



# Planning and Zoning Commission

Approved for Agenda:  
Elizabeth Shaughnessy

**MEETING DATE:** July 19, 2021

**TO:** **PLANNING AND ZONING COMMISSION**

**FROM:** Kelly Martinez, Planner

**SUBJECT:** Hold a public hearing and consider a request by Jamie Bowers for a zone change from C, Commercial District to TH, Townhouse Dwelling District on Lot 9, Block 10, Greenwood Addition 3rd, 4th, 5th Section, City and County of Midland, Texas. (Generally located on the east side of S. Stonewall Street, approximately 140-feet north of E. Washington Avenue. Council District 2)  
(DEVELOPMENT SERVICES)

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## Recommended Planning and Zoning Commission Action:

Approve       Deny       Directional/Informational

## Current Zoning:

C, Commercial District

## Purpose:

The applicant, Jamie Bowers is requesting to rezone the property located at 407 S. Stonewall Street to allow for the construction of a duplex.

## Surrounding Zoning and Land Use:

The properties to the north, east, south, and west are zoned C, Commercial District and the locations of single-family homes and vacant land.

## Analysis:

The property is located at 407 S. Stonewall Street and is currently vacant. The applicant is proposing the development of an attached Two-Family Dwelling (duplex). While the property meets the minimum lot requirements in the TH, Townhouse Dwelling District, it is inconsistent with the character of the area. The majority of the existing homes around the area are single-family homes. In addition, the surrounding area is zoned C,

Commercial District which allows vacant land to be developed as commercial uses. Due to concerns of future commercial development, staff does not support this request.

Furthermore, one of the main issues in the eastside area is the incompatibility between land uses. In order to prevent incompatibility, a smooth transition between higher intensity uses and lower intensity uses must take place. The subject property's location does not allow for a smooth transition between residential homes and potential commercial development. Especially when only one parcel in the middle of the block will change as opposed to several.

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:**

This proposed development fits with the Tall City Tomorrow Comprehensive Plan, Chapter 3, An Integrated Land Use Vision, Future Land Use Map as this area calls

for urban residential-medium. This designation calls for a mix of housing types, including single-family, townhouse, and two-family dwelling uses. However, medium and higher density residential uses should be directed towards arterial streets with proper transition or adhere to the setbacks from existing lower density residential areas. In conclusion, this project does not represent a true diversity of mix use housing development.

If this zone change from C, Commercial District to TH, Townhouse Dwelling District is approved; staff recommends that it should be subject to condition A.

**Conditions:**

- A. That the use and development of this property shall conform to the regulations of the TH, Townhouse Dwelling District.**

**Letters of Objection:**

Staff has not received any letters of objection as of July 14, 2021.

**Attachments:**

Property Survey (Exhibit A)  
Application  
Maps