

**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION
PACKET**

**January 16, 2024 - 3:30 PM
Council Chambers – City Hall**



Notice is hereby given that a public meeting will be held by the Planning and Zoning Commission of the City of Midland, in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at or following the time specified, to consider the following:

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

Receive comments from members of the public who desire to address the Planning and Zoning Commission regarding items on the present agenda for which public hearings will not be held. (Please limit comments to three minutes or less.)

CONSENT ITEMS

2. Motion approving the Planning and Zoning Commission meeting minutes for January 2, 2024.
3. Motion approving a Final Plat of Redneck Retreat, Section 5, being a 10.00-acre tract of land out of Section 15, Block 38, T-2-S, T&P R.R. Co. Survey, Midland County, Texas (Generally located on the southeast corner of Farm-to-Market Road 715 and East County Road 130.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**
4. Motion approving a Final Plat of Palermo Crest Addition, Section 2, being a replat of Lot 2, Block 1, Palermo Crest Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Wayside Drive and Gist Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
5. Motion approving a Final Plat of Ranchland Addition, Section 2, being a replat of Lots 16-18, Block 2, Ranchland Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Franklin Avenue and Kelly Street.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
6. Motion approving a Final Plat of Grassland Estate West, Section 12, being a plat of a 19.2636-acre tract of land located in Sections 35 & 36, Block 40, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located immediately north of

Homeland Drive, approximately 250 feet north of Castlewood Drive.) **(DISTRICT 4)**
(DEVELOPMENT SERVICES)

PUBLIC HEARINGS

The Planning and Zoning Commission will hold public hearings on the following items:

7. Consider a request by Fierce Property Investments, LLC for a Zone Change from, PD, Planned Development District for a Shopping Center to RR, Regional Retail District on Lot 1, Block 1, TSC Development, City and County of Midland, Texas. (Generally located on the west side of N. State Highway 349, approximately 380 feet north of Tejas.) **(DISTRICT 1)**
(DEVELOPMENT SERVICES)
8. Consider a request by Robert Graham for a zone change from AE, Agricultural Estate District, to SF-1, Single Family Dwelling District, for a 5.53-acre tract of land located out of Section 36, Block 40, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas. (Generally located approximately 300 feet northeast of Homeland Drive, and approximately 520 feet south of Wadley Avenue.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**

MISCELLANEOUS

9. Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of Original Town, Section 26, being a replat of Lots 1 through 24 and a 0.138-acre portion of previously vacated alley right-of-way, Block 97, Original Town Addition, City and County of Midland, Texas. (Generally located southeast of the intersection of S. Main Street and E. Indiana Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
10. Motion approving a request for a 30-Day Extension request for a proposed Final Plat of Shenandoah Ridge, Section 3, being a 17.84-acre tract of land out of Section 12, Block 39, T-1-S, T&P RR Co. Survey, City of Midland, Midland and Martin Counties, Texas. (Generally located on the east side of Black Butte, approximately 110 feet north of Inselberg Street) **(DISTRICT 1) (DEVELOPMENT SERVICES)**
11. Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of MIDCO LEB, being a replat of a 53.71-acre tract of land out of Lot 1, Block 1, Parsley Addition, Midland County, Texas. (Generally located on the northwest corner of the intersection of Farm to Market Road 715 and East County Road 120) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**

Landon Ochoa, Senior Planner

The City of Midland Planning and Zoning Commission meetings are available to all persons

regardless of disability. If you require special assistance, please contact the Planning Division at 432-685-7400 or write to us at P.O. Box 1152, Midland, Texas 79702, at least 48 hours in advance of the meeting.

**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION
MINUTES**

January 2, 2024

Council Chambers – City Hall



The Planning and Zoning Commission convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at 3:30pm, January 02, 2024.

Commissioners present: Lucy Sisniega, John Burkholder, Emily Holeva, Adrian Carrasco, Abraham Bejil, Steven Villela

Commissioners absent: Brennan Berry, Sallie Vega, Joshua Sparks

Staff members present: Landon Ochoa, Alexis M. Martinez, Andrew Meyers, Daniel Humbert

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

Receive comments from members of the public who desire to address the Planning and Zoning Commission regarding items on the present agenda for which public hearings will not be held. (Please limit comments to three minutes or less.)

CONSENT ITEMS

2. Motion approving the Planning and Zoning Commission meeting minutes for December 18, 2023.
3. Motion approving a Final Plat of Ortloff Addition, Section 8, being a Replat of a 12.095-acre tract of land out of Lot 1, Block 1, Ortloff Addition, Section 2, and an adjacent 0.068-acre portion of vacated Douglas Avenue right-of-way, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Douglas Avenue and Woodcrest Drive.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**

Steven Villela moved to approve; seconded by Abraham Bejil.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Vega, Sparks

PUBLIC HEARINGS

The Planning and Zoning Commission will hold public hearings on the following items:

4. Hold a public hearing and consider a request by Justin Smith for a Specific Use Designation without Term for an automobile or other motorized vehicle sales and service on a Lot 8 less the north 30 feet and Lot 9, Block 4, Stockard Acres, City and County of Midland, Texas. (Generally located on the west side of Goode Street, approximately 315 feet north of Carter Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Planner Andrew Meyers gave an overview of the project. No letters of objection were received; staff recommend approval.

The public hearing was opened at 3:34pm

There was no one wishing to speak on this item.

The public hearing was closed at 3:35pm.

Adrian Carrasco moved to approve this request; seconded by Steven Villela.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Vega, Sparks

MISCELLANEOUS

5. Motion approving, with staff's recommended conditions, a Preliminary Plat of Adobe Meadows, Section 9, being a Replat of Lot 1, Block 1, and a 0.159-acre portion of previously vacated adjacent Rope Street right-of-way, all out of Adobe Meadows, Section 8, City and County of Midland, Texas. (Generally located at the northeast corner of North State Highway 349 and East Mockingbird Lane.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**

Adrian Carrasco moved to approve this request; seconded by Emily Holeva.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Vega, Sparks

With no further items or business to come before the Commission, Chair Sisniega adjourned the meeting at 3:40pm

Lucy Sisniega, Chair

Date

Landon Ochoa, Senior Planner

Date



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: January 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving a Final Plat of Redneck Retreat, Section 5, being a 10.00-acre tract of land out of Section 15, Block 38, T-2-S, T&P R.R. Co. Survey, Midland County, Texas (Generally located on the southeast corner of Farm-to-Market Road 715 and East County Road 130.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ **Approve** ☐ **Deny** ☐ **Directional/Informational**

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The preliminary plat was approved at the October 16, 2023, Planning and Zoning Commission meeting. The property owner is requesting to plat a 10-acre tract to obtain septic permits and addresses.

Final Plat Requirements:

The official signed Mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District and a title opinion have been received. All other conditions for final plat approval have been satisfied.

The final plat attached hereto has been circulated to all City departments for review.

Below are the departments' comments.

Engineering: (Approved)

IMPACT FEES: There are no impact fees associated with this plat. Plat outside designated service areas. [For Applicant's Information Only.]

ROW: Refer to transportation comments, if any. [For Applicant's Information Only.]

PAVING: Deferral request for paving improvements were administratively approved on 09/20/2023. [For Applicant's Information Only.]

WATER: Deferral request for water improvements were administratively approved on 09/20/2023. [For Applicant's Information Only.]

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test. [For Applicant's Information Only.]

PRO RATA: None.[For Applicant's Information Only.]

SEWER: Deferral request for sewer improvements were administratively approved on 09/20/2023. [For Applicant's Information Only.]

DRAINAGE: Drainage report is approved for platting purposes. [For Applicant's Information Only.]

EASEMENTS: Show existing and proposed. [For Applicant's Information Only.]

SIDEWALKS: Required at building permit. However, no city building permits are issued within the county. No sidewalk improvements needed at this time. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER:

Transportation: (Approved)

No objections to plat. [For the Applicant's information only.]

Fire: (Approved)

No comments.

Oil and Gas: (Approved)

Not in the City limits- no oil or gas jurisdiction.

Building Code: (Approved)

ETJ, no jurisdiction. All septic systems are permitted and regulated by the City of Midland Health Department.

GIS: (Approved)

No comments.

Midland County Public Works: (Approved)

No comments.

Health Department: (Approved)

Yes, the health department will review applications from the 3 proposed lots of REDNECK RETREAT SECTION 5, PLAT OF A 10 ACRE TRACT OF LAND OUT OF THE NORTHWEST OF SECTION 15, BLOCK 38, T-2-S, T. & P. RR. CO. SURVEY each lot 1 is 2.9, lot 2 is 3 acre, lot 3 is 3 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

CRMWD: (Approved)

No comments.

Planning: (Approved)

Staff recommends approval of the Final Plat of Redneck Retreat, Section 5, subject to Condition A.

Condition:

- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number:

SUB-23-0647

Case Number:

P-23-1887

Proposed Subdivision Plat Name: ~~XXXX~~ Redneck Retreat Section 5**Legal Description (attached sealed Metes and Bounds):** BEING A 10.00 ACRE TRACT OF LAND LOCATED IN SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS.**Property Owner**

Printed Name: Starr Rental Properties, LLC.

Phone (432) 684-5548

Email ealeman@schumannonline.net

Address

2810 Marie Dr.

City

Midland

State

TX

Zip

79705

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)

Firm: Schumann Surveying

Printed Name: Ed Aleman

Phone (432) 684-5548

Email

ealeman@schumannonline.net

Address

800 N. Marienfeld, Suite 100

City

Midland

State

Texas

Zip

79701

Current Zoning: NA**Reason for Platting:** To obtain Septic Permits and addresses**Plat Information**

Total Acreage: 10.00

Type:

☐ Single-Family Residential☐ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 3

Number of Multi-Family Dwelling Units:

Submittal Information: Standard Plats must be submitted at least 20 days and a Residential Replat must be submitted at least 25 days prior to the P&Z Commission meeting at which action is desired, unless Short Form or Administrative Procedure is applicable.**Items to be submitted with this application form:**

- 2 FOLDED Copies of Dimensioned Plat
- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF) & CADD File
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland'
- Recording Fee – Payable to 'Midland County Clerk'

Mylar Reproductions

This application authorizes the City to file the approved plat and associated documents with the County Clerk for recording. This application also authorizes the City to reproduce 1 mylar copy of the approved plat at the expense of the engineering firm/applicant for the City's records if needed. (Applicant can submit additional signed mylar instead of reproduction.)

- ☐ Applicant would like a reproduction made for their records
☐ Applicant does not want a reproduction/will make their own

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00
For plats that exceed 24" \$81.00
For related documents, \$26.00 for first page, \$4.00 for each additional page.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature): Buck Starr Honey & Son Date: 12-18-23
Property Owner (printed): Buck Starr

The Final Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

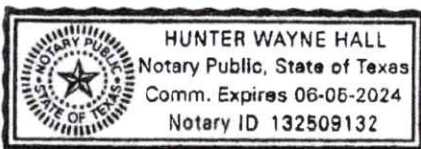
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Buck Starr, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Eduardo Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 18th day of December, 20 23, to certify which witness my hand and seal of office.



H. Hall
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

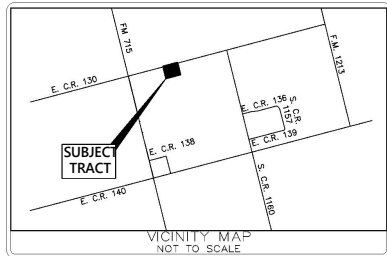
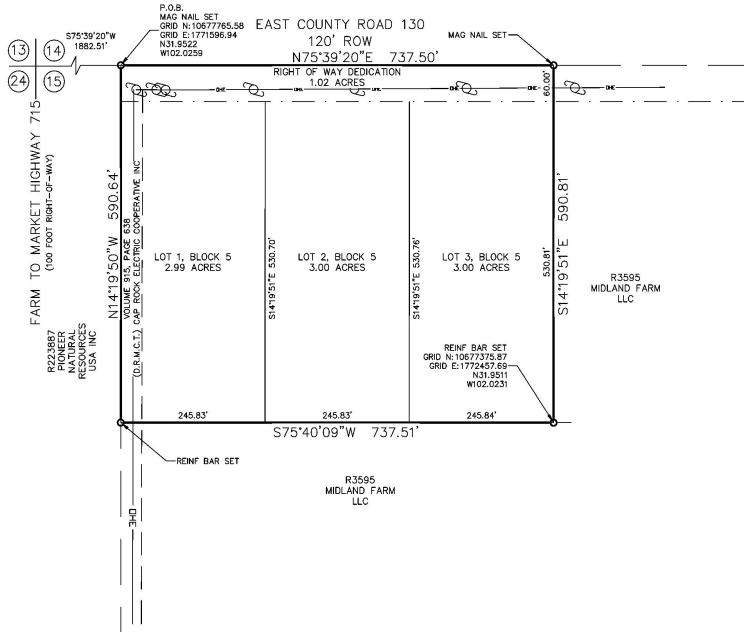
☐ Property Owner Authorization	☐ 1 Copy of Dimensioned Plat	☐ Plat in Digital Format (PDF/JPEG)
☐ Mylar	☐ 1 Copy of Plat (11x17)	☐ CADD File
☐ Application Fee	☐ Title Opinion	☐ Public Improvement <u>20-77</u>
Check # _____	☐ Tax Certificates	☐ Recording Fee <u>20-77</u>
		Check # _____

Received By: [Signature]

Date: DEC 20 2023

****Application will not be considered for scheduling until reviewed by a planner.**** DH

NW CORNER OF SECTION 15,
BLOCK 38, T-2-S,
T&P RR CO SURVEY,
MIDLAND COUNTY, TEXAS



THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: ONCOR ELECTRIC DELIVER COMPANY

SIGNED: AT&T TEXAS

SIGNED: ATMOS ENERGY

SIGNED: OPTIMUM COMMUNICATIONS

SIGNED: ASTOUND COMMUNICATIONS

NOTES:

1. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
2. MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
3. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
4. REPRESENTATION OF FLOODPLAIN BOUNDARIES ARE APPROXIMATE AND FOR ILLUSTRATIVE PURPOSES ONLY. THIS PROPERTY IS IN FEMA'S FLOOD INSURANCE RATE MAP NO. 48329C0209F, EFFECTIVE DATE, SEPTEMBER 16, 2005, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA, ALL OF TRACT IS IN ZONE "X".

REDNECK RETREAT SECTION 5

BEING A 10.00 ACRE TRACT OF LAND
LOCATED IN SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY,
MIDLAND COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND SITUATED IN THE SOUTHEAST PART OF SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 10.00 ACRE TRACT OF LAND, OUT OF THE NORTHWEST PART OF SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, SAID 10.00 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT BEGINNING AT A MAG NAIL SET (N:10677765.58, E:1771596.94) IN THE CENTERLINE OF EAST COUNTY ROAD 130 FOR THE NORTHWEST CORNER OF THIS TRACT, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 15 BEARS SOUTH 75°39'20" WEST 1882.51 FEET;

THENCE NORTH 75°39'20" EAST, ALONG SAID CENTERLINE, 737.50 FEET TO A MAG NAIL SET, IN SAID CENTERLINE, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°19'51" EAST 590.64 FEET TO A REINFORCING BAR SET FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 75°39'20" WEST 737.51 FEET TO A REINFORCING BAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°19'50" WEST 590.64 FEET TO THE PLACE OF BEGINNING.

BEARINGS AND DISTANCES SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS REDNECK RETREAT, SECTION 5, AN ADDITION OF 10.00 ACRES IN MIDLAND COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 2023.

STARR RENTAL PROPERTIES LLC

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY STARR RENTAL PROPERTIES, LLC

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE CITY PLANNING AND ZONING COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF REDNECK RETREAT, SECTION 5, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 2024.

SIGNED: CHAIRMAN LUCY SISNEGA

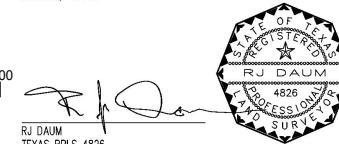
ATTEST: SECRETARY CRISTINA O. BURNS

OWNER:

STARR RENTAL PROPERTIES, LLC
2810 MARIE DR
MIDLAND, TX 79705

THAT I, RJ DAUM, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

GRAPHIC SCALE
0 200 400
(1 INCH = 200' FEET)



RJ DAUM
TEXAS RPLS 4826

DRAWN BY: JG
DATE: 06/27/2023
CHECKED BY: ED/RJ
PROJECT NO.: 79,660
JOB NO.: 79,660
SHEET: 1 OF 1

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO. _____ CABINET _____
DATE _____ PAGE _____



1

4

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2

1

E CR 130

1

2

3

4

LOCATION MAP

SUB-23-0647

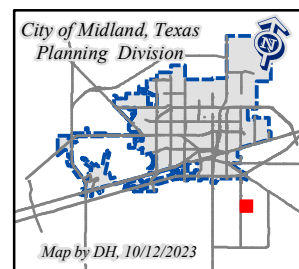
Scale: 1" = 2,947'

Proposed plat of Redneck Retreat, Section 5, being a 10.00-acre tract of land out of Section 15, Block 38, T-2-S, T&P R.R. Co. Survey, Midland County, Texas.

Generally located on the southeast corner of Farm-to-Market Road 715 and East County Road 130. (Extraterritorial Jurisdiction)

LEGEND

-  CITY LIMITS
-  PARCEL
-  PRIVATE BLDGS



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THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT. NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: January 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Motion approving a Final Plat of Palermo Crest Addition, Section 2, being a replat of Lot 2, Block 1, Palermo Crest Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Wayside Drive and Gist Avenue.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ **Approve** ☐ **Deny** ☐ **Directional/Informational**

Current Zoning:

O-1, Office District

Preliminary Plat Approval:

The property owner is platting previously unplatted land to develop an office building. This use is in accordance with the Tall City plan and satisfies the conditions and requirements of 11-2-3-(I) of the Subdivision Ordinance and is being processed using the short form approval procedure.

Final Plat Requirements:

The official signed Mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District and a title opinion have been received. All other conditions for final plat approval have been satisfied.

The final plat attached hereto has been circulated to all City departments for review.

Below are the departments' comments.

Engineering: (Approved)

IMPACT FEES: Ok as shown.

ROW: Ok as is.

PAVING: South Lamesa Rd, E Gist Avenue, and Wayside Drive, okay as is.

WATER: Existing 12-inch water main on South Lamesa, an 8- inch water main on E Gist Avenue, and 8-inch water main on Wayside Drive. No public improvements are required.

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test.

PRO-RATA: None.

SEWER: 8- inch sewer main on E Gist Avenue, and 8-inch sewer main on Wayside Drive. No public improvements are required.

DRAINAGE: Drainage report approved for platting purposes. FIRM Map Effective Date to be on plat face.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: FIRM Map Effective date to be on plat face.

Transportation: (Approved)

No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review.

Fire: (Approved)

No comments.

Oil and Gas: (Approved)

No Oil & Gas well concerns. Informational: 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. Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures. Any plugged and abandoned (P&A) well would need to be identified. No structure shall be built over an abandoned well.

Building Code: (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, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

GIS: (Approved)

No comments.

Public Works: (Approved)

No comments.

CRMWD: (Approved)

We do not have any comments on this plat.

Health Department: (Approved)

No comment.

Planning: (Approved)

Staff recommends approval of the Final Plat of Palmero Crest Addition, Section 2, subject to condition A.

Condition:

- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: **Palermo Crest Addition, Section 2**

Legal Description (attached sealed Metes and Bounds):

BEING A REPLAT OF LOT 2, BLOCK 1, PALERMO CREST ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS.**Property Owner**Printed Name: **AIM STRAIGHT DRUG SCREEN COMPLIANCE, LLC.**Phone **(432) 209-2928**Email **ealemana@schumannonline.net**Address **4831 E COUNTY RD 130**City **MIDLAND**State **TX**Zip **79706****Developer (if different than Owner)**

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: **Schumann Engineering**Printed Name: **Eduardo L. Aleman**Phone (432) **684-5548**Email **ealeman@schumannonline.net**Address **800 N. Marienfeld, Suite 100**City **Midland**State **TX**Zip **79701**Current Zoning: **O1**Reason for Platting: **Construction permits and addresses****Plat Information**

Total Acreage:

Type: ☐ Single-Family Residential☐ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots:

Number of Multi-Family Dwelling Units:

Submittal Information: Standard Plats must be submitted at least 20 days and a Residential Replat must be submitted at least 25 days prior to the P&Z Commission meeting at which action is desired, unless Short Form or Administrative Procedure is applicable.

Items to be submitted with this application form:

- 2 FOLDED Copies of Dimensioned Plat
- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF) & CADD File
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland'
- Recording Fee – Payable to 'Midland County Clerk'

Mylar Reproductions

This application authorizes the City to file the approved plat and associated documents with the County Clerk for recording. This application also authorizes the City to reproduce 1 mylar copy of the approved plat at the expense of the engineering firm/applicant for the City's records if needed. (Applicant can submit additional signed mylar instead of reproduction.)

- ☐ Applicant would like a reproduction made for their records
☐ Applicant does not want a reproduction/will make their own

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

For related documents, \$26.00 for first page, \$4.00 for each additional page.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature):

Date: **12/20/2023**

Property Owner (printed): Reynaldo Hernandez

The Final Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

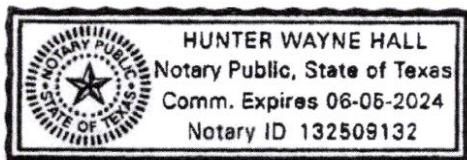
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Reynaldo Hernandez the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Authorized Agent (signature)

Subscribed and sworn to before me, this 20th day of Dec, 20 23 to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

- | | | |
|---|---|--|
| ☐ Property Owner Authorization | ☐ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☐ Mylar | ☐ 1 Copy of Plat (11x17) | ☐ CADD File |
| ☐ Application Fee | ☐ Title Opinion | ☐ Public Improvement |
| Check # <u>1311</u> | ☐ Tax Certificates | ☐ Recording Fee |

Received By:

Date: **DEC 20 2023**

****Application will not be considered for scheduling until reviewed by a planner.****

PALERMO CREST ADDITION, SECTION 2

BEING A REPLAT OF LOT 2, BLOCK 1,
PALERMO CREST ADDITION, CITY AND
COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS &
COUNTY OF MIDLAND &

WHEREAS, WE ARE THE RECORD OWNERS OF A TRACT OF LAND SITUATED IN THE WEST PART OF SECTION 1, BLOCK 39, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 0.97 ACRE TRACT OF LAND, OUT OF THE WEST PART OF SECTION 1, BLOCK 39, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, SAID 0.97 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT (N10689056.39, E1761520.08) A 1/2 INCH REINFORCING BAR FOUND IN THE NORTH RIGHT OF WAY OF EAST GIST AVENUE FOR THE SOUTHWEST CORNER OF THIS TRACT, FROM WHICH THE SOUTHEAST CORNER OF LOT 1, BEARS SOUTH 75°40'12" WEST, 20.00 FEET;

THENCE NORTH 14°19'48" WEST, 300.00 FEET TO A 1/2 INCH REINFORCING BAR FOUND FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 75°40'12" EAST, 140.00 FEET TO A 1/2 INCH REINFORCING BAR FOUND FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°19'48" EAST, 280.00 FEET TO A 1/2 INCH REINFORCING BAR FOUND FOR THE MOST EASTERLY SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT 31.42 FEET (CURVE DATA AS FOLLOWS: CENTRAL ANGLE = 90°00'00", RADIUS = 20.00 FEET, CHORD BEARING AND DISTANCE = SOUTH 30°40'12" WEST, 28.28 FEET) TO A 1/2 INCH REINFORCING BAR FOUND FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 75°40'12" WEST, 120.00 FEET TO THE PLACE OF BEGINNING.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS PALERMO CREST ADDITION, SECTION 2 AN ADDITION TO THE CITY OF MIDLAND, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 2023.

