

**PLANNING AND ZONING
MINUTES
April 03, 2017
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, January 19, 2016.

Commissioners present: Jane Wolf, Chase Gardaphe, Josh Sparks, Warren Ivey, Reggie Lawrence, Jay Norris and Brad Bullock.

Commissioners absent: None.

Staff members present: Development Services Director Chuck Harrington, Planning Division Manager Jessica Carpenter, Senior Planner Kevin Crosby, Senior Planner Cristina Odenborg, Planner Ted Helm, Planner Kierra Williams, Planner Geoff Solomonson, and Account Clerk Diana Rodriguez.

Chairwoman Wolf called the meeting to order at ____ p.m.

Opening Item

item #5 discussed

1. Pledge of Allegiance
 - a. Announcements

Consent Items

2. Approved a motion approving the following minutes:

- a. Minutes for the March 20, 2017 meeting.

Commissioner Ivey Moved to approve Consent Agenda items 2 - 10 excluding 5; seconded by Commissioner Lawrence.

The motion carried by the following vote: AYE: Ivey, Sparks, Gardaphe, Lawrence, Bullock, Wilton, Kevin. NAY: None. ABSTAIN: None. ABSENT: Norris, Williams, Dianne, Gammage, Terry.

3. Consider a proposed Final Plat of Mustang Addition, being a 10.20-acre tract land out of Section 25, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas (Generally located southwest of the intersection of E. County Road 140 and Farm-to-Market 715. ETJ, Extraterritorial Jurisdiction)

4. Consider a proposed Final Plat of Fluid Delivery Solution Addition, being a 21.82-acre tract of land out of Section 32, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the north side of W. County Road 157, approximately 400-feet east of Farm-to-Market Road 1788. ETJ, Extraterritorial Jurisdiction)
5. Consider a proposed Final Plat of The Park at 1788 South, Section 1, being a 111.92-acre tract of land out of Section 29, Block 40, T-2-S, T&P RR Co Survey, Midland County, Texas. (Generally located on the east side of Farm-to-Market Road 1788, approximately 500–feet north of County Road 150. ETJ, Extraterritorial Jurisdiction)

PDM condition engin before recording plat

strike condition #2

Commissioner BullockMoved to approve Consider a proposed Final Plat of The Park at 1788 South, Section 1, being a 111.92-acre tract of land out of Section 29, Block 40, T-2-S, T&P RR Co Survey, Midland County, Texas with conditons 1) the 111.92 acres tract is replatted for subdivision into more than thirty-eight lots. (Generally located on the east side of Farm-to-Market Road 1788, approximately 500–feet north of County Road 150. ETJ, Extraterritorial Jurisdiction)
; seconded by Commissioner Wilton, Kevin.

The motion carried by the following vote: AYE: Ivey, Sparks, Gardaphe, Lawrence, Bullock, Wilton, Kevin. NAY: None. ABSTAIN: None. ABSENT: Norris, Williams, Dianne, Gammage, Terry.

6. Consider a proposed Final Plat of Old Lamesa Industrial Park, being a 21.955-acre tract of land out of Section 11, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located northwest of the intersection of E. County Road 120 and S. County Road 1180. ETJ, Extraterritorial Jurisdiction)
7. Consider a proposed Preliminary Plat of Yadon Addition, being a 5.76-acre tract of land out of Section 11, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the east side of Rankin Highway, approximately 1050-feet south of W. Interstate 20. Council District 2)
8. Consider a proposed Preliminary Plat of Whitson Realty Addition, being a plat of 9.87 acre tract of land, out of the Northwest 1/4 of Section 39, T-2-S, T. & P. RR. CO. Survey, City and County of Midland, Texas. (Generally located east of Rankin Highway, approximately 560-feet south of Interstate-20 Frontage Road. Council District 3)
9. Consider a proposed Preliminary Plat of Legacy Addition, Section 5, being a 120.625-acre tract of land out of Section 38, Block 40, T-1-S, T&P RR Co. Survey, and Lots 5-8, Block 15, Legacy Addition, Section 4, City and County of Midland, Texas. (Generally located on the west side of Arlington Road, approximately 1780-feet south of State Highway 191. ETJ, Extraterritorial Jurisdiction)
10. Consider a proposed Preliminary Plat of Arbor Park Section 6, being a replat of Lot 1, Block 10, Arbor Park, Section 5, City and County of Midland, Texas. (Generally located at the southwest intersection of Sunshine Parkway and Idlewilde Drive. Council District

4)

Public Hearings

11. Hold a public hearing to consider a request by Burger Engineering for a zone change from PD, Planned District for a Shopping Center to an Amended Planned District, on Lot 2D, Block 33, Correction Plat of Northgate Addition, Section 21, City and County of Midland, Texas. (Generally located on the north side of West Loop 250 North, approximately 500-feet west of North Midland Drive. Council District 1)

Planner Kierra Williams gave an overview of the project.

