

**PLANNING AND ZONING
MINUTES
May 01, 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 Kiera Williams, Planner Geoff Solomonson, and Account Clerk Diana Rodriguez.

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

Opening Item

item 15 bean and grape changes 1575 sq ft changed to reflect the enite building
1323 sq ft corbette padilla

1. Pledge of Allegiance

Consent Items

2. Approved a motion approving the following minutes:

- a. Minutes for the April 3, 2017 meeting.

Commissioner Norris Moved to approve Consent Agenda items 2 - 12 excluding 10; seconded by Commissioner Sparks.

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

3. Consider a proposed Final Plat of Lindsay Acres, Section 9, being a replat of Lots 1, 2 and 18, and a previously vacated 1,995-square foot portion of alley right-of-way, Tract 6, of the Replat of Tracts 5 & 6, Lindsay Acres Addition, City and County of Midland, Texas. (Generally located northwest of the intersection of Marlin Avenue and Rankin Highway. Council District 2)

4. Consider a proposed Final Plat of Alex Taylor Addition being a 1.496-acre tract of land out of Section 1, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the north side of W State Highway 80 and approximately 2,733-feet west of Tradewinds Boulevard. - Extraterritorial Jurisdiction)
5. Consider a proposed Final Plat of Brooks Addition, being a 2.00-acre tract of land out of Section 47, Block 38, T-1-S, T&P RR. Company Survey, Midland County, Texas. (Generally located on the north side of Farm-To-Market Road 307, approximately 2,000-feet east of South County Road 1130. ETJ, Extraterritorial Jurisdiction)
6. Consider a proposed Preliminary Plat of Sabre Addition, being a 0.99-acre tract of land out of Section 30, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side of West County Road 149, approximately 790-feet west of South County Road 1285. ETJ, Extraterritorial Jurisdiction).
7. Consider a proposed Preliminary Plat of Hwy. 80-Moore Business Park, being a 3-acre tract of land out of Section 2, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located southwest of the intersection of E. County Road 130 and S. County Road 1140.)
8. Consider a proposed Preliminary Plat of Sunita Addition, being a 10.00-acre tract of land out of the north half of E Fain Survey, Abstract No. 1422, Block 38, T-2-S, T&P RR. Company Survey, Midland County, Texas. (Generally located southwest of the intersection of E. County Road 130 and S. County Road 1140. ETJ, Extraterritorial Jurisdiction)
9. Consider a proposed Preliminary Plat of Empire Heights, being a plat of 39.99 acre tract of land out of Section 47, Block 38, T-1-S, T. & P. RR. CO. Survey, Midland County, Texas. (Generally located approximately 860-feet north of E. County Road 95. ETJ, Extraterritorial Jurisdiction.)
10. Consider a proposed Preliminary Plat of Lozoya Addition, being a 4.27-acre tract of land out of Section 12, Block 41, T-1-S, Abstract 1133, T&P RR. Company Survey, Midland County, Texas. (Generally located on the west side of Farm-To-Market Road 1788, approximately 1,600-feet north of West County Road 40. ETJ, Extraterritorial Jurisdiction)

Lawrence questioned the paving of the access rd to 1788, is that optional

pdm deferred to mike pacelli

pacellie stated private access no public access

lawrence stated he may have miss read

deferral for 1788 per mike

Commissioner Bullock Moved to approve a proposed Preliminary Plat of Lozoya Addition, being a 4.27-acre tract of land out of Section 12, Block 41, T-1-S, Abstract 1133, T&P RR. Company Survey, Midland County, Texas. (Generally located on the

west side of Farm-To-Market Road 1788, approximately 1,600-feet north of West County Road 40. ETJ, Extraterritorial Jurisdiction); seconded by Commissioner Norris.

