



# Planning and Zoning Commission

Approved for Agenda:  
Elizabeth Shaughnessy

**MEETING DATE:** July 19, 2021

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

**FROM:** Elizabeth Shaughnessy, Planning Division Manager

**SUBJECT:** Hold a public hearing and consider a request by Betenbough for a Zone Change from AE, Agricultural Estate District to TH, Townhouse Dwelling District on a 9.70-acre tract of land located in Section 7, Block 38, T-1-S, T&P, R.R. Co. Survey, City and County of Midland, Texas. (Generally located on the northeast intersection of Occidental Parkway and Fairgrounds Road. Council District 1) (DEVELOPMENT SERVICES)

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## Recommended Planning and Zoning Commission Action:

  X   **Approve**             **Deny**             **Directional/Informational**

## Details of Request:

The applicant, Betenbough Homes is requesting approval of a zone change to allow for the development of smaller, more affordable homes.

## Current Zoning:

AE, Agricultural Estate District.

## Surrounding Zoning and Land Use:

The properties to the north, east, and west are zoned AE, Agricultural Estate District and the locations of vacant land. The property to the south is zoned SF-3, Single Family Dwelling District, and the location of residences.

## Analysis:

The applicant, Betenbough Homes is requesting approval of a zone change for the development of smaller, more affordable homes. The requested zoning for this property is TH, Townhouse Dwelling District, which requires a minimum lot area of 2,500 square

feet per Dwelling unit. This proposed subdivision will have forty (40) residential lots and three (3) common area.

The appropriate setbacks and maximum height of future development must meet the regulations as described in Section 5.04 Residential Zoning District Dimensional Regulations chart.

This proposed zone change has been circulated to and reviewed by respective City departments and their comments, conditions, and requirements are as follows:

**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.

**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 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary.

**Code Compliance: (Approved)**

No Oil and Gas issues.- For Zone Change.

**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:**

The Tall City Tomorrow Comprehensive Plan future land use map calls for Urban-Low uses at this location. The Urban-Low classification calls for diverse complementary uses such as mostly single-family, with some attached, townhome and small multi-family projects, schools, small parks and churches, and neighborhood retail or mixed use. This promotes compatibility to be achieved through gradual increases of intensity transitioning from one land use to another.

Staff recommends approval of the zone change from AE, Agricultural Estate District to TH, Townhouse Dwelling District, 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:**

As of July 14, 2021, staff has not received any letters of objection.

**Attachments:**

Application  
Metes and Bounds (Exhibit A)  
Site Plan (Exhibit B)  
Maps