

**PLANNING AND ZONING
MINUTES
July 02, 2018
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, July 02, 2018.

Commissioners present: Chase Gardaphe, Josh Sparks, Kevin Wilton, Dianne Williams, Warren Ivey, Reggie Lawrence, and Brad Bullock.

Alternate Commissioners present: Terry Gammage, Justin Nichols.

Commissioners absent: None.

Staff members present: Development Services Director Chuck Harrington, Planning Division Manager Jessica Carpenter, Senior Planner Kierra Williams, Senior Planner Jeremy McNeil, Planner Janna Keller, Planner Rolandrea Russell, and Account Clerk Samantha Madrid.

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

Opening Item

1. Pledge of Allegiance

Consent Items

2. Approved a motion approving the following minutes:

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

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

- a. Minutes for Planning & Zoning meeting on June 18, 2018.
3. Consider a proposed Preliminary Plat of Treece Addition, being a plat of a 5.00-acre tract of land out of the NW/4 of Section 14, Block 38, T-2-S, T&P RR. CO. Survey Midland County, Texas. (Generally located on the east side of East County Road 123, approximately 785-feet south of South County Road 1161. ETJ, Extraterritorial Jurisdiction)

Commissioner Gardaphe moved to approve Consent Items; seconded by Commissioner

Lawrence.

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

4. Consider a proposed Final Plat for Permian Estates, Section 19, being a replat of Lots 2 and 3, Block 92, Permian Estates, Section 8, City and County of Midland, Texas. (Generally located on the west side of South Midkiff Road, approximately 138-feet north of West Wall Street. Council District 2)

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

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

5. Consider a proposed Final Plat of Gardens Addition, section 8, being a replat of Lots 2, 3, and 4 of the replat of Lots 2 through 5 of Block 17 and 18, Garden Addition, City and County, Midland, Texas. (Generally located on the southwest corner of the in the intersection West Michigan Avenue and Kent Street. Council District 3)

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

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

6. Consider a proposed Final Plat for Overstreet Addition, Section 11, being a plat of a 0.33-acre tract of land out of Section 1, Block 39, T-2-S, T&P RR Co. Survey City and County, Midland, Texas. (Generally located on the south side of East New Jersey, approximately 507-feet east of Allen Street. Council District 2)

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

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

7. Consider a proposed Preliminary Plat of Rambler Estate being a Plat of 1.50 Acre Tract of Land out of Section 33, Block 38, T-1-S, T&P. RR. Co. Survey, City and County of Midland County, Texas. (Generally located on the west side of N. County Road 1140, approximately 500 feet north of E. County Road 73. (Extraterritorial Jurisdiction.)

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

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

Sparks, Lawrence, Nichols. NAY: None. ABSTAIN: None. ABSENT: Bullock, Gammage.

8. Consider a proposed Preliminary Plat of Decker Addition being a Plat of a 10.00 Acre Tract of Land out of the SW/4 Section 7, Block 39, T-2-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located at the northwest corner of S. County Road 1227 and W. County Road 116. (Extraterritorial Jurisdiction.)

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

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

9. Consider a proposed Preliminary Plat of Kelview Heights, Section 11 being a Re-Plat of Lots 6 through 8, Block 12, Kelview Heights, City and County of Midland, Texas. (Generally located at the northeast corner of Loma Drive and Pecan Avenue. Council District 3.)

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

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

10. Consider a proposed Preliminary Plat of Windy Hollow, Section 2 being a 0.97 Acre Tract of Land out of the NE/ of Section 47, Block 38, T-1-S, T&P RR Co Survey, Midland County, Texas (Generally located at the northeast corner of N. County Road 1120 and E. County Road 95. Extraterritorial Jurisdiction)

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

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

11. Consider a proposed Preliminary Plat of White Addition, being a plat of a 6.44-acre tract of land out of Southwest/4 of Section 9, Block 39, T-2-S, T & P RR Co. Survey, Midland County, Texas. (Generally located on the west-side of S. County Road 1207, approximately 350-Feet north of W. County Road 116. (ETJ, Extraterritorial Jurisdiction)

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

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

12. Consider a proposed Preliminary Plat of Chase Five Addition being a plat of 41.945-acre tract of land out of T.F. Spencer Survey A-592, Midland County, Texas. (Generally located on the east side of Farm-to-Market 1213, approximately 225-feet south of East County Road 132. Extraterritorial Jurisdiction)

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

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

13. Consider a proposed Final Plat of West 191 Industrial Park, Section 5 being a 5.54-acre tract of land out of Section 31, Block 40, T-1-S, T&P RR Co Survey, City and County of Midland, Texas. (Generally located on the south side of West County Road 77, approximately 2,500-feet east of North Farm-to-Market Road 1788. Council District 4)

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

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

14. Review and consider the Declaration of Covenants, Conditions, Restrictions Easements, Charges and Liens on and for Los Patios Addition, Section 5. Being a 49.99-acre tract out of Section 25, Block 40, T-1-S, T&P Railroad Survey, City and County of Midland, Texas. (Generally located on the south side of Briarwood Ave, approximately 900-feet west of Holiday Hill Road. Council District 4)