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

11. Consider a proposed Preliminary Plat of Cowden Addition, Section 4, being a replat of a 0.36 acre tract of land, out of and part of the remaining North 1/2 of Lots 2, 3, 4, and all of Lot 5, Block 34, Cowden Addition, City and County of Midland, Texas. (Generally located at the southwest intersection of W. Estes Avenue and N. Big Springs. Council District 3)

Commissioner Norris Moved to approve Consent Agenda items 2 - 12 excluding 10; seconded by Commissioner Sparks.

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

12. Consider a proposed Preliminary Plat of Rickard Addition, being a 0.65-acre tract of land out of Section 28, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side of East Loop 250 North, approximately 1,600 feet east of North County Road 1140. ETJ, Extraterritorial Jurisdiction.

Commissioner Norris Moved to approve Consent Agenda items 2 - 12 excluding 10; seconded by Commissioner Sparks.

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

Public Hearings

13. Hold a public hearing and consider a request by Laurence Oeth, for a proposed Final Plat of Scotsdale Addition, Section 22, being a replat of the west 12.18-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)

Staff has received 2 letters and recommends approval

Sparks inquired if the replat of the property not the SUP application

PHO 340PM

Applicant Laurence Oeth overview of request

PHC 341PM

Commissioner Lawrence Moved to approve a request by Laurence Oeth, for a proposed

Final Plat of Scotsdale Addition, Section 22, being a replat of the west 12.18-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, Norris, Gardaphe, Lawrence, Bullock, Wilton, Kevin. NAY: None. ABSTAIN: None. ABSENT: Williams, Dianne, Gammage, Terry.

14. Hold a public hearing and consider a request by Bruce Frank for a zone change from AE, Agriculture Estate District to LR-2, Local Retail District, on a 7.19-acre tract of land out of Sections 1 and 2, Block X, HP Hilliard Survey, City and County of Midland, Texas. (Generally located southeast of the intersection of Solomon Lane and North Big Spring Street. Council District 1)

Planner Kierra Williams gave an overview of the project.

Staff has received 14 letter of objection, deny is requested

Lawrence inquired about the percentage for objection

Kierra

Gardaphe stated inside the notice

PDM Jessica Carpenter packet

Norris inquired about land before requesting zoning

Gardaphe multiple family

PHO 348PM

Applicant Eric West 1700 w wall gave an overview of the request

Sparks regarding traffic being issue

Applicant stated within the zoning,

Wilton inquired if home owners association

Applicant

Wilton estimate Ir2 vs Ir

Applicant

Wilton more amicable

Applicant

Wilton with objections

Applicant

pho 356

5255 Mira vista home owener association gave an overview

wilton is O1 is acceptable

home owners stated that would work

Lawrence

Lawrence question if traffic study had been done before

pacelli not aware

sparks stated maybe 2yrs ago

norris

James 5810 Mira Vista stated his concern regarding the request

PHC 404

Sparks directed to staff

PDM stated that could be changed

Sparks request/amendment to change from AE to LR-2

sparks & lawrence move to make amendment to request

Bullock

Commissioner Sparks Moved to approve a request by Bruce Frank for a zone change from AE, Agriculture Estate District to O1, Office District, to on a 7.19-acre tract of land out of Sections 1 and 2, Block X, HP Hilliard Survey, City and County of Midland, Texas. (Generally located southeast of the intersection of Solomon Lane and North Big Spring Street. Council District 1); seconded by Commissioner Lawrence.

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

15. Hold a public hearing and consider a request by Bean & Grape 1, LLC., for a Specific Use Permit with Term of the sale of beer and wine, for on-premises consumption, in a restaurant on a 2,250-square foot portion of Block 1, Re-Plat of Blocks 1 and 2, Imperial Heights Addition, City and County of Midland, Texas. (Generally located on the south

side of West Wadley Avenue, approximately 270 feet east of North Midkiff Road Council District 3)

Planner Jeremy McNeil gave an overview of the project.

