



City Council Meeting

Item Number: 30
Meeting Date: April 27, 2021
To: City Council / City Manager
From: Kelly Martinez, Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 3, BLOCK 14, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM C, COMMERCIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH TERRELL STREET AND EAST OHIO AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DEVELOPMENT SERVICES)

Purpose:

The applicant, Rosalinda Acosta is requesting to rezone the property located at 404 N. Terrell Street to comply with residential regulations for future developments.

Recommended City Council Action:

Approve

Fiscal Impact:

This proposal does not have a significant financial impact to the city.

Surrounding Land and Uses:

The property to the north across South Street is zoned C, Commercial District, and the location of a barber shop. The properties to the east are zoned C, Commercial and SF3, Single Family District, and the locations of single family residences. The property to the south across Ohio Avenue is zoned C, Commercial District, and the location of a single family residence. The property to the west across Terrell Street is zoned C, Commercial District, and the location of

an automobile body shop.

Discussion:

The property is located at 404 N. Terrell Street and is currently being used as a residential home. The applicant is requesting this zone change to conform to single-family dwelling district. Per the previous zoning ordinance, single-family detached dwellings were allowed within this zoning district. As of July 1, 2019, the new zoning ordinance does not allow the use of single-family detached dwellings within the C, Commercial District.

This proposed zone change has been circulated to the respective City departments for internal review and their comments, conditions, and requirements are as follows:

Fire: (Approved)

No objections.

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2017 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary.

Engineering: (Approved)

No objections to zoning/zone change.

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. Code: (Approved) No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. nonpermitted well radius of location on plat.

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations.

No objection to zone change.

Planning:

This proposed development fits with Chapter 3, An Integrated Land Use Vision, "Future Land Use Map" of the Tall City Tomorrow comprehensive plan as this area is called for Special Study Area. This area remains undecided for future land uses. However, this property supports

the existing neighborhood characteristics and uses of the area.

This request has been recommended for approval by a unanimous vote at the April 5, 2021 Planning and Zoning Commission meeting.

Staff recommends approval of this zone change from C, Commercial District to SF-3, Single Family Dwelling District, subject to condition A.

Condition:

- A. That the use and development of the property shall conform to the regulations of the SF-3, Single-Family Dwelling District.**

Letters of Objection:

Staff has received one letter of objection as of April 21, 2021.

Attachments:

Application
Maps



City Manager's Office