

PLANNING AND ZONING MINUTES
February 18, 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 February 18, 2020.

Commissioners present: Chase Gardaphe, Josh Sparks, Dianne Williams, Reggie Lawrence and Karmen Bryant.

Alternate Commissioners present: Lucy Sisniega.

Commissioners absent: Kevin Wilton and Warren Ivey.

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, Planner Joseph Marynak, Planner Eric Myers 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

Commissioner Sparks opened the public comment at 3:31 p.m. and, with no one wishing to speak, closed the public comment at 3:32 p.m.

Consent Items

Commissioner Bryant moved to approve Consent Items, excluding item #4; seconded by Commissioner Lawrence.

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

3. Approved a motion approving the following minutes:

- a. Planning & Zoning Commission Meeting Minutes for February 3, 2020.

4. Approved a proposed Preliminary Plat of Ortloff Addition, being Re-Plat of Lots 3 and 4, Block 1, Ortloff Addition, Section 5, City and County of Midland, Texas. (Generally located on the west side of Westcliff Drive, approximately 291 – feet south of Andrews Highway. Council District 4)

Pulled to be voted on separately.

Commissioner Gardaphe moved to approve Consent Item number 4; seconded by Commissioner Sisniega.

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

5. Approved a proposed Preliminary Plat of Baker Service Tools Addition, being a plat of a 10-acre tract of land located in the northeast quarter of Section 18, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the north side of West State Highway 80 East, approximately 2,279-feet east of South County Road 1290. Extraterritorial Jurisdiction)
6. Approved a proposed Final Plat of Barnes Addition, being a 5-acre tract of land out of the southeast quarter of Section 33, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of North County Road 1140, approximately 191-feet north of East County Road 77. Extraterritorial Jurisdiction).
7. Approved a proposed Final Plat of CER Addition, being a plat of an 11.110-acre tract of located in Section 32,

Block 40, T-2-S, T&P, RR. Co. Survey, Midland County, Texas. (Generally located on east side of South Farm to Market Road 1788, approximately 563-feet north of West County Road 160. Extraterritorial Jurisdiction)

8. Approved a proposed Final Plat of Chesmire Acres, Section 3 being a residential re-plat of the south 67 feet of the east 137.00 feet of Lot 2 and the east 137.00 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)
9. Approved a proposed Preliminary Plat of Sheeler Addition, Section 8, being a re-plat of the West 119.31-feet of Lot 2, Block 7, Sheeler Addition, and a plat of a 19.207-acre tract of land out of Section 3, Block 39, T-2-S, T&P, RR. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of West Francis Avenue, approximately 317-feet east of South Garfield Street. Council District 2)
10. Approved a proposed Preliminary Plat of Sunridge Ranch Estates, Section 7, being a re-plat of Lots 6 and 7, Block 5, Sunridge Ranch Estates, Section 3, Midland County, Texas. (Generally located on the north side of West County Road 44, approximately 1,221-feet west of North County Road 1246. Extraterritorial Jurisdiction)

Public Hearings

11. Hold a public hearing and consider a request by Cumberland & Western Resources, LLC, for the initial zoning of a 37.9539 - acre tract of land located in Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of State Highway 158, approximately 2,372-feet north of State Highway 191. Extraterritorial Jurisdiction)

Planner Elizabeth Shaughnessy gave an overview of the project. With one letter of objection received, staff recommended approval.

Commissioner Williams asked if this lot was in the city limits. Planner Elizabeth Shaughnessy explained that it is not in the city limits but is currently in the process of annexation.

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

The applicant, Robert Rendall representing Cumberland and Western, gave a summary of the project and was open for questions.

Commissioner Lawrence asked for an explanation of the shortage of parking garage spaces shown on the site plan. Mr. Rendall explained that they are in the planning process and will probably come back with a different site plan.

The public hearing was closed at 3:43 p.m.

Commissioner Lawrence asked if the 25 percent change required parking garage spaces with the new zoning ordinance. Planning Manager Cristina Odenborg Burns confirmed that it was a new zoning requirement.

Commissioner Lawrence moved to approve a request by Cumberland & Western Resources, LLC, for the initial zoning of a 37.9539 - acre tract of land located in Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of State Highway 158, approximately 2,372-feet north of State Highway 191. Extraterritorial Jurisdiction); seconded by Commissioner Williams.

