

**PLANNING AND ZONING
MINUTES
June 06, 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. Pledge of Allegiance

Consent Items

Commissioner Gardaphe moved to approve Consent Agenda items 2 - 4 excluding 3; seconded by Commissioner Lawrence.

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

2. Approved a motion approving the following minutes:
 - a. May 16, 2016 Minutes
3. Consider a proposed final 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.)

Planner Kierra Williams gave an overview of the projecy

Warren Ivey

Warren Ivey inquired about to Planner Kierra Williams

Planner Kierra Williams stated

4. Consider a proposed preliminary plat of Anzo Addition being a 10.45-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 south side of W. County Road 157, approximately 2000-feet east of S. Farm-to-Market Road 1788.)

Public Hearings

5. Consider a proposed zone change on a request by Johnny Reyes from CE, Country Estate District, in part, and AE, Agricultural Estate District, in part, to LR-1, Local Retail District, on Lot 1, Block 1, Rolling Green Acres Addition, and a 6.25-acre tract of land out of Section 42, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the northwest corner of Todd Drive and E. Highway 80.)

Planner Kierra Williams gave an overview of the project

No letter of objection and recommends approval

Ben Sanchez, Schumann engineering 408 N Texas

oph 3:38

cph3.39

Commissioner Lawrence Moved to approve a proposed zone change on a request by Johnny Reyes from CE, Country Estate District, in part, and AE, Agricultural Estate District, in part, to LR-1, Local Retail District, on Lot 1, Block 1, Rolling Green Acres Addition, and a 6.25-acre tract of land out of Section 42, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the northwest corner of Todd Drive and E. Highway 80.); seconded by Commissioner Bullock.

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

6. Hold a public hearing and consider a request by Mis Amigas Restaurant for a Specific Use Permit with Term for the sale of 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. - Council District 2)

Planner Geoff Solomonson gave an overview of the project

Staff recommends denial due to code that states no alcoholic sales 300 feet of a church.

Ivey requested clarification on location of property.

Planner stated property location.

Martin Rodea, 2310 N. Big Spring, stated the reasons why he was present. Stated he

hired someone to measure his establishment.

Sparks stated the other buildings had been grandfathered and by code they could not accept the SUP.

Gardaphe inquired about the renewal of the other SUP'S would they have problems

Ivey inquired about how the measurements where established to come up with the 280 feet

Planner Geoff stated process of measurements

oph

Rodea stated he spoke to the church people and they stated they were not opposed to the sale of alcohol and saw no difference between the sale sold now

Gardaphe inquired of the hours of operation for staff

Michelle Mayberry, 106 E Dormard, needed clarification on who take priority over the sale of certain things

Wolf stated the timeline of stated businesses to clarify

cph3:53

Sparks stated he was not opposed to the SUP due to notice given to the church and no one showed opposition

Gardaphe stated if the church was open only a couple of hours then he would not oppose to give the SUP.

Sparks could be open anytime

Bullock does not feel it his position to override code. Lawrence agreed

Wolf stated inquired if there was sufficient room for a youth ministry.

Carpenter clarified the location of the building and stated the code for the SUP

sparks inquired if code was based on TABC

Carpenter stated yes

Gardaphe we can allow them to be closer to 300 feet

Lawrence how will be deal with future issues

Gardaphe not oppped but would rather Council take responsiblity

Commissioner Lawrence Moved to deny a request by Mis Amigas Restaurant for a Specific Use Permit with Term for the sale of 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. - Council District 2); seconded by Commissioner Bullock.

Carpenter stated the standing SUP have been the a long time

Sparks stated the pros of trying to approve this request

Ivey stated his opinion on the SUP request.

Lawrence stated his opion on his feelkings toward the reques.

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

Commissioner Sparks Moved to approve a request by Mis Amigas Restaurant for a Specific Use Permit with Term for the sale of 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. - Council District 2); seconded by Commissioner Ivey.

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

Miscellaneous

7. Consider the Tall City Tomorrow comprehensive plan, said comprehensive plan illustrating the future development of the City.

Carpenter gave an introduction to the Tall City Tomorrow comprehensive plan.

Eric West, 1700 W Wall, PSC gave an over view of the comprehensive plan

Commissioner Gardaphe moved to approve Consider the Tall City Tomorrow comprehensive plan, said comprehensive plan illustrating the future development of the City.; seconded by Commissioner Lawrence.

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

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