No letters of objection have been received recommends approval.

Sparks inquired about shared parking agreement

pho 343

Applicant: Bryan Burger 1701 Cresteroad Dallas TX

phc 344

Commissioner Lawrence Moved to approve a request by Burger Engineering for a zone change from PD, Planned District for a Shopping Center to an Amended Planned District, on Lot 2D, Block 33, Correction Plat of Northgate Addition, Section 21, City and County of Midland, Texas. (Generally located on the north side of West Loop 250 North, approximately 500-feet west of North Midland Drive. Council District 1); seconded by Commissioner Sparks.

The motion carried by the following vote: AYE: Ivey, Sparks, Gardaphe, Lawrence, Bullock, Wilton, Kevin. NAY: None. ABSTAIN: None. ABSENT: Norris, Williams, Dianne, Gammage, Terry.

12. Hold a public hearing and consider a request by Laurence Oeth for a Specific Use Permit, without term, for an accessory building used for living or sleeping quarters, on the west 12.25-feet of Lot 3, and Lot 4, less the west 3-feet, Block 3, Scotsdale Addition, Section 3, City and County of Midland, Texas. (Generally located on the north side of Cimmaron Avenue, approximately 165-feet east of Mark Lane. Council District 4)

Planner Kierra Williams gave an overview of the project.

3 objections staff recommends approval sub a-g amendments to condition

Chuck stated the change of ordinance

Sparks stated platted incorrectly

Chuck stated the exemption

Gardaphe even if replated

Chuck

Sparks

pdm stated clarification of plat

sparks sold and need to replatted

pdm stated replat has been submitted

sparks inquired about neighbor lossing proeprty

pdm stated no correspondence was received from the objection

gardaphe

pdm

Lawrence set back

pdm stated 4feet

gardaphe property being rented

pdm

sparks

sparks reqqarding code

pdm stated condition stated by planner

Larry Oeth applicant gave an overview of his request

wilton inquired about plan being surveyed

Applicant stated it has been surge

Ivey inquired about property line

Applicant demenstrated property line

Gardaphe inquired where the accesorry building will start

Applicant

Wilton inquired if the building is 3feet from property line

Applicant stated it is contained within the property line

Kierra Williams stated it is 5feet

Lawrence inquired it is called....

Applicant

Applicant inquired if you could go 0-feet

Wilton

Gardaphe c

Lawrence

Applicant

Gardaphe not the lot line

Lawrence inquired about letters of objection

PDM stated one letter has been recieved but several phone calls

Applicant stated he has not received any objections

Madelyn neighbors wanting info regarding replatting

PDM stated

phc 408

Lawrence stated concerns

Sparks

Lawrence question for staff

PDM

Wilton inquired about exceptions

Lawrence

Gardaphe

Gardaphe

Lawrence stated he wouldnt be opposed

Sparks

Applicant stated an oak tree

Wilton inquired about the oak tree

Gardaphe asked applicant to demonstrate

sparks inquired about the 3feet

pdm

Commissioner Ivey Moved to approve a request by Laurence Oeth for a Specific Use Permit, without term, for an accessory building used for living or sleeping quarters with amendments that the City Secretary is hereby authorized and directed to file a certified copy of this Ordinance with the County Clerk of Midland County, Texas for purposes of recording in the Official Records of Midland County, Texas as notice to any subsequent purchaser of this property that said accessory building shall not be rented out as a separate residence or used for any commercial property, and that the accessory building shall conform to the height regulations set forth in Title XI, Chapter 1 of the City code, with the amended condition that the building be 5-feet of the property line, on the west 12.25-feet of Lot 3, and Lot 4, less the west 3-feet, Block 3, Scotsdale Addition, Section 3, City and County of Midland, Texas. (Generally located on the north side of Cimmaron Avenue, approximately 165-feet east of Mark Lane. Council District 4); seconded by Commissioner Sparks.

The motion carried by the following vote: AYE: Ivey, Sparks, Lawrence, Bullock, Wilton, Kevin. NAY: Gardaphe. ABSTAIN: None. ABSENT: Norris, Williams, Dianne, Gammage, Terry.

13. Hold a public hearing and consider a request by Ryan Almand for a zone change from 1F1, One-Family Dwelling District, in part, and 1F2, One-Family Dwelling District, in part, to an AE, Agriculture-Estate District on Lot 1D, Block 15, Green Hill Terrace, Section 7, City and County of Midland, Texas. (Generally located southwest of the intersection of King Richards Row and Oriole Drive. Council District 1)

Planner Alex Dixon gave an overview of the project.