AM STRAIGHT DRUG SCREEN COMPLIANCE, LLC.

STATE OF TEXAS &
COUNTY OF MIDLAND &

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY AM STRAIGHT DRUG SCREEN COMPLIANCE, LLC.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

OWNER:

AM STRAIGHT DRUG SCREEN COMPLIANCE, LLC.
831 E COUNTY RD 130
MIDLAND, TX 79706
(432) 209-2928

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF PALERMO CREST ADDITION, SECTION 2 WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 2023.

SIGNED: _____
CHAIRMAN LUCY SISNIEGA

ATTEST: _____
SECRETARY CRISTINA O. BURNS

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO. _____ CABINET _____
DATE _____ PAGE _____



GRAPHIC SCALE
0 40 80
(1 INCH = 40' FEET)

NOTES:

1. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
2. MONUMENTS ARE A 1/2" REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
3. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
4. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
5. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASE OF FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
6. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) ANY LOT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
7. THIS PROPERTY LIES WITHIN ZONE "X" AS PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 48329-C0206F.

LEGEND:

- MONUMENT AS DESCRIBED
- PROPERTY LINE
- - - SECTION LINE
- - - ADJOINING PROPERTIES
- W WATER LINE
- SAN SEWER LINE
- OHE OVER-HEAD ELECTRIC
- UTILITY POLE
- FIRE HYDRANT
- WATER VALVE
- SANITARY SEWER MANHOLE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

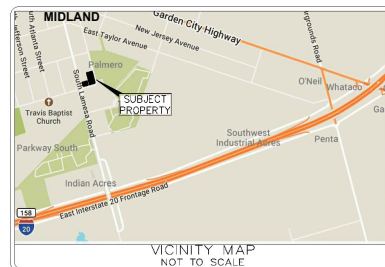
SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM

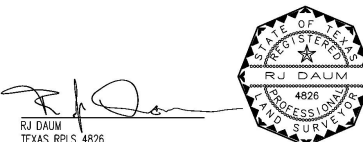
SIGNED: _____
ASTOUND BROADBAND

PACKET



Page 4.19

THAT I, RJ DAUM, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

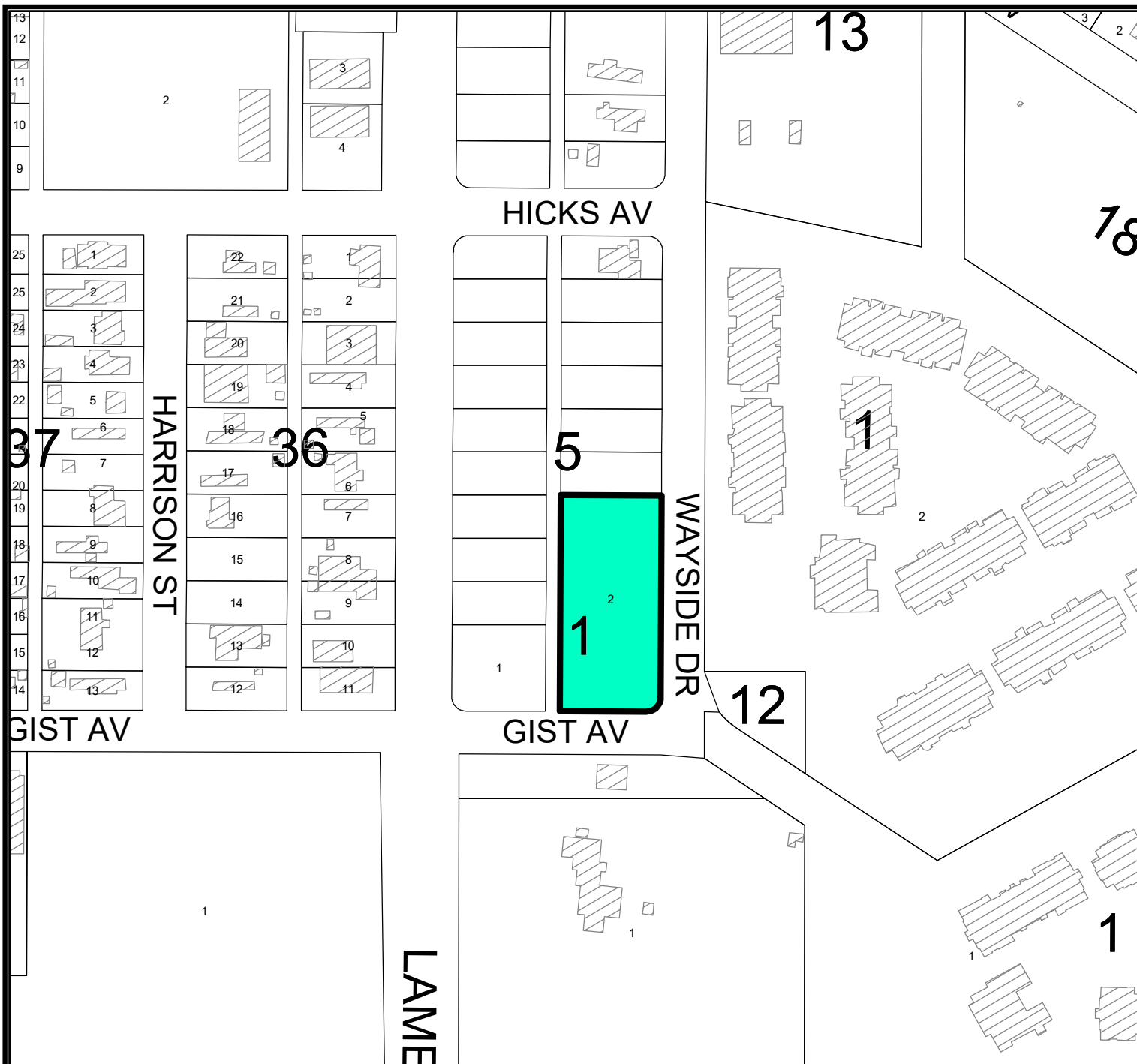


NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
1	06/16/2022	SKETCH PLAN	JD	JD	6/16/2022
2	11/1/2022	FINAL PLAN	ELA	ED/RJ	
3	12/20/2023	FINAL PLAN REPLAT	ELA	JD	
		NO.:	78,542		
		SHEET:	1 OF 1		

January 16, 2024

PALERMO CREST ADDITION

PALERMO CREST ADDITION



LOCATION MAP

SUB-23-0586

Scale: 1" = 200'

Proposed plat of Palermo Crest Addition, Section 2, being a replat of Lot 2, Block 1, Palermo Crest Addition, City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of Wayside Drive and Gist Avenue (Council District 2)

LEGEND

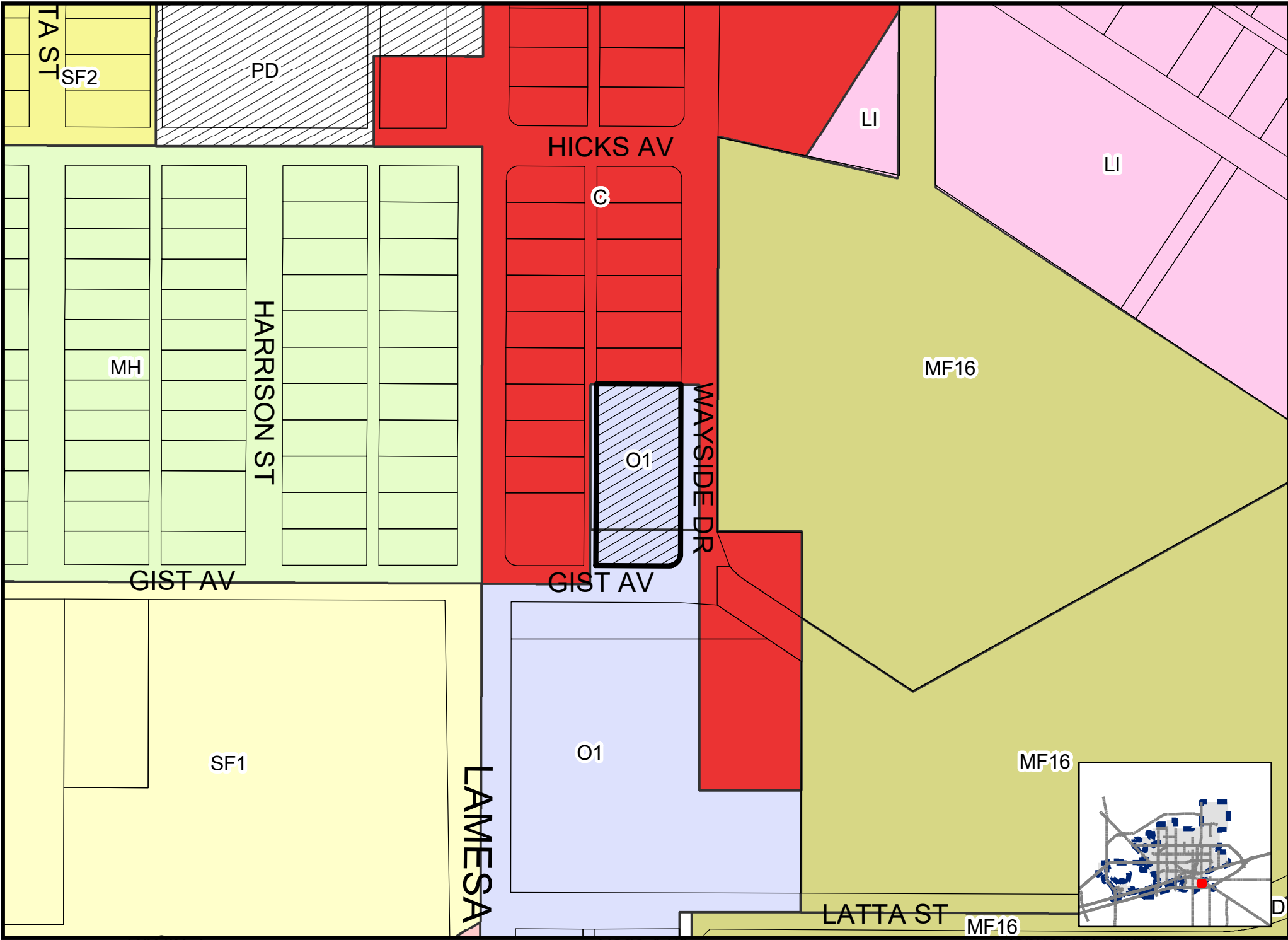
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT. NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



PACKET

Page 4.21

January 16, 2024

Map By DG, 01/05/24

SUB-23-0586

Scale: 1" = 200'

ZONING MAP



© THE CITY OF MIDLAND - 2021: THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: January 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving a Final Plat of Ranchland Addition, Section 2, being a replat of Lots 16-18, Block 2, Ranchland Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Franklin Avenue and Kelly Street.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ **Approve** ☐ **Deny** ☐ **Directional/Informational**

Current Zoning:

C, Commercial District

Preliminary Plat Approval:

This plat qualifies for the short form procedure and therefore has no preliminary phase.
[11-2-3(l)1]

Final Plat Requirements:

The official signed Mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District, and a title opinion have been received. All other conditions for final plat approval have been satisfied.

The final plat attached hereto has been circulated to all City departments for review.

Below are the departments' comments.

BUILDING CODE: (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, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

ENGINEERING: (Approved)

IMPACT FEES Ok as shown. [For Applicant's Information Only.]

ROW: Refer to Transportation's comments if any. [For Applicant's Information Only.]

PAVING: Kelly Street and Franklin Ave. okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 4" water exists in Franklin Ave. north of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test. [For Applicant's Information Only.]

PRO RATA: None. [For Applicant's Information Only.]

SEWER: 6" sewer exists in alley south of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: Existing site is developed; If proposing to re-develop site drainage can be reviewed with building permit. [For Applicant's Information Only.]

EASEMENTS: Show existing and proposed. [For Applicant's Information Only.]

SIDEWALKS: Required with building permit. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER:

TRANSPORTATION: (Approved)

No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review. [For the Applicant's information only.]

No objections to plat. [For the Applicant's information only.]

FIRE: (Approved)

All future development shall meet the requirements of IFC 2015 ed. and local ordinances.

CODE COMPLIANCE: (Approved)

No Oil and Gas issues.

GIS: (Approved)

No comments.

PLANNING: (Approved with Conditions)

Staff recommends approval of the Final Plat of Ranchland Addition, Section 2, subject to condition A.

Condition:

- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Ranchland Addition, Section 2

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lots 16-18, Block 2,
Ranchland Addition, City and County of Midland, TexasProperty Owner
Printed Name: Colby W PiercePhone (432) 262-0999
Email
colby.w.pierce@gmail.com

Address 4425 Roadrunner Tr

City Midland

State TX

Zip 79707

Developer (if different than Owner)
Printed Name:Phone ()
Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)

Firm: Maverick Engineering
Printed Name: Paladin HuckabaPhone (432) 262-0999
Email
phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Current Zoning: C

Reason for Platting: ownership purposes

Plat Information

Total Acreage: 0.478

Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-Family Dwelling Units:

Submittal Information: Standard Plats must be submitted at least 20 days and a Residential Replat must be submitted at least 25 days prior to the P&Z Commission meeting at which action is desired, unless Short Form or Administrative Procedure is applicable.

Items to be submitted with this application form:

- ✓• 2 FOLDED Copies of Dimensioned Plat
- ✓• 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- ✓• 1 Extra Copy (11x17)
- ✓• Digital Files (JPEG & PDF) & CADD File
- ✓• Original Tax Certificates (Midland Central Appraisal District – MCAD)
- ✓• Title Opinion/Policy (dated less than 90 days)
- ✓• Application Fee – Payable to the 'City of Midland'
- ✓• Recording Fee – Payable to 'Midland County Clerk'

Mylar Reproductions

This application authorizes the City to file the approved plat and associated documents with the County Clerk for recording. This application also authorizes the City to reproduce 1 mylar copy of the approved plat at the expense of the engineering firm/applicant for the City's records if needed. (Applicant can submit additional signed mylar instead of reproduction.)

- ☐ Applicant would like a reproduction made for their records
☒ Applicant does not want a reproduction/will make their own

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

For related documents, \$26.00 for first page, \$4.00 for each additional page.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature):

Colby W. Pierce

Date: 12/8/23

Property Owner (printed):

Colby W. Pierce

The Final Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

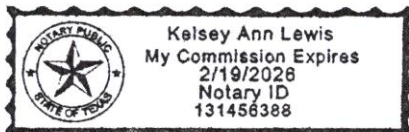
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L. Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Colby W. Pierce, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 8th day of December, 2023, to certify which witness my hand and seal of office.



Kelsey Ann Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

- | | | |
|---|---|--|
| ☐ Property Owner Authorization | ☐ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☐ Mylar | ☐ 1 Copy of Plat (11x17) | ☐ CADD File |
| ☐ Application Fee | ☐ Title Opinion | ☐ Public Improvement |
| Check # <u>4609</u> | ☐ Tax Certificates | ☐ Recording Fee |
| | | Check # <u>4610</u> |

Received By: [Signature]

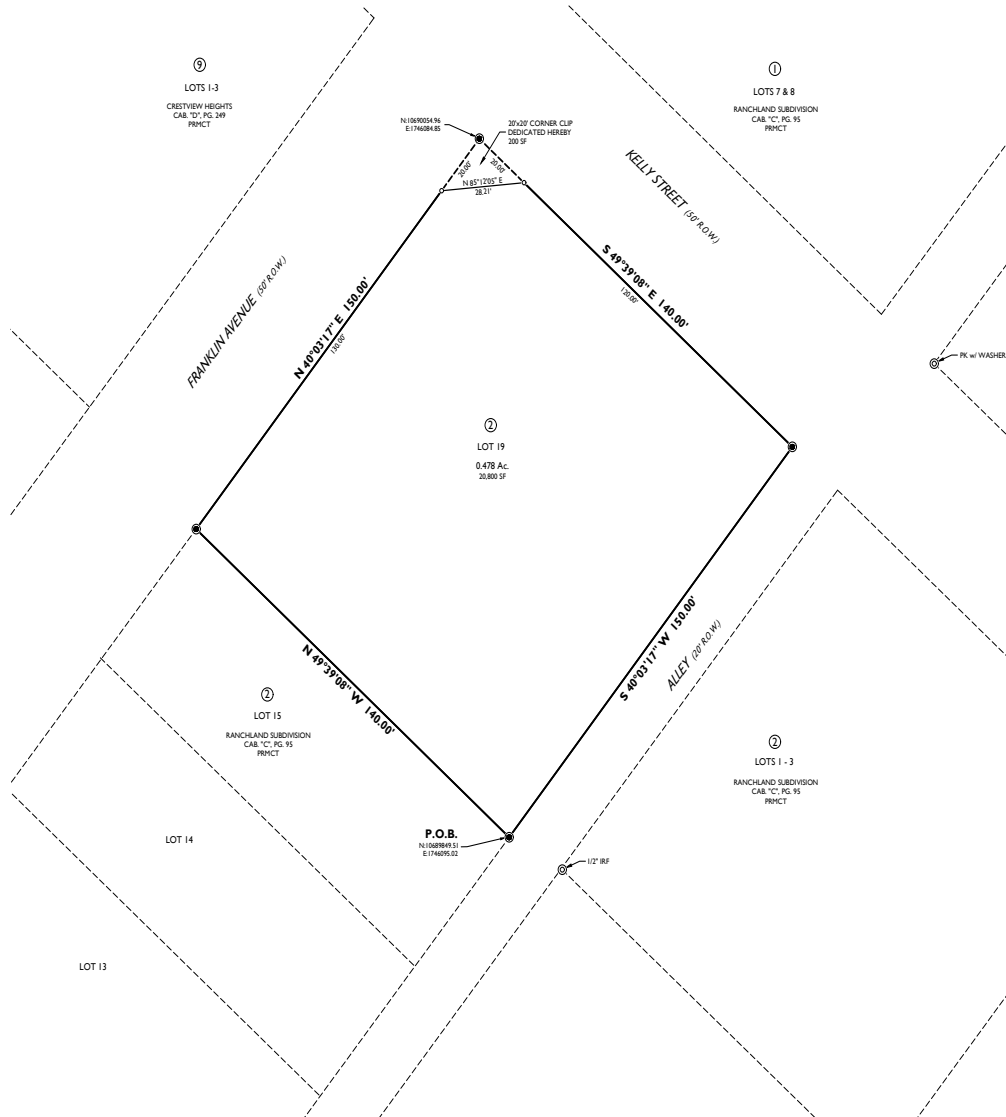
Date: DEC 20 2023

****Application will not be considered for scheduling until reviewed by a planner.****

RANCHLAND ADDITION

SECTION 2

BEING A REPLAT OF LOTS 16-18, BLOCK 2, RANCHLAND ADDITION,
CITY AND COUNTY OF MIDLAND, TEXAS



SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, GREGORY W. SHOULTS, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY LOCATED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

GREGORY W. SHOULTS, M.E.S.S.A.
MAVERICK ENGINEERING (TX FIRM #10194514)
1909 WEST WALL STREET, SUITE K
MIDLAND, TX 79701



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS COLBY WADE PERCE, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 32, BLOCK 39, T-4-S, R-4-W, CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT COLBY WADE PERCE, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS RANCHLAND ADDITION, SECTION 2, AN ADDITION TO THE CITY OF MIDLAND, TEXAS AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON.

WITNESS OUR HANDS AT MIDLAND, TEXAS, THIS _____ DAY OF _____, 2023.

BY: COLBY WADE PERCE

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

THIS PLAT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

ATKINS ENERGY

BY: _____

AT&T

BY: _____

OPTIONUM

BY: _____

ASTOUND BROADBAND

BY: _____

ONCOR ELECTRIC DELIVERY

BY: _____

SURVEY NOTES

1. BASIS OF BEARING, COORDINATES, DISTANCE, AND ACRES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NAD 83, U.S. SURVEY FOOT, WITH A CONVERGENCE ANGLE (theta) OF -0°54'48.4\"
2. 1/2\"
3. SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
4. IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASED.

DEVELOPMENT NOTES

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHDRAWING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
(1) THE REPRESENTED LOT IS REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #4829C0001E, DATED SEPTEMBER 14, 2005, THIS PROPERTY IS WITHIN THE UNSHOED PORTION OF ZONE \"X\", DESIGNATED AS \"AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN\".

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MANMADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF MAVERICK CIVIL & SURVEY, LLC.

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF RANCHLAND ADDITION, SECTION 2, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS _____ DAY OF _____, 2023.

CHAIRMAN

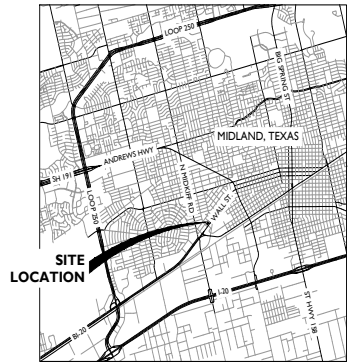
CHRISTINE O. BURNEL, SECRETARY

PROPERTY OWNER
COLBY WADE PERCE
4425 ROADGRINDER TR
MIDLAND, TX 79707
VOL. 123, PG. 448, DMCX

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____
DATE _____

RANCHLAND ADDITION
SECTION 2
January 16, 2024



SITE LOCATION
N.T.S.

VICINITY MAP
N.T.S.