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

12. Hold a public hearing and consider a request by Cornerstone Funding, LLC for a Zone Change from PD, Planned District for an Office Center to an Amended PD, Planned Development District for an Office Center on Lot 1A, Block 2, Grassland Estates West, Section 2, City and County of Midland, Texas. (Generally located on the southwest corner of intersection of Homestead Boulevard and Hereford Boulevard. Council District 4)

Planner Elizabeth Shaughnessy gave an overview of the project. With four letters of objection received, staff recommended approval.

Commissioner Lawrence asked what the change in the square footage was and what the maximum height is. Planner Elizabeth Shaughnessy deferred to the applicant.

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

The applicant, Kevin Harrington with Cornerstone Funding, gave a summary of the project and was open for questions.

Commissioner Lawrence asked what the height of the proposed screening wall is. Mr. Harrington explained that it will be 8 feet.

Luis Del Valle spoke on behalf of the project. He gave further information regarding the project and was open for questions.

Resident Andrew Vizcaino, 2004 Hereford Blvd, spoke in opposition of the project due to the size of the proposed project and the increase in traffic it will cause. He asked if the applicant would be allowed to rent out the gym facility. Commissioner Sparks explained that the building is not located in a zoning area that would allow for the gym to be rented out.

Resident Charles Terry, 2020 Fringewood Drive, spoke in opposition of the project due to the size of the gym.

Resident Jason Smith, 2016 Fringewood Drive, spoke in opposition of the project due the addition of the gym and the added lighting that would disturb the neighborhood.

Resident Kathy White, 1917 Fringewood Drive, spoke in opposition of the project due to the proposed wall that will face her property and the addition of the light brought by the building.

Resident Victor Salazar, 2008 Hereford Blvd, spoke in opposition of the project due the increase in traffic that would affect the nearby school. He also stated the main issue that the residents have is the height of the building.

Resident Curt Painter, 2006 Hereford Blvd, spoke in opposition to the project due to his concerns with the possibility of the gym being used for recreational use in the event that the building is sold in the future.

Luis Del Valle readdressed the commission to answer some of the residents' concerns. He explained that in order to use the gym either now or in the future the building would have to go through the city Planning division in order to get approval.

Kevin Harrington also readdressed the commission to further answer questions in regards to the intended use of the gym.

Commissioner Lawrence asked what the offset from the property line is for the wall. Mr. Del Valle explained 10 feet on their side of the property line so that they can plant several trees and provide landscaping.

Commissioner Sparks asked if the applicant did intend to open up the gym for game practices. Mr. Harrington explained that he did, but it would only be during afterhours.

Commissioner Sparks asked how many feet from the building to the nearest house on Hereford. Mr. Del Valle explained that from tip to tip the distance to the nearest home is 140 feet.

Commissioner Lawrence asked how many light fixtures would be visible at night. Mr. Del Valle explained that site lighting will be minimal and only used in the parking area. He also explained that the lights in the building are blocked by the darkened windows which will also have screens that will come down at night.

Commissioner Williams asked if they have addressed the issue of traffic using the back alley. Mr. Del Valle explained that they are working with the city to try to address that potential issue.

The public hearing was closed at 4:22 p.m.

Commissioner Lawrence asked staff when the property was zoned and prior to the new ordinance what the height requirement was. Planning Division Manager Cristina Odenborg Burns explained that it was zoned in 1999 and the original height requirement was 28 feet 9 inches.

Commissioner Lawrence moved to approve a request by Cornerstone Funding, LLC for a Zone Change from PD, Planned District for an Office Center to an Amended PD, Planned Development District for an Office Center on Lot 1A, Block 2, Grassland Estates West, Section 2, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Homestead Boulevard and Hereford Boulevard. Council District 4); seconded by Commissioner Gardaphe.

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

13. Hold a public hearing and consider a request by Edward Martinez for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 7, Block 24, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of East New York Avenue and South Benton Street. Council District 2)

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

The public hearing was opened at 4:28 p.m.

The applicant was not present.


The public hearing was closed at 4:28 p.m.

Commissioner Gardaphe moved to approve a request by Edward Martinez for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 7, Block 24, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of East New York Avenue and South Benton Street. Council District 2); seconded by Commissioner Sisniega.

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

Miscellaneous


With no further items or business to come before the Commission, Chairman Sparks adjourned the meeting at 4:29 p.m.



Josh Sparks, Chairman

3/2/20

Date



Cristina Odenborg Burns, Planning Division Manager
Development Services Department

3/2/2020

Date