

## PLANNING AND ZONING MINUTES

January 06, 2020

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 06, 2020.

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

Alternate Commissioners present: Lucy Sisniega.

Commissioners absent: Warren Ivey and Karmen Bryant.

Staff members present: Development Services Director Chuck Harrington, Planning Division Manager Cristina Odenborg Burns, Senior Planner Elizabeth Shaughnessy, Senior Planner Taslima Khandaker, Planner Glenda Arroyo-Cruz, and Administrative Clerk Dalia Salinas.

Chairman Sparks called the meeting to order at 3:30 p.m.

### Opening Item

1. Pledge of Allegiance

### Announcements

### Public Comment

2. Receive comments from members of the public who desire to address the Planning and Zoning Commission regarding items on the present agenda for which public hearings will not be held. (Please limit comments to three minutes or less.)

Commissioner Sparks open and closed the public comment at 3:32 p.m.

### Consent Items

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

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

3. Approved a motion approving the following minutes:
  - a. Planning & Zoning Commission Meeting Minutes for December 16, 2019.
4. Approved a proposed Final Plat of Polo Club Addition, Section 9, being a plat of an 8.467-acre tract of land out of the NW/4 of Section 3, Block 'X', H.P. Hillard Co. Survey, City and County of Midland, Texas. (Generally located on the east side of Polo Club Road, approximately 673-feet north of Cardinal Lane. Council District 1)
5. Approved a proposed Final Plat of Sun Country Addition, being a 5-acre tract of land out of Section 38, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the east side of South County Road 1130, approximately 195-feet north of East County Road 90. Extraterritorial Jurisdiction)
6. Approved a proposed Final Plat of Bent Tree Addition, Section 9, being a replat of Lot 2B, Block 2, Bent Tree Addition, Section 8, City and County of Midland, Texas. (Generally located on the south side of Bluebird Lane, approximately 436-feet east of North Midkiff Drive. Council District 1)
7. Approved a proposed Final Plat of Central Park Addition, Section 2, being a plat of a 4.64-acre tract of land located in Sections 7 and 8, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland Texas. (Generally located on the northeast corner of the intersection of Loop 40 and South Farm-to-Market Road 1788. Council District 4).
8. Approved a proposed Final Plat of Los Patios, 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 southwest corner of the intersection of Briarwood Avenue and Santa Rosa Drive. Council District 4)
9. Approved a proposed Preliminary Plat of Mockingbird Heights, Section 13, being a plat of 2.717-acre tract of land

out of Section 8, Block 'X', H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North Midland Drive and Mockingbird Lane. Council District 1)

10. Approved a proposed Final Plat of Permian Estates, Section 20, being a replat of Lot 1, Block 91, Permian Estates, Section 2, and a plat of a 10.806-acre tract out of Sections 5 and 6, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the east side of South Midland Drive, approximately 170-feet south of Anetta Drive. Council District 2)
11. Approved a proposed Preliminary Plat of CER Addition, being a plat of a 11.110-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 east side of South Farm to Market Road 1788, approximately 563-feet north of West County Road 160. Extraterritorial Jurisdiction)
12. Approved a proposed Preliminary Plat of Lann Addition, being a plat of a 2.410-acre tract of land out of the SW/4 of Section 23, Block 38, T-1-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the south side of East County Road 57, approximately 769-feet west of North County Road 1125. Extraterritorial Jurisdiction)
13. Approved a proposed Final Plat of Southeast Industrial Acres, Section 4, being a plat of a 6.82-acre tract of land and a previously vacated 0.459-acre portion of East Taylor Avenue Right-of-Way, all out of Section 1, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of South Fairgrounds Road and East Interstate Highway 20 Frontage Road. Council District 2)
14. Approved a proposed Final Plat of Southern Addition, Section 16, being a re-plat of Lots 1 through 5, Less the South 30-feet, Block 146, Southern Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of East New York Avenue and South Baird Street. Council District 2)
15. Approved a proposed Final Plat of Barkman Square, Section 21, being a replat of Lots 5 and 6, Block 1, Barkman Square, Section 5, City and County of Midland, Texas. (Generally located on the west side of Lafayette Place, approximately 111 feet south of West Dengar. Council District 3)
16. Approved a proposed Final Plat of Knott Addition, being a Plat of a 5.73 Acres Tract of Land out of Section 24, Block 41, T-1-S, T&P RR Co Survey, Midland County, Texas. (Generally, located on the north side of West Country Road 52, approximately 1,962 feet west of North Farm to Market 1788. Extraterritorial Jurisdiction)

#### **Public Hearings**

17. Hold a public hearing and consider a proposed Preliminary Plat of College Heights Addition, Section 7, being a residential re-plat of Lots 8 and 9, Block 27, College Heights Addition, City and County of Midland, Texas. (Generally located on the north side of W. Washington Avenue, approximately 87 – feet east of Carlton Street. Council District 1)

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

The public hearing was opened at 3:35 p.m.