LEGEND

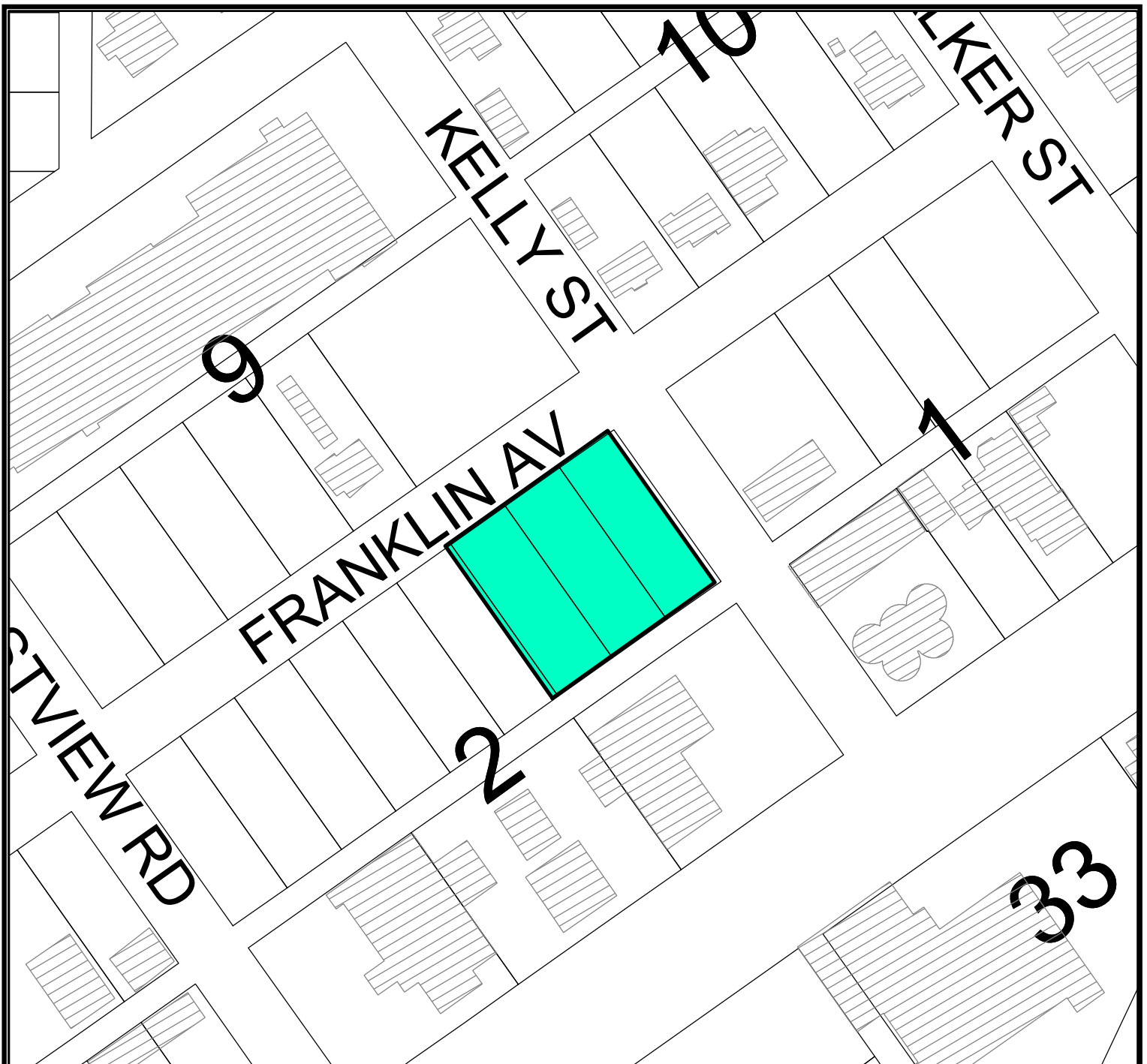
- SET 1/2\"
- FOUND MONUMENT AS NOTED
- BOUNDARY LINE
- EXISTING PARCEL LINES
- P.A.M.C.T. OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
- P.A.M.C.T. PLAT RECORDS, MIDLAND CO., TX
- D.A.M.C.T. DEED RECORDS, MIDLAND CO., TX



MAVERICK
CIVIL ENGINEERING / LAND SURVEYING
1909 West Wall Street, Suite \"K\"
Midland, Texas 79701
ENGINEER FIRM #: F-15089
SURVEY FIRM #: 10194514
Tel: (432) 362-0999 Fax: (432) 362-0989
www.Maverick-Eng.com

PACKET

Page 5.27



LOCATION MAP

SUB-23-0640

Scale: 1" = 1,303'

Plat of Ranchland Addition, Section 2, being a replat of Lots 16 through 18, Block 2, Ranchland Addition, City and County of Midland, Texas.

Generally located on the southeast corner of the intersection of Franklin Avenue and Kelly Street.
(Council District 2)

LEGEND

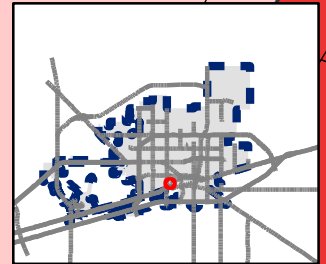
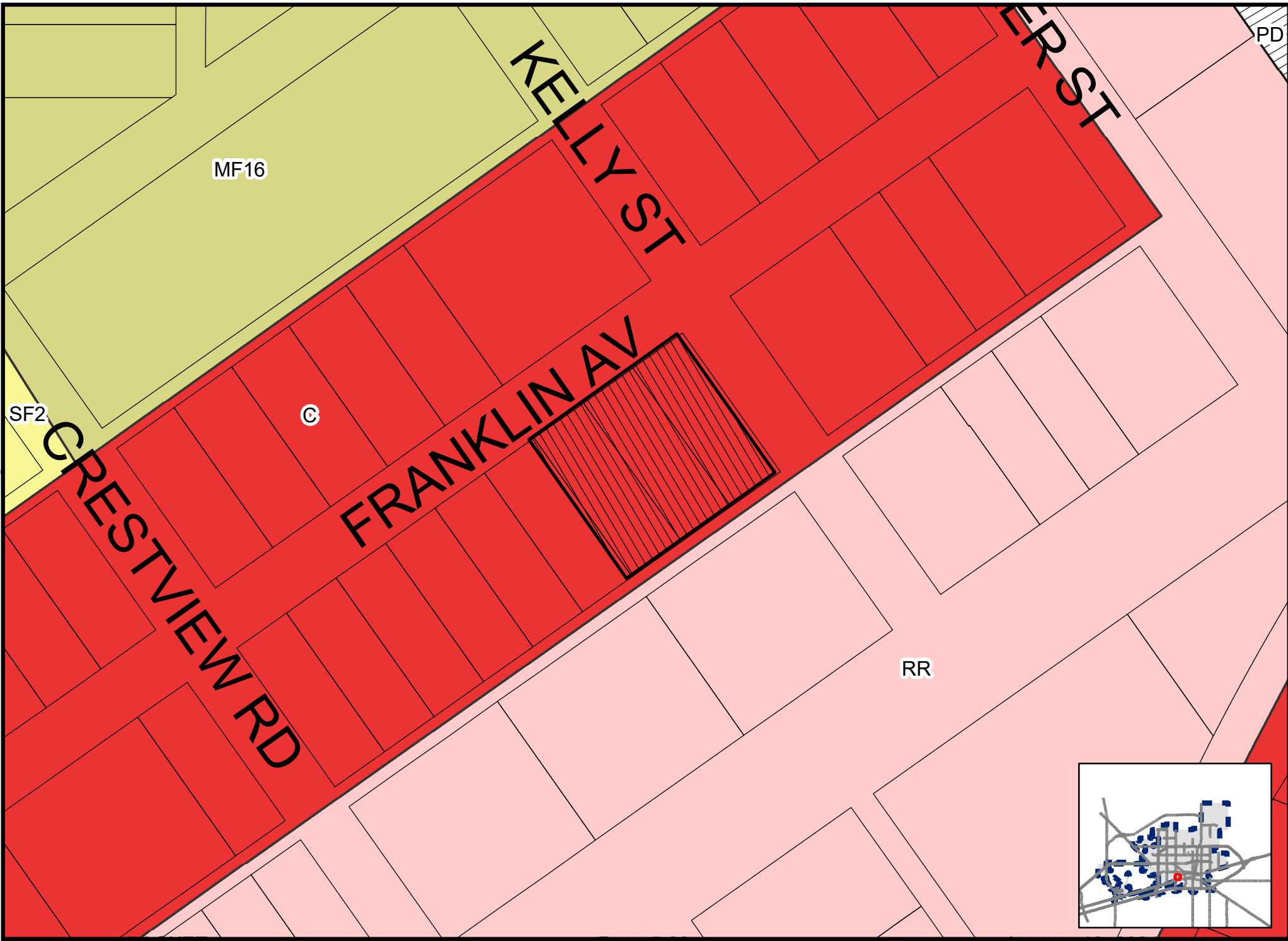
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT. NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.





Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: January 16, 2024

TO: Planning and Zoning Commission

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving a Final Plat of Grassland Estates West, Section 12, being a plat of a 19.2636-acre tract of land located in sections 35 & 36, Block 40, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located immediately north of Homeland Drive, approximately 250 feet north of Castlewood Drive.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

RR, Regional Retail District, in part, SF-1, Single-Family Dwelling District, and AE, Agricultural Estate District, in part.

The proposed lot sizes do not meet the minimum lot dimensions of the of the current zoning of RR and AE per Section 11-1-5.04. However, two zone change requests to rezone the property to SF-1 have been submitted and are in process.

The Planning & Zoning Commission recommended approval of the zone change request to change the RR portion to SF-1. It was approved in its first reading at City Council on January 9, 2024. It is scheduled to go to its second reading on January 23, 2024.

The zone change request to change the portion zoned AE to SF-1 is scheduled for this meeting's agenda. It is also scheduled for the February 13, 2024 and February 27, 2024 City Council meetings.

Preliminary Plat Approval:

The property owner, Grasslands IV, Ltd is proposing to plat a 99.1985-acre tract of land located in Section 35, Block 40, T&P RR Co. Survey, City and County of Midland County, Texas, into one hundred and fourteen (114) lots for a residential subdivision.

The Planning and Zoning Commission recommended approval of the preliminary plat on March 15, 2021.

The City Council approved the preliminary plat on March 23, 2021.

Final Plat Requirements:

The official signed Mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District, and a title opinion have been received. All other conditions for final plat approval have been satisfied.

The final plat attached hereto has been circulated to all City departments for review.

Below are the departments' comments.

BUILDING CODE: (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, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

ENGINEERING: (Approved)

* * * Updated 2024.01.11 . " * * *

IMPACT FEES: Okay as shown. [For Applicant's Information Only.]

ROW: Okay as shown. [For Applicant's Information Only.]

PAVING: Pavement improvements have been installed and accepted. [For the Applicant's information only.]

WATER: Water improvements have been installed and accepted. [For the Applicant's information only.]

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will

require the developers/contractors to pay for the flow test. [For Applicant's Information Only.]

PRO RATA: None [For Applicant's Information Only.]

SEWER: Wastewater improvements have been installed and accepted. [For the Applicant's information only.]

DRAINAGE: Drainage study has been approved. [For the Applicant's information only]

EASEMENTS: Okay as shown. [For the Applicant's information only]

SIDEWALKS: Sidewalk improvements have been installed and accepted. [For the Applicant's information only.]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review. [For the Applicant's information only.]

No objections to plat. [For the Applicant's information only.]

FIRE: (Approved)

No comments.

OIL AND GAS: (Approved)

No Oil & Gas well concerns. Informational: 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. Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures. Any plugged and abandoned (P&A) well would need to be identified. No structure shall be built over an abandoned well.

GIS: (Approved)

No comments.

PLANNING: (Approved with Conditions)

This final plat was initially scheduled for the December 18, 2023 P&Z meeting. However, a 30-day extension request was submitted. The Planning & Zoning Commission approved this request on December 18, 2023. Therefore, it is now on the January 16, 2024 agenda.

Staff recommends approval of the Final Plat of The Grassland Estates West, Section 12 subject to conditions A and B.

Conditions:

- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**
- B. That the property be rezoned to be entirely a zoning that permits the proposed lot sizes.**

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number:

SUB-10-0609

Case Number:

2-13-1868

Proposed Subdivision Plat Name: GRASSLAND ESTATES WEST, SECTION 14**Legal Description (attached sealed Metes and Bounds):** BEING A PLAT OF A 19.2636 ACRE TRACT INTO 51 LOTS OUT OF A 99.1985 ACRE TRACT OF LAND LOCATED IN SECTIONS 35 & 36, BLOCK 40, T-1-S, T & P RR Co. SURVEY, CITY & COUNTY OF MIDLAND, TEXAS**Property Owner**

Printed Name: GRASSLAND IV, LTD.

Phone (432) 697-9866

Email

Address 5908 HOMESTEAD BLVD.

City MIDLAND

State TX

Zip 79707-2215

Developer (if different than Owner)

Printed Name: ROBERT GRAHAM

Phone (432) 697-9866

Email

Address 5908 HOMESTEAD BLVD.

City MIDLAND

State TX

Zip 79707-2215

Representative (if acting as Agent, see affidavit on page 2)

Firm: WA CIVIL, LLC.

Phone (432) 901-2060

Email

Printed Name: LARRY H. WALKER, PE,PMP

lwalker@wacivil.com

Address 223 WEST WALL ST., SUITE 226 (8th FLOOR)

City MIDLAND

State TX

Zip 79701

Current Zoning: SF1**Reason for Platting:** TO DEVELOPE RESIDENTIAL SUBDIVISION**Plat Information**

Total Acreage: 19.2636 ACRES

Type: ☒ Single-Family Residential☐ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 51

Number of Multi-Family Dwelling Units: 0

Submittal Information: Standard Plats must be submitted at least 20 days and a Residential Replat must be submitted at least 25 days prior to the P&Z Commission meeting at which action is desired, unless Short Form or Administrative Procedure is applicable.**Items to be submitted with this application form:**

- 2 FOLDED Copies of Dimensioned Plat
- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF) & CADD File
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland'
- Recording Fee – Payable to 'Midland County Clerk'

Mylar Reproductions

This application authorizes the City to file the approved plat and associated documents with the County Clerk for recording. This application also authorizes the City to reproduce 1 mylar copy of the approved plat at the expense of the engineering firm/applicant for the City's records if needed. (Applicant can submit additional signed mylar instead of reproduction.)

- ☒ Applicant would like a reproduction made for their records
☐ Applicant does not want a reproduction/will make their own

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

For related documents, \$26.00 for first page, \$4.00 for each additional page.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature):

Date: 11/20/23

Property Owner (printed): ROBERT GRAHAM

The Final Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

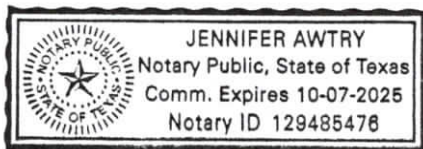
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared LARRY H. WALKER who, being by me duly sworn, upon oath says: That (s)he is authorized by ROBERT GRAHAM, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 20th day of November, 20 23 to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar (3)

☐ Application Fee

Check # Waived

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☒ Title Opinion

☒ Tax Certificates

☐ Plat in Digital Format (PDF/JPEG)

☐ CADD File

☐ Public Improvement

☒ Recording Fee

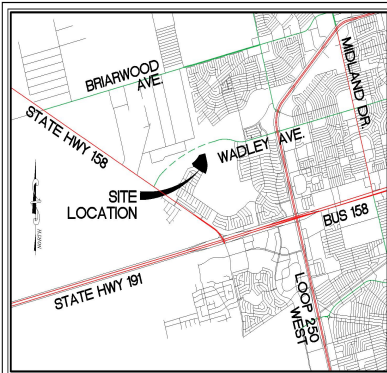
Check # 74918

Received By: [Signature]

Date: NOV 27 2023

****Application will not be considered for scheduling until reviewed by a planner.****

Final Plat Application
PACKET



VICINITY
MAP

FINAL GRASSLAND ESTATES WEST, SECTION 12 BEING A PLAT OF A 19.2636 ACRE TRACT OF LAND LOCATED IN SECTIONS 35 & 36, BLOCK 40, T-4-S-36 T & P RR Co. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS

SURVEYOR'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WE, THE UNDERSIGNED, ROBERT GRAHAM, LTD., being the owner of a 19.2636 acre tract of land located in Sections 35 & 36, Block 40, T-4-S-36 T & P RR Co. Survey, City and County of Midland, Texas, do hereby certify that this plat was prepared from an actual and accurate survey of the land and that the corner monuments shown thereon were properly located under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

NOTICE: HEREIN, I KNOW ALL MEN BY THESE PRESENTS:

That I, ROBERT GRAHAM of GRASSLAND IV, LTD., being the owner of the land shown on this plat designated as GRASSLAND ESTATES WEST, SECTION 12, on Addition to the City of Midland, Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon; and do hereby give an easement of ingress and egress to the City of Midland for garbage and trash collection, and location and maintenance of trash containers and access thereto, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.

WITNESS my hand at Midland, Texas, this

the _____ day of _____, 2024.

By: ROBERT GRAHAM of GRASSLAND IV, LTD.

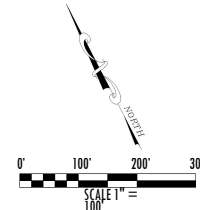
ACKNOWLEDGMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, ROBERT GRAHAM, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as the authorized agent of GRASSLAND IV, LTD., and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this

the _____ day of _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



LEGEND

- FOUND 1/2-INCH IRON ROD
- BOUNDARY LINE
- DEEDS LOT LINE
- DEEDS EASEMENT
- DEEDS ADJACENT DEED OR PROPERTY LINE
- DEEDS SECTION LINE

NOTICE:

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- COORDINATES, BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE LAMBERT GRID AND CONFORM TO THE "TEXAS COORDINATE SYSTEM", TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM 1983.
- WITH REFERENCE TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, MAP NO. 48329C0608F, REVISED 9/18/05 TO REFLECT LOAN, EFFECTIVE DATE: 3/10/14, THIS SURVEYOR HAS DETERMINED THAT THIS PROPERTY IS LOCATED MOSTLY LOCATED IN ZONE "X" AND A SMALL CORNER IN ZONE "AE". THIS DETERMINATION SHALL NOT CREATE A LIABILITY UPON SAID SURVEYOR.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, DURYEN HENNINGTON, R.P.L.S. 6832, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this plat was prepared from an actual and accurate survey of the land and that the corner monuments shown thereon were properly located under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.



DURYEN HENNINGTON, R.P.L.S. 6832
2030 W. Cuthbert
Midland, Texas 79701

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

Mark Lieb
ATMOS ENERGY

Mark Lieb
Print Name:

Sergio Molina
ONCOR ELECTRIC DELIVERY

Sergio Molina
Print Name:

Luis Montez
OPTIMUM

Luis Montez
Print Name:

Ruben Guerra
ASTOUND

Ruben Guerra
Print Name:

Vincent Gonzalez
AT&T-TEXAS

Vincent Gonzalez
Print Name:

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "GRASSLAND ESTATES WEST, SECTION 12," was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

the _____ day of _____, 2024.

LUCY SISNIEGA, CHAIRMAN

ELIZABETH TRIGGS, SECRETARY

INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE PERMITTING PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

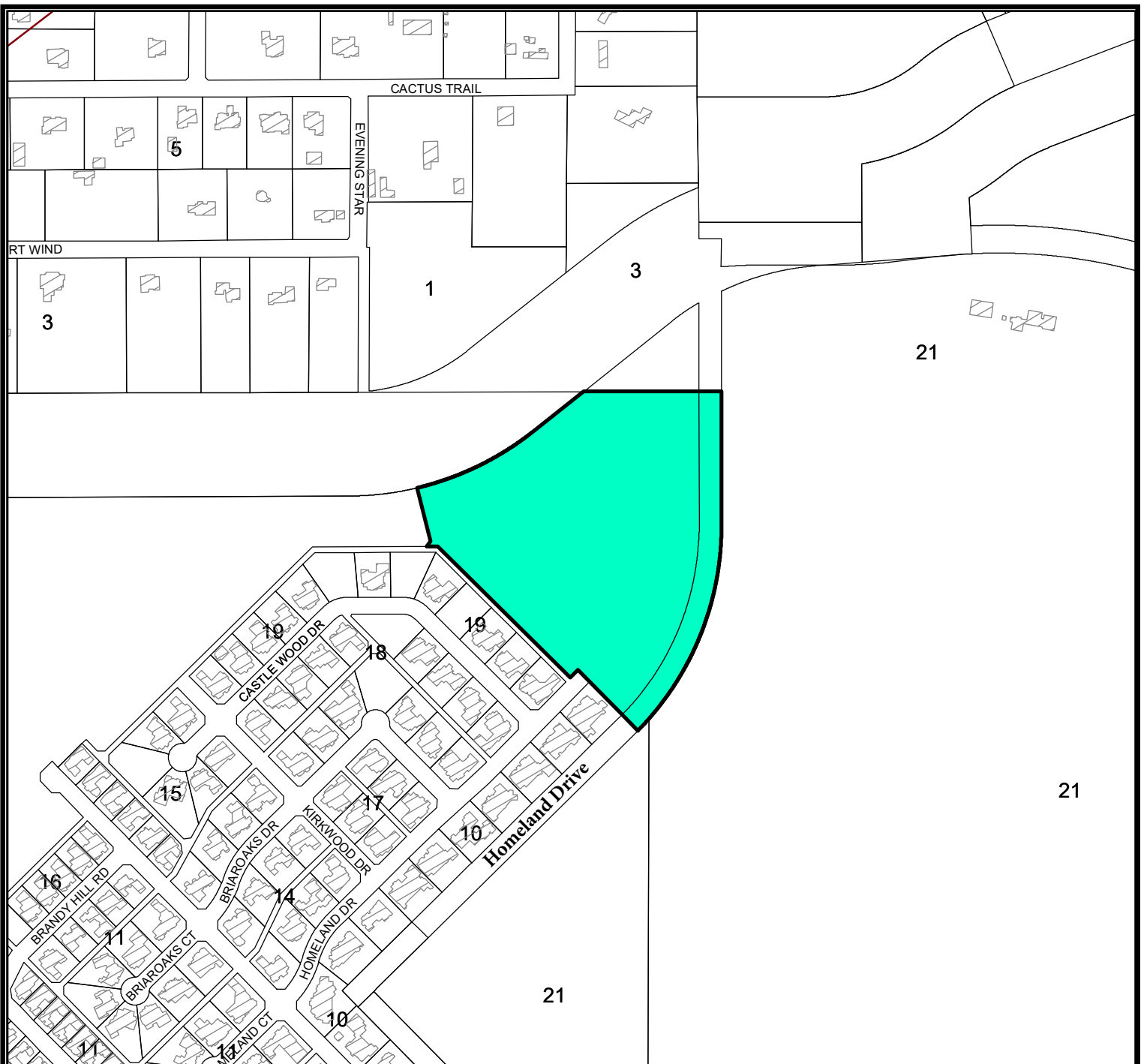
NO. _____ CABINET _____

DATE: _____ PAGE _____

OWN
GRASSLAND
Robert Graham
Managing Partner
5908 Homestead Blvd.
Midland, TX 79707-2115
(409) 615-5908
rgraham@grassland.com

PENNEL
SURVEYING
101238W.
Cuthbert
Midland, Texas 79701

January 16, 2024
GRASSLAND ESTATES WEST, SECTION 12



LOCATION MAP

P-23-1868

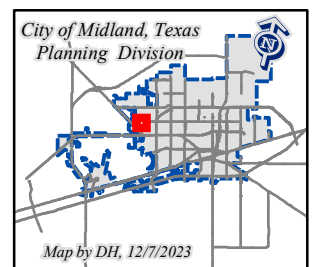
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Final Plat of Grassland Estate West, Section 12, being a plat of a 19.2636-acre tract of land located in sections 35 & 36, Block 40, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas.

