

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

**February 20, 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 February 5, 2024.
3. Motion approving a Final 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) **(DISTRICT 1) (DEVELOPMENT SERVICES)**
4. Motion approving a Final Plat of Urbandale Addition, Section 3, being a replat of the east 31 feet of Lot 15 and all of Lot 16, Block 1, A Replat of All of Tracts 1, 7, 9, 10 and the East Half of 8, Urbandale Addition, City and County of Midland, Texas. (Generally located southwest of the intersection of H Street and Princeton Avenue.) (DISTRICT 3) (DEVELOPMENT SERVICES) **(DISTRICT 3) (DEVELOPMENT SERVICES)**
5. Motion approving a Final Plat of Tanglewood Addition, Section 9, being a replat of Lots 8 and 9, Tanglewood Addition, Section 8 and Lots 6 and 7, Block 4, Tanglewood Addition, Section 4, City and County of Midland, Texas. (Generally located west of North Lamesa Road, approximately 815-feet north of East Wadley Avenue.) (DISTRICT 2) (DEVELOPMENT SERVICES) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

6. Motion approving a Final Plat of Avalon Addition, Section 5, being a replat of Lots 12, 13, and the west 49.6-feet of Lot 14, Avalon Addition, a replat of Lot 11, Block 2, Lots 11 and 12 of Blocks 3-7, and Lots 1-11, Block 8, City and County of Midland, Texas. (Generally located south of Winfield Road, approximately 140-feet east of North L Street.) (DISTRICT 3) (DEVELOPMENT SERVICES) **(DISTRICT 3) (DEVELOPMENT SERVICES)**
7. Motion approving a Final Plat of Redneck Retreat, Section 3, being a 11.08-acre tract of land out of Section 15, Block 38, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of East County Road 130, approximately 1881-feet east of F.M. 715.) (Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**

PUBLIC HEARINGS

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

8. Consider a request by Waystone Brewing LLC, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a brewpub, on a 1,674 square foot portion of Lot 1-H, Block 5, Colony Place, Section 5, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of W Wadley Avenue and N. Garfield Street.) (District 3) (DEVELOPMENT SERVICES) **(DISTRICT 3) (DEVELOPMENT SERVICES)**

MISCELLANEOUS

9. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Proposed plat of Ranchero Park, Section 8, being a 4.057-acre tract of land out of the southwest quarter of Section 4, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. Generally located on the south side of W. Interstate 20 Service Road, approximately 215 feet east of S. Midkiff Road. **(DISTRICT 2) (DEVELOPMENT SERVICES)**
10. Motion approving with staff's recommended conditions a Preliminary Plat of Original Town, Section 27 being a replat of Lots 10, 11 & 12, Block 82, Original Town, City and County of Midland, Texas. (Generally located at the northwest corner of the intersection of East Indiana Avenue and South Fort Worth Street.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
11. Motion approving, with staff's recommended conditions a Proposed Preliminary Plat of Westridge Park Addition, Section 54, being a Replat of a 4.33-acre tract of land out of Lot 4A, Block 5, Westridge Park Addition, Section 53, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Deauville Boulevard and North Loop 250 West.) (District 4) (DEVELOPMENT SERVICES) **(DISTRICT 4) (DEVELOPMENT SERVICES)**
12. Motion approving with staff's recommended conditions a Preliminary Plat of Warren Addition, being a plat of a 2.99-acre tract of land out of Section 18, Block 40, T-2-S, T&P

RY. Co. Survey, City and County of Midland, Texas. (Generally located on the north side of West County Road 127, approximately 700-feet west of South Farm to Market Road 1788.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**

13. Motion approving, with staff's recommended conditions, a Preliminary Plat of Pavilion Park Addition, Section 15, being a replat of a 90.60-acre tract of land out of Lot 8, Block 2, Pavilion Park Addition, Section 7, and a plat of a 10-acre tract of land out of Section 1, Block X H.P. Hillard Survey, City and County Midland County Texas. (Generally located on the north side of Solomon Lane, approximately 1,155 feet west of North Fairgrounds Road.) **(DISTRICT 1) (DEVELOPMENT SERVICES) (DISTRICT 1) (DEVELOPMENT SERVICES)**

Xavier Bauguess
Planning Division Manager
Department of Development Services

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**

February 5, 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 3:31pm, February 05, 2024.

