

**PLANNING AND ZONING
MINUTES
April 18, 2016
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

1. The Pledge of Allegiance

Consent Items

2. Approved a motion approving the following minutes:

- a. April 4, 2016

Commissioner Sparks moved to approve April 4, 2016 with correct to a motion under number 8. Motion to approve by Sparks seconded by Norris; seconded by Commissioner Gardaphe.

The motion carried by the following vote: AYE: Ivey, Sparks, Norris, Wolf, Gardaphe, Lawrence, Bullock. NAY: None. ABSTAIN: None. ABSENT: None.

3. Consider a proposed final plat of Vista Del Pueblo Addition, being a 58.80-acre tract of land out of Section 29, Block 38, T-1-S, T&P RR Company Survey, City and County of Midland, Texas. (Generally located on the east side of Todd Drive, approximately 0.75-miles south of E. Loop 250 North.)

pulled

pulled

4. Consider a proposed final plat of Midkiff Industrial Center, Section 25, being a replat of Lot 3, Block 9, Midkiff Industrial Center, Section 10, City and County of Midland, Texas. (Generally located northeast of the intersection of S. Midkiff Road and Ottis Road.)

pulled

pulled

5. Consider a proposed final plat of Ruckus Addition, being a 41.537-acre tract of land out of the west half of Section 30, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the east side of N. Fairgrounds Road, approximately 1750-feet south of E. Loop 250 North. - District 2)

Planner Ted Helm gave an overview of the project and opened up for questions.

Commissioner Gardaphe moved to approve a proposed final plat of Ruckus Addition, being a 41.537-acre tract of land out of the west half of Section 30, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the east side of N. Fairgrounds Road, approximately 1750-feet south of E. Loop 250 North. - District 2); seconded by Commissioner Sparks.

The motion carried by the following vote: AYE: Ivey, Sparks, Norris, Wolf, Gardaphe, Lawrence, Bullock. NAY: None. ABSTAIN: None. ABSENT: None.

6. Consider a proposed final plat of Dove Acres, being a 21.85-acre tract of land out of Section 16, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of N. County Road 1150, approximately 1450-feet south of E. County Road 40.)

pulled

7. Consider a proposed final plat of Herrera Addition, being a 0.375-acre tract of land out of Section 2, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located southwest of the intersection of E. Florida Avenue and S. Lamesa Road.)

8. Consider a proposed final plat of Rodriguez Addition, being a 1.73-acre tract of land out of Section 28, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located northeast of the intersection of W. County Road 142 and S. County Road 1202.)

Commissioner Gardaphe moved to approve Consent Items 8& 9; seconded by Commissioner Lawrence.

The motion carried by the following vote: AYE: Ivey, Sparks, Norris, Wolf, Gardaphe, Lawrence, Bullock. NAY: None. ABSTAIN: None. ABSENT: None.

9. Consider a proposed preliminary plat of Gardendale DTP Addition, being a 1.33-acre tract of land out of Section 12, Block 41, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of Farm-to-Market Road 1788, approximately 830-feet south of W. County Road 35.)

Commissioner Gardaphe moved to approve Consent Items 8& 9; seconded by Commissioner Lawrence.

The motion carried by the following vote: AYE: Ivey, Sparks, Norris, Wolf, Gardaphe, Lawrence, Bullock. NAY: None. ABSTAIN: None. ABSENT: None.

10. Consider a proposed preliminary plat of Bynum School Addition, being a 64.96-acre tract of land out of Section 24, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the east side of Avalon Drive, approximately 1800-feet north of Briarwood Avenue.)

Planner Kierra Williams opened up for questions

Chairwoman Wolf inquired about drill sites on the space.

John Langraf, 521 N. Texas, Odessa Tx stated there no wells on the site but around surroundings. Asking for 250 foot radius for the variance. Stated the existing well would be abandoned and plugged up. Stated he had a copy of the agreement.

Commissioner Norris moved to approve a proposed preliminary plat of Bynum School Addition, being a 64.96-acre tract of land out of Section 24, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the east side of Avalon Drive, approximately 1800-feet north of Briarwood Avenue.); seconded by Commissioner Gardaphe.

The motion carried by the following vote: AYE: Ivey, Sparks, Norris, Wolf, Gardaphe, Lawrence, Bullock. NAY: None. ABSTAIN: None. ABSENT: None.

Public Hearings

11. Consider a request by Alli Bixler for a Specific Use Permit With Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 4,472-square foot portion of Lot 1, Block 8, Polo Park Addition, Section 3, City and County of Midland, Texas. (Generally located southeast of the intersection of N. Garfield Street and Castleford Road. - District 1)

Planner Geoff Solomonson gave an overview of the project.

Commissioner sparks inquired about any enclosure for outdoor seat to ensure no alcoholic beverages

Planner holding applicant to building site or call for enclosure

Sparks inquired about hours being requested till midnight are they open that late.