Generally located immediately north of Homeland Drive, approximately 250 feet north of Castlewood Drive. (DISTRICT 4)

LEGEND

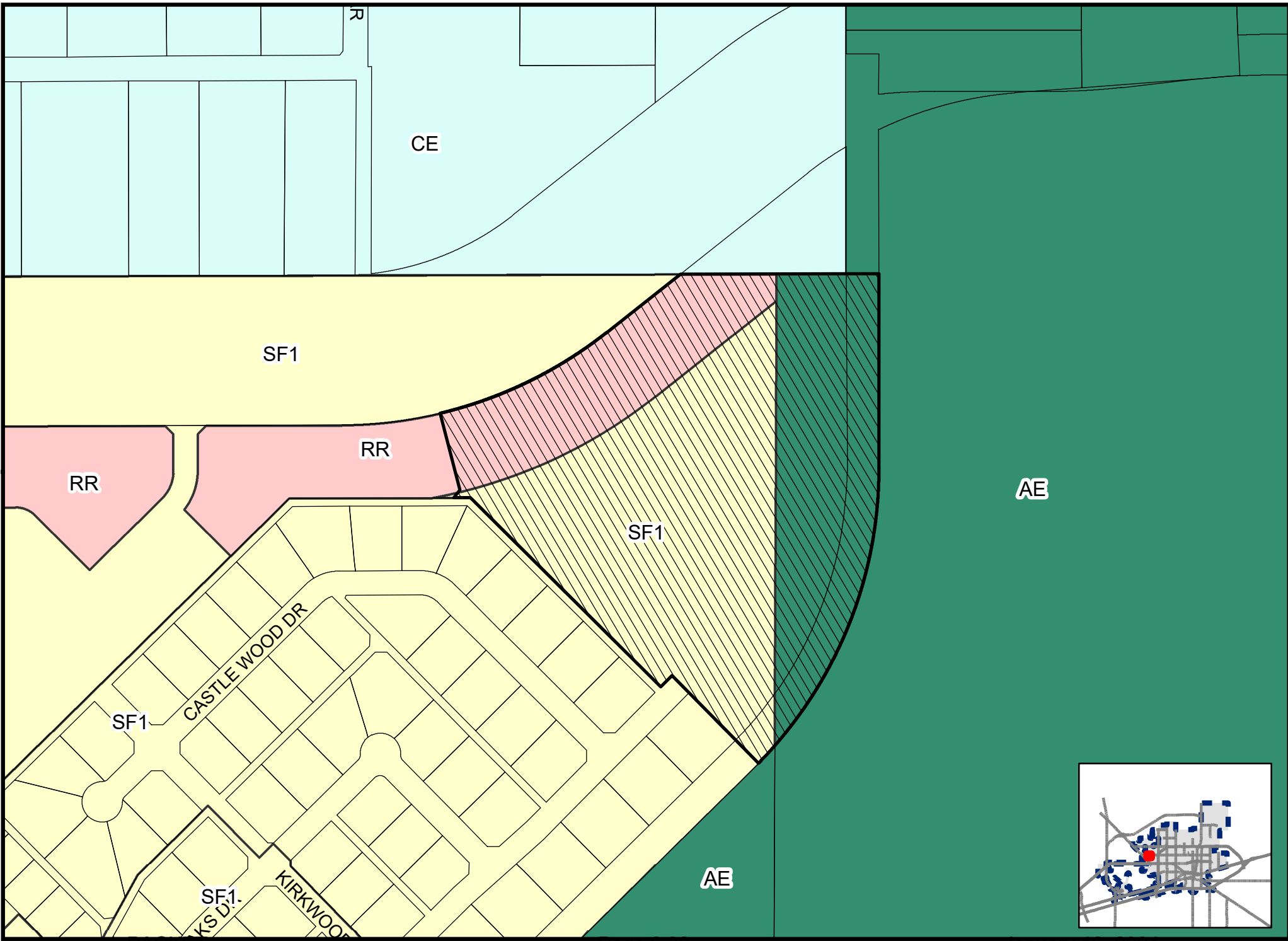
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: January 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Consider a request by Fierce Property Investments, LLC for a Zone Change from, PD, Planned Development District for a Shopping Center to RR, Regional Retail District on Lot 1, Block 1, TSC Development, City and County of Midland, Texas. (Generally located on the west side of N. State Highway 349, approximately 380 feet north of Tejas.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ **Approve** ☐ **Deny** ☐ **Directional/Informational**

Purpose:

The applicant, Fierce Property Investments, LLC, is requesting a Zone Change from PD, Planned Development District for a Shopping Center to RR, Regional Retail District for future retail development.

Current Zoning:

PD, Planned Development District for a Shopping Center. (Ordinance 10185)

Surrounding Zoning and Land Use:

The property to the north is zoned PD, Planned Development District for an Industrial District and is the location of Houston Business Park, an office leasing business. This property abuts N. State Highway 349 to the east. The property to the south belongs to the same zoning ordinance (Ord. 10185) and is the location of an O'Reilly Auto Parts, Family Dollar, and Tractor Supply Co. The west adjacent lot is zoned RR, Regional Retail District and is a vacant lot.

Analysis:

The PD ordinance attached to the property has an underlying zoning of RR, Regional Retail District. The applicant wants to change the zoning for the future development of retail uses.

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 comments.

Oil and Gas: (Approved)

No Oil and Gas issues.

Engineering: (Approved)

No objection. [For Applicant's Information Only.]

Code: (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, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

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. [For the Applicant's information only.] No objection to zone change. [For the Applicant's information only.]

Planning:

Staff recommends approval of this request subject to condition A.

Conditions:

- A. That the use and development of this property shall conform to the regulations of the RR, Regional Retail District.**

Letters of Objection:

Staff has not received any letters of objection as of January 10, 2024.

Attachments:

Application
Metes & Bounds (Exhibit A)
Maps
Ordinance 10185



Zone Change/Planned District Amendment/Site Plan Approval

Project Number: _____

Case Number: 2-23-0357**Applicant** (if acting as Agent, see affidavit on page 2)

Printed Name: Chris Butler - Fierce Property Investments. LLC

Phone (432) 262-0999

Email
chris@cmbcllc.comAddress
4416 Briarwood AveCity
MidlandState
TXZip
79707**Property Owner**

Printed Name: see applicant

Phone (432) 262-0999

Email
432 262-0999

Address

City

State

Zip

Representative (if different from Applicant or Property Owner)

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email
phuckaba@maverick-eng.comAddress
1909 W. Wall Street Ste KCity
MidlandState
TXZip
79701**Street Address:** 6409 N HWY 349**Legal Description**

Lot: 1 Block: 1 Subdivision: TSC Development

Current Zoning:

PD

Proposed Zone: RR

(List by tracts if more than one district is requested)

Reason for Zone Change Request: TO GIVE THE PROPOSED 349 RETAIL PLAT A SINGLE ZONING DISTRICT DESIGNATION**Present Use of Property:** VACANT**Proposed Use of Property:** RETAIL & FAST FOOD**How would this zone change affect the public health, safety and welfare?** NO ADVERSE AFFECT**Describe how conditions affecting the property have changed since present zoning designation:** Original site plan for the PD is no longer valid**Submittal and Fees****Items to be submitted with this application form:**

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan
- Digital Copies of Site Plan (PDF/JPEG)

Signature (by property owner only – authorized agent must sign affidavit below)Applicant (signature): [Signature]

Date: 12/14/2023

Applicant (printed): Chris Butler Member

Property Owner (signature): see applicant

Date:

Property Owner (printed): _____

The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

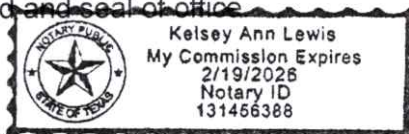
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Andrew L. Mellen who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or authorized by Farce Property Investments, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 14th day of December, 2023, to certify which witness my hand and seal of office.



[Signature]

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY☒ Property Owner Authorization☐ Dimensioned Site Plan☒ Application Fee☒ Plans in Digital Format (PDF/JPEG)Check # 4611Received By: [Signature]

Date:

DEC 20 2023

****Application will not be considered for scheduling until reviewed by a planner.****

PACKET

Page 7.43

January 16, 2024



FIELD NOTE DESCRIPTION OF A 2.768 ACRE TRACT OF LAND BEING ALL OF LOT 1, BLOCK 1, TSC DEVELOPMENT, A SUBDIVISION OF MIDLAND COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF FILED IN CABINET M, ON PAGE 130, PLAT RECORDS OF MIDLAND COUNTY, TEXAS (PR), SAME BEING SITUATED WITHIN AND BEING OUT OF SECTION 11, BLOCK "X", H.P. HILLIARD SURVEY, MIDLAND COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED FOR REFERENCE PURPOSES ONLY AS FOLLOWS;

BEGINNING AT N.(Y):10721614.33, E.(X):1752862.34, A PK NAIL FOUND IN THE WEST RIGHT OF WAY LINE OF STATE HIGHWAY 349, BEING THE SOUTHEAST CORNER OF LOT 3, HOUSTON INDUSTRIAL PARK ACCORDING TO THE MAP OF PLAT THEREOF FILED IN CABINET I, PAGE 33 OF SAID "PR", AND FOR THE NORTHEAST CORNER HEREOF;

THENCE S.14°36'04"E.. ALONG SAID WEST RIGHT OF WAY LINE, 276.95 FEET TO A ONE HALF INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF LOT 2, BLOCK 1 OF SAID TSC DEVELOPMENT AND FOR THE SOUTHEAST CORNER HEREOF;

THENCE S.75°33'02"W., ALONG THE NORTH LINE OF SAID LOT 2, 436.46 FEET TO A ONE HALF INCH IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514" (RPC) SET FOR THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, MIDLAND COUNTRY CLUB ESTATES, ACCORDING TO THE MAP OF PLAT THEREOF FILED IN CABINET D, PAGE 374 OF SAID "PR", AND FOR THE SOUTHWEST CORNER HEREOF;

THENCE N.14°22'40"W., ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, MIDLAND COUNTRY CLUB ESTATES, 276.31 FEET TO A PK NAIL FOUND AND ACCEPTED FOR THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1, MIDLAND COUNTRY CLUB ESTATES, AND FOR THE NORTHWEST CORNER HEREOF;

THENCE N.75°27'58"E, ALONG THE SOUTH LINE OF SAID LOT 3, HOUSTON INDUSTRIAL PARK, 435.38 FEET TO THE **POINT OF BEGINNING**, CONTAINING 2.768 ACRES, OR 120,586.31 SQUARE FEET OF LAND.

BASIS OF BEARING, COORDINATES, DISTANCES AND ACREAGE ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NORTH AMERICAN DATUM 1983, U.S. SURVEY FOOT.

December 13, 2023

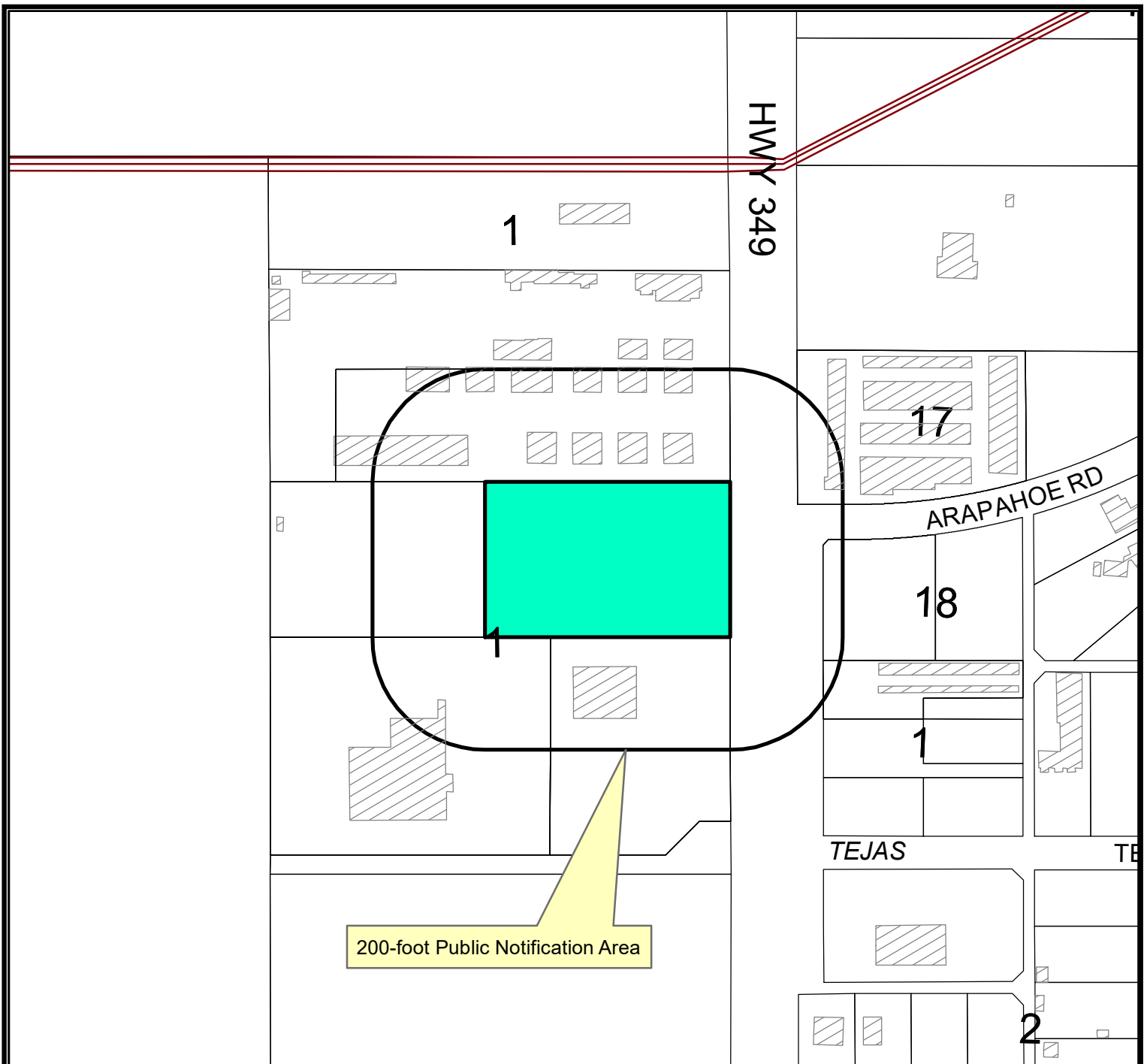
Paladin R. Huckaba

www.maverick-eng.com

Texas RPLS - No. 7027

Maverick Engineering (FIRM – No. 10194514)





LOCATION MAP

Z-23-0357

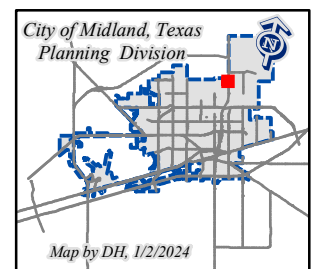
Scale: 1" = 256'

A request by Fierce Property Investments, LLC for a Zone Change from PD, Planned Development District for a Shopping Center (Ordinance No. 10185) to RR, Regional Retail District, located on Lot 1, Block 1, TSC Development, City and County of Midland, Texas.

Generally located on the west side of N. State Highway 349, approximately 380 feet north of Tejas. (Council District 1)

LEGEND

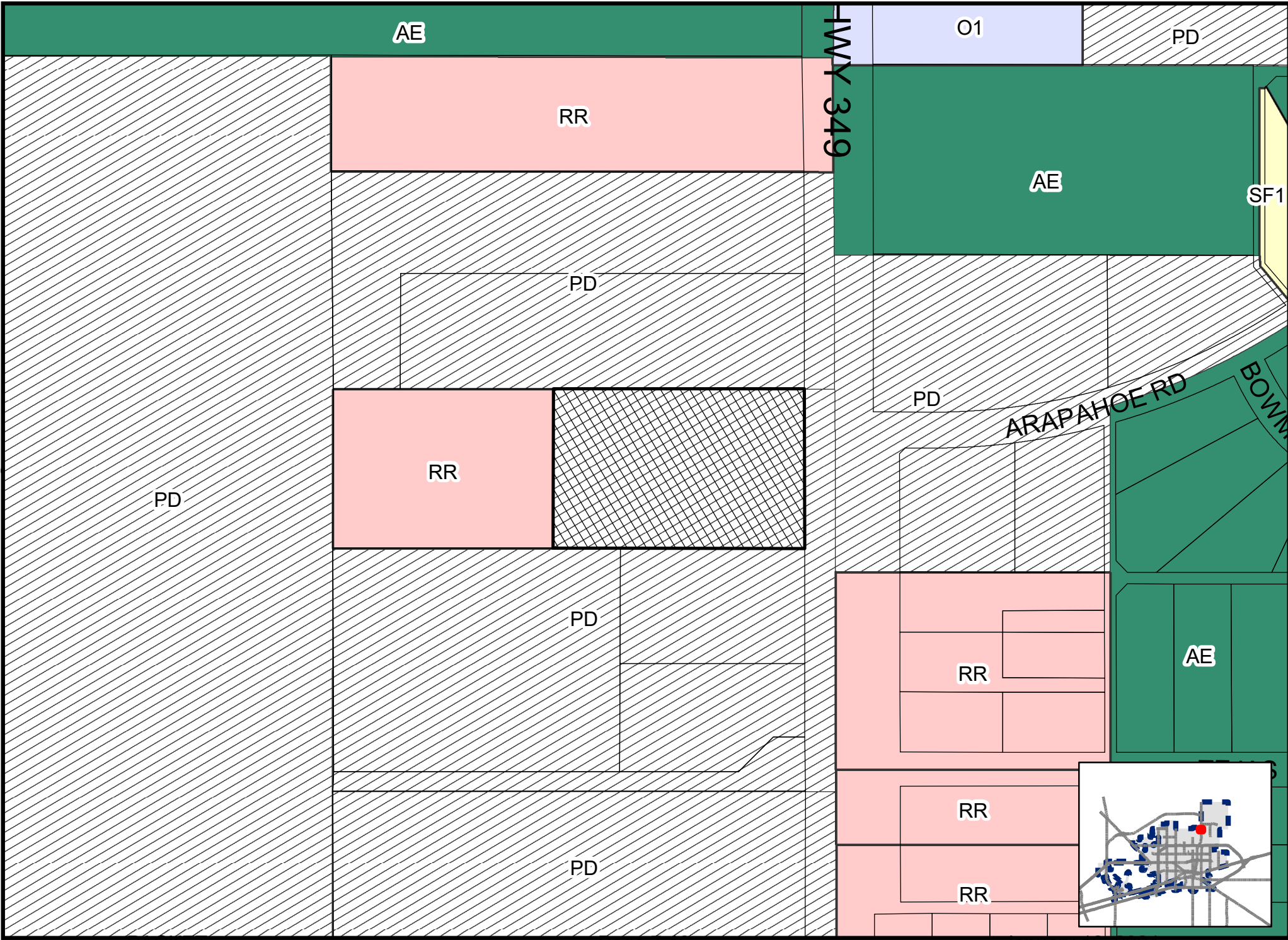
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT. NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.











ORDINANCE NO. 10185

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 9.92-ACRE TRACT OF LAND OUT OF SECTION 11, BLOCK X, H.P. HILLIARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM AE, AGRICULTURAL ESTATE DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF NORTH STATE HIGHWAY 349 AND TEJAS); 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

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning a 9.92-acre tract of land out of Section 11, Block X, H.P. Hilliard Survey, City and County of Midland, Texas, said tract being more specifically described by metes and bounds in Exhibit "A", which is attached hereto and incorporated herein (the "Property") to PD, Planned Development District for a Shopping Center and adopting a site plan therefor, as set out hereinafter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from AE, Agricultural Estate District to PD, Planned Development District for a Shopping Center.

SECTION TWO. That the base zoning district to which the use and development of the Property shall conform, except as modified by Section Three of this ordinance, is the

RR, Regional Retail District.

SECTION THREE. That a site plan, which is attached hereto as Exhibit “B” and incorporated herein for all purposes, is hereby adopted, and the use and development of the Property shall be subject to the following conditions and restrictions:

- A. That the Property shall significantly conform to the site plan attached hereto as Exhibit “B”.
- B. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.
- C. That the minimum number of required parking spaces shall be as shown in Exhibit “B”.
- D. That the fencing shall significantly conform to Exhibit “B”.
- E. That all signage shall conform to the regulations set forth in Title XI, Chapter 7a of the City Code.

SECTION FOUR. That the definitions given in the zoning regulations contained in the City Code of the City of Midland, Texas, shall be applicable to such of those terms as are used herein.

SECTION FIVE. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION SIX. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION SEVEN. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code

of Midland, Texas, which provides for a fine not exceeding two thousand dollars (\$2,000.00).

SECTION EIGHT. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 11th day of May, A.D., 2021; and passed to second reading on motion of Council member Ladd, seconded by Council member Blong, by the following vote:

Council members voting "AYE": Blong, Trost, Robnett, Payton, Dufford, Ladd Norman

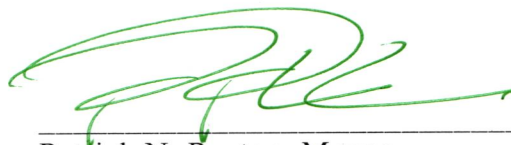
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Ladd, seconded by Council member Blong, on the 25th day of May, A.D., 2021, at a regular meeting of the City Council:

Council members voting "AYE": Blong, Trost, Robnett, Payton, Dufford, Ladd Norman

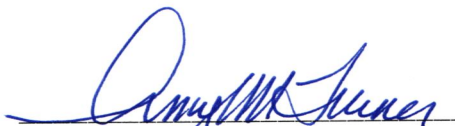
Council members voting "NAY": None

PASSED AND APPROVED THIS 25th day of May, A.D., 2021.

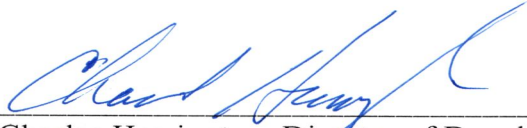


Patrick N. Payton, Mayor

ATTEST:

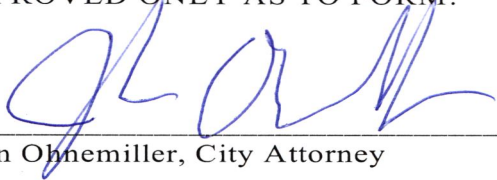

Amy M. Turner, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

A handwritten signature in blue ink, appearing to read "Charles Harrington", written over a horizontal line.

Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:

A handwritten signature in blue ink, appearing to read "John Ohnemiller", written over a horizontal line.

John Ohnemiller, City Attorney

E:\2021\2021-002\Drafting\Exhibit\2021-002 Zoning Exhibit.dwg, 3/24/2021 2:14:11 PM, AutoCAD PDF (General Documentation).pc3

Exhibit A

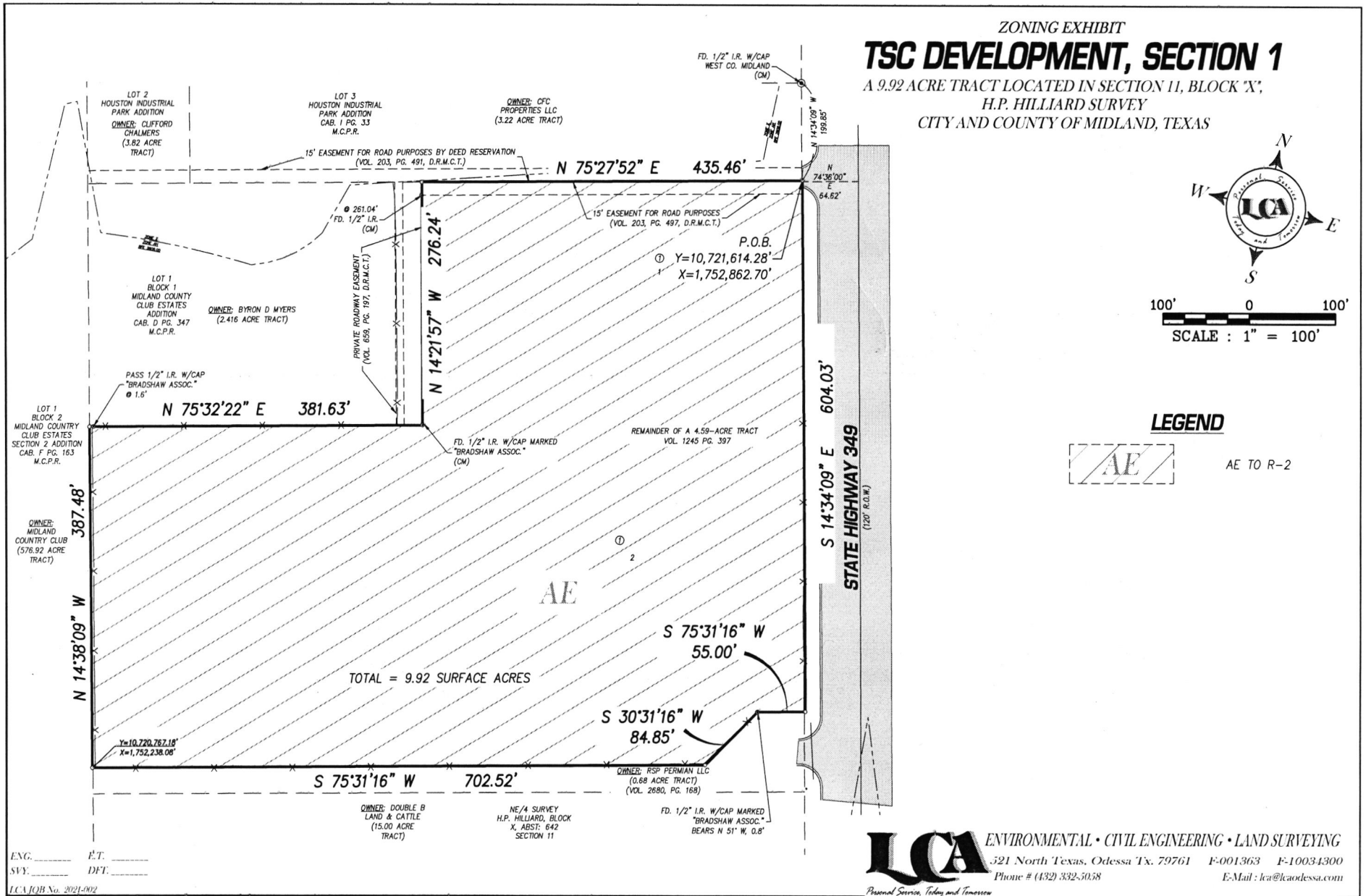


EXHIBIT B

102,188 SQ. FT.
2.76 ACRES
FUTURE DEVELOPMENT

63,413 SQ. FT.
1.46 ACRES
FUTURE DEVELOPMENT

55,168 SQ. FT.
1.27 ACRES
FUTURE DEVELOPMENT

192,125 SQ. FT.
4.41 ACRES

TRACTOR SUPPLY CO.

