

**PLANNING AND ZONING
MINUTES
August 20, 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, August 20, 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

Minutes pulled,

Consent Items

1st gargaphe

2nd Ivey

Motioned carried 6 to 0

Item #2 Pulled to next meeting

1st Sparks

2nd Wilton

Motion carried 6 to 0

2. Approved a motion approving the following minutes:

Commissioner moved to approve Consent Items; seconded by Commissioner .

a. Planning & Zoning Commission Minutes for Meeting on August 6, 2018.

Commissioner moved to approve Consent Items; seconded by Commissioner .

3. Consider a proposed Preliminary Plat of Roper Addition, Section 4, being an 18.43 Acre Tract of Land out of the N/PART & SW/4 of Section 23, Block 40, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas. (Generally located on the northeast corner of Briarwood Avenue and North County Road 1250. (Council District 4).

Commissioner moved to approve Consent Items; seconded by Commissioner .

4. Consider a proposed Preliminary Plat of Reynolds & Mayne Addition being a plat a 5.00 Acre Tract of Land out of the NW/4 of Section 39, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the southeast corner of East HWY 80 and North County Road 1140. Extraterritorial Jurisdiction).

Commissioner moved to approve Consent Items; seconded by Commissioner .

5. Consider a proposed Preliminary Plat of Sanders Addition being a Plat of a 7.16 Acre Tract of Land out of the NE/4 SW/4 Section 34, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located 1,320 feet north of E. Business I-20, approximately 425 feet west of N. County Road 1135. Extraterritorial Jurisdiction).

Commissioner moved to approve Consent Items; seconded by Commissioner .

6. Consider a proposed Final 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 moved to approve Consent Items; seconded by Commissioner .

7. Consider a proposed Final Plat of Reed Addition, being a plat of a 2.00-acre tract of land out the Northeast/4 of Section 27, Block 38, T-1-S, T &P RR Co. Survey, Midland County, Texas. (Generally located on the northeast of the intersection of North County Road and East County Road 63. ETJ, Extraterritorial Jurisdiction)

Commissioner moved to approve Consent Items; seconded by Commissioner .

8. Consider a proposed Final Plat of Westridge Park, Section 40 a replat of Lots 4A, 4B, and Common Area 'A', Block 9, Westridge Park Addition, Section 36 and Lot 5, Block 9, Westridge Park Addition, Section 25, City and County of Midland, Texas. (Generally located on the south side of Tradewinds Boulevard approximately 396-feet west of Champions Drive. Council District 4)

Commissioner moved to approve Consent Items; seconded by Commissioner .

9. Consider a proposed Preliminary Plat of Gateway Plaza, Section 11, being a replat of Lot 8, Block 3, Gateway Plaza, Section 2, and Lot 7B, Block 3, Gateway Plaza, Section 10, City and County of Midland, Texas. (Generally located on the northwest corner of Starboard Drive and South Tradewinds Boulevard. Council District 4)

Commissioner moved to approve Consent Items; seconded by Commissioner .

10. Consider a proposed Final Plat of Oxford Heights, Section 9, being a replat of Lot 4, Block 14, Oxford Heights, Section 6, and the southwest 1.45 acres out of Lot 3, Block 14, Oxford Heights, Section 4, City and County of Midland, Texas. (Generally located on the east-side of North Midland Drive, approximately 235 feet south of Storey Avenue. Council District 4).

Commissioner moved to approve Consent Items; seconded by Commissioner .

11. Consider a proposed Final Plat of The Vineyard Addition, Section 7 being an 84.743-acre tract of land out of Section 13, Block 40, T-1-S, T & P RR Co. Survey, City and County of Midland, Texas.(Generally located on the west side of Sandstone Drive, and west of Sherwood Drive. Council District 1)

Commissioner moved to approve Consent Items; seconded by Commissioner .

12. Consider a proposed Preliminary Plat of Western Hills, Section 13, being a replat of Lot 6A, Block 20, Western Hills, Section 10, City and County of Midland, Texas. (Generally located northeast of the intersection of South Bentwood Drive and Pleasant Drive. Council District 4)

Commissioner moved to approve Consent Items; seconded by Commissioner .

13. Consider a proposed Preliminary Plat of Southern Addition, Section 15, being a replat of Lot 11 and Lot 12, Block 154, Southern Addition, City and County of Midland, Texas. (Generally located at the southeast corner of South Big Spring Street and West Pennsylvania Avenue. Council District 2).

Commissioner moved to approve Consent Items; seconded by Commissioner .

