

**PLANNING AND ZONING
MINUTES
June 05, 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

1. Pledge of Allegiance

Consent Items

2. Approved a motion approving the following minutes:
 - a. Minutes for the May 15, 2017 meeting.

Commissioner Norris Moved to approve Consent Agenda items 2 - 14 ; seconded by Commissioner Wilton, Kevin.

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

3. Consider a reinstatement of an approved Preliminary Plat of West 114 Addition, being a 0.63-acre tract of land out of Section 9, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located northeast of the intersection of W. County Road 114 and S. County Road 1202. ETJ, Extraterritorial Jurisdiction)
4. Consider a proposed Preliminary Plat, Pavilion Park, Section 10, being a replat of all of Blocks 3 through 16, Lots 1 through 9, Block 17; and lots 1 through 5 and Tract 17A, Block 19; Plus a previously vacated 28.535-acres of street and alley right-of-way; All located in Pavilion Park Addition, Section 2, City and County of Midland, Texas.

5. Consider a proposed Final Plat of Sabre Addition, being a plat of 0.099 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 of West County Road 149, approximately 790-feet West of South County Road 1285.)
6. Consider a proposed Preliminary Plat of West End Addition, Section 22, being a replat of Lots 4 through 6, Block 31, West End Addition, City and County of Midland, Texas. (Generally located southeast of the intersection of S. C Street and W. Missouri Avenue. Council District 3)
7. Consider a proposed Preliminary Plat of Southwest Crossing, Section 4, being a 10.08 acre tract of land, out of Section 12, Block 40, T-2-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located southeast of the intersection of Cholla Road and Antelope Trail. Council District 2)
8. Consider a proposed Preliminary Plat of 1788 Industrial Park being 83.91 acres of land out of Section 32, Block 40, T-2-S, T&P RR Co. Survey, Midland County Texas. (Generally located on the east side of South County Road 1270, approximately 575-feet north of West County Road 160. ETJ, Extraterritorial Jurisdiction.)
9. Consider a proposed Preliminary Plat of The Pines Addition, being a 10.004-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 east side of S. County Road 1285, approximately 750-feet north of W. County Road 150. ETJ, Extraterritorial Jurisdiction)
10. Consider a proposed Final Plat of The Pines Addition, being a 10.004-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 east side of S. County Road 1285, approximately 750-feet north of W. County Road 150. ETJ, Extraterritorial Jurisdiction)
11. Consider a proposed Final Plat of Lopez Addition, being a 10.64-acre tract of land out of Section 26, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located northwest of the intersection of E. County Road 64 and N. County Road 1119. ETJ, Extraterritorial Jurisdiction)
12. Consider a proposed Preliminary Plat of Lopez Addition, being a 10.64-acre tract of land out of Section 26, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located northwest of the intersection of E. County Road 64 and N. County Road 1119. ETJ, Extraterritorial Jurisdiction)
13. Consider a proposed Preliminary Plat of Windy Hollow, being a plat of 3.88 acre tract of land out of the northeast ¼ of Section 47, Block 38, T-1-S, T&P RR Co Survey, Midland County, Texas. (Generally located southwest of the intersection of S. CR 1120 and E. County Road 93. ETJ, Extraterritorial Jurisdiction).
14. Consider a proposed Preliminary Plat of Cadena Addition, being a 2.23-acre tract of land out of Section 33, Block 38, T-1-S, T&P RR Co. Survey, County of Midland, Texas. (Generally located on the west side of North County Road 1140 approximately 2,200-feet north of East Business Interstate 20. ETJ, Extraterritorial Jurisdiction.)

Public Hearings

15. Hold a public hearing and consider a request by Mis Amigas Restaurant II for a Specific Use Permit with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant on Tract 9, Morningside Addition, City and County of Midland, Texas (Generally located on North Big Spring Street, approximately 300-feet north of Scharbauer Drive.)

Planner Alex Dixon gave an overview of the project.

No objections received and staff recommends denial

Bullock questioned regarding alcohol service sun-sat 9-9 original 10-10

Planner verified with applicant servicable hours

Lawrence questioned about previous SUP approval 10am

Gardaphe questioned if the applicant had spoke with the church

PDM stated that was correct

Bullock inquired about the 300ft buffer from tabc

Wilton

Gardaphe inquired about the approval

PDM stated due to the buffer denial is requested

Norris

Bullock

PDM

Lawrence

PDM stated that info is not available at this time

Wilton

PDM stated that is correct

Wilton state doesnt

PDM

Lawrence walk way 300ft

PDM

Wilton about the youth center

Lawrence questioned about previous SUP

PDM not available

pho 344pm

Martin Rodea 2310 Big Spring applicant
gave an overview of the request

Wilton questioned if operating at this time

Gardaphe questioned about alcohol

Applicant stated 10-9

phc 346

Commissioner Sparks Moved to approve a request by Mis Amigas Restaurant II for a Specific Use Permit with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant on servicable hours from 10am- 9pm Sunday thru Saturday Tract 9, Morningside Addition, City and County of Midland, Texas (Generally located on North Big Spring Street, approximately 300-feet north of Scharbauer Drive.); seconded by Commissioner Norris.