Solomonson not aware of hours

pho 3:48

John 4002 court stated it was a TABC requirement to have a gated for alcoholic beverages. Stated they would be served and controlled by a gate. Stated the hours were

stated by the permit but would be open 4-on up.

George Velaz 4400 N Big Spring St 17B speaking in opposition and inquired about the developement in that area.

John Elphick stated traffic was created by all other surrounding businesses.

phc 353

Commissioner Lawrence Moved to approve a request by Midland Neme's LLC for a Specific Use Permit with Term for the sale of alcoholic beverages, for on-premises consumption, in a restaurant on a 500 square foot portion of Lot 1, Block 1, Claydesta Plaza North, Section 4, City and County of Midland, Texas. (Generally located southwest of the intersection of West Loop 250 North and North Big Spring Street. - Council District 3); seconded by Commissioner Sparks.

The motion carried by the following vote: AYE: Ivey, Sparks, Norris, Wolf, Gardaphe, Lawrence, Bullock. NAY: None. ABSTAIN: None. ABSENT: None.

12. Hold a public hearing and consider a request by La Mision for a Specific Use Permit With Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, in Lot 7, less the west 5 feet, and Lots 8 through 10, Block 20, Belmont Addition, City and County of Midland, Texas. (Generally located northeast of the intersection of Rankin Highway and W. Francis Avenue.)

Planner Kierra Williams gave an overview of the project.

Commisioner Lawrence need clarification on the hours but remain as a restaurant.

pho3:57

Cristina Cooper, 4718 W Dengar, stated the she needed the hours extended due to theme of restaurant.

phc3:59

Commissioner GardapheMoved to approve a request by La Mision for a Specific Use Permit With Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, in Lot 7, less the west 5 feet, and Lots 8 through 10, Block 20, Belmont Addition, City and County of Midland, Texas. (Generally located northeast of the intersection of Rankin Highway and W. Francis Avenue.); seconded by Commissioner Ivey.

The motion carried by the following vote: AYE: Ivey, Sparks, Norris, Wolf, Gardaphe, Bullock. NAY: Lawrence. ABSTAIN: None. ABSENT: None.

13. Hold a public hearing and consider a request by Clifford Ray/Permian Sign Company for a zone change from PD, Planned District for a Shopping Center, to an Amended Planned District on Lot 1, Block 45, Fairmont Park Addition, Section 10, City and County of Midland, Texas. (Generally located on the west side of North Midland Drive, approximately 390-feet north of Fairbanks Drive. - Council District 1)

Planner Geoff Solomonson gave an overview of the project.

Commissioner Gardaphe inquired about the letter of objections contents

pho 4:03

Clifford Ray, 4101 SCR 26, stated he was requesting for a updated sign

Commissioner Gardaphe inquired about

phc 4:05

Commissioner Bullock Moved to approve a request by Clifford Ray/Permian Sign Company for a zone change from PD, Planned District for a Shopping Center, to an Amended Planned District on Lot 1, Block 45, Fairmont Park Addition, Section 10, City and County of Midland, Texas. (Generally located on the west side of North Midland Drive, approximately 390-feet north of Fairbanks Drive. - Council District 1); seconded by Commissioner Norris.

The motion carried by the following vote: AYE: Ivey, Sparks, Norris, Wolf, Gardaphe, Lawrence, Bullock. NAY: None. ABSTAIN: None. ABSENT: None.

14. Hold a public hearing and consider a request by Jorge Villalobos for a Zone Change from LR-2, Local Retail District, to LR-3, Local Retail District, on Lot 2, Block 10, Lynside Addition, Section 3, City and County of Midland, Texas. (Generally located southeast of the intersection of E. Scharbauer and N. Lamesa Road.)

Planner Kierra Williams gave an overview of the project.

Norris auto repair shop been there how long or new business

Kierra williams stated not sure on time there but not a new business

pho4:09

Jorje Villalobos Jr, 101 E Pine Ave, stated the business was exisiting and needed zoning change
Hours 8-6

Wolf inquired about the hours

Chairwoman Wolf inquired to staff about guidelines for an LR3 as far as noise or hours.

Williams said acceptable

phc 4:10

ajourned 4:13

Commissioner Lawrence Moved to approve a request by Jorge Villalobos for a Zone

Change from LR-2, Local Retail District, to LR-3, Local Retail District, on Lot 2, Block 10, Lynside Addition, Section 3, City and County of Midland, Texas. (Generally located southeast of the intersection of E. Scharbauer and N. Lamesa Road.); seconded by Commissioner Ivey.

The motion carried by the following vote: AYE: Ivey, Sparks, Norris, Wolf, Gardaphe, Lawrence, Bullock. NAY: None. ABSTAIN: None. ABSENT: None.

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