14. Consider a proposed Final Plat of Homestead Addition, Section 16, being a replat of Blocks 35 and 36, and the east half of Block 49; and the previously vacated alley right-of-way located in Block 36, the previously vacated San Angelo Street right-of-way adjacent to Blocks 35 and 36, and the previously vacated 0.26-acre portion of Tennessee Avenue right-of-way located adjacent to the east half of Blocks 36 and 49; all out of Homestead Addition, City and County of Midland, Texas. (Generally located northwest of N. Carrizo Street and W. Ohio Avenue. - Council District 3)

Commissioner moved to approve Consent Items; seconded by Commissioner .

Public Hearings

15. Consider a proposed Final Plat of The Bedford Place, Section 2, being a re-plat of the East 28 Feet of Lot 7 and All of Lot 8, Block 2, Bedford Place, City and County of Midland, Texas. (Generally located on the northwest corner of Bedford Drive and North G Street. Council District, 3).

Commissioner Gardaphe moved to approve Consider a proposed Final Plat of The Bedford Place, Section 2, being a re-plat of the East 28 Feet of Lot 7 and All of Lot 8,

Block 2, Bedford Place, City and County of Midland, Texas. (Generally located on the northwest corner of Bedford Drive and North G Street. Council District, 3).; seconded by Commissioner Williams.

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

16. Hold a public hearing and consider a request by Family Promise of Midland, TX Inc., for a zone change from 2F, Two-Family Dwelling District, to MF-1, Multiple-Family Dwelling District, on the south half of Block 23, Gardens Addition, City and County of Midland, Texas. (Generally located on the northwest corner of Ward Street and W. Ohio Street. Council District 3).

Commissioner Wilton moved to approve Hold a public hearing and consider a request by Family Promise of Midland, TX Inc., for a zone change from 2F, Two-Family Dwelling District, to MF-1, Multiple-Family Dwelling District, on the south half of Block 23, Gardens Addition, City and County of Midland, Texas. (Generally located on the northwest corner of Ward Street and W. Ohio Street. Council District 3).; seconded by Commissioner Williams.

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

17. Hold a public hearing and consider a request by Nicholas P. Leschke 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 4, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas. (Generally located on the west side of North Midkiff Road, approximately 1,030-feet south of Loop 250 North. Council District 1).

Commissioner Ivey moved to approve Hold a public hearing and consider a request by Nicholas P. Leschke 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 4, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas. (Generally located on the west side of North Midkiff Road, approximately 1,030-feet south of Loop 250 North. Council District 1). ; seconded by Commissioner Gardaphe.

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

18. Hold a public hearing and consider a request by Maverick Engineering for approval of a site plan on a 10.18-acre tract of land located in Section 19, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of Andrews Highway, approximately 930-feet west of N. Midland Drive. Council District 4).

Planner Taslima Khandaker gave an overview of the project. With 1 letter of objection received, staff recommended approval.

Commsioner Sparks requested the letter of objection. Planning staff handed them out to the commissioners.

The public hearing was opened at 3:54

The applicant Andrew Mellon with Maverick Engineering gave a summary of the project. Commissioner Wilton asked if they met with any of the residents, the applicant answered the question.

Resident Earl Penner asked for the number of units and parking that will be given to this project. Commissioner Sparks and staff answered the question .

Resident Sharon Humphreys spoke in regards to the number of vehicles traveled in that area.

The public hearing was closed at 3:59

Commissioner Gardaphe moved to approve Hold a public hearing and consider a request by Maverick Engineering for approval of a site plan on a 10.18-acre tract of land located in Section 19, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of Andrews Highway, approximately 930-feet west of N. Midland Drive. Council District 4).; seconded by Commissioner Ivey.

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

19. Hold a public hearing and consider a request by Maverick Engineering, for a zone change from PD, Planned District for a Shopping Center, in part, and 1F-1, Single Family Dwelling District, in part to MF-1, Multiple Family Dwelling District, on a 8.03-acre tract of land located in Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Andrews Highway, approximately 670 feet west of North Midland Drive. Council District 4)

Planner Taslima Khandaker gave an overview of the project. With 1, 9, 33, and 2 letters of objection received staff recommended approval.

The public hearing was opened at 4:04

The applicant Andrew Mellon with Maverick Engineering gave a summary of the project.

Commissioner Wilton asked what part of screening with the 7 foot wall would be done, the applicant answered the question.

Developer Glenn Lench spoke on behalf of the Bobby Cox company. He gave a summary of the units they are proposing.