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

16. Hold a public hearing and consider a proposed Preliminary Plat of South Park Addition, Section 6, being a replat of Lot 1 Block 44, Lot 2, Block 43, a 0.09 Acre Right-of-Way vacation between Lot 1, Block 44, and Lot 2, Block 43, South Park Addition, and the west 1.00 Acre out of the west 2 acres of Tract 1, Bizzell-Kiser Addition, City and County of Midland, Texas. (Generally located southeast corner of South Fort Worth Street and East Hicks Avenue. Council District 2)

Planner Jeremy McNeil gave an overview of the project

Staff recommends approval with no letters of objection

Bullock

Jeremy

pho 351

phc 352

Commissioner Sparks Moved to approve a proposed Preliminary Plat of South Park

Addition, Section 6, being a replat of Lot 1 Block 44, Lot 2, Block 43, a 0.09 Acre Right-of-Way vacation between Lot 1, Block 44, and Lot 2, Block 43, South Park Addition, and the west 1.00 Acre out of the west 2 acres of Tract 1, Bizzell-Kiser Addition, City and County of Midland, Texas. (Generally located southeast corner of South Forth Worth Street and East Hicks Avenue. Council District 2); seconded by Commissioner Lawrence.

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

17. Hold a public hearing and consider a proposed Preliminary Plat of Wallace Heights, Section 9, being a replat of Tracts 14, 15, 16, 17, and 1.16-acres out of the south 284.30-feet of Tract 13, Wallace Heights, City and County of Midland, Texas. (Generally located on Sinclair Avenue, approximately 290-feet east of N. Loop 250 West. Council District 4)

Planner Alex Dixon gave an overview of the project.

Staff recommends approval with no letters of objection

pho 354

phc 355

Commissioner Lawrence Moved to approve a proposed Preliminary Plat of Wallace Heights, Section 9, being a replat of Tracts 14, 15, 16, 17, and 1.16-acres out of the south 284.30-feet of Tract 13, Wallace Heights, City and County of Midland, Texas. (Generally located on Sinclair Avenue, approximately 290-feet east of N. Loop 250 West. Council District 4); seconded by Commissioner Bullock.

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

Miscellaneous

18. Hold a hearing with the parties in interest regarding the nature of the proposed use of a "for-profit" Plasma Donation Center and its compatibility with the uses permitted in the various zoning districts of the City of Midland, and consider a motion determining and recommending the zoning district or districts in which said use should be permitted.

PDM Jessica Carpenter gave an overview of the project

Sparks questioned LR3 over LR2

PDM

Gardaphe

PDM stated a zoning code was provided

Norris questioned about a letter in the packets provided

PDM stated i

Applicant Peter 1620 Dallas tx
Gave an overview of the project.

Lawrence inquired to applicant regarding the Irving

Gardaphe questioned the end use of plasma

Applicant

Gardaphe mad cow

Applicant stated plasma taken

Gardaphe questioned who can donate and how to verify

Applicant

Wilton questioned if screened for drug abuse everytime they donate

Applicant stated that is correct

Wilton questioned employees

Applicant 15-30

gardaphe questioned max capacity

applicant 30

Lawrence questioned about screening applicants/

Applicant w university & n crd west zoning Ir1

Lawrence questioned if a demographic of client

Applicant

Bullock questioned what is the pay

Applicant 30 or 40 per visit

Sparks article stated

Bullock visit 2-3 hrs

Applicant first visit given physical

Sparks questioned about drug

Applicant has to be clean or no use for it

Gardaphe questioned staff about changing the PD with an underline of LR3

PDM

Lawrence questioned about physician being on call requirements about being on staff

Applicant doesn't know

Sparks questioned about exam, how common, and how far is the testing

Applicant stated he believes it is tested

Sparks stated if they would be reflagged if the previous donation is not clean

Applicant physical testing of the product

Gardaphe stated the biggest concern about affecting our community

PDM stated not in the code

Lawrence questioned about final LR-3

PDM stated distinguish between profit and non profit

Applicant stated if not LR-2 use request another use medical

Bullock inquired about LR-2 zoning

Bullock inquired about emergency clinic

PDM

Sparks stated no concern about a plasma center for profit center staff recommends LR-3/ LR-2 is recommended

Gardaphe stated concern with LR-3 zoning if Immunitex leaves

Wilton stated concern regarding LR-3

Bullock stated LR-2

Gardaphe questioned about previous

Bullock zoning LR-3

Sparks questioned about LR-3

PDM stated

Lawrence recommends LR-3
determine zoning LR-3
long term affect

Gardaphe questioned about voting

PDM best use of zoning

Bullock questioned about location

Norris stated difference bw for profit LR-3 and non profit LR-2

Gardaphe questioned about revisiong PD

PDM stated about tax amendment

Commissioner Sparks Moved to approve a hearing with the parties in interest regarding the nature of the proposed use of a "for-profit" Plasma Donation Center and its compatibility with the uses permitted in the various zoning districts of the City of Midland, and consider a motion determining and recommending the zoning district or districts in which said use should be permitted. Motion is to recommend defining of a for profit blood and or plasma dontation center to be permitted use in a LR-3 Local Retail and for a non profit blood and or plasma donation center to be permitted use in a LR-2 Local Retail.; seconded by Commissioner Bullock.

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

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