# PLANNING AND ZONING
# MINUTES
# November 04, 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, November 04, 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 Gardaphe moved to approve Consent Items; seconded by Commissioner Williams.

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

a. Planning & Zoning Commission Meeting Minutes for October 21, 2019.

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

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

Lawrence, Bryant, Sisniega. NAY: None. ABSTAIN: None. ABSENT: Wilton, Grosse.

3. Review and consider the Declaration of Restrictive Covenants for the proposed Los Patios Addition, Section 7, being a replat of Lots 1 and 2, Block 12, Los Patios Addition, Section 5, 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 Williams.

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

4. Consider a proposed Final Plat of Grassland Estates West, Section 11, being a plat of a 12.92-acre tract of land located in Section 35, Block 40, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of North County Road 1247 and West State Highway 158. Council District 4)

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

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

5. Consider a reinstatement of an approved Preliminary Plat of Daybreak Estates, being a 159.373-acre tract of land out of Section 12, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located east of the intersection of Overshine Lane and Sunrise Way).

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

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

6. Consider a proposed Final Plat of Daybreak Estates, Section 6, being a plat of a 40.36-acre tract of land out of the south ½ of Section 12, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located east of the intersection of Overshine Lane and Sunrise Way. (Council District 1).

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

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

7. Consider a proposed Final Plat of West Terminal Addition, Section 7, being a replat of the east 3.38 acres of Lot 4 and Lot 5, Block 5, West Terminal Addition, Section 2, Midland County, Texas. (Generally located on the north side of West County Road 100, approximately 970-feet east of South County Road 1295. Extraterritorial Jurisdiction)

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

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

8. Consider a proposed Preliminary Plat of MMP Midland Terminal, Section 1, being a plat of a 39-acre tract of land out of Section 46, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the east side of South County Road 1140, approximately 1,837 feet south of East Interstate 20. Extraterritorial Jurisdiction)

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

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

**Public Hearings**

9. Hold a public hearing and consider a request by Bean & Grape 1, LLC for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 2,250-square foot portion of Block 1, Re-plat of Block 1 and 2, Imperial Heights Addition, City and County of Midland, Texas. (Generally located on the south side of West Wadley Avenue, approximately 270 feet east of North Midkiff Road. Council District 2)

Planning Manager Cristina Odenborg Burns gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 3:335 p.m.

The applicant was not present.

The public hearing was closed at 3:335 p.m.

Commissioner Ivey moved to approve a request by Bean & Grape 1, LLC for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 2,250-square foot portion of Block 1, Re-plat of Block 1 and 2, Imperial Heights Addition, City and County of Midland, Texas. (Generally located on the south side of West Wadley Avenue, approximately 270 feet east of North Midkiff Road. Council District 2); seconded by Commissioner Sisniega.

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

10. Hold a public hearing and consider a request by Arimathea, LLC., for a zone change from LR, Local Retail District to RR, Regional Retail District, on Lots 5 through 7, Block 4, Tanglewood Addition, Section 4; Lot 4, Block 4, Tanglewood Addition, Section 3; and Lot 1B, Block 4, Tanglewood Addition, Section 6, all out of City and County of Midland, Texas. (Generally located on northwest corner of the intersection of N. Lamesa Road

and E. Wadley Avenue. Council District 2).

Planner Taslima Khandaker gave an overview of the project. With no letters of objectin received, staf recommended approal.

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

The appliacant, Tim Hare, gave a summary of the project and was open for questions.

Commissioner Sparks asked if the excisting businesses would be effected.

The public hearing was closed at 3:39 p.m.

Commissioner Bryant moved to approve a request by Arimathea, LLC., for a zone change from LR, Local Retail District to RR, Regional Retail District, on Lots 5 through 7, Block 4, Tanglewood Addition, Section 4; Lot 4, Block 4, Tanglewood Addition, Section 3; and Lot 1B, Block 4, Tanglewood Addition, Section 6, all out of City and County of Midland, Texas. (Generally located on northwest corner of the intersection of N. Lamesa Road and E. Wadley Avenue. Council District 2).; seconded by Commissioner Sisniega.

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

11. Hold a public hearing and consider a request by Guadalupe and Mayra Zarate, for a zone change from MF-22, Multiple Family Dwelling District, to SF-3, Single Family Dwelling District, on Lots 15 and 16, Block 1, Eastover Addition, City and County of Midland, Texas. (Generally located on southeast corner of the intersection of E. Illinois Avenue and N. Adams Street. Council District 2).

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

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

The applicant was not present.

