

**PLANNING AND ZONING
MINUTES
May 06, 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, May 06, 2019.

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 Rolandrea Russell, Senior Planner Elizabeth Shaughnessy, Planner Taslima Khandaker, Planner Glenda Arroyo-Cruz, Planner Radford Dickson and Account Clerk Dalia Salinas.

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

Opening Item

1. Pledge of Allegiance

Announcements

Consent Items

2. Approved a motion approving the following minutes:

Commissioner Wilton moved to approve Consent Agenda items 2 - 10 excluding #5; seconded by Commissioner Williams.

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

- a. Planning & Zoning Meeting Minutes for April 15, 2019.

Commissioner Wilton moved to approve Consent Agenda items 2 - 10 excluding #5; seconded by Commissioner Williams.

The motion carried by the following vote: AYE: Wilton, Williams, Gardaphe, Sparks.

NAY: None. ABSTAIN: None. ABSENT: Ivey, Lawrence, Bryant, Grosse.

3. Consider a proposed Final Plat of Lone Star Trails II, Section 1, being a 22.23-acre tract of land located in Section 7, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located approximately 456-feet east of Fairgrounds Road, and 1,090-feet north of Arapahoe Road. Council District 1)

Commissioner Wilton moved to approve Consent Agenda items 2 - 10 excluding #5; seconded by Commissioner Williams.

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

4. Consider a proposed Final Plat of Berkshire Place, Section 3, being a Re-Plat of a Lots 8 and 9, Block 1, Berkshire Place, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of W. Golf Course Road and N. Garfield Street. - Council District 3)

Commissioner Wilton moved to approve Consent Agenda items 2 - 10 excluding #5; seconded by Commissioner Williams.

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

5. Consider a proposed Final Plat of Cross Point Addition, Section 3 being a re-plat of Lot 2, Block 1, Cross Pointe Addition, City and County of Midland, Texas. (Generally located on the north side of Briarwood Avenue, approximately 320-ft west of Holiday Hill Road. Council District 4)

Commissioner Wilton moved to approve Consent Agenda items 2 - 10 excluding #5; seconded by Commissioner Williams.

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

6. Consider a proposed Final Plat of Homestead Addition, Section 17, being a re-plat of Lots 1 and 2, Block 12, Homestead Addition, Section 7, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of N. Colorado Street and W. Louisiana Avenue. - Council District 2)

Commissioner Wilton moved to approve Consent Agenda items 2 - 10 excluding #5; seconded by Commissioner Williams.

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

7. Consider a proposed Final Plat of Ridgeheights Annex, Section 3 being a Plat of a 16.63 Acre Tract of Land out of the SW/4 of Section 13, Block 39, T-2-S, T&P. RR. Co. Survey, City and County of Midland County, Texas. (Generally located on the north side of E. County Road 130, approximately 1,882 feet east of S. County Road 1180. Extraterritorial Jurisdiction.)

Commissioner Wilton moved to approve Consent Agenda items 2 - 10 excluding #5; seconded by Commissioner Williams.

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

8. Consider a proposed Final Plat of Melody Acres, Section 14, being a replat of the north half less the south 25 feet of the north half of Lot 14, Melody Acres, City and County of Midland, Texas. (Generally located on the south side of Meadowlark Lane, approximately 1,334-feet east of Oriole Lane. Council District 1).

Commissioner Wilton moved to approve Consent Agenda items 2 - 10 excluding #5; seconded by Commissioner Williams.

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

9. Consider a proposed Preliminary Plat of Vaquero Addition, being a Plat of a 17.45-acre tract of land out of Section 35, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the east side of North County Road 1130, approximately 2,147-feet north of East Business Interstate 20. Extraterritorial Jurisdiction)

Commissioner Wilton moved to approve Consent Agenda items 2 - 10 excluding #5; seconded by Commissioner Williams.

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

10. Consider a proposed Final Plat of Brooks Addition, Section 4, being a Plat of a 2.000 acre tract of land out of Section 47, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located north of Farm to Market Road 307, approximately 1,210-feet east of South County Road 1130. Extraterritorial Jurisdiction)

Commissioner Wilton moved to approve Consent Agenda items 2 - 10 excluding #5; seconded by Commissioner Williams.

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

Public Hearings

11. Hold a public hearing and consider an ordinance on a request by Tony Frescaz dba Librado, for a Specific Use Permit with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a restaurant, on a 6,549 square feet portion of Lot 1, Block 8, Polo Park, Section 3, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North Garfield Street and West Loop 250 North - Council District 1)

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

The public hearing was opened at 3:37 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 3:38 p.m.

Commissioner Gardaphe moved to approve a request by Tony Frescaz dba Librado, for a Specific Use Permit with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a restaurant, on a 6,549 square feet portion of Lot 1, Block 8, Polo Park, Section 3, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North Garfield Street and West Loop 250 North - Council District 1); seconded by Commissioner Williams.

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

12. Hold a public hearing and consider a request by Caiti Kincaid dba Strategic Restaurant Concepts, LLC, for a Zone Change from a PD, Planned District for a Shopping Center, to an Amended PD, Planned District for a Shopping Center on Lot 7, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas. (Generally located on the south side of W. Loop 250 North, approximately 220-feet west of N. Midkiff Road. Council District 1).