2 letters of objection have been received, staff recommends denial

Gardaphe inquired about 22 square feet per horse

PDM clarified denial

Sparks stated no site plan included

pdm stated that is under code for conditions

Bullock inquired about zone

Wilton stated 20yrs or longer

Bullock inquired AE

sparks stated 2lots may have been bought

bullock regarding zoning map

Ryan Almand Applicant stated overview of his request

Bullock inquired about exhibit a

Applicant stated that would be man cave

Bullock inquired about square footage for barn

Applicant stated that is for future

Bullock stated about approval

Lawrence inquired about barn footage

applicant

Lawrence

wilton stated 2 acres

sparks

gardaphe

wilton

applicant

wilton

Lawrence

Gardaphe

Gardaphe inquired if allowed

Sparks with SUP

Wilton stated metal

Applicant

Bullock questioned staff about zone

pdm questioned replace barn with

Bullock

pdm

Gardaphe questioned county estate

Sparks corrected 1 acre

pdm stated ae

Ivey questioned AE, lots dont look 2acre

pdm stated

Doug 6005 Oriola stated his objection

Sparks stated storage

Applicant stated he owns construction company

Wilton stated zone is not allowed for commercial

Bullock inquired to staff

Alex Dixon

Gardaphe inquired about

pdm

gardaphe

pdm

bullock

phc 447

Lawrence inquired about horses

sparks

gardaphe

sparks

wilton 2acres

ivey

lawrence questione staff about 2acre

pdm no info available

gardaphe zoning map

Frank

Commissioner Sparks Moved to approve a request by Ryan Almand for a zone change from 1F1, One-Family Dwelling District, in part, and 1F2, One-Family Dwelling District, in part, to an AE, Agriculture-Estate District on Lot 1D, Block 15, Green Hill Terrace, Section 7, City and County of Midland, Texas. (Generally located southwest of the intersection of King Richards Row and Oriole Drive. Council District 1); seconded by Commissioner Wilton, Kevin.

The motion carried by the following vote: AYE: Ivey, Sparks, Lawrence, Bullock. NAY: Gardaphe, Wilton, Kevin. ABSTAIN: None. ABSENT: Norris, Williams, Dianne, Gammage, Terry.

14. Hold a Public Hearing and consider a request by Midland DTP, LLC, for a zone change from PD, Planned District for a Transition District to LR-2, Local Retail District on Lot 1, Block 2, 349 Ranch Estates, City and County of Midland, Texas. (Generally located southeast of the intersection North State Highway 349 and Tejas. Council District 1)

Planner Janna Keller gave an overview of the project.

no objections have been received and recommends approval

Wilton stated about zoning

pdm

wilton

phc 358

Commissioner Sparks Moved to approve a request by Midland DTP, LLC, for a zone change from PD, Planned District for a Transition District to LR-2, Local Retail District on Lot 1, Block 2, 349 Ranch Estates, City and County of Midland, Texas. (Generally located southeast of the intersection North State Highway 349 and Tejas. Council District 1); seconded by Commissioner Lawrence.

The motion carried by the following vote: AYE: Ivey, Sparks, Gardaphe, Lawrence, Bullock, Wilton, Kevin. NAY: None. ABSTAIN: None. ABSENT: Norris, Williams, Dianne, Gammage, Terry.

15. Hold a public hearing and consider a request by Haley Peck for a Specific Use Permit without Term for a Wireless Communication System on Lot 1-H, Block 5, Correction Plat of Colony Place, Section 5, City and County of Midland, Texas. (Generally located south of W. Wadley Avenue and east of N. Garfield Street. Council District 3)

Planner Jeremy McNeil gave an overview

staff has not received any objections and recommends approval

bullock inquired about stealth height

jeremy

Haley Peck applicant gave an overview of the request
11098 Amber Ln
Frisco TX

gardaphe

gardaphe

phc 506

Commissioner Bullock Moved to approve a request by Haley Peck for a Specific Use Permit without Term for a Wireless Communication System on Lot 1-H, Block 5, Correction Plat of Colony Place, Section 5, City and County of Midland, Texas. (Generally located south of W. Wadley Avenue and east of N. Garfield Street. Council District 3); seconded by Commissioner Lawrence.

The motion carried by the following vote: AYE: Ivey, Sparks, Gardaphe, Lawrence, Bullock, Wilton, Kevin. NAY: None. ABSTAIN: None. ABSENT: Norris, Williams, Dianne, Gammage, Terry.

Miscellaneous

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

Jane Wolf, Chairwoman

Date

Jessica Carpenter, Secretary

Date