PERMANENT SIDEWALK DISPLAY AREA
8'x10' CLEAR ACCESS ALL TIMES
4,800 SQ. FT.

FENCED OUTDOOR
DISPLAY AREA
20,100 S.F.

PERMANENT TRAILER
EQUIP. DISPLAY AREA
3,000 S.F.

SHARED ACCESS EASEMENT

SHARED ACCESS EASEMENT

PYLON SIGN
LOCATION (N)

NORTH STATE HWY 349

TRACTOR SUPPLY COMPANY
Midland, Texas

REVISIONS

PROJECT DATA

DATE: 03.23.2021
JOB NUMBER: 20036
SHEET TITLE: SITE PLAN
SHEET NUMBER:

SITE

SITE PLAN
SCALE: 1" = 30'

N

PERMANENT SIDEWALK DISPLAY AREA
8'x10' CLEAR ACCESS ALL TIMES
4,800 SQ. FT.

FENCED OUTDOOR
DISPLAY AREA
20,100 S.F.

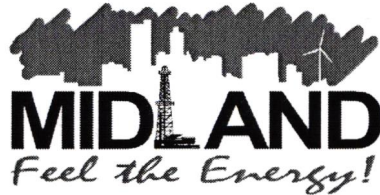
PERMANENT TRAILER
EQUIP. DISPLAY AREA
3,000 S.F.

DEMISED PREMISES

Tractor Supply Company
Midland, Texas

PROJECT DATA	
DATE	03.23.2021
JOB NUMBER	20036
SHEET TITLE	SITE PLAN
SHEET	

SITE



City Council Meeting

Item Number: 15
Meeting Date: May 25, 2021
To: City Council / City Manager
From: Valerie A. Sherman, Senior Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 9.92-ACRE TRACT OF LAND OUT OF SECTION 11, BLOCK X, H.P. HILLIARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM AE, AGRICULTURAL ESTATE DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF NORTH STATE HIGHWAY 349 AND TEJAS); 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, Landgraf, Crutcher & Associates, is requesting this zone change from AE, Agricultural Estates District to PD, Planned Development District for a shopping center to develop a shopping center.

Recommended City Council Action:

Approve

Fiscal Impact:

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

Discussion:

Surrounding Zoning and Land Use:

The property to the north is zoned PD, Planned District for an Industrial District and the location

of a business park. The properties to the east across N. State Highway 349, are zoned PD, Planned District for an Industrial District and the location of a storage facility, and RR, Regional Retail District, and the location of vacant lots. The property to the south is zoned PD, Planned District for a Housing Development and the location of a residence. The properties to the west are zoned AE, Agricultural Estate District and the location of a residence, and PD, Planned Development District for a Recreation Center and the location of a golf course.

Analysis:

The applicant is requesting this zone change from AE, Agricultural Estates District to PD, Planned Development District for a Shopping Center with an underlying zoning district of RR, Regional Retail District, to develop a shopping center.

Per the Zoning Ordinance, a Shopping Center is permitted in the RR, Regional Retail District.

This proposed project has been circulated to and reviewed by 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 2020 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.

Our staff has examined the FEMA flood map and it appears that this property lies entirely within Zone AH, which is a Special Flood Hazard Area subject to inundation by the 1% annual chance flood. Compensatory excavation will be required within floodplain for any fill being placed within the floodplain.

An elevation certificate based off of construction drawings will be required to get a building permit to show compliance to the 1 foot of freeboard above the base flood elevation for residential structures. An elevation certificate based off of finish construction will be required for the Certificate of Occupancy.

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)

Access spacing will be required to adhere to the TxDOT Access Management Standards along the state highway.

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:

Per the Future Land Use map, this location is designated as Urban Residential; which calls for single-family detached development, and civic uses are generally allowed with special permission for higher intensity uses; therefore, this zone change complies with the Future Land Use plan.

This request has been recommended for approval by a unanimous vote at the April 19, 2021 Planning and Zoning Commission meeting.

Staff recommends approval of the zone change from AE, Agricultural Estate District to amended PD, Planned Development District for a Shopping Center, subject to conditions A through F.

Conditions:

- A. That the use and development of this property shall conform to the regulations of the RR, Regional Retail District, except as stated below.**
- B. That this property shall conform to the site plan, which is attached hereto and incorporated herein as Exhibit "B".**
- C. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.**
- D. That the minimum number of required parking spaces shall be shown on Exhibit "B".**
- E. That the fencing shall significantly conform to Exhibit "B".**

F. That the signage for this property shall conform to the regulations set forth in Title XI, Chapter 7a. of the City Code.

Letters of Objection:

Staff has not received any objections as of April 28, 2021.

Attachments:

Metes and Bounds (Exhibit A)

Site Plan (Exhibit B)

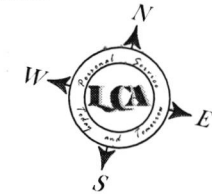
Application

Maps

City Manager's Office

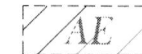
Exhibit A

ZONING EXHIBIT TSC DEVELOPMENT, SECTION 1 A 9.92 ACRE TRACT LOCATED IN SECTION 11, BLOCK "X", H.P. HILLIARD SURVEY CITY AND COUNTY OF MIDLAND, TEXAS

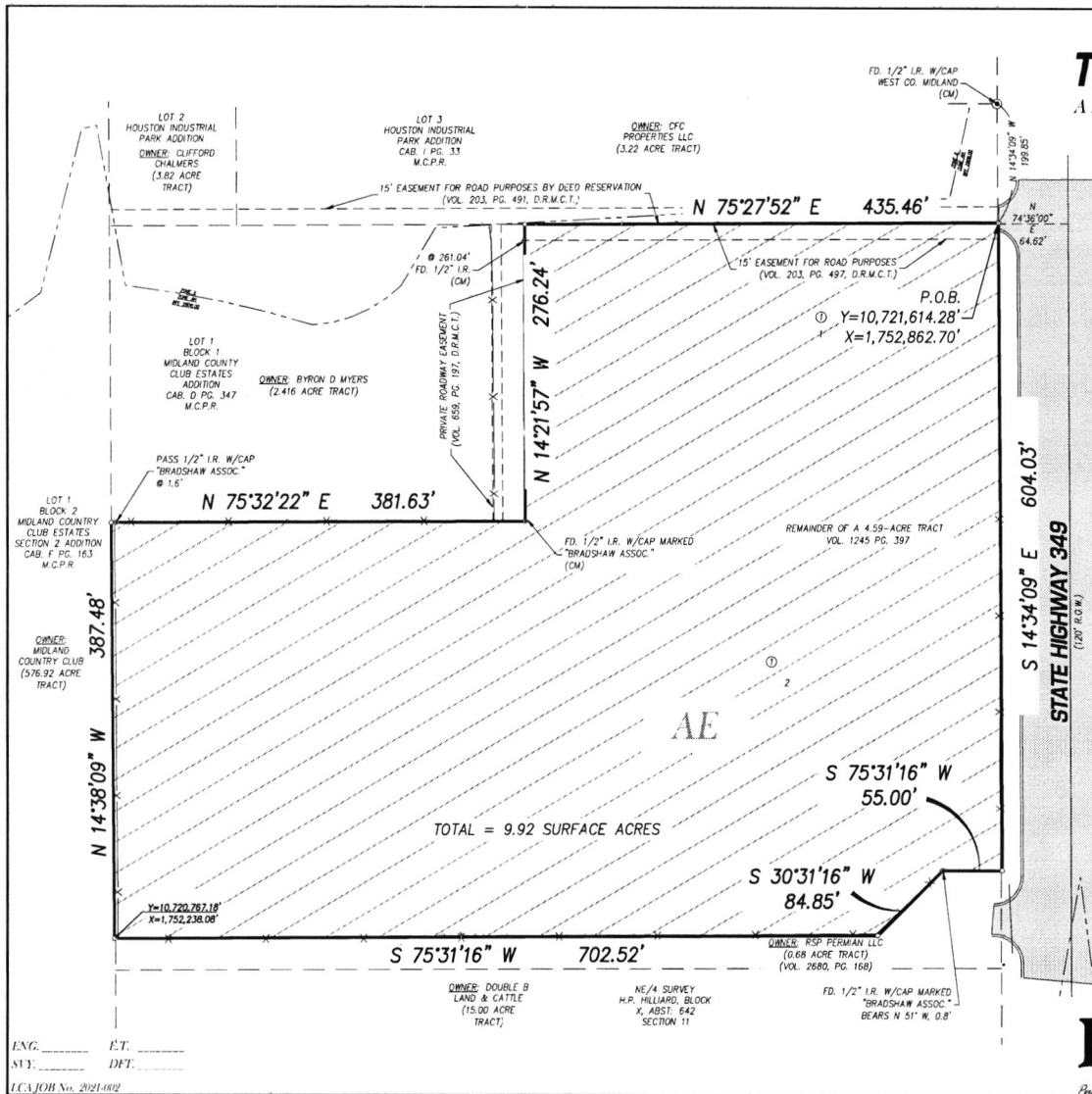


100' 0 100'
SCALE: 1" = 100'

LEGEND

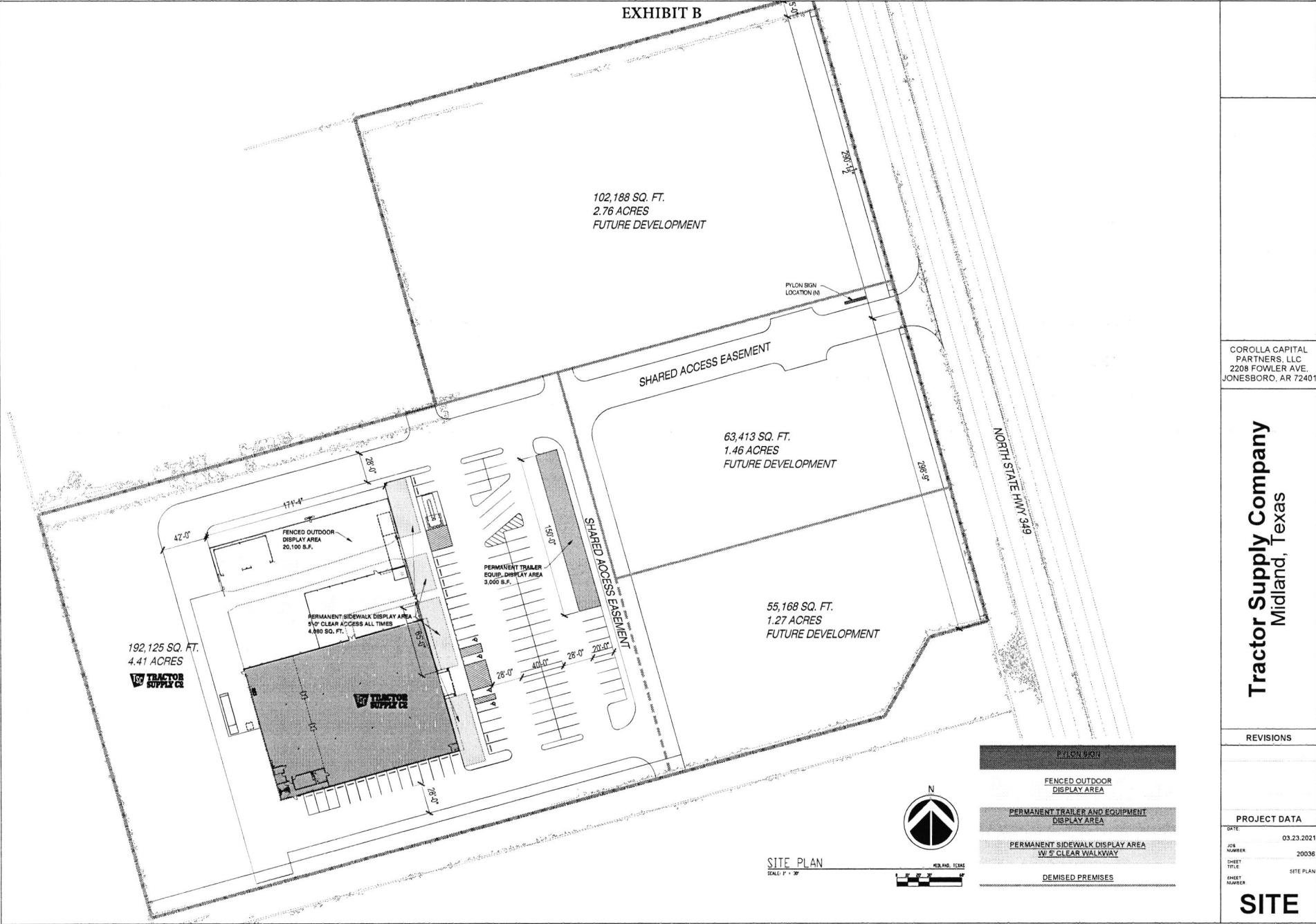


AE TO R-2



LCA ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING
521 North Texas, Odessa Tx. 79761 F-001363 F-10031300
Phone # (432) 332-5038 E-Mail: lca@lcaodessa.com
Personal Service, Today and Tomorrow

PACKET
15.9
May 25, 2021



COROLLA CAPITAL
PARTNERS, LLC
2208 FOWLER AVE.
JONESBORO, AR 72401

Tractor Supply Company
Midland, Texas


**Zone Change/Planned District
Amendment/Site Plan Approval**

Project Number: _____

Case Number: 2-21-0232**Applicant** (if acting as Agent, see affidavit on page 2)

Printed Name: _____

Phone ()

Email _____

Address _____

City _____

State _____

Zip _____

Property OwnerPrinted Name: **Christopher Lewis Gurgevich**

Phone (N/A)

Email N/A

Address: **6401 N. Hwy 349**City: **Midland**State: **TX**Zip: **79705****Representative** (if different from Applicant or Property Owner)Firm: Landgraf, Crutcher & AssociatesPrinted Name: **LCA**Phone (**432**) **332-5058**

Email _____

lca@lcaodessa.comAddress **521 N. Texas Avenue**City **Odessa**State **TX**Zip **79761****Street Address: 6401 N. Hwy 349****Legal Description**Lot: **Prop. 1** Block: **Prop. 1** Subdivision: **Proposed TSC DEVELOPMENT, SECTION 1****Current Zoning: Agricultural Estates District
(AE)****Proposed Zone: Planned Development (PD)**
(List by tracts if more than one district is requested)**Reason for Zone Change Request: To comply with a shopping center zoning requirements****Present Use of Property: residential and partially vacant****Proposed Use of Property: Shopping center****How would this zone change affect the public health, safety and welfare?**Traffic may increase in this area**Describe how conditions affecting the property have changed since present zoning designation. Not known****Submittal and Fees****Items to be submitted with this application form:**

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan
- Digital Copies of Site Plan (PDF/JPEG)

Signature (by property owner only – authorized agent must sign affidavit below)

Applicant (signature):

Date:

Applicant (printed):

Property Owner (signature):

Date:

Property Owner (printed):

The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared George E. Thornley who, being by me duly sworn, upon oath says: That (s)he is authorized by Texas NH Management LLC, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

George E. Thornley
Authorized Agent (signature)

Subscribed and sworn to before me, this 24 day of March, 2021, to certify which witness my hand and seal of office.



Melanie Martinez
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

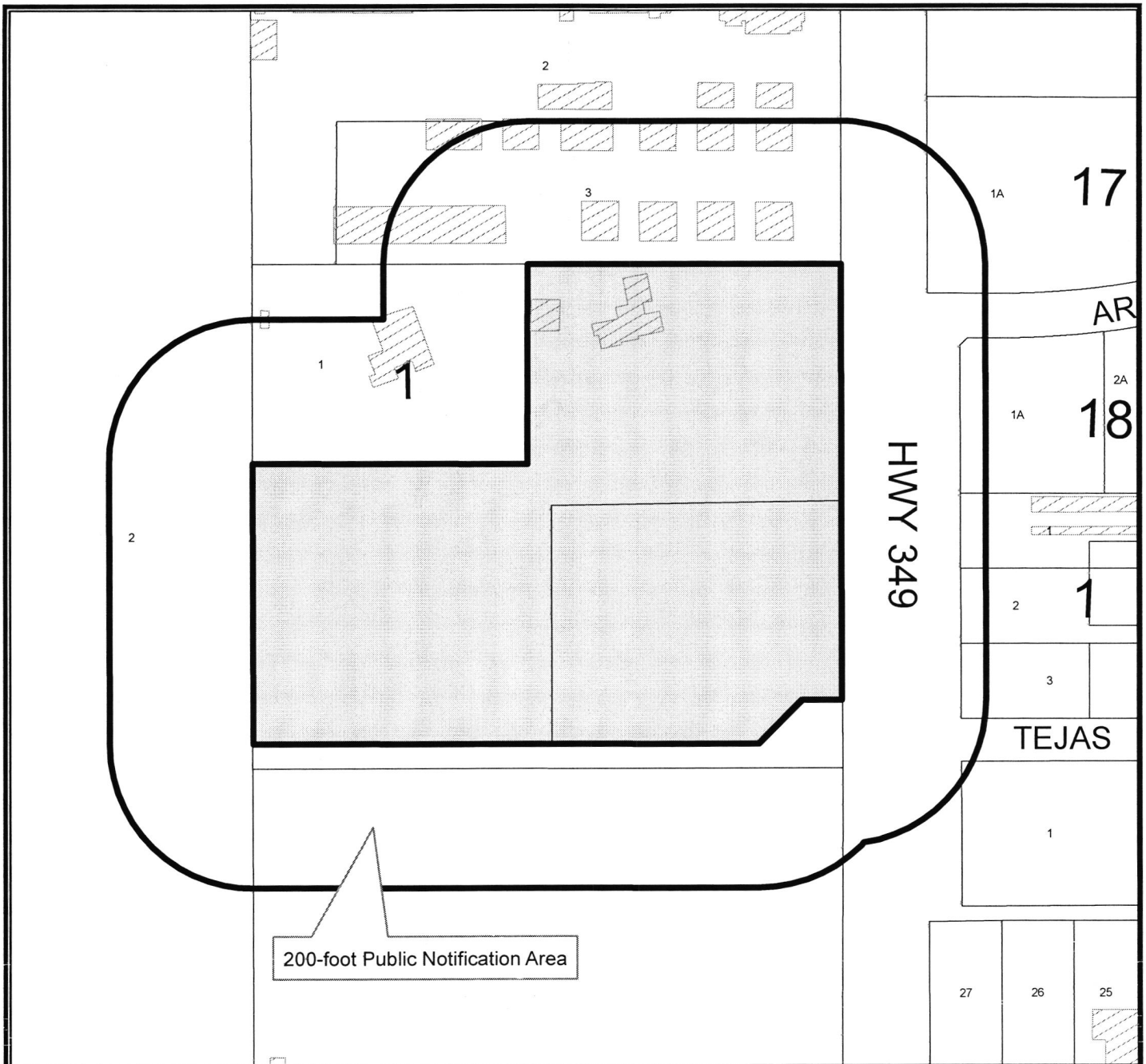
☒ Plans in Digital Format (PDF/JPEG)

Check # 38967

Received By: KM

Date: 3/24/21

PACKET Application will not be considered for scheduling until reviewed by May 15, 2021



LOCATION MAP

Z-21-0232

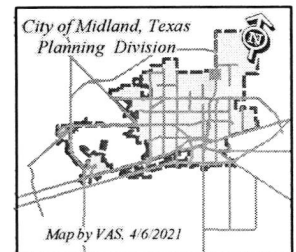
Scale: 1" = 200'

Consider a request by Landgraf, Crutcher & Associates, for a zone change from AE, Agricultural Estates District, to PD, Planned Development District for a Shopping Center, on a 9.92-acre tract of land out of Section 11, Block X, H.P. Hilliard Survey, City and County of Midland, Texas.