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

The public hearing was opened at 3:41 p.m.

The applicant was not present.

The public hearing was closed at 3:42 p.m.

Commissioner Wilton moved to approve a request by Caiti Kincaid dba Strategic Restaurant Concepts, LLC, for a Zone Change from a PD, Planned District for a Shopping Center, to an Amended PD, Planned District for a Shopping Center on Lot 7, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas. (Generally located on the south side of W. Loop 250 North, approximately 220-feet west of N. Midkiff Road. Council District 1). ; seconded by Commissioner Gardaphe.

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

13. Hold a public hearing and consider a request by Lori Law dba The Lost Cajun, for a Specific Use Permit with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on Lot 3G, Block 6, Scotsdale Addition, Section 19, City and County of Midland, Texas. (Generally located on the south side of W. Wadley Avenue, approximately 312-feet east of Mark Lane. Council District 4).

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

The public hearing was opened at 3:45 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 3:45 p.m.

Commissioner Williams moved to approve a request by Lori Law dba The Lost Cajun, for a Specific Use Permit with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on Lot 3G, Block 6, Scotsdale Addition, Section 19, City and County of Midland, Texas. (Generally located on the south side of W. Wadley Avenue, approximately 312-feet east of Mark Lane. Council District 4).; seconded by Commissioner Gardaphe.

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

14. Hold a public hearing and consider a request by VIA Real Estate, LLC, for a zone change from PD, Planned District for a Housing Development, to BP, I-20 Business Park District on a 1.316-acre portion of Lot 1, Block 2, Southwest Crossing, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Cholla Road and Antelope Trail. Council District 2).

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

Commissioner Wilton asked if the streets were paved, and if they will have to replat.

Commissioner Sparks asked if there have been any traffic studies in this area due to the high traffic.

The public hearing was opened at 3:53 p.m.

The applicant was not present.

The public hearing was closed at 3:53 p.m.

Commissioner Gardaphe moved to approve a request by VIA Real Estate, LLC, for a zone change from PD, Planned District for a Housing Development, to BP, I-20 Business Park District on a 1.316-acre portion of Lot 1, Block 2, Southwest Crossing, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Cholla Road and Antelope Trail. Council District 2).; seconded by Commissioner Wilton.

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

15. Hold a public hearing and consider a request by Francisco Gomez Castellanos for a Specific Use Permit with term, for the sale of all alcohol beverages, for on-premises consumption, in a bar, on a 3,600 square foot portion of Lot 1, Block 8, Polo Park, Section 3, City and County of Midland, Texas. (Generally located on the northeast

corner of the intersection of North Garfield Street and West Loop 250 North. Council District 1)

Planner Glenda Arroyo-Cruz gave an overview of the project. With no letters of objection received, staff recommended approval.

Commissioner Wilton asked if the applicant was a restaurant and bar, staff clarified that it was just a bar.

The public hearing was opened at 4:00 p.m.

The applicant, Francisco Gomes Castellanos was present. He gave a summary of the project and was open for questions.

Commissioner Wilton asked what the building used to be previously. The applicant explained that it used to be a ballroom.

The public hearing was closed at 4:04 p.m.

Commissioner Williams moved to approve a request by Francisco Gomez Castellanos for a Specific Use Permit with term, for the sale of all alcohol beverages, for on-premises consumption, in a bar, on a 3,600 square foot portion of Lot 1, Block 8, Polo Park, Section 3, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North Garfield Street and West Loop 250 North. Council District 1); seconded by Commissioner Gardaphe.

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

16. Hold a public hearing and consider a request by Jun Yu for a Specific Use Permit, with Term, for the sale of beer and wine for on-premises consumption, in a restaurant, on a 3,068 square foot portion of Lot 18, Block 1, Providence Park Addition, Section 2, City and County of Midland, Texas. (Generally located on the east side of North Midkiff Road, approximately 200-feet north of West Wadley Avenue. Council District 1)

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

The public hearing was opened at 4:09 p.m.

The applicant was not present.

The public hearing was closed at 4:09 p.m.

Commissioner Gardaphe moved to approve a request by Jun Yu for a Specific Use Permit, with Term, for the sale of beer and wine for on-premises consumption, in a restaurant, on a 3,068 square foot portion of Lot 18, Block 1, Providence Park Addition, Section 2, City and County of Midland, Texas. (Generally located on the east side of North Midkiff Road, approximately 200-feet north of West Wadley Avenue. Council District 1); seconded by Commissioner Wilton.

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

Miscellaneous

17. Consider amending Title XI, "Planning and Development", Chapter 1, "Zoning" of the City Code of Midland, Texas, so as to change the heading of said Chapter 1 to "Zoning Ordinance" and to revise and amend the rules, regulations and zoning map contained therein or associated therewith and similar provisions related to land use and development.

Commissioner Wilton moved to approve Consider amending Title XI, "Planning and Development", Chapter 1, "Zoning" of the City Code of Midland, Texas, so as to change the heading of said Chapter 1 to "Zoning Ordinance" and to revise and amend the rules, regulations and zoning map contained therein or associated therewith and similar provisions related to land use and development.; seconded by Commissioner Williams.

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

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