The applicant was not present.

The public hearing was closed at 3:36 p.m.

Commissioner Lawrence moved to approve a proposed Preliminary Plat of College Heights Addition, Section 7, being a residential re-plat of Lots 8 and 9, Block 27, College Heights Addition, City and County of Midland, Texas. (Generally located on the north side of W. Washington Avenue, approximately 87 – feet east of Carlton Street. Council District 1); seconded by Commissioner Sisniega.

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

18. Hold a public hearing and consider a proposed Preliminary Plat of Gardens Addition, Section 9, being a residential re-plat of the south half of Block 23, Gardens Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Ward Street and W. Ohio Avenue. Council District 3)

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

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

The applicant was present but deferred to staff.

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

Commissioner Williams moved to approve a proposed Preliminary Plat of Gardens Addition, Section 9, being a residential re-plat of the south half of Block 23, Gardens Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Ward Street and W. Ohio Avenue. Council District 3); seconded by Commissioner Lawrence.

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

19. Hold a public hearing and consider a proposed Preliminary Plat of Warwick Addition, Section 3, being a residential re-plat of the west 103 feet of Lot 4 and all of Lot 5, Block 7, Warwick Addition, City and County of Midland County, Texas. (Generally located on the southeast corner of Winfield Road and Humble Avenue. Council District 3)

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

The public hearing was opened at 3:40 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 3:41 p.m.

Commissioner Sisniega moved to approve a proposed Preliminary Plat of Warwick Addition, Section 3, being a residential re-plat of the west 103 feet of Lot 4 and all of Lot 5, Block 7, Warwick Addition, City and County of Midland County, Texas. (Generally located on the southeast corner of Winfield Road and Humble Avenue. Council District 3); seconded by Commissioner Gardaphe.

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

20. Hold a public hearing and consider a request by MARC, INC. for a zone change from SF-1, Single Family Dwelling District, to PD, Planned Development District for an Office Center, on Lot 1, Block 4, "A" Street Community Center, Section 4, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of N. A Street and Ventura Drive. Council District 3)

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

The public hearing was opened at 3:44 pm.

The applicant was not present.

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

Commissioner Lawrence moved to approve a request by MARC, INC. for a zone change from SF-1, Single Family Dwelling District, to PD, Planned Development District for an Office Center, on Lot 1, Block 4, "A" Street Community Center, Section 4, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of N. A Street and Ventura Drive. Council District 3); seconded by Commissioner Gardaphe.

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

21. Hold a public hearing and consider a request by Schumann Engineering Co., Inc. for a zone change from SF-1, Single Family Dwelling District, to SF-3, Single Family Dwelling District, on Lots 1 and 2, Block 114, West End Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of College Avenue and South L Street. Council District 2)

Planner Elizabeth Shaughnessy gave an overview of the project. With no letters of objection received, staff

recommended approval.

The public hearing was opened at 3:46 p.m.

The applicant was present but deferred to staff.

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

Commissioner Gardaphe moved to approve a request by Schumann Engineering Co., Inc. for a zone change from SF-1, Single Family Dwelling District, to SF-3, Single Family Dwelling District, on Lots 1 and 2, Block 114, West End Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of College Avenue and South L Street. Council District 2) ; seconded by Commissioner Sisniega.

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

22. Hold a public hearing and consider a proposed Preliminary Plat of Chesmire Acres, Section 3, being a residential re-plot of the south 67 feet of the east 137 feet of Lot 2 and the east 137 feet of Lot 3, Block 5, Chesmire Acres, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Neely Avenue and Cessna Drive. Council District 3)

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 3:49 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 3:50 p.m.

Commissioner Sisniega moved to approve a proposed Preliminary Plat of Chesmire Acres, Section 3, being a residential re-plot of the south 67 feet of the east 137 feet of Lot 2 and the east 137 feet of Lot 3, Block 5, Chesmire Acres, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Neely Avenue and Cessna Drive. Council District 3); seconded by Commissioner Lawrence.

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

23. Hold a public hearing and consider a proposed Final Plat of Quail Ridge Addition, Section 7, being a residential re-plot of a 7.432-acre tract of land of Lot 1, Block 1, Quail Ridge Addition; A 0.019-acre portion of previously vacated Bromegrass Street right-of-way; and a 0.019-acre portion of previously vacated Chaparral Street right-of-way, all out of Section 42, Block 38, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Quail Ridge Road, approximately 833-feet west of Chukar Lane. 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 3:53 p.m.

The applicant was present but deferred to staff.