Commissioner Sparks asked if he could address the traffic concerns. He answered the question.

Resident Jim Prichard spoke in opposition of the project. Claimed his property was intentionally left out of the project. He claimed that the proposed project would bring unbearable traffic. He asked how wide the entrance is going to be.

City Traffic Engineer Mike Pacelli spoke to answer the question. He stated what was said at the last meeting. That the request made sense, the proposed access

connectoin would handle the traffic. the city is not building the proposed street, the developer is and the city only has to review and approve.

Resident Laura Swartz spoke in opposition of the project due to the increase in traffic.

Resident Sharon Humphreys spoke in opposition of the project, provided pictures to the commissioners of the neighborhood. She read a letter written by her husband Dr. Humphreys that gave their concerns to the project. She quoted the Tall City Tommorrow plan, Commissioner Gardaphe let her know that the commissiioners are aware of the plan. Commissioner Sparks gave her more time to speak. She gave her concerns about privacy and traffic. She claimed that the developer used intimidatation tatic to convince them. Commissioner Sparks reminded the audiance that they are volunteers that work hard to do what is best for all parties.

Resident Dale Pickett spoke in opposition of the project. Claimed he would have to move if approved.

Resident Darrel Bishop spoke in opposition of the project, due to the impact on his family and neighbors. Claimed not enough details were given to the residents.

Pat Vincent, business owner spoke in oppositon of the project, due to the lack of parking aready available, claimed the apartment number keeps changing.

Kristina Kane, nearby neighbor spoke in opposition to the project due to the increase in traffic and population.

Resident Earl Penner spoke in opposition of the project, due to heavy traffic and that the new housing will block the view of current homes.

Residnet Melissa Shoelar spoke in oppositin of the project due to the increase in traffic that will cause an increase in accidents.

Resident Amy Ramires spoke in opposition of the project due to a potential accident at her house.

Residnet Ashley Borran spoke in oppositon of the project due to an accident that already happened due to the traffic issue in that area.

Resident Lorrie Marred spoke in opposition to the project due to local children causing vandilation and increase of adults with bad intentions.

Resident Carl kitto spoke in opposition to the project due to the unethical procedures of the developer.

Pricilla Valverde, nearby neighbor spoke in opposition of the project due to the safety hazzards to children and residents and an increase to the local schools.

Resident Earl Penner asked if the local police will have jurisdiction to offenders if it's a private road also asked how wide the road would be. Applicant Andrew Mellon answered the question of the road size.

Developer Glenn Lench spoke about their ownership and plans of the site. Also claimed that he has never used unethical tattics witht the residents.

Commisioner Wilton asked if the city changed the plan would they still want to follow thru with the project. The developer said yes they would. He explained that although private, the city (police) would still govern the area.

Resident Sharon Humphreys spoke again in oppostion due to the effect on local environment and animal habbits.

The public hearing was closed at 5:00

Commissioner Wilton asked if there could be change to the road plans. Mike Pacelli answered the question. Stating that due to the traffic flow would not allow for changes. He also agrees with the developer that making it a shopping center would be worse. Commissioner Gardaphe asked if it would be worse as a shopping center, Mr. Pacelli said yes it would.

Commissioner Sparks spoke in regards to the city trying to make all roads safer, trying to reduce traffic. Asked for the residents input as to what else to do with a space like that. He stated that the city is trying to work in the best interest of all.

Commissioner Ivy spoke, explaining what could happen if it stayed zoned for a shopping center.

Residents ???, spoke and said they still do not want apartments in their neighborhood. Suggested moving the apartments to another area of town.

Resident Darrel Bishop, the developer should not be able to go home to home and lie to the neighborhood. Commissioner Gardaphe let him know that issue is not part of the agenda.

Resident Sharon Humphreys spoke in regards to the order of the items.

Commissioner Ivey moved to approve Hold a public hearing and consider a request by Maverick Engineering, for a zone change from PD, Planned District for a Shopping Center, in part, and 1F-1, Single Family Dwelling District, in part to MF-1, Multiple Family Dwelling District, on a 8.03-acre tract of land located in Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Andrews Highway, approximately 670 feet west of North Midland Drive. Council District 4); seconded by Commissioner Gardaphe.

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

20. Hold a public hearing and consider a request by Maverick Engineering for approval of a site plan on a 8.03-acre tract of land located in Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Andrews Highway, approximately 670-feet west of North Midland Drive. Council District 4).

The item was pulled due to item #19 not being approved.

Commissioner No Action Taken; 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