Staff received 1 letter of objection, recommends approval

PHO 414PM

Gardaphe inquired about sq ft

PDM stated the footage

Lawrence

PDM stated the legal description

Sparks alcohol service

Jeremy

PDM condition

Applicant gave an overview of request

PHC 417PM

Commissioner Bullock Moved to approve a request by Bean & Grape 1, LLC., for a Specific Use Permit with Term of the sale of beer and wine, for on-premises consumption, in a restaurant on a 2,250-square foot portion of Block 1, Re-Plat of Blocks 1 and 2, Imperial Heights Addition, City and County of Midland, Texas. (Generally located on the south side of West Wadley Avenue, approximately 270 feet east of North Midkiff Road Council District 3); seconded by Commissioner Wilton, Kevin.

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

16. Hold a public hearing and consider a request by Corbette and Richard Padilla for a Specific Use Permit with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 0.219 acre tract of land on the east 75 feet of the west 175 feet of the remainder of the south 1/2 of Block 16, Loma Linda Addition, Section 5, City and County of Midland, Texas. (Generally located on the south side of W. Oak Avenue, approximately 122 feet east of N. Big Spring Street. Council District 2)

Planner Jermey McNeil gave an overview of the project.

Staff has not received any objections and recommends approval

PHO 423

Applicant Corbette Padilla

Wilton

PHC 425

Commissioner Lawrence Moved to approve a request by Corbette and Richard Padilla for a Specific Use Permit with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 0.219 acre tract of land on the east 75 feet of the west 175 feet of the remainder of the south 1/2 of Block 16, Loma Linda Addition, Section 5, City and County of Midland, Texas. (Generally located on the south side of W. Oak Avenue, approximately 122 feet east of N. Big Spring Street. Council District 2); seconded by Commissioner Sparks.

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

17. Hold a public hearing and consider a request by North Midland Development Corporation and Dakota Resources Inc. for a zone change from 1F-1, One-Family Dwelling District, to LR-2, Local Retail District on Lot 4, Block 8, Brookshire Village Addition, Section 3, and including, a 2.4109 acre tract of land out of the west 1/2 of the southeast 1/4 of Section 14, Block 39, T-1-S, T. & P. RR. CO. Survey, City and County of Midland, Texas. (Generally located northwest of the intersection of Fiesta Avenue and Edwards Street. Council District 2)

Planner Jeremy McNeil gave an overview of the project.

Staff received no letters of objection recommends approval

PHO 429

Applicant Sky Farris gave an overview of the request

Wilton

Applicant

Wilton

Applicant

300 E FIESTA taxes

sparks

bullock concern

phc 435

Commissioner Sparks Moved to approve a request by North Midland Development Corporation and Dakota Resources Inc. for a zone change from 1F-1, One-Family Dwelling District, to LR-2, Local Retail District on Lot 4, Block 8, Brookshire Village Addition, Section 3, and including, a 2.4109 acre tract of land out of the west 1/2 of the southeast 1/4 of Section 14, Block 39, T-1-S, T. & P. RR. CO. Survey, City and County of Midland, Texas. (Generally located northwest of the intersection of Fiesta Avenue and Edwards Street. Council District 2); seconded by Commissioner Ivey.

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

18. Hold a public hearing and consider a request by Frank Richardson/Pross Design Group for a zone change from a PD, Planned District for a Transition District, to LR-2, Local Retail District on Lot 2-A, Block 3, Corporate Plaza, Section 19, City and County of Midland, Texas. (Generally located south of Spring Park Drive, approximately 348 feet west of Edwards Street. Council District 2)

Planner Jeremy McNeil gave an overview of the project.

Staff received no objections recommend approval

PHO 438

Applicant Frank Richardson

phc 440

Commissioner Bullock Moved to approve a request by Frank Richardson/Pross Design Group for a zone change from a PD, Planned District for a Transition District, to LR-2, Local Retail District on Lot 2-A, Block 3, Corporate Plaza, Section 19, City and County of Midland, Texas. (Generally located south of Spring Park Drive, approximately 348 feet west of Edwards Street. Council District 2); seconded by Commissioner Lawrence.

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