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

Commissioner Lawrence moved to approve a request by Guadalupe and Mayra Zarate, for a zone change from MF-22, Multiple Family Dwelling District, to SF-3, Single Family Dwelling District, on Lots 15 and 16, Block 1, Eastover Addition, City and County of Midland, Texas. (Generally located on southeast corner of the intersection of E. Illinois Avenue and N. Adams Street. Council District 2).; seconded by Commissioner Williams.

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

12. Hold a public hearing and consider a request by Midland Park Anchor Parcel, LLC., for a Zone Change from a PD, Planned District for a Shopping Center, to an Amended PD, Planned Development District for a Shopping Center on Lot 6, Block 17, Skyline

Terrace, Unit 7, City and County of Midland, Texas. (Generally located on the south side of West Loop 250 North, approximately 389-feet east of Boulder Drive. 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 3:44 p.m.

The applicant was present and deferred to staff.

The public hearing was closed at 3:44 p.m.

Commissioner Lawrence moved to approve a request by Midland Park Anchor Parcel, LLC., for a Zone Change from a PD, Planned District for a Shopping Center, to an Amended PD, Planned Development District for a Shopping Center on Lot 6, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas. (Generally located on the south side of West Loop 250 North, approximately 389-feet east of Boulder Drive. Council District 1).; seconded by Commissioner Bryant.

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

13. Hold a public hearing and consider a request by Frank Aleman for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 12, Block 31, Moody Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of East Wall Street and South Madison Street. Council District 2)

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

The public hearing was opened at 3:47 p.m.

The applicant was not present.

The public hearing was closed at 3:47 p.m

Commissioner Lawrence moved to approve a request by Frank Aleman for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 12, Block 31, Moody Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of East Wall Street and South Madison Street. Council District 2); seconded by Commissioner Gardaphe.

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

14. Hold a public hearing and consider a request by Jose Costilla for a zone change from a LI, Light Industrial District to SF-3, Single-Family Dwelling District on Lot 4, Block 3, Moody Addition, City and County of Midland, Texas. (Generally located on the west side of North Madison Street, approximately 100-feet north of Houston Avenue. Council

District 2)

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

The public hearing was opened at 3:49 p.m.

Resident Dan Corralles spoke in favor of the project.

The applicant was not present.

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

Commissioner Sisniega moved to approve a request by Jose Costilla for a zone change from a LI, Light Industrial District to SF-3, Single-Family Dwelling District on Lot 4, Block 3, Moody Addition, City and County of Midland, Texas. (Generally located on the west side of North Madison Street, approximately 100-feet north of Houston Avenue. Council District 2); seconded by Commissioner Gardaphe.

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

15. Hold a public hearing and consider a request by Samuel Leyva for a Specific Use Designation with Term, for the sale of all alcohol beverages, for on-premises consumption, in a restaurant, on a 4,100 square foot portion of Lot 6A, Block 62, Belmont Addition, Section 23, City and County of Midland, Texas. (Generally located on the north side of East Interstate-20 Frontage Road, approximately 360-feet west of South Terrell Street. Council District 2)

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

The public hearing was opened at 3:56 p.m.

The applicant, Samuel Leyva, gave a summary of the project and was open for questions.

Te public hearing was closed at 3:57 p.m.

Commissioner Gardaphe moved to approve a request by Samuel Leyva for a Specific Use Designation with Term, for the sale of all alcohol beverages, for on-premises consumption, in a restaurant, on a 4,100 square foot portion of Lot 6A, Block 62, Belmont Addition, Section 23, City and County of Midland, Texas. (Generally located on the north side of East Interstate-20 Frontage Road, approximately 360-feet west of South Terrell Street. Council District 2); seconded by Commissioner Bryant.

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

16. Hold a public hearing and consider a request by Scott Yorkinson for a zone change from an SF-3, Single-Family Dwelling District to O-2, Office District, on Lots 1 through 12,

Block 47, Belmont Addition, City and County of Midland, Texas. (Generally located on the south side of West Wolcott Avenue, approximately 244-feet west of South Baird Street. Council District 2)

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

The public hearing was opened at 4:02 p.m.

The applicant Scott Yorkison, 4740 Green River Road, gave a summary of the project and was open for questions.

Resident Griselda Rivera spoke, she wanted further information.

The public hearing was closed at 4:06 p.m.

Commissioner Gardaphe moved to approve a request by Scott Yorkinson for a zone change from an SF-3, Single-Family Dwelling District to O-2, Office District, on Lots 1 through 12, Block 47, Belmont Addition, City and County of Midland, Texas. (Generally located on the south side of West Wolcott Avenue, approximately 244-feet west of South Baird Street. Council District 2); seconded by Commissioner Bryant.

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

**Miscellaneous**

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 _____ Date
Development Services Department