Commissioners present: Brennan Berry, Lucy Sisniega, John Burkholder, Adrian Carrasco, Abraham Bejil, Steven Villela, Joshua Sparks

Commissioners absent: Emily Holeva, Sallie Vega

Staff members present: Diana E. Geerts, Landon Ochoa, Alexis M. Martinez, Andrew Meyers, Daniel Humbert, Elizabeth Triggs, Xavier Bauguess

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 16, 2024.

Adrian Carrasco moved to approve; seconded by Abraham Bejil.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

3. Motion approving a Final Plat of Harmony School Addition, Section 1, being a plat of a 30.96-acre tract of land located in Section 19, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located north of East Loop 250, approximately 115 feet east of Meadowside Street.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**

Adrian Carrasco moved to approve; seconded by Abraham Bejil.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

4. Motion approving a Final Plat of Mockingbird Ridge, Section 5, being a plat of a 33.04-acre tract of land situated in Section 18, Block 38, T-1-S, A-734, T&P RY. Co. Survey, City and County of Midland, Texas. (Generally located north of Blazing Saddle Boulevard, approximately 640 feet east of Purtils Creek Drive.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**

Steven Villela moved to approve this request; seconded by Abraham Bejil.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Bejil, Villela, Sparks

NAY: Carrasco

ABSTAIN: None

ABSENT: Holeva, Vega

5. Motion approving a Final Plat of Northwest Passage, Section 2, being a plat of a 31.401-acre tract of land out of Section 35, Block 40, T-1-S T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the west side of State Highway 158, approximately 1,001 feet north of State Highway 191.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**

Adrian Carrasco moved to approve; seconded by Abraham Bejil.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

6. Motion approving a Final Plat of Johnson & Moran Addition, Section 8, being a replat of Lot 1, Block 6, Johnson & Moran Addition, Section 6, City and County of Midland, Texas. (Generally located northwest of the intersection of Andrews Highway and West Cuthbert Avenue.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**

Adrian Carrasco moved to approve; seconded by Abraham Bejil.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

PUBLIC HEARINGS

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

7. Consider a request by G2K Development Partners for a zone change from LI, Light Industrial District, to BP, Business Park District, for a 6.15-acre tract of land out of the northwest quarter of Section 36, Block 39, T-1-S, T&P RR, Co. Survey, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of East Front Street and North Adams Street.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Senior Planner Diana Geerts gave an overview of the project. No letters of objection were received; staff recommend approval.

The public hearing was opened at 3:44pm.

There was no one wishing to speak on this item.

The public hearing was closed at 3:45pm.

Abraham Bejil moved to approve this request; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

8. Consider a request by Archie Williams Jr. for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District, on Lot 6, Block 14, Greenwood Addition, Sections 3, 4, and 5, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of East Washington and South Clay Street.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Senior Planner Diana Geerts gave an overview of the project. No letters of objection were received; staff recommend approval.

The public hearing was opened at 3:47pm.

There was no one wishing to speak on this item.

The public hearing was closed at 3:48pm.

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

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

9. Consider a request by GF Elite Real Estate Holdings for a zone change from SF-2, Single-Family Dwelling District, in part, and RR, Regional Retail District, in part, to RR, Regional Retail District, for a 2.61-acre tract of land situated in Section 33, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of West Wall Street, approximately 48 feet south of West Circle Drive.) **(DISTRICT 2)**
(DEVELOPMENT SERVICES)

Senior Planner Diana Geerts gave an overview of the project. No letters of objection were received; staff recommend approval.

The public hearing was opened at 3:50pm.

There was no one wishing to speak on this item.

The public hearing was closed at 3:50pm.

Adrian Carrasco moved to approve this request; seconded by Abraham Bejil.

The motion passed by the following vote:

AYE: Berry, Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

MISCELLANEOUS

With no further items or business to come