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

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

Public Hearings

15. Hold a public hearing and consider a request by Brandon Easterling for a Zone Change from a LR-2, Local Retail District and MF-1, Multiple Family Dwelling District, to PD, Planned District for a Housing Development on Lot 15 Block 2 and Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas. (Generally located on the northeast corner of Mockingbird Lane and Big Spring Street. Council District 1)

Commissioner Gardaphe Moved to approve a request by Brandon Easterling for a Zone Change from a LR-2, Local Retail District and MF-1, Multiple Family Dwelling District, to PD, Planned District for a Housing Development on Lot 15 Block 2 and Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas. (Generally located on the northeast corner of Mockingbird Lane and Big Spring Street. Council District 1); seconded by Commissioner Ivey.

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

16. Hold a public hearing and consider a request by Furniture Row USA LLC for a Zone Change from a PD, Planned District for a Shopping Center, to LR-2, Local Retail District on a 2.60 Acre Tract of Land in Section 4, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the northwest corner of Whitman Drive and Loop 250 North. Council District 1)

Commissioner Lawrence Moved to approve a request by Furniture Row USA LLC for a Zone Change from a PD, Planned District for a Shopping Center, to LR-2, Local Retail District on a 2.60 Acre Tract of Land in Section 4, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the northwest corner of Whitman Drive and Loop 250 North. Council District 1); seconded by Commissioner Williams.

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

17. Hold a public hearing and consider a request by Joval LLC for a Zone Change from a LR-2, Local Retail District, to an LI, Light Industrial District on Lot 2, Block 1, West 191 Industrial Park, City and County of Midland, Texas. (Generally located on the north side of State Highway 191, approximately 2,400-feet west of North County Road 1275. Council District 4)

Commissioner Gardaphe Moved to approve a request by Joval LLC for a Zone Change from a LR-2, Local Retail District, to an LI, Light Industrial District on Lot 2, Block 1, West 191 Industrial Park, City and County of Midland, Texas. (Generally located on the north side of State Highway 191, approximately 2,400-feet west of North County Road 1275. Council District 4); seconded by Commissioner Nichols.

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

18. Hold a public hearing and consider a request by Winkelmann & Associates Inc., for a Zone Change from PD, Planned District for an Office Center to LR-3, Local Retail District on Lot 1A, Block 6, Barberdale Addition, Section 3, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of West Wadley Avenue and North Main Street. Council District 2)

Commissioner Lawrence Moved to approve a request by Winkelmann & Associates Inc., for a Zone Change from PD, Planned District for an Office Center to LR-3, Local Retail District on Lot 1A, Block 6, Barberdale Addition, Section 3, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of West Wadley Avenue and North Main Street. Council District 2); seconded by Commissioner Ivey.

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

19. Hold public hearings and consider requests by John Gannon Inc., for two Specific Use Permits with Term.

Commissioner Sparks Moved to approve requests by John Gannon Inc., for two Specific Use Permits with Term.; seconded by Commissioner Nichols.

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

Planner Rolandrea Russell gave an overview of the project. With no letters of objection received staff recommends approval.

Commissioner Lawrence question the distance from the other billboard, staff answered. Commssioner Gardaphe questioned if there are any issues for the on coming aircraft and if these signs were replacing signs, staff answered.

Commssioner Sparks questioned the amount of years for the terms, Staff answered.

Commissioner Wilton questioned the conforms of these type of signs, staff answered.

The public hearing was open at 3:58

The applicant was present but differed to staff.

The public hearing was closed at 3:59

Commissioner Move to approve a requests by John Gannon Inc., for two Specific Use Permits with Term.; seconded by Commissioner .

- a. Hold a public hearing and consider a request by John Gannon, Inc., for a Specific Use Permit with Term for an Electronic Billboard on the north portion of a 115-acre tract of land out of Section 6, Block 40, T-2-S, T&P RR Co. Survey, City and County Midland Texas. (Generally located at the southwest corner of the intersection of West County Road 100 and South Farm-to Market 1788. Council District 4)

Commissioner Sparks Moved to approve requests by John Gannon Inc., for two Specific Use Permits with Term.; seconded by Commissioner Nichols.

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

Commissioner Move to approve a requests by John Gannon Inc., for two Specific Use Permits with Term.; seconded by Commissioner .

- b. Hold a public hearing and consider a request by John Gannon, Inc., for a Specific Use Permit with Term for a Billboard on the south portion of a 115-acre tract of land out of Section 6, Block 40, T-2-S, T&P RR Co. Survey, City and County Midland Texas. (Generally located at the southwest corner of the intersection of West County Road 100 and South Farm-to Market 1788. Council District 4)

Commissioner Move to approve a requests by John Gannon Inc., for two Specific Use

Permits with Term.; seconded by Commissioner .

Miscellaneous

With no further items or business to come before the Commission, Chairman Sparks adjourned the meeting at ____ p.m.

Chase Gardaphe, Chairman

Date

Jessica Carpenter, Planning Division Manager
Development Services Department

Date