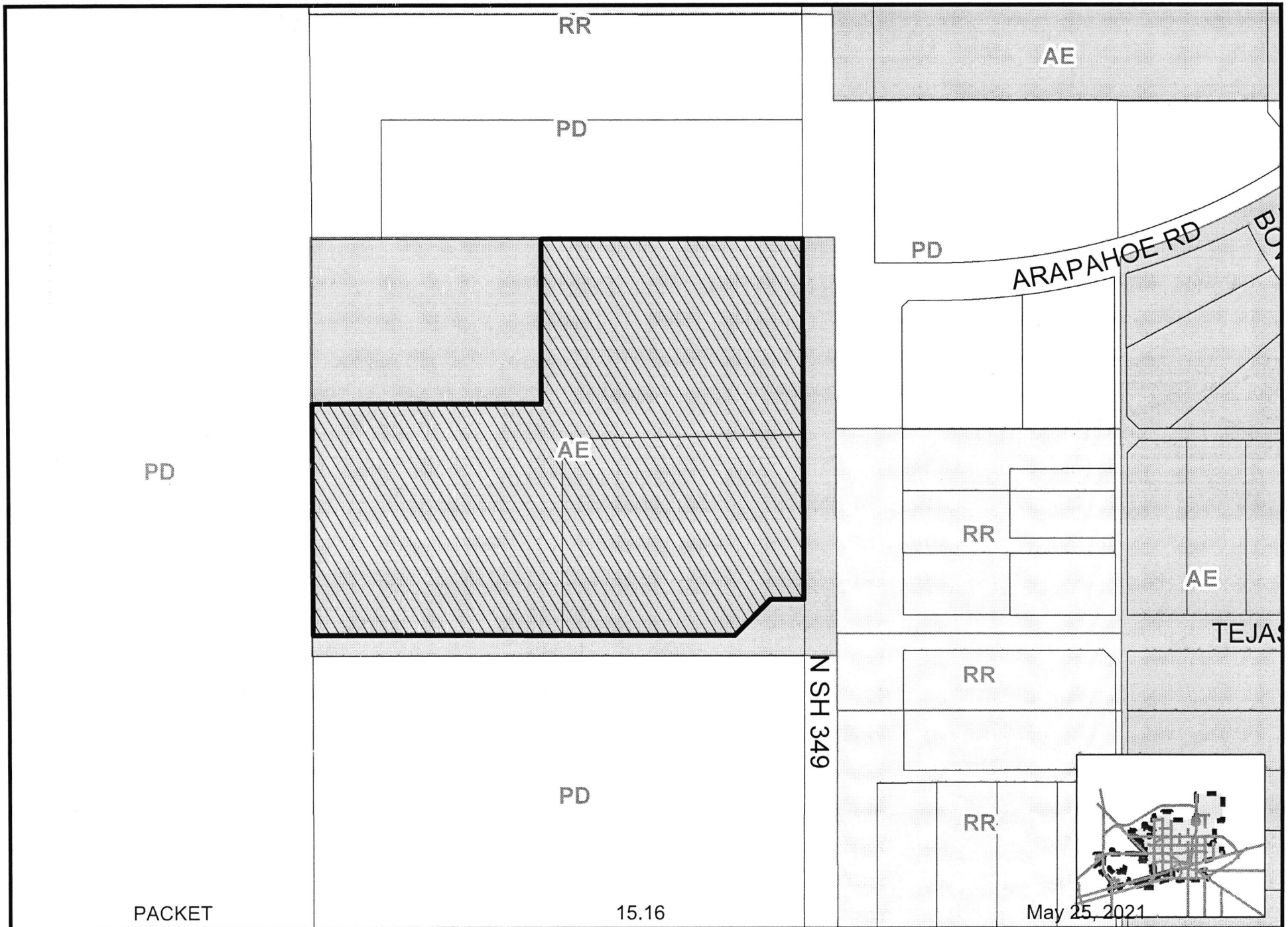
Generally located on the northwest corner of the intersection of N. State Highway 349 and Tejas. (Council District 1)

LEGEND

- CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS



May 25, 2021





PACKET

15.17

May 25, 2021

PACKET

Page 7.68

January 16, 2024



PACKET

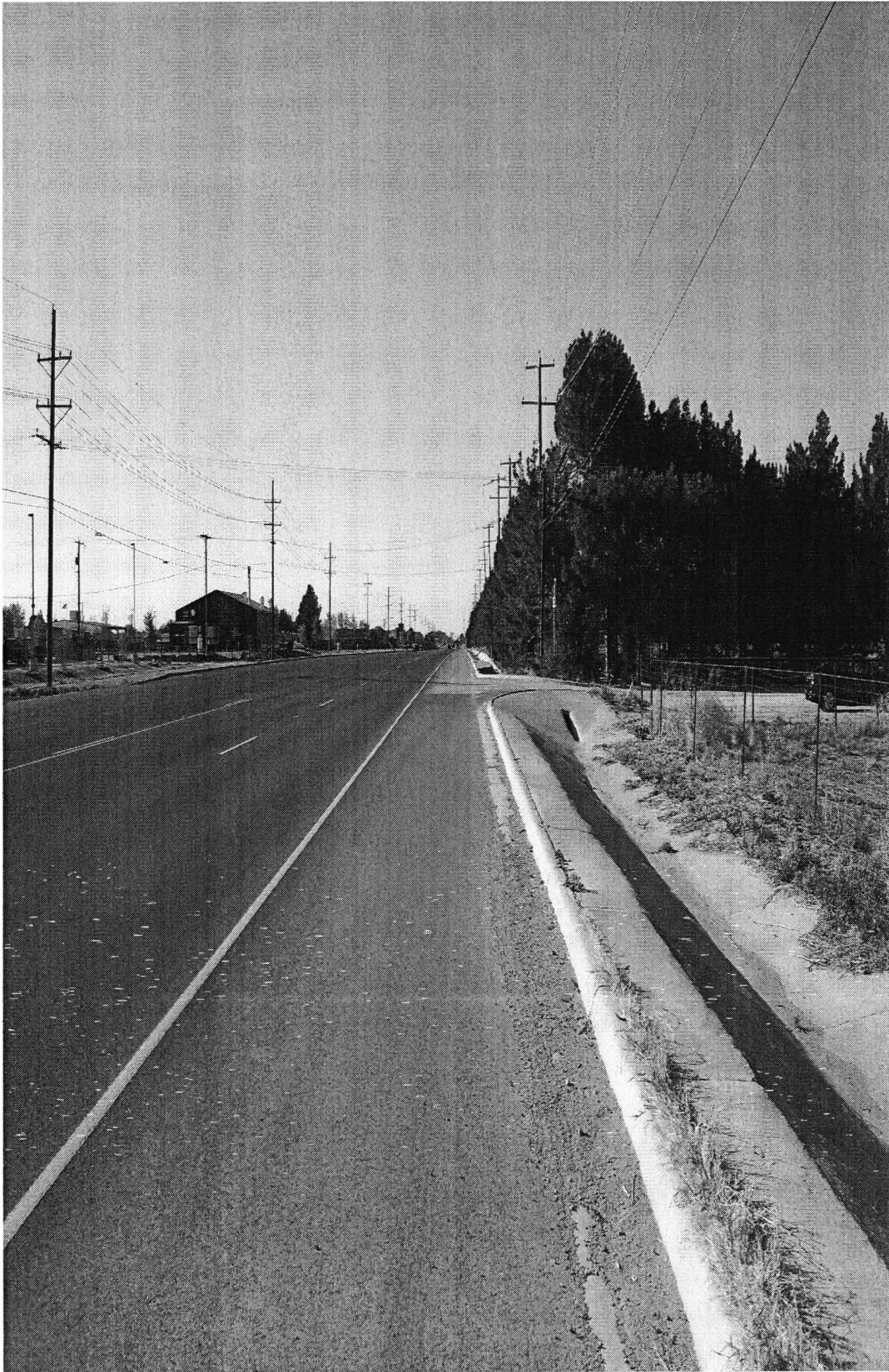
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May 25, 2021

PACKET

Page 7.69

January 16, 2024



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May 25, 2021

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Page 7.70

January 16, 2024



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May 25, 2021

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January 16, 2024



PACKET

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May 25, 2021

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Page 7.72

January 16, 2024

10185



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: January 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Consider a request by Robert Graham for a zone change from AE, Agricultural Estate District, to SF-1, Single Family Dwelling District, for a 5.53-acre tract of land located out of Section 36, Block 40, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas. (Generally located approximately 300 feet northeast of Homeland Drive, and approximately 520 feet south of Wadley Avenue.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ **Approve** ☐ **Deny** ☐ **Directional/Informational**

Purpose:

The applicant, Robert Graham, is requesting a Zone Change from AE, Agricultural Estate District, to SF-1, Single Family Dwelling District, for a 5.53-acre tract of land, located out of Section 36, Block 40, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas for future residential development.

Current Zoning:

AE, Agricultural Estate District.

Surrounding Zoning and Land Use:

The surrounding zoning includes SF-1, Single Family Dwelling District, to the west, which is currently being developed into a subdivision. To the east is vacant land currently, but the former home to a golf course, and is zoned AE. There is one part of the area to the north that is zoned as CE and is currently vacant.

Analysis:

The subject property is zoned AE, Agricultural Estate District. Robert Graham is seeking this zone change in order to continue subdivision development. This area already has a large SF-1 zoning area. Changing this zoning would help the development of more homes in the area and will conform to existing zoning in the area.

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 comments.

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, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

Engineering: (Approved)

No objections to zoning/zone change. [For Applicant's Information Only.]

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. [For Applicant's Information Only.]

Code Compliance: (Approved)

No Oil and Gas issues.

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. [For the Applicant's information only.]

No objection to zone change. [For the Applicant's information only.]

Planning: (Approved)

This request is consistent with the Tall City Tomorrow Comprehensive Plan, Chapter 3; The Tall City Tomorrow Plan designated this area as UR-L, Urban residential Low. This designation calls for any single-family zoning district.

Therefore, staff recommends approval of this zone change from AE, Agricultural Estate District, to SF-1, Single Family Dwelling District.

Condition:

A. That the use and development of this property shall conform to the regulations of the SF-1, Single-Family Dwelling District.

Letters of Objection:

As of January 10, 2024, staff has received no letters of objection for this request.

Attachments:

Metes & Bounds (Exhibit A)
Application
Maps



**Zone Change/Planned District
Amendment/Site Plan Approval**

Project Number: _____

Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2)

Printed Name: ROBERT GRAHAM

Phone (432) 697-9866

Email

Address
5908 HOMESTEAD BLVD.

City
MIDLAND

State
TX

Zip
79707-2215

Property Owner

Printed Name: GRASSLANDS IV, LTD.

Phone (432) 697-9866

Email

Address
5908 HOMESTEAD BLVD.

City
MIDLAND

State
TX

Zip
79707-2215

Representative (if different from Applicant or Property Owner)

Firm: WA CIVIL, LLC.

Printed Name: LARRY H. WALKER, PE,PMP

Phone (432) 901-2060

Email lwalker@wacivil.com

Address
223 WEST WALL ST., SUITE 226 (8th FLOOR) Midland Towers

City
MIDLAND

State
TX

Zip
79701

Street Address: Deadwood Dr., Elmwood Dr., Pearwood Dr.

Legal Description

Lot: 31-32; 1, 16-17; Block: 19, 23, 24 Subdivision: GRASSLANDS ESTATES WEST, SECTION 14
1-3, 10-12

Current Zoning: AE

Proposed Zone: SF1

(List by tracts if more than one district is requested)

Reason for Zone Change Request: _____

Changing from Agricultural Estate District (AE) to Single Family 1 (SF1) to add more lots to the subdivision.

Present Use of Property: Undeveloped land

Proposed Use of Property: Residential (SF1)

How would this zone change affect the public health, safety and welfare? _____

It will not have any adverse affect on the public health, safety, or welfare.

Describe how conditions affecting the property have changed since present zoning designation: _____

No physical conditions have changed, owner owns both pieces of property and decided to add more lots to subdivision.

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan
- Digital Copies of Site Plan (PDF/JPEG)

Signature (by property owner only – authorized agent must sign affidavit below)

Applicant (signature):

Date:

12/19/23

Applicant (printed): ROBERT GRAHAM

Property Owner (signature):

Date:

12/19/23

Property Owner (printed): ROBERT GRAHAM

The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

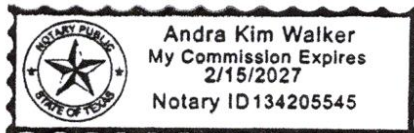
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear LARRY H. WALKER who, being by me duly sworn, upon oath says: That (s)he is the owner of GRASSLANDS IV, LTD. or authorized by ROBERT GRAHAM, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Authorized Agent (signature)

Subscribed and sworn to before me, this 19 day of December, 2023, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☐ Dimensioned Site Plan

☐ Application Fee

☐ Plans in Digital Format (PDF/JPEG)

Check #

1525

Received By:

ES [Signature]

Date:

DEC 20 2023

DH

****Application will not be considered for scheduling until reviewed by a planner.****

PENNEL LAND SURVEYING, LLC

SURVEYING FIRM #10193978
2030 W. CUTHBERT, MIDLAND, TEXAS 79701

GRASSLAND ESTATES WEST, SECTION 12, TRACT 'Z' METES AND BOUNDS DESCRIPTION:

BEING a 5.53 acre tract of land situated in Section 36, Block 40, T-1-S, T. & P. RR. Co. Survey, City and County of Midland, Texas and being a portion of tract conveyed to SBC Corporation, according to Volume 1464, Page 174, Official Public Records of Midland County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at (N: 10,698,867.25, E: 1,725,958.27) a 1/2 inch iron rod with red plastic cap marked "WEST CO. MIDLAND" for the most Northeasterly corner of this tract;

THENCE S 14°32'51" E, a distance of 480.82 feet to a 1/2 inch iron rod with red plastic cap marked "WEST CO. MIDLAND", the beginning of a curve to the right;

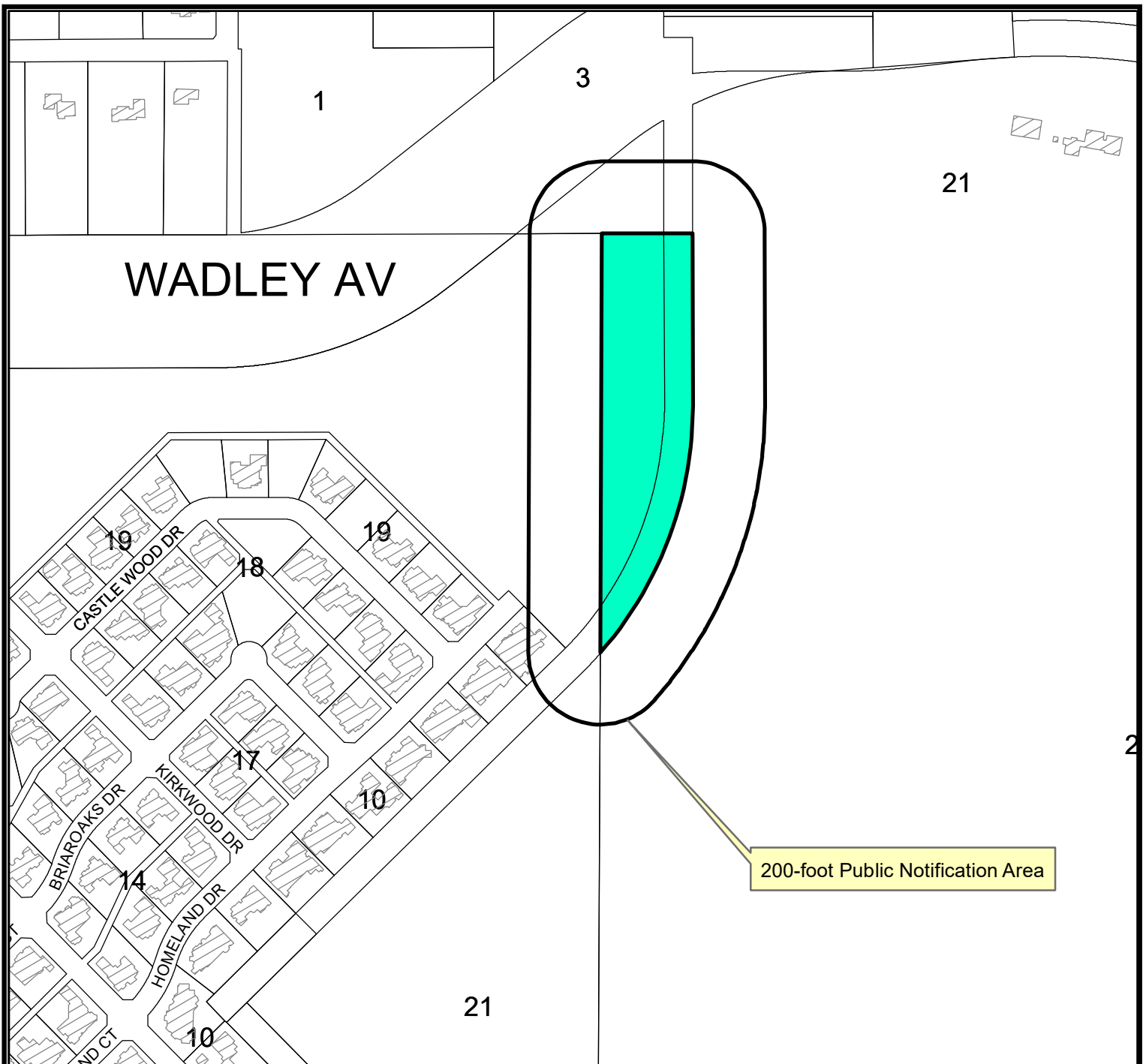
THENCE with said curve, which has a radius of 1037.84 feet, an interior angle of 41°11'02", and a length of 745.99 feet (Chord: S 06°04'18" W, 730.04 feet) to a point on the calculated West line of said Section 36, common to the East line of said Section 35, Block 40, T-1-S, T. & P. RR. Co. Survey, to a point for the most Southerly corner of this tract;

THENCE N 14°18'27" W, with the said West line of said Section 36, common to the East line of said Section 35, a distance of 1163.58 feet to the calculated Northwest corner of said Section 36, the same being the calculated Northeast corner of said Section 35, for the most Northwesterly corner of this tract;

THENCE N 75°19'38" E, with the North line of said Section 36, a distance of 171.28 feet to a 1/2 inch iron rod with red plastic cap marked "WEST CO. MIDLAND";

THENCE N 75°27'09" E, with the North line of said Section 36, at a distance of 0.96 feet pass an iron pipe found for the Southeast corner of Section 26, common to the Southwest corner of Section 25, both in Block 40, T-1-S, T. & P. RR. Co. Survey, continuing on for a total distance of 80.94 feet to the point of beginning and containing 5.53 acres of land.





LOCATION MAP

Z-23-0358

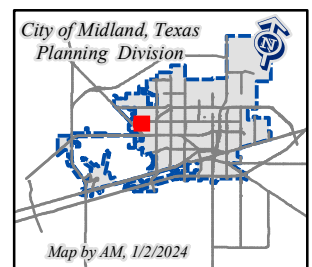
Scale: 1" = 400'

Consider a request by Robert Graham, for a zone change from AE, Agricultural Estate District, to SF-1, Single Family Dwelling District, for a 5.53-acre tract of land, located out of Section 36, Block 40, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas.

Generally located approximately 300 feet northeast of Homeland Drive, and approximately 520 feet south of Wadley Avenue. (Council District 4)

LEGEND

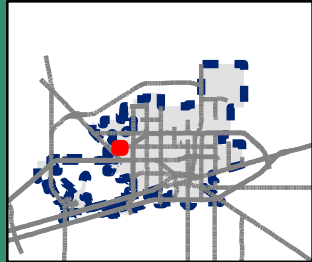
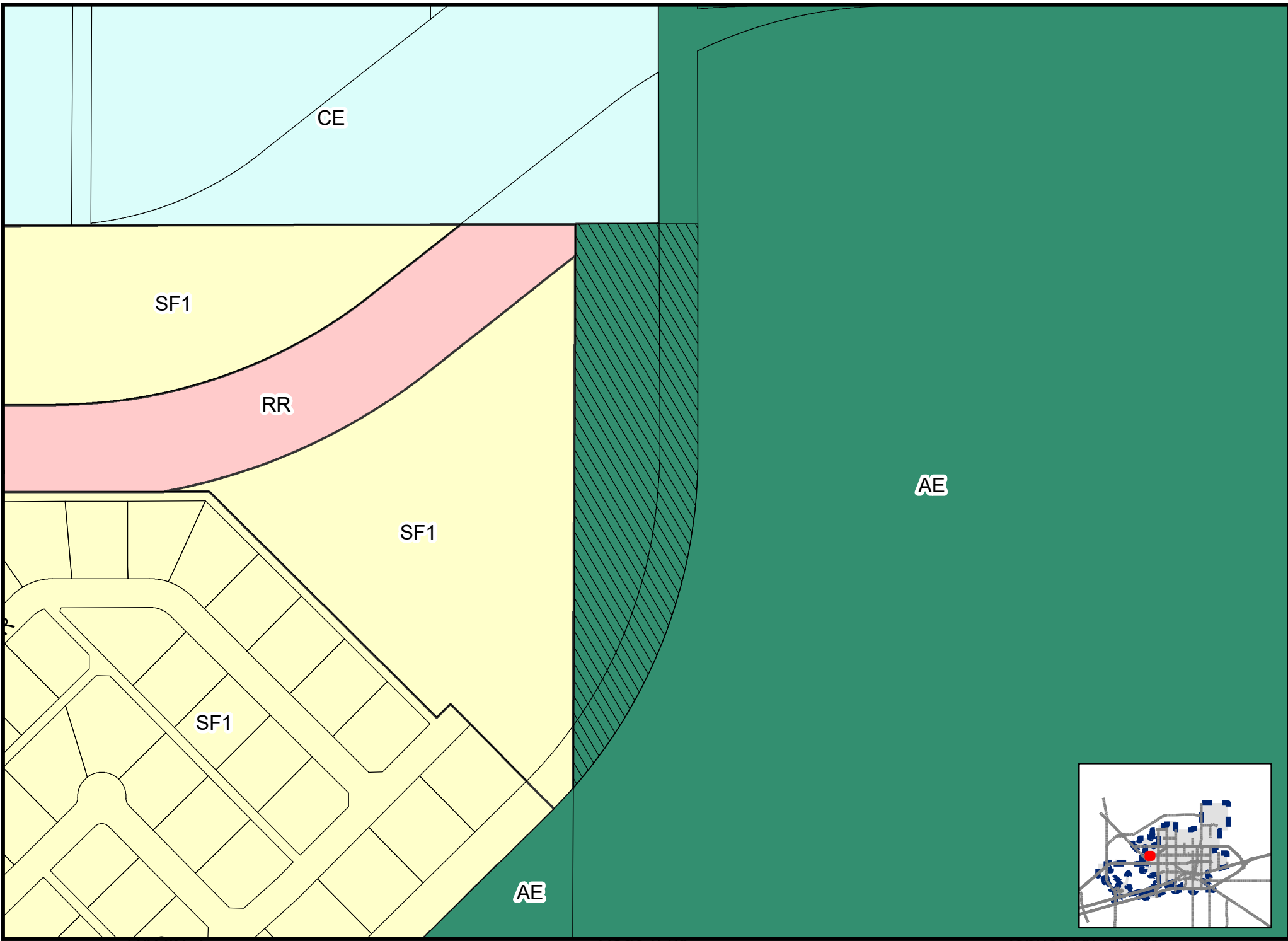
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.













Planning and Zoning Commission

Approved for
Agenda:
Landon Ochoa

MEETING DATE: January 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of Original Town, Section 26, being a replat of Lots 1 through 24 and a 0.138-acre portion of previously vacated alley right-of-way, Block 97, Original Town Addition, City and County of Midland, Texas. (Generally located southeast of the intersection of S. Main Street and E. Indiana Avenue.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

Parkhill is requesting to replat to combine ownership of previously vacated land. The 0.138-acre portion of alley right-of-way between Lots 1 through 12 and Lots 13 through 24 was vacated for the purpose of combining all lots for a more useable location.

Current Zoning:

LI, Light Industrial District.

This request has been routed to all respective departments for internal review. The comments are below.

BUILDING CODE: (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, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Okay as shown. [For Applicant's Information Only.]

ROW: Okay as shown. [For Applicant's Information Only.]

PAVING: S Main roadway okay as is. No public paving improvements required. E Industrial roadway okay as is. No public paving improvements required. E Kentucky roadway okay as is. No public paving improvements required. S Baird roadway okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 6" water exists in S Main Street W of tract, okay as is. No public water improvements required. 6" water exists in E Kentucky Street S of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test. [For Applicant's Information Only]

PRO RATA: None. [For Applicant's Information Only.]

SEWER: 8" sewer exists in alley E of tract, okay as is. 6" sewer exists in S Main W of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: FEMA Firm Panel number is incorrect on the plat face. Revise FEMA note with the correct Panel Number. Existing site is developed; If proposing to re-develop site drainage can be reviewed with building permit. [For Applicant's Information Only.]

EASEMENTS: Show existing and proposed. [For Applicant's Information Only.]

SIDEWALKS: Required with building permit. [For Applicant's Information Only.]

