



## City Council Meeting

**Item Number:** 28  
**Meeting Date:** April 27, 2021  
**To:** City Council / City Manager  
**From:** Joseph Marynak,  
**Subject:** AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE THE NORTH 50 FEET OF LOT 2, BLOCK 11, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM C, COMMERCIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF NORTH FORT WORTH STREET, APPROXIMATELY 100 FEET NORTH OF 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)

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### **Purpose:**

The applicant, Ruedas Homes, Inc., is requesting a zone change from C, Commercial District to SF-3, Single-Family dwelling district at 405 North Fort Worth Street to construct a single family home.

### **Recommended City Council Action:**

Approve

### **Fiscal Impact:**

Processing this request does not require any City funds.

### **Discussion:**

Current Zoning:

C, Commercial District

## Surrounding Zoning and Land Use:

The properties to the north, east, south, and west are also zoned C, Commercial District and the locations of single family homes, a commercial business and vacant land, respectively.

## Analysis:

The applicant is requesting this zone change for the purposes of constructing a single family home. The applicant is currently in the process of having the property re-platted to align with the tax parcel of the property. The re-platted lot will meet the minimum lot size requirements for the SF-3, Single Family Dwelling 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 objection to 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. non-permitted 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:

Under the previous zoning code, the current zoning district would have allowed for the construction of single family homes, which allowed for the proliferation of their construction in this area. Under the new Zoning Ordinance adopted in 2019, construction of single family homes was restricted to single-family dwelling districts. This property lies on a block that serves as a transition from non-residential uses to the west and south and the residential areas to the north and east.

This request is in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, "Future Land Use Map" as it designates this area for Urban Medium, a classification which calls for a mix of uses that include single-family and commercial development.

This request was recommended for approval at the April 5, 2020 Planning and Zoning Commission meeting.

Staff recommends approval of this zone change from MF-22, Multiple Family Dwelling District to SF-3, Single Family Dwelling District, subject to condition A.

Conditions:

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

Letters of Objection:

Staff has not received any letters of objection as of April 21, 2021.

Attachments:

Proposed plat of Original Town Section 21  
Application  
Maps



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City Manager's Office