

**PLANNING AND ZONING
MINUTES
December 04, 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, December 04, 2017.

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 Alex Dixon, Planner John Brideweser, and Account Clerk Samantha Madrid.

Chairman Gardaphe 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 Sparks moved to approve Consent Agenda items 2 - 9 excluding ; seconded by Commissioner Ivey.

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

- a. Minutes for the November 20, 2017 Meeting.

Commissioner Sparks moved to approve Consent Agenda items 2 - 9 excluding ; seconded by Commissioner Ivey.

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

3. Consider a proposed Preliminary Plat of Clariant Addition, being a 28.15 acre tract of land out of Section 15, Block 38, T-2-S, T&P R.R. Co. Survey, County of Midland, Texas.(Generally located on the south side of East State Highway 158, approximately 2,000 feet east of East Interstate 20. ETJ, Extraterritorial Jurisdiction)

Commissioner Sparks moved to approve Consent Agenda items 2 - 9 excluding ; seconded by Commissioner Ivey.

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

4. Consider a proposed Preliminary Plat of 1788 Industrial Park, Section 2, being a replat of lots 1 and 2, Industrial Park, Midland County, Texas. (Generally located north of West County Road 157, approximately 1,500 feet east of South FM 1788. ETJ, Extraterritorial Jurisdiction)

Commissioner Sparks moved to approve Consent Agenda items 2 - 9 excluding ; seconded by Commissioner Ivey.

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

5. Consider a proposed Preliminary Plat of Tall City, being a 15.280 acre tract of land out Section 14, Block 38, T-2-S, T&P RR. CO. Survey, Midland County, Texas. (Generally located east of South County Road 1161 and approximately 668-feet south of East County Road 120. ETJ, Extraterritorial Jurisdiction)

Commissioner Sparks moved to approve Consent Agenda items 2 - 9 excluding ; seconded by Commissioner Ivey.

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

6. Consider a proposed Final Plat of Skyview Development, Section 9, being a replat of Lot 68, Block 11, Skyview Development, Midland County, Texas. (Generally located southeast of the intersection of Kniffen Drive and Marie Drive.Extraterritorial Jurisdiction, ETJ)

Commissioner Sparks moved to approve Consent Agenda items 2 - 9 excluding ; seconded by Commissioner Ivey.

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

7. Consider a proposed Final Plat of The Museum Addition, being a 18.44-acre tract of land out of Section 32, Block 40, T-1-S, T&P RR Co Survey, County of Midland, Texas. (Generally located on the west side of North County Road 1271 approximately 1,600-

feet north of State Highway 191. ETJ, Extraterritorial Jurisdiction)

Commissioner Sparks moved to approve Consent Agenda items 2 - 9 excluding ; seconded by Commissioner Ivey.

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

8. Consider a proposed Final Plat of CMC-Midland , being a replat of Tract 21 and the west 3 acres of Tract 20, City View Acres, out of Section 1, Block 39, Township 2 South, T&P R.R. Co. Survey, City and County of Midland, Texas (Generally located on the north side of Garden City Highway, approximately 860-feet west of S. Tilden Street. Council District 2)

Commissioner Sparks moved to approve Consent Agenda items 2 - 9 excluding ; seconded by Commissioner Ivey.

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

9. Consider a proposed Final Plat of Westridge Park, Section 38, being Lots 4-6, Block 7, Westridge Park Addition, Section 28, City and County of Midland, Texas. (Generally located northeast of the Intersection of Deauville Boulevard and Avalon Drive. Council District 4)

Commissioner Sparks moved to approve Consent Agenda items 2 - 9 excluding ; seconded by Commissioner Ivey.

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

Public Hearings

10. Hold a public hearing and consider a request by Matthew and Kristina Johnson for a proposed Preliminary Plat of Texland Estates, Section 2, being a replat of Lots 6 and 8, Block 1, Texland Estates, City and County of Midland, Texas. (Generally located on Texland Circle, approximately 950-feet west of Garfield Street. Council District 1)

Kierra Williams gave an overview of the project.

Josh Sparks, why do they want to change the lot lines?
Jessica, they are making a boundary line adjustment.

oph 3.40

cph 3.40

Commissioner Bullock Moved to approve a request by Matthew and Kristina Johnson for a proposed Preliminary Plat of Texland Estates, Section 2, being a replat of Lots 6 and 8, Block 1, Texland Estates, City and County of Midland, Texas. (Generally located on Texland Circle, approximately 950-feet west of Garfield Street. Council District 1); seconded by Commissioner Ivey.

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

11. Hold a public hearing and consider a request by Texas Roadhouse for a Zone Change from PD, Planned District for a Shopping Center, to an Amended Planned District, on Lot 2E, Block 33, CorrectionPlat Northgate Addition, Section 21, City and County of Midland, Texas. (Generally located on the north side of West Loop 250 North, approximately 695-feet west of North Midland Drive. Council District 1)

Kierra Williams gave an overview of the project.

Received no objections. Staff recommends approval. Subject to conditions.

oph 3.44

cph 3.45

Commissioner Sparks Moved to approve a request by Texas Roadhouse for a Zone Change from PD, Planned District for a Shopping Center, to an Amended Planned District, on Lot 2E, Block 33, CorrectionPlat Northgate Addition, Section 21, City and County of Midland, Texas. (Generally located on the north side of West Loop 250 North, approximately 695-feet west of North Midland Drive. Council District 1); seconded by Commissioner Bullock.

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

12. Hold a public hearing and consider a request by Texas Roadhouse for a Specific Use Permit, with term, for the sale of all alcoholic beverages, for on-premise consumption, in a restaurant, on Lot, on Lot 2E, Block 33, Northgate Addition, Section 21, City and county of midland, Texas. (Generally located on the north side of West Loop 250 North, approximately 695-feet west of North Midland Drive. Council District 1)

Kierra Williams gave an overview.

Staff recommends approval. Subject to conditions a-f. Make an ammendment, stating that certificate of occupance

oph 3.47

cph 3.47

Commissioner BullockMoved to approve a request by Texas Roadhouse for a Specific

Use Permit, with term, for the sale of all alcoholic beverages, for on-premise consumption, in a restaurant, on Lot, on Lot 2E, Block 33, Northgate Addition, Section 21, City and county of midland, Texas. (Generally located on the north side of West Loop 250 North, approximately 695-feet west of North Midland Drive. Council District 1); seconded by Commissioner Williams.

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

13. Hold a public hearing and consider a request by Troy Hunt Homes, Ltd. for a zone change from PD, Planned District for a Housing Developement, to an Amended Planned District on Lots 10-13, Block 3, Common Area A, Block 4, Lots 16 and 17, Block 5, and Common Area B, Block 6, Quail Ridge Addition, Section 2, City and County of Midland, Texas. (Generally located on the north side of E. Business I-20, approximately 300-feet west of Chukar Lane. Council District 2)

Jermey McNeil gave an overview of the project.
Staff received no letter of objection and recommends approval.
Jessica clarified

bullock questions
jessica

ivey, original purpose for common area?
Jessica

cph 3.52

Commissioner SparksMoved to motion to defera request until next meeting by Troy Hunt Homes, Ltd. for a zone change from PD, Planned District for a Housing Developement, to an Amended Planned District on Lots 10-13, Block 3, Common Area A, Block 4, Lots 16 and 17, Block 5, and Common Area B, Block 6, Quail Ridge Addition, Section 2, City and County of Midland, Texas. (Generally located on the north side of E. Business I-20, approximately 300-feet west of Chukar Lane. Council District 2); seconded by Commissioner Bullock.

bullock recommendation even without all info
sparks table

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

14. Hold a public hearing and consider a request by Zac Garth for a Zone Change from PD, Planned District for a Transition District, to O-1, Office District, on Lot 1, Block 2, Bent Tree Addition, Section 2, City and County of Midland, Texas. (Generally located at the southeast intersection of North Midkiff Road and Bluebird Lane. Council District 1)

Jeremy McNeil gave an overview of the project. Staff erceived one objection and

recommends approval.

Diann Willimas, does the developer have potential plans?

Jessica, proposed to be a keller williams office.

Diane, the whole space?

Jessica, parking and drainage issues.

Sparks, height limits for o1 office district?

Jessica, o2 to seven stories

Bbullock,

jessica, low impact office,

Bullock, make this change to build a

jessica zoning change to o1 use.

Kyle McGraw, 3004 Bluebird lane

Just ask questions. What are the thoughts on the north access? Will there be access?

Mike Pacelli, there is room for an additional driveway on bluebird.

Mr. McGraw, height limitation, o1 is 3.5 stories.

jessica, could be plans under review at this time.

McGraw,

jessica,

Brandon Herring, 3200 Bluebird Lane,

chase

kevin

Herring, lighting, fence?

sparks, still vet clinic,

jess 2.5 for o1, there will have to be a fence on the south

chase this will go through city council too

herring,

Paul and Rhonda Gibbs, 5008 Quartz, our concern, loss of privacy, after 11 at night, the lights are way too bright.

to do this creates a precedent, we don't want that to happen here, home values will go down, loss of privacy.

building

kevin,

McGraw, existing ingress

Dr. Tom Green, owner of vet clinic, adjacent to it is the pet resort, clinic is under a SUP granted in 2002. Pine trees all around property, did sound studies. Light issues, proposed purchase by keller williams, does not involve anything on bluebird lane

Jeffery Dunn, 3206 southridge court, i am concerned about 2 things. we have a lot of people here that we are friends with, our concerns are similar to what has been expressed.

jessica, sight obstruction fence,

dunn, rezoned, some neighbors do spend a lot of time out in the back/corner area is a social place. concerned with zoning and a wall. residents concerned with area for privacy

wilton, you can fight for type of fence, etc.

cph 4.30

Commissioner Sparks moved to amend a request by Zac Garth for a Zone Change from PD, Planned District for a Transition District, to a PDOC O1 with an underlying Office District with a maximum height of 1.5 stories O-1, Office District, on Lot 1, Block 2, Bent Tree Addition, Section 2, City and County of Midland, Texas. (Generally located at the southeast intersection of North Midkiff Road and Bluebird Lane. Council District 1); seconded by Commissioner Williams.

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

15. Hold a public hearing and consider a request by Kristen Hollimon for a Zone Change from PD, Planned District for a Shopping Center, to an Amended PD, Planned District for a Shopping Center, Lot 9, Block 28, Wydeewood Estates, Section 21, City and County of Midland, Texas. (Generally located east of Sunmore Circle, approximately 509-feet south of West Wadley Ave. Council District 4)

Jeremy McNeil, gave an overview. staff recommends denial, no letters of objection received.

cph 4.52

Commissioner Bullock moved to defer a request by Kristen Hollimon for a Zone Change from PD, Planned District for a Shopping Center, to an Amended PD, Planned District for a Shopping Center, Lot 9, Block 28, Wydeewood Estates, Section 21, City and County of Midland, Texas. (Generally located east of Sunmore Circle, approximately 509-feet south of West Wadley Ave. Council District 4); seconded by Commissioner Wilton.

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

Miscellaneous

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

Chase Gardaphe, Chairman

Date

Jessica Carpenter, Planning Division Manager

Date

Development Services Department