TRANSPORTATION: (Approved with Conditions)

Alley vacation should be done before final plat approval. No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review. [For the Applicant's information only.]

FIRE: (Approved)

No comments.

OIL AND GAS: (Approved)

No Oil and Gas issues.

GIS: (Approved)

Please provide recording information for alley vacation. (If this alley will be vacated please depict it is by ordinance and fill in the ordinance when it is approved.) Please provide distance to 10'x10' electrical easement and calls/distances for 20' utility easement.

PLANNING: (Approved with Conditions)

There is a missing sewer line along S. Main Street that ends at E. Industrial Avenue.

There is a missing sewer line that starts at the intersection of E. Industrial Avenue and E. Indiana and goes east.

Add names under utility companies signature lines.

Change Secretary to Elizabeth Triggs.

MCAD shows Lots 1 through 24 are currently owned by the Salvation Army. Provide proof of ownership.

Owner's certificate says Section 25 instead of Section 26.

Remove Allison Haley, County Clerk signature line.

Staff recommends approval of the Preliminary Plat of Original Town, Section 26, subject to condition A.

Conditions:

- A. Approval of this preliminary plat is conditioned upon public improvements being completed prior to the approval of a final plat by the City or with an exception when waived or deferred by the Council. Midland City Code 11-2-4(A)2(a).**

Attachments:

Application
Preliminary Plat
Maps



Preliminary Plat Application

Project Number: 54B-23-0695Case Number: P-23-1848Proposed Subdivision Plat Name: Original Town Section 25 24Legal Description (attached sealed Metes and Bounds): Being a replat of Block 97, Lots 13 through 23, and Lots 7 through 12, Original Town Addition, City and County of Midland, Texas**Property Owner**Printed Name: Midland CountyPhone ()
EmailAddress 500 N Loraine, 11th FloorCity MidlandState TxZip 79701**Developer (if different than Owner)**

Printed Name:

Phone ()
Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: ParkhillPrinted Name: Josh WallenderProj # 41894.23Phone (432) 934-7150
Emailjwallender@parkhill.comAddress 1700 W Wall Street, Suite 100City MidlandState TxZip 79701Current Zoning: LIReason for Platting: Replat of the land to combine ownership of previously acquired land**Plat Information**

Total Acreage:

Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots:

1

Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

- 1 FOLDED Copy of Dimensioned Plat
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- Application Fee – Payable to the 'City of Midland'

Request for a Development AgreementDo you expect to request a development agreement with the City? ☐ Yes ☐ No

If yes, contact the City Engineer at (432) 685-7286

Provisions

A plat application will not be considered filed pursuant to Section 212.009 of the Texas Local Government Code until all required documents and fees have been submitted and ***all of the terms and conditions of the Subdivision Ordinance, including all necessary studies, plans and supporting information are accepted and approved***, or the applicant has filed a waiver request for sections from which the plat deviates. Once a plat meets the requirements to be considered filed with the City, the application will be placed on the Planning and Zoning Commission agenda for consideration under the time requirements set out in Section 212.009.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature):

Date: 12/19/23

Property Owner (printed):

Andrew Avis

The Preliminary Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

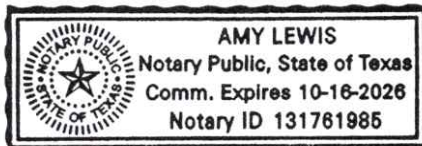
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Josh Wallender who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Midland County the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Authorized Agent (signature)

Subscribed and sworn to before me, this 20 day of December, 20 23, to certify which witness my hand and seal of office.



Amy Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☐ Application Fee

☒ 1 Copy of Plat (11x17)

Check # Paid Online

Received By: _____

Date: DEC 20 2023

****Application will not be considered for scheduling until reviewed by a planner.****

W FRONT STREET

E INDUSTRIAL AVENUE
80' RIGHT-OF-WAY

E INDIANA AVENUE
80' RIGHT-OF-WAY

S BAIRD STREET
80' RIGHT-OF-WAY

S MAIN STREET
80' RIGHT-OF-WAY

E KENTUCKY AVENUE
80' RIGHT-OF-WAY

ORIGINAL TOWN
INST: 1856-11756
M.C.D.R.

20' UTILITY
EASEMENT
DEDICATED

Block 87 Lot 1A
2.01 AC.
81454.5055 P1.

ALLEY
TO BE
VACATED

10x10 ELECTRICAL EASEMENT
HEREBY DEDICATED

GAS TO BE
VACATED

ORIGINAL TOWN
INST: 1856-11756
M.C.D.R.

N = 10693393.7
8
E = 1756874.6
0

N 89° 33' 0" - 206.6
8
E = 1757171.75
1757171.75

ORIGINAL TOWN
INST: 1856-11756
M.C.D.R.

SPECIAL STATE PLANE
COORDINATE NOTE
The above described coordinates are relative to the Texas State Plane Coordinate System (Central Zone 1983 NAD) , with a combined grid factor of 0.9998958 for mean project datum. The theta angle is equal to .00° 54' 48.39" at USCGS station "Midland", with published values of N=10,690,154.70 and E=1,746,696.78 in U.S. Survey Feet.

FLOOD ZONE
Based on the U.S. Department of Housing and Urban Development, Federal Insurance Administration Flood Hazard Boundary Map, Community Number 480477, Map Number 4832C-0089F, Panel 89 of 525, revised September 16, 2005, the surveyed property is not located in a Special Flood Hazard Area. According to the map, the current flood zone classification for the surveyed property is Zone X.

SURVEYOR'S
AND CERTIFICATE
I, Samuel Wyatt, a Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

Samuel Wyatt,
R.P.L.S. #6433

CERTIFICATE OF APPROVAL
This is to certify that the above and foregoing plat of ORIGINAL TOWN, SECTION 26 was approved by proper action of the City Planning and Zoning Commission of the City of Midland,

Chairman - Lucy
Sisnega
Secretary - Cristina
O. Burns

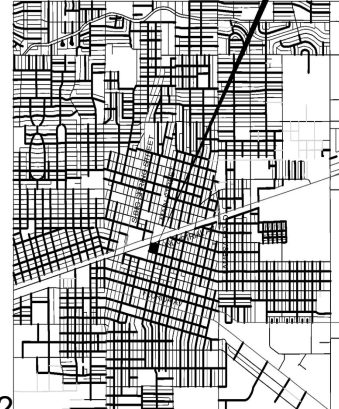
OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF MIDLAND
WILLIAMS, MIDLAND COUNTY is the record owner of Block 97, Lots 13 thru 23 and Lots 7 thru 12, Original Town Addition, City and County of Midland, Texas.
I, the undersigned, do hereby acknowledge the plat hereon.
I HEREBY PRESENTS:
That we, MIDLAND COUNTY do hereby adopt this plat designating the herein above described property as ORIGINAL TOWN, SECTION 26 to the City and County of Midland, Texas, and we do hereby designate as a public use, forever, the streets, and easements shown thereon.

By: Andrew Public Works
Avis Director

by _____

Notary Public
Signature

ORIGINAL TOWN
SECTION 26



LOCATION MAP

UTILITY COMPANY'S
This plat has been checked for accessibility of utilities.
Once Electric Delivery Service (PLEASE PRINT)

A&T Texas (PLEASE PRINT)

Atmos Energy (PLEASE PRINT)

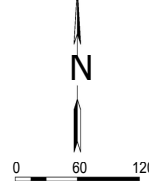
Optimum (PLEASE PRINT)

Astound Broadband (PLEASE PRINT)

PLAT FILED FOR
RECORD
MIDLAND
COUNTY, TEXAS
DATE
ALLISON HALEY,
COUNTY CLERK
(SIGN) January 16, 2024
PRINT

PRELIMINARY
PLAT
ORIGINAL TOWN
SECTION 26

Using a point of Lots 1 through 10 and 2 through 12 of Original Town Addition, City and County of Midland, Texas.

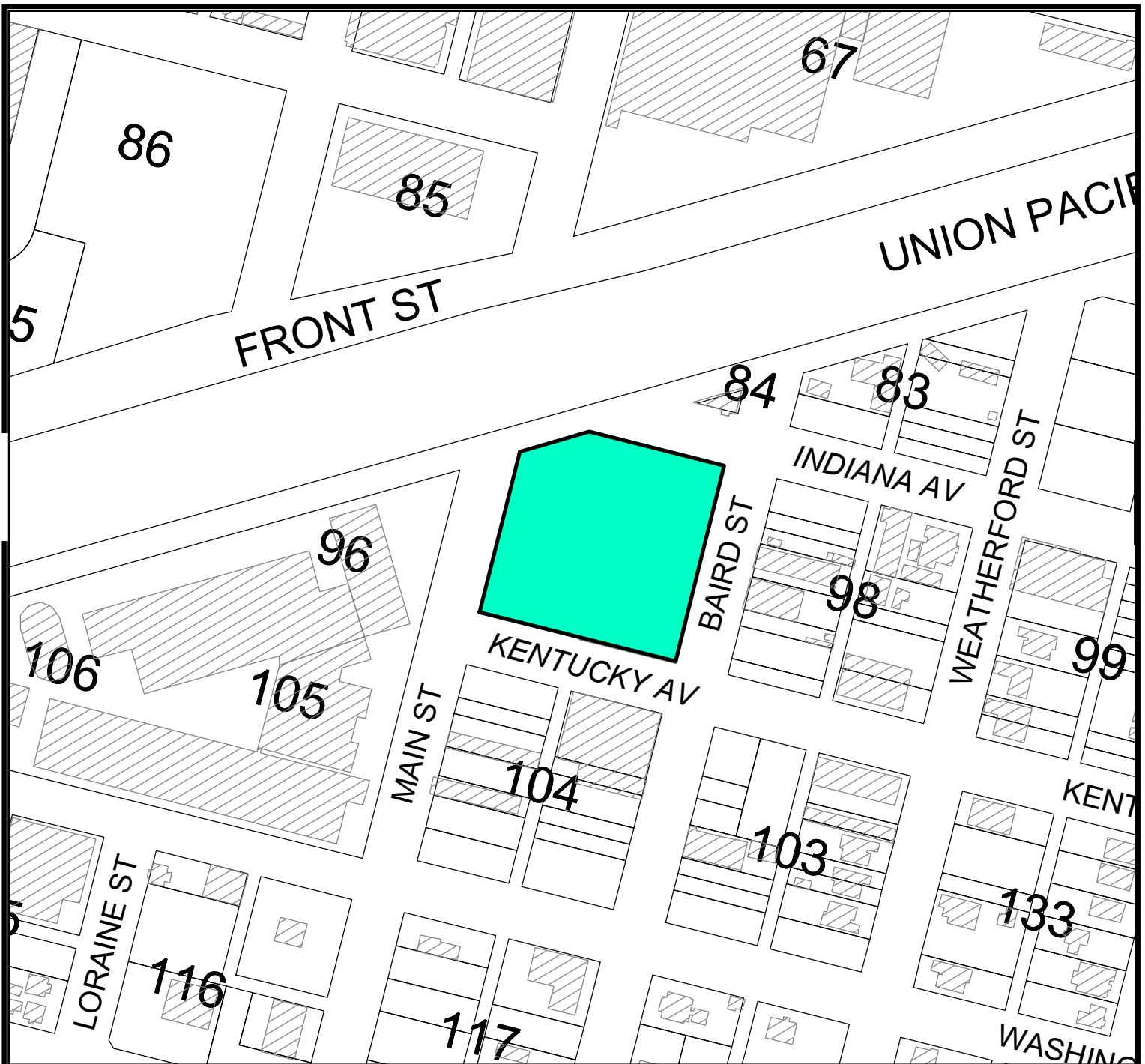


LEGEND
ND
Proposed All Limits
Proposed All 4 of Lines
Proposed Utility Easements
Existing Lot Lines
Existing Easements
Existing Water Line
Existing Sewer Line
Existing Back of Curb

NOTE
1. Selling a portion of this addition by metes and bounds may be a violation of city ordinance and state law and subject to fines and penalties.
2. With the exception of sales and building permits, Midland may be required before these lots may be developed or before a building permit.
3. May be required to install a plastic cap set at each corner unless otherwise specified.
4. Initial impact fees will be assessed during the final platting process. Implementation and collection of impact fees will take place during the building permit process. Additional impact fees or increases in fees may not be assessed against the tract unless the number of service units to be developed on the tract increases.

OWNE
MIDLAND COUNTY
500 N. LORAIN,
11TH FLOOR
MIDLAND, TEXAS
ENGINE
ER
Parkhill
4700 W Wall St.,
4100 Midland,
79205-9701
1447

ORIGINAL TOWN
SECTION 26
Parkhill



LOCATION MAP

SUB-23-0695

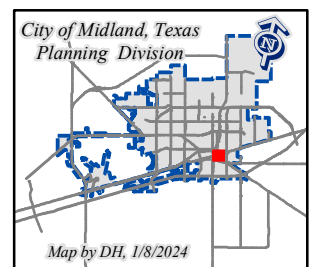
Scale: 1" = 214'

Proposed plat of Original Town, Section 26, being a replat of Lots 1 through 24 and a 0.138 acre portion of previously vacated alley right-of-way, Block 97, Original Town Addition, City and County of Midland, Texas.

Generally located southeast of the intersection of S. Main Street and E. Indiana Avenue. (District 2)

LEGEND

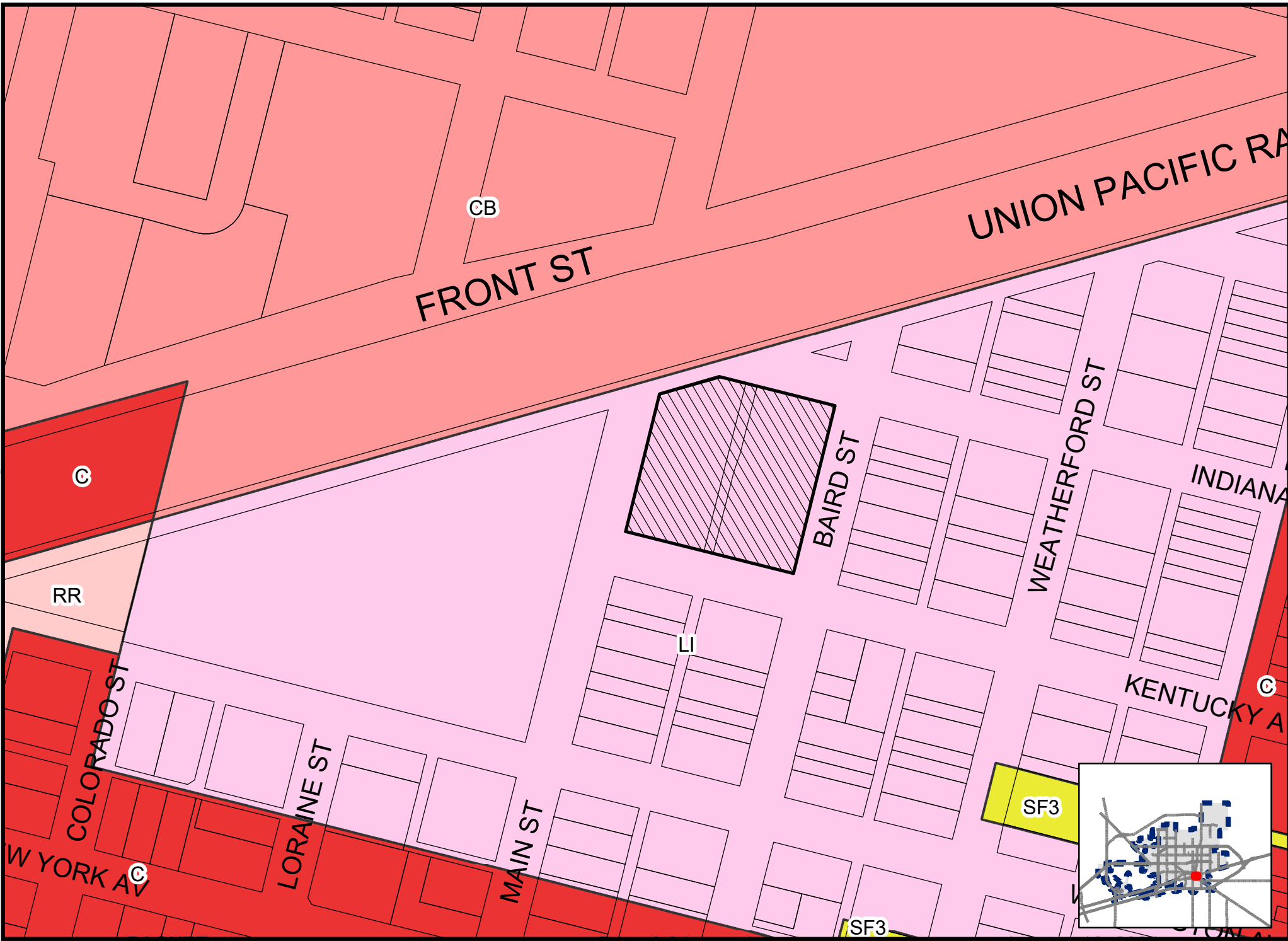
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: January 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving a request for a 30-Day Extension request for a proposed Final Plat of Shenandoah Ridge, Section 3, being a 17.84-acre tract of land out of Section 12, Block 39, T-1-S, T&P RR Co. Survey, City of Midland, Midland and Martin Counties, Texas. (Generally located on the east side of Black Butte approximately 110 feet north of Inselberg Street) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ **Approve** ☐ **Deny** ☐ **Directional/Informational**

Details of Request:

The Preliminary Plat for the entire 146.827-acres of Shenandoah Ridge was recommended approval at the October 18, 2021, Planning and Zoning Commission Meeting, and at the October 26, 2021, City Council Meeting. The property owner is final platting 17.84-acres within this preliminary plat for 82 single-family residential lots and 1 drainage common area lot.

Current Zoning:

SF-3, Single Family Dwelling District.

Analysis:

The subject final plat was submitted on December 20, 2023. The applicant is requesting a 30-Day Extension, as permitted under House Bill 3167, to allow for the submission and addressing of comments from the engineering, GIS, and planning departments. The Planning & Zoning Commission has the authority to approve or deny a one-time 30-Day Extension request. Should the Planning & Zoning Commission grant the extension, this item will be placed on the February 5, 2024, Planning & Zoning Commission meeting

agenda for either approval or disapproval; depending on the applicant's ability to satisfy all of staff's comments.

Attachments:

30-Extension Request
Plat
Application
Maps



January 3, 2024

City of Midland
Planning Division
300 N. Loraine
P.O. Box 1152
Midland, TX 79702

RE: 30-Day Extension Request

Planning Division:

As the representative of **(230111) Shenandoah Ridge, Section 3**, I hereby request a 30-Day Extension, as permitted under House Bill 3167, to allow for additional changes to be made to the plat prior to action being taken. The plans will be resubmitted to the Planning Division no later than 14 days prior to the **February 5, 2024** Planning and & Zoning Commission meeting to provide adequate time for Staff to review and placed on the agenda.

Sincerely,

A handwritten signature in blue ink, appearing to read 'PH', with a long horizontal flourish extending to the right.

Paladin Huckaba
Maverick Engineering
1909 W. Wall Street
Suite K
Midland, TX 79701



Final Plat Application

Project Number:

SUB-23-0587

Case Number:

P-23-1885

Proposed Subdivision Plat Name: Shenandoah Ridge, Section 3

Legal Description (attached sealed Metes and Bounds): Being a 17.84 Acre Tract of Land in Section 12 Block 39, T-1-S, T&P RY Co. Survey, City of Midland, Midland and Martin County, Texas

Property Owner

Printed Name: Troy G Martin / Shenandoah Bar M Ranch LLC

Phone (806) 777-1322

Email: troygm@shenapetro.com

Address: 24 Smith Rd Suite 601

City: Midland

State: TX

Zip: 79705

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address: 1909 W Wall St Ste K

City: Midland

State: TX

Zip: 79701

Current Zoning: SF3

Reason for Platting: ownership purposes

Plat Information

Total Acreage: 17.84

Type: ☒ Single-Family Residential☐ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 83

Number of Multi-Family Dwelling Units:

Submittal Information: Standard Plats must be submitted at least 20 days and a Residential Replat must be submitted at least 25 days prior to the P&Z Commission meeting at which action is desired, unless Short Form or Administrative Procedure is applicable.**Items to be submitted with this application form:**

- ✓ • 2 FOLDED Copies of Dimensioned Plat
- ✓ • 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- ✓ • 1 Extra Copy (11x17)
- ✓ • Digital Files (JPEG & PDF) & CADD File
- ✓ • Original Tax Certificates (Midland Central Appraisal District - MCAD)
- ✓ • Title Opinion/Policy (dated less than 90 days)
- ✓ • Application Fee - Payable to the 'City of Midland'
- ✓ • Recording Fee - Payable to 'Midland County Clerk'

Mylar Reproductions

This application authorizes the City to file the approved plat and associated documents with the County Clerk for recording. This application also authorizes the City to reproduce 1 mylar copy of the approved plat at the expense of the engineering firm/applicant for the City's records if needed. (Applicant can submit additional signed mylar instead of reproduction.)

- ☐ Applicant would like a reproduction made for their records
☒ Applicant does not want a reproduction/will make their own

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

For related documents, \$26.00 for first page, \$4.00 for each additional page.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature):

Troy G. Martin

Date: 12/11/23

Property Owner (printed):

Troy G. Martin - Sherandoah Bar M Ranch

The Final Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

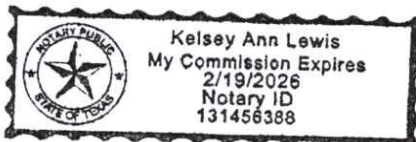
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared, Andrew L. Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Sherandoah Bar M Ranch, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 11th day of December, 2023, to certify which witness my hand and seal of office.