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

Commissioner Gardaphe moved to approve a proposed Final Plat of Quail Ridge Addition, Section 7, being a residential re-plot of a 7.432-acre tract of land of Lot 1, Block 1, Quail Ridge Addition; A 0.019-acre portion of previously vacated Bromegrass Street right-of-way; and a 0.019-acre portion of previously vacated Chaparral Street right-of-way, all out of Section 42, Block 38, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Quail Ridge Road, approximately 833-feet west of Chukar Lane. Council District 2); seconded by Commissioner Williams.

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

24. Hold a public hearing and consider a proposed Final plat of W.C. Barber Addition, Section 4, being a residential re-

plat of the west 10-feet of Lot 4, all of Lot 5, and the east 5-feet of Lot 6, Block 2, W.C. Barber Addition, City and County of Midland, Texas. (Generally located on the north side of West Estes Avenue, approximately 65-feet east of Whitaker 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 3:55 p.m.

The applicant was present but deferred to staff.

Resident Yasmin Villa requested additional information in regards to lot #4.

Commissioner Wilton asked to have the lot lines explained. Planning Division Manager Cristina Odenborg Burns explained that the property lines are different than the lot lines. Mrs. Burns also explained that this process will allow for the lot line to be shifted.

Commissioner Lawrence asked if the amount of land the owned stays the same. Planning Division Manager Cristina Odenborg Burns confirmed that the amount of land would not change.

Mrs. Villa readdressed the commission for further information. Commissioner Sparks explained how the property lines are effected by the parcel lines.

Commissioner Lawrence asked how it would be possible to answer the resident's question. Planning Division Manager Cristina Odenborg Burns recommended that Mrs. Villa consult with the Planning Division after the commission meeting was adjourned.

The applicant, Ben Sanchez with Parkhill, Smith and Cooper, addressed the commission to help answer Mr. Villa's concerns.

Commissioner Gardaphe asked if the fence that is between to two properties could it also be shifted. The commissioners discussed the issue.

Commissioner Lawrence asked Mrs. Odenborg Burns if the GIS map was the most accurate. Planning Manager Cristina Odenborg Burns explained that although it is not one hundred percent accurate, it is very accurate.

Planning Manager Cristina Odenborg Burns pulled up the GIS map on the project to further answer Mrs. Villa's concerns.

Commissioner Lawrence explained that the lots to west are having all of the property lines corrected. He restated that the best explanation can be given is Mrs. Villa consults with the Planning Division at the end of the commission meeting.

Commissioner Gardaphe gave an explanation using the maps of what the proposed changes will be.

Commissioner Sparks recommended for the sake of time that Mrs. Villa take the recommendation and consult with the Planning Division.

The public hearing was closed at 4:12 p.m.

Commissioner Gardaphe moved to approve a proposed Final plat of W.C. Barber Addition, Section 4, being a residential re-plat of the west 10-feet of Lot 4, all of Lot 5, and the east 5-feet of Lot 6, Block 2, W.C. Barber Addition, City and County of Midland, Texas. (Generally located on the north side of West Estes Avenue, approximately 65-feet east of Whitaker Street. Council District 2); seconded by Commissioner Williams.

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

25. Hold a public hearing and consider a request by Jose Chavez for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 8, Block 32, Moody Addition, City and County of Midland, Texas. (Generally located on the east side of South Tyler Street, approximately 66-feet north of East Missouri Avenue. 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 4:14 p.m.

The applicant was not present.

The public hearing was closed at 4:15 p.m.

Commissioner Sisniega moved to approve a request by Jose Chavez for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 8, Block 32, Moody Addition, City and County of Midland, Texas. (Generally located on the east side of South Tyler Street, approximately 66-feet north of East Missouri Avenue. Council District 2); seconded by Commissioner Gardaphe.

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

- 26. Hold a public hearing and consider a request by Midland CDC for a zone change from SF-2, Single-Family Dwelling District, in part; and SF-3, Single-Family Dwelling District, in part, to TH, Townhouse Dwelling District on a 0.780-acre tract of land out of Section 26, Block 39, T-1-S, T&P, RR, Co. Survey, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of West Estes Avenue and North Main 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 4:17 p.m.

The applicant, David Diaz with Midland CDC, gave a summary of the project and was open for questions.

The public hearing was closed at 4:20 p.m.

Commissioner Gardaphe moved to a request by Midland CDC for a zone change from SF-2, Single-Family Dwelling District, in part; and SF-3, Single-Family Dwelling District, in part, to TH, Townhouse Dwelling District on a 0.780-acre tract of land out of Section 26, Block 39, T-1-S, T&P, RR, Co. Survey, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of West Estes Avenue and North Main Street. Council District 2); seconded by Commissioner Lawrence.

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

**Miscellaneous**

With no further items or business to come before the Commission, Chairman Sparks adjourned the meeting at 4:21 p.m.

  
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 Josh Sparks, Chairman

1/21/20  
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 Date

  
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 Cristina Odenborg Burns, Planning Division Manager  
 Development Services Department

1/21/20  
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 Date