R.R. Co. Survey, City and County of Midland, Texas. (Generally located approximately 1,079-feet east of the intersection of Fairgrounds Road and Occidental Parkway. Council District 1)

Commissioner Lawrence moved to approve Consent Items; seconded by Commissioner Gardaphe.

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

6. Consider a proposed Preliminary Plat of Westridge Park Addition Section 44, being a plat of a 17.55-acre tract of land located in the NE/4 of Section 48, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the southwest corner of the intersection of Tradewinds Boulevard and Thomason Drive. ETJ, Extraterritorial Jurisdiction)

Commissioner Lawrence moved to approve Consent Items; seconded by Commissioner Gardaphe.

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

7. Consider a proposed Preliminary Plat of Branson Addition, being a plat of a 11.96 Acre Tract of Land out of N/PART of Section 31, Block 40, T-1-S, T.&P., R.R. Co. Survey, Midland County, Texas. (Generally located on the northwest corner of the intersection of W. County Road 77 and Holdridge Road. Extraterritorial Jurisdiction.)

Commissioner Lawrence moved to approve Consent Items; seconded by Commissioner Gardaphe.

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

8. Consider a proposed Preliminary Plat of Llano Country Addition being a Plat of 5.00 Acre Tract of Land out of Section 23, Block 40, T-1-S, T&P RR. Co., City and County of

Midland, Texas. (Generally located on the northwest corner of the intersection of Briarwood Avenue and Golden Gate Drive. Council District 4)

Commissioner Lawrence moved to approve Consent Items; seconded by Commissioner Gardaphe.

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

9. Consider a proposed Final Plat of Adobe Meadows, Section 8, being a replat of Lot 15, Block 2, and Lot 1, Block 3, and the previously vacated 0.566-acre portion of Guadalupe Street right of way, adjacent to Blocks 2 and 3, all out of Adobe Meadows, Section 2, City and County of Midland, Texas. (Generally located on the northeast corner of State Highway 349 and Mockingbird Lane. Council District 1).

Commissioner Lawrence moved to approve Consent Items; seconded by Commissioner Gardaphe.

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

10. Consider a proposed Final Plat of Circuit Acres being a plat of a 5-acre tract of land out of the Northeast/4 of Section 26, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of North County Road 1119, approximately 657-feet south of East County Road 64. Extraterritorial Jurisdiction).

Commissioner Lawrence moved to approve Consent Items; seconded by Commissioner Gardaphe.

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

11. Consider a proposed Preliminary Plat of West Terminal Addition, Section 8, being a replat of Lot 8, Block 7, West Terminal Addition, Section 4, and a 66.16-acre tract of land out of Section 1, Block 41, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the southeast corner of the intersection of West County Road 100 and South County Road 1301. Extraterritorial Jurisdiction).

Commissioner Lawrence moved to approve Consent Items; seconded by Commissioner Gardaphe.

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

12. Consider a proposed Preliminary Plat of Corporate Ranch Addition, being a plat of a 30.02 Acre Tract of Land out of Section 28, Block 40, T-1-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the southeast corner of the intersection of North County Road 1270 and West County Road 60. ETJ, Extraterritorial Jurisdiction)

Commissioner Lawrence moved to approve Consent Items; seconded by Commissioner

Gardaphe.

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

13. Consider a proposed Preliminary Plat of Original Town, Section 19, being a re-plat of Lots 1 through 12, and a 0.138-acre portion of previously vacated alley right-of-way all out of Block 110, Original Town Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of N. Pecos Street and W. Kentucky Avenue. Council District 3)

Commissioner Lawrence moved to approve Consent Items; seconded by Commissioner Gardaphe.

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

Public Hearings

14. Hold a public hearing and consider a request by Stonehawk Capital Partners, LLC for a Zone Change from a PD, Planned District for a Housing Development to an Amended PD, Planned District for a Housing Development on Lot 4, Block 1, SCP Midland West, City and County of Midland, Texas. (Generally located on the north side of Briarwood Avenue, approximately 737-feet east of Avalon Drive. Council District 4)

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

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

The applicant Robert Rendall was present, gave a summary of the project and was open to questions.

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

Commissioner Gardaphe moved to approve a request by Stonehawk Capital Partners, LLC for a Zone Change from a PD, Planned District for a Housing Development to an Amended PD, Planned District for a Housing Development on Lot 4, Block 1, SCP Midland West, City and County of Midland, Texas. (Generally located on the north side of Briarwood Avenue, approximately 737-feet east of Avalon Drive. Council District 4); seconded by Commissioner Williams.

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

15. Hold a public hearing and consider a request by Stonehawk Capital Partners, LLC. for a Zone Change from a PD, Planned District for a Housing Development to an Amended PD, Planned District for a Housing Development on a 12.3959-acre tract of land out of Section 14, Block 39, T-1-S, T.&P., RR. Co. Survey, City and County of Midland, Texas. (Generally located on the east side of North Edwards Street, approximately 156-feet north of Fiesta Avenue. Council District 2)

Planner Rolandrea Russell 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 Robert Rendall with Stone Hawk Capital was present, he gave a summary of the project and was opened for question.

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

Commissioner Lawrence moved to approve a request by Stonehawk Capital Partners, LLC. for a Zone Change from a PD, Planned District for a Housing Development to an Amended PD, Planned District for a Housing Development on a 12.3959-acre tract of land out of Section 14, Block 39, T-1-S, T.&P., RR. Co. Survey, City and County of Midland, Texas. (Generally located on the east side of North Edwards Street, approximately 156-feet north of Fiesta Avenue. Council District 2); seconded by Commissioner Wilton.

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

16. Hold a public hearing and consider a request for a Specific Use Permit without Term for rock quarries, sand, gravel and excavations on an 11.44-acre tract of land out of Section 31, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of East Cynthia Drive, approximately 1,800-feet east of North Fairgrounds Road. Council District 2

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

Commissioner Williams asked if this was a temporary project. Staff deferred tot he applicant.

Commissioner Wilton questioned what the dust issue was that code admin had concern with. Director Harrington explained that this is a unique request and the ordiance isn't very clear. Mr. Harrington deffered to the applicant.

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

The applicant Terry Bryant with Jones Brothers was present. He gave a summary of the project and was open for questions.

Commissioner Wilton asked if the state set the standards for dust control. Mr. Bryant explained that yes the state does.

Commissioner Williams asked if there would be a hole on the property.

Resident Cesar Cordova spoke in opposition of the project due to the already excisting dust issue. Also has concerns with the underground pipelines and the vibrations.

Mr. Bryant with Jones Bros. addressed Mr. Cordovas questions.

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

Commissioner Ivey moved to approve a request for a Specific Use Permit without Term for rock quarries, sand, gravel and excavations on an 11.44-acre tract of land out of Section 31, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of East Cynthia Drive, approximately 1,800-feet east of North Fairgrounds Road. Council District 2; seconded by Commissioner Gardaphe.

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

17. Hold a public hearing and consider a request by Sonny Aguilar dba Toast, for a Specific Use Permit with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant on a 4,200 square foot portion of Lots 13 and east half of 14, Block 56, Original Town, City and County of Midland, Texas. (Generally located on the north side of W. Wall Street, approximately, 115 feet east of N. Big Spring Street. Council District 2).

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

Commissioner Wilton asked how the restroom issue was going to be addressed.

Commissioner Lawrence asked how they will handle alcohol in the lobby.

The public hearing was opened at 4:16 p.m.

The applicant Sonny Aguilar was present. He gave a summary of the project and addressed to questions presented by the commissioners.

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

Commissioner Gardaphe moved to approve a request by Sonny Aguilar dba Toast, for a Specific Use Permit with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant on a 4,200 square foot portion of Lots 13 and east half of 14, Block 56, Original Town, City and County of Midland, Texas. (Generally located on the north side of W. Wall Street, approximately, 115 feet east of N. Big Spring Street. Council District 2); seconded by Commissioner Bryant.

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

18. Hold a public hearing and consider a residential replat of Plantation Hills, Section 23, being a replat of Lot 3, Block 25, Plantation Hills, Section 10, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Whitman Drive and Bluebird Lane. Council District 1).

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

Commissioner Sparks asked to have the lot sizes restated.

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

The applicant was present and deferred to staff.

Resident, asked if it was 2 or 4 acres and what they are planning on selling it at.

The applicant Josh Walendar with PSC, addressed the residents questions.

The public hearing was closed at 4:29 p.m.

Commissioner Bryant moved to approve a residential replat of Plantation Hills, Section 23, being a replat of Lot 3, Block 25, Plantation Hills, Section 10, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Whitman Drive and Bluebird Lane. Council District 1). ; seconded by Commissioner Ivey.

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

19. Hold a public hearing and consider a request by Ravi C. Borra for Site Plan Approval on Lot 3, Block 35, Northgate Addition, Section 19, City and County of Midland, Texas. (Generally located on the north side of Northbrook Lane, approximately 265-feet northwest of West Loop 250 North Frontage 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 4:34 p.m.

The applicant Julio Davila for Dr. Ravi Borra was present.

The public hearing was closed at 4:35 p.m.

Commissioner Lawrence moved to approve Hold a public hearing and consider a request by Ravi C. Borra for Site Plan Approval on Lot 3, Block 35, Northgate Addition, Section 19, City and County of Midland, Texas. (Generally located on the north side of Northbrook Lane, approximately 265-feet northwest of West Loop 250 North Frontage Road. Council District 1); seconded by Commissioner Bryant.

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

20. Hold public hearing and consider a request by Renew Life Church for a Zone Change from PD, Planned District for a Housing Development to C-3, Commercial District on Lots 1 through 12 and a previously vacated 0.138 acres portion of alley right-of-way, Block 110, Original Town Addition, City and County of Midland, Texas. (Generally

located on the southeast corner of the intersection of N. Pecos Street and W. Kentucky Avenue. Council District 3)

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

Commissioner Wilton asked if the current zoning is restrictive.

The public hearing was opened at 4:40 p.m.

The applicant was not present.

The public hearing was closed at 4:40 p.m.

Commissioner Williams moved to approve Hold public hearing and consider a request by Renew Life Church for a Zone Change from PD, Planned District for a Housing Development to C-3, Commercial District on Lots 1 through 12 and a previously vacated 0.138 acres portion of alley right-of-way, Block 110, Original Town Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of N. Pecos Street and W. Kentucky Avenue. Council District 3); seconded by Commissioner Ivey.

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

Miscellaneous

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

Chase Gardaphe, Chairman

Date

Cristina Odenborg Burns, Planning Division Manager
Development Services Department

Date