Kelsey Ann Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

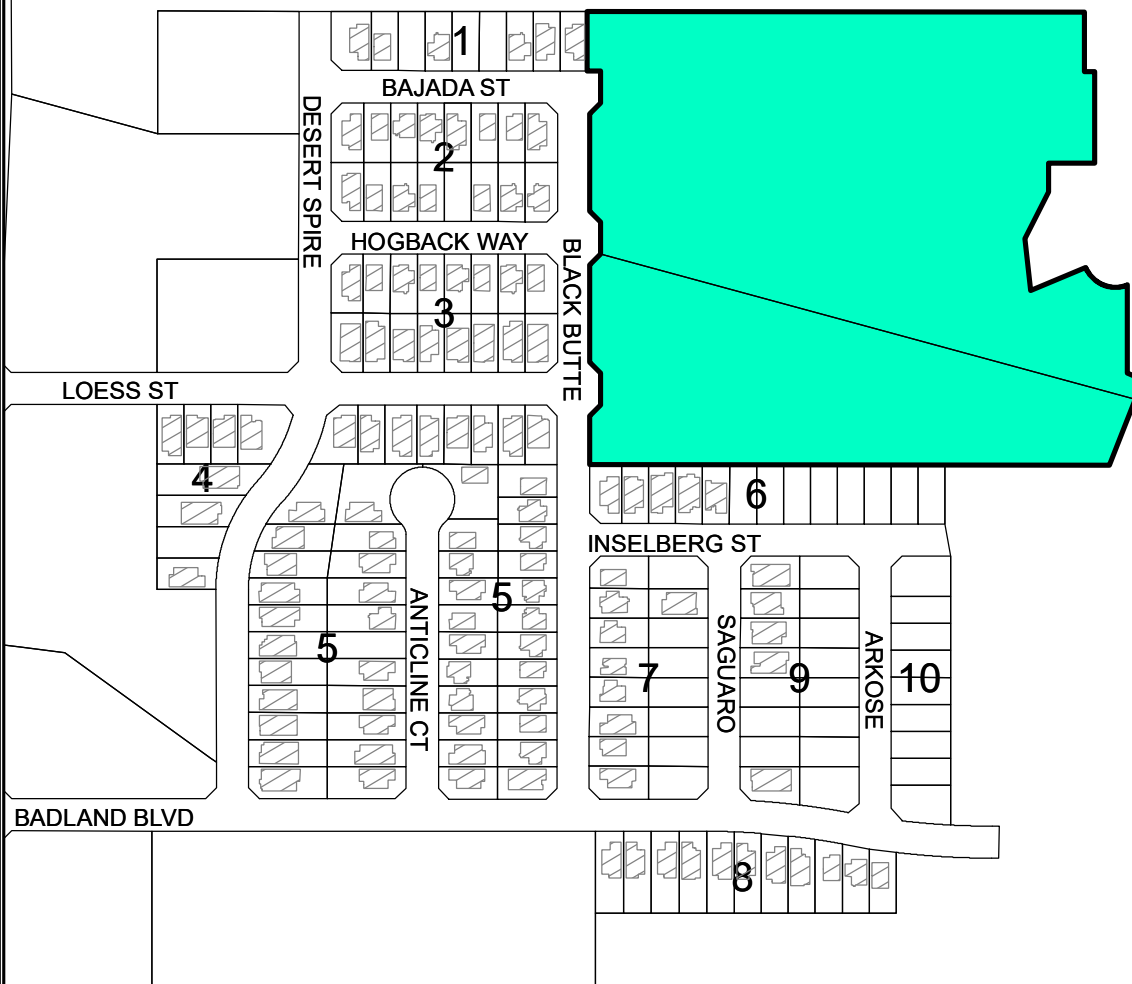
FOR OFFICE USE ONLY

- | | | |
|---|---|--|
| ☐ Property Owner Authorization | ☐ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☐ Mylar | ☐ 1 Copy of Plat (11x17) | ☐ CADD File |
| ☐ Application Fee | ☐ Title Opinion | ☐ Public Improvement |
| Check # <u>4614</u> | ☐ Tax Certificates | ☐ Recording Fee <u>4615</u> |

Received By: [Signature]

Date: DEC 20 2023

****Application will not be considered for scheduling until reviewed by a planner.****



LOCATION MAP

SUB-23-0587

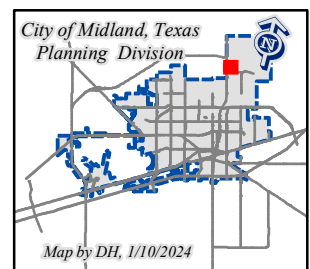
Scale: 1" = 356'

Proposed Plat of Shenandoah Ridge, Section 3 being a 17.84-acre Tract of Land out of Section 12, Block 39, T-1-S, T&P RR Co. Survey, City of Midland, Midland and Martin Counties, Texas.

Generally located on the east side of Black Butte approximately 110 feet north of Inselberg Street.
(Council District 1)

LEGEND

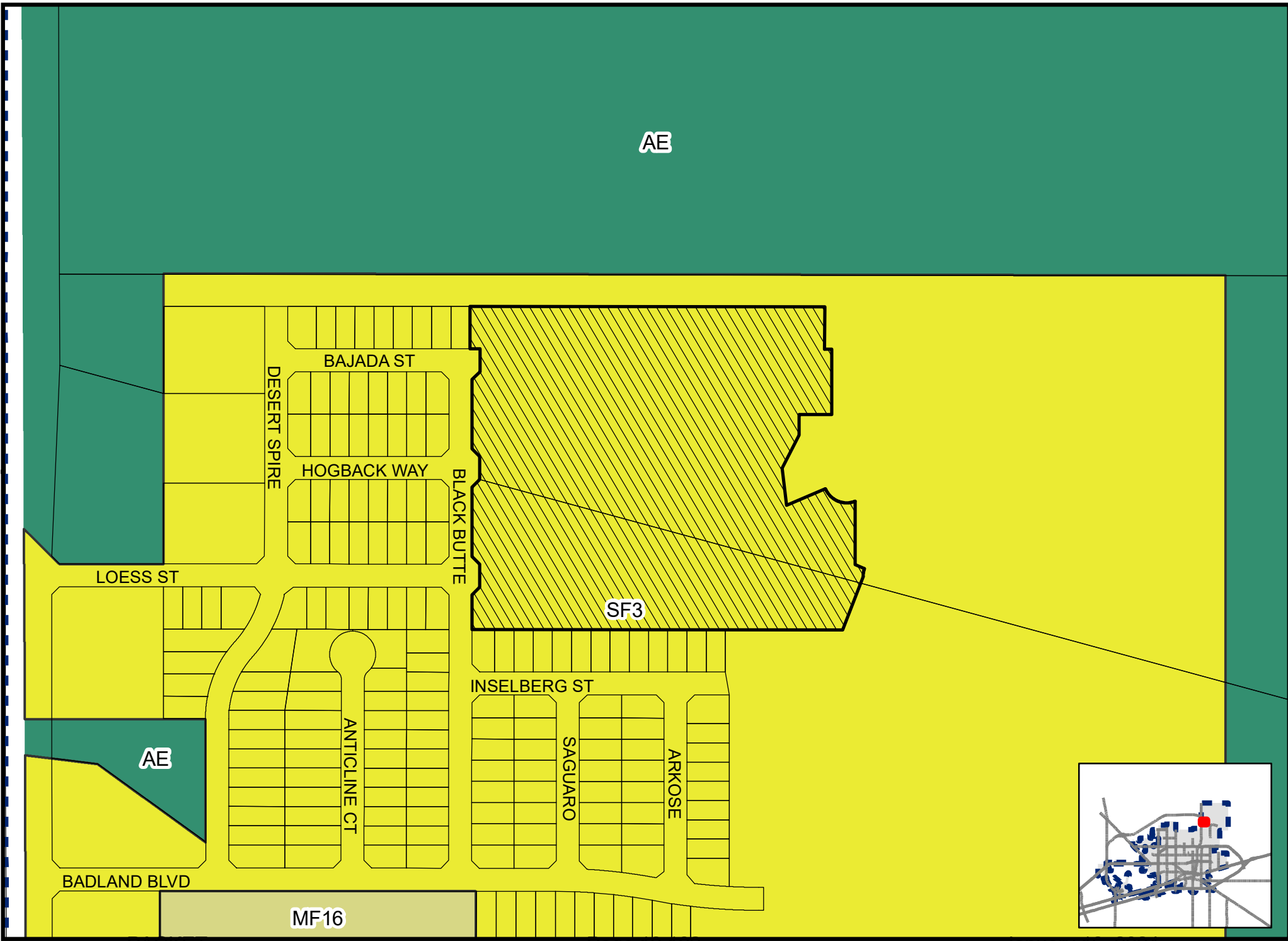
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for
Agenda:
Landon Ochoa

MEETING DATE: January 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion to approving, with staff's recommended conditions, a proposed Preliminary Plat of MIDCO LEB, being a replat of a 53.71-acre tract of land out of Lot 1, Block 1, Parsley Addition, Midland County, Texas. (Generally located on the northwest corner of the intersection of Farm to Market Road 715 and East County Road 120) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Parkhill, is requesting to replat a 53.71-acre tract of land out of Lot 1, Block 1, Parsley Addition, for ownership purposes.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

This request has been routed to all respective departments for internal review. The comments are below:

Building Code: (Approved)

ETJ, no jurisdiction

Surveyor: (Approved)

No comments.

Engineering: (Approved with Conditions)

IMPACT FEES: Okay as shown. [For Applicant's Information Only.]

ROW: See Transportation's comments. [For Applicant's Information Only.]

PAVING: ECR 120 road is sub-standard, construct to City Standards for entire platted frontage or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]
FM 715 is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: None existing. Construct water to City standards along entire platted frontage, or request a deferral based on located in the South Midland Utility District. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test. [For Applicant's Information Only.]

PRO RATA: None. [For Applicant's Information Only.]

SEWER: None existing. Construct wastewater to City standards along entire platted frontage, or request a deferral. [Reference Midland City Code Sect. 11-2-3(G)1 & 11-2-4(A)2(a)]

DRAINAGE: FEMA Firm Panel number is incorrect on the plat face. Revise FEMA note with the correct Panel Number. Existing site is developed; If proposing to re-develop site drainage can be reviewed with building permit.

EASEMENTS: Show existing and proposed. [For Applicant's Information Only.]

Transportation: (Approved with Conditions)

See GIS comments.

Fire: (Approved)

No comments.

GIS: (Approved)

Plat encroaches into existing ROW (FM 715) by about 20'. Legal description should say "Being a replat of 53.71 Ac. out of Lot 1, Block 1, Parsley Addition, Midland County, Texas." Please hash line for corner clip (will provide markup). Please check calls on markup as well.

Midland County Public Works: (Approved)

No comments.

Midland County Health: (Approved)

Yes, the health department will review application from the 1 proposed lot of MIDCO LEB Addition, PLAT OF A 53.7 ACRE PLAT OF LOT 1, BLOCK 1 PARSLEY ADDITION the lot is 53.7 acre property owner must contact the pipeline company to get the setback to their pipeline before any excavation can occur, to ensure the proposed plans on the application for the existing structures and for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

CRMWD: (Approved)

No comments.

Surveyor: (Approved)

No comments.

Planning: (Approved)

Please list Elizabeth Triggs as Secretary.

Provide a title opinion at final plat stage.

To the west of the plat there are some owners that are incorrect, please remedy these.

This plat is over 25 acres and as such will need to go to City Council for approval.

Staff recommends approval of the Preliminary Plat of MIDCO LEB Addition, subject to condition A.

Conditions:

- A. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Preliminary Plat
Application
Maps



Preliminary Plat Application

Project Number: SUB-23-01094

Case Number: _____

Proposed Subdivision Plat Name: MIDCO LEB

Legal Description (attached sealed Metes and Bounds): Being a plat of 53.71 Ac. out of Lot 1, Block 1, Parsley Addition, Midland County, Texas

Property Owner

Printed Name: Midland County

Phone ()

Email

Address 500 N Loraine, 11th Floor

City Midland

State Tx

Zip 79701

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)

Firm: Parkhill

Printed Name: Josh Wallender

Proj # 41563.23

Phone (432) 934 7150

Email

jwallender@parkhill.com

Address 1700 W Wall Street, Suite 100

City Midland

State Tx

Zip 79701

Current Zoning: N/A - in ETJ

Reason for Platting: Subdividing lot

Plat Information

Total Acreage:

53.71

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☒ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

- 1 FOLDED Copy of Dimensioned Plat
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- Application Fee – Payable to the 'City of Midland'

Request for a Development Agreement

Do you expect to request a development agreement with the City? ☐ Yes ☐ No

If yes, contact the City Engineer at (432) 685-7286

Provisions

A plat application will not be considered filed pursuant to Section 212.009 of the Texas Local Government Code until all required documents and fees have been submitted and ***all of the terms and conditions of the Subdivision Ordinance, including all necessary studies, plans and supporting information are accepted and approved***, or the applicant has filed a waiver request for sections from which the plat deviates. Once a plat meets the requirements to be considered filed with the City, the application will be placed on the Planning and Zoning Commission agenda for consideration under the time requirements set out in Section 212.009.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature):

Date: 12/19/23

Property Owner (printed): Andrew Ruiz

The Preliminary Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

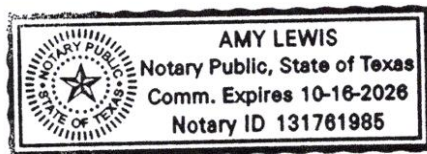
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Josh Wellender who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Midland County the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 20 day of December, 20 23, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

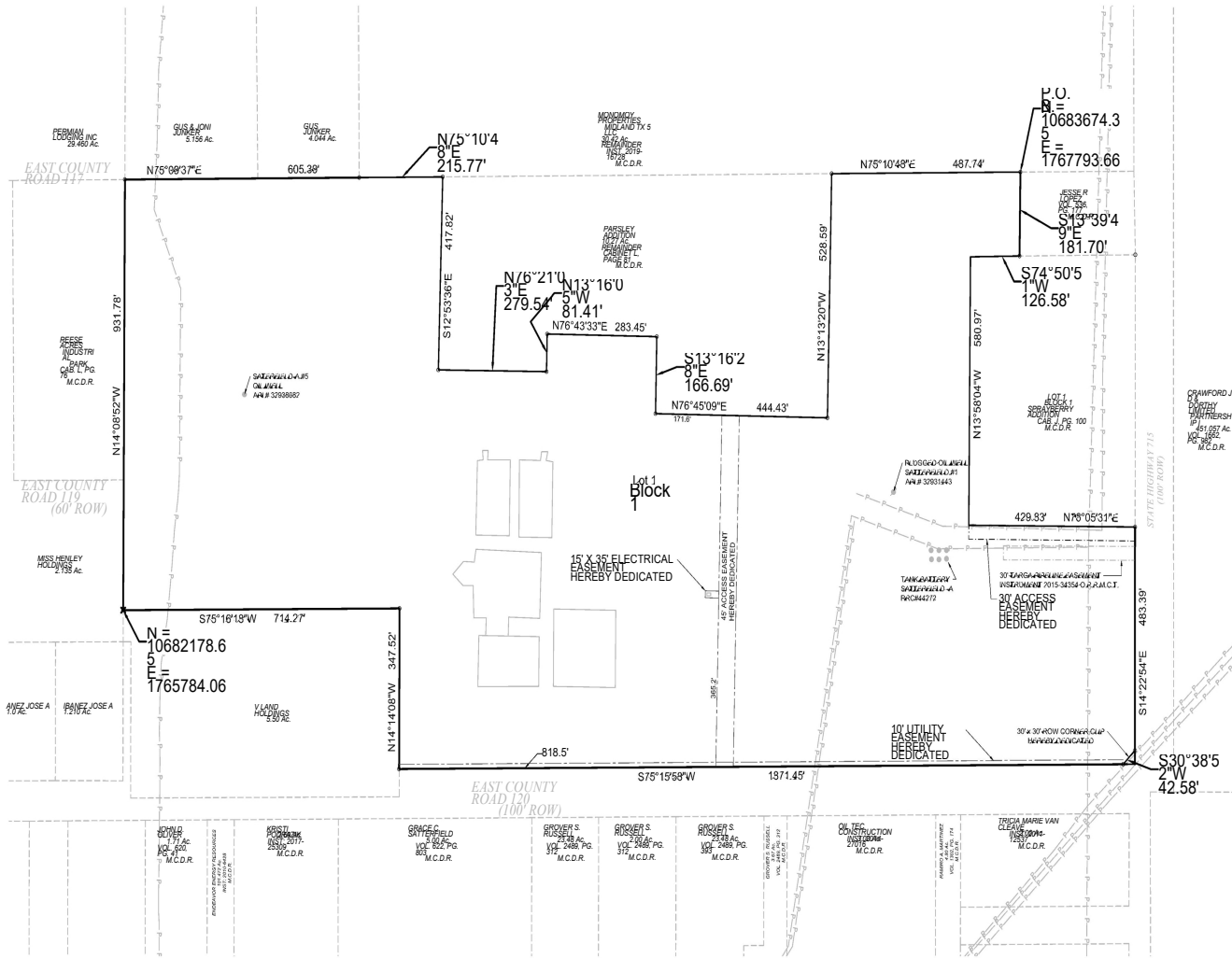
- | | | |
|--|--|---|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☒ Plat in Digital Format (PDF/JPEG) |
| ☐ Application Fee | ☒ 1 Copy of Plat (11x17) | |

Check # Paid Online

Received By: [Signature]

Date: DEC 20 2023

****Application will not be considered for scheduling until reviewed by a planner.****



SPECIAL STATE PLANE
Coordinates are relative to the Texas State Plane Coordinate System (Central Zone 1983 NAD), with a combined grid factor of 0.999993 for mean projection. The theta angle is equal to -00° 00' 00".
This plat is located in the published plat of the City of Midland, with published plat number 483290-000F, Panel 200 of 525, revised September 16, 2005. The surveyed property is not located in a Special Flood Hazard Area, according to the map, the latest local-scale map, the number of service units to be developed on the tract increases.

On or Electric Delivery Service (PLEASE PRINT)
AT&T Texas (PLEASE PRINT)
Atmos Energy (PLEASE PRINT)
Optimum (PLEASE PRINT)
Astound Broadband (PLEASE PRINT)

CERTIFICATE OF APPROVAL
This is to certify that the above and foregoing plat of MIDCO LEB was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas, on this the _____ day of _____, 2024.

Chairman - Lucy Siniega

Secretary - Cristina Burns

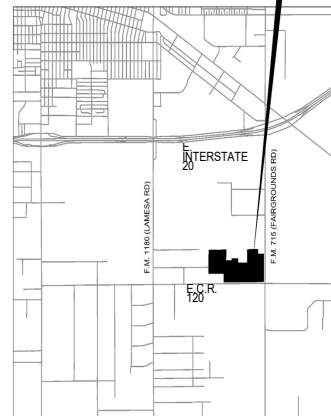
SURVEYOR'S CERTIFICATE
I, Samuel Wyatt, a Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

Samuel Wyatt,
R.P.L.S. #6453

OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF MIDLAND, MIDLAND COUNTY is the record owner of 53.71 Acres of Land Located in Section 12, Block 39, T-2-S 1&P RR Co., J.E. Gardner Survey, Midland County, Texas and more. NOW, BEFORE ME, KNOW ALL MEN, THESE PRESENTS:
That we, MIDLAND COUNTY do hereby adopt this plat designating the herein above described property as MIDCO LEB to the City and County of Midland, Texas, and we do hereby dedicate to the public use, for roads, easements, and easements shown on this the _____ day of _____, 2024.

By: Andrew Avis, Public Works Director
STATE OF TEXAS
COUNTY OF MIDLAND
The instrument was acknowledged before me on _____ day of _____, 2024, by Andrew Avis on behalf of Midland County.

Notary Public
Signature

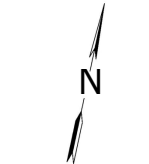


LOCATION MAP

PLAT FILED FOR
RECORD
MIDLAND
COUNTY, TEXAS
JAN 16 2024
ALLISON HALEY
COUNTY CLERK
(SIGN)
PRINT

PRELIMINARY
MIDCO
LEB

Being a plat of 53.71 Ac. out of Lot 1, Block 1, Parsley Addition, Midland County, Texas



0 150 300

LEGEND
ND
Proposed Nat. Limits
Proposed Utility Lot Lines
Proposed 10' Utility Easements
Existing Lot
Existing Easements

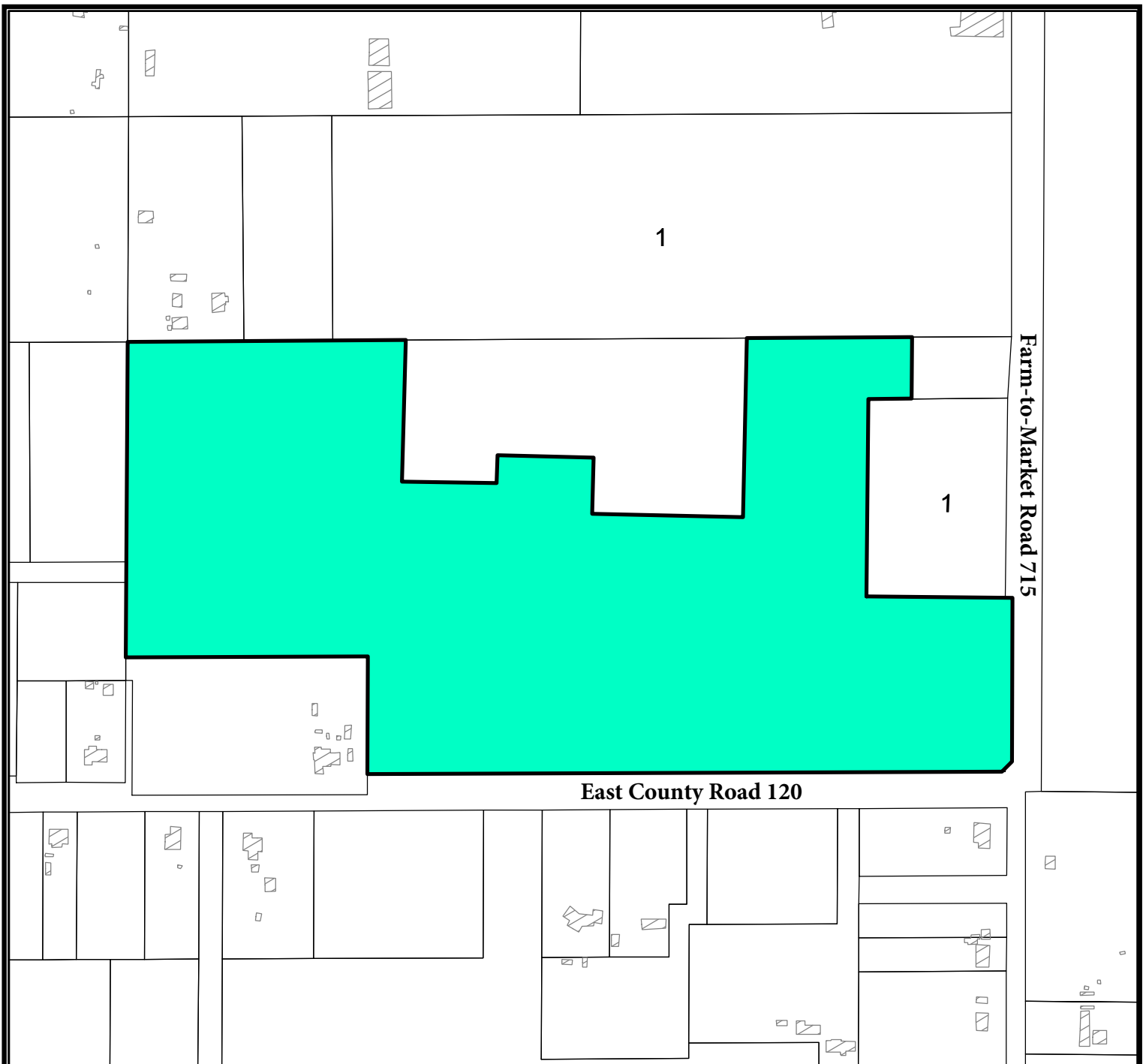
NOTE
1. Selling a portion of this addition by metes and bounds may be a violation of city ordinance and state law and subject to fines and penalties.
2. Without a title and building permits, Midland may be required before these lots may be developed or before a building permit may be obtained.
3. May be obtained with plastic cap set at each corner unless otherwise specified.
4. Initial impact fees will be assessed during the final platting process. Implementation and collection of impact fees will take place during the building permit process. Additional impact fees or increases in fees may not be assessed against the tract unless the number of service units to be developed on the tract increases.

OWNE
R
MIDLAND
COUNTY
500 N. LORAIN,
11TH FLOOR
MIDLAND, TEXAS
79701
1447

MIDCO
LEB

Parkhill

TBPEL'S FIRM REGISTRATION
NO. 10194091



LOCATION MAP

SUB-23-0694

Scale: 1" = 425'

Proposed Plat of MIDCO LEB, being a replat of a 53.71-acre tract of land out of Lot 1, Block 1, Parsley Addition, Midland County, Texas.

Generally located on the northwest corner of the intersection of Farm to Market Road 715 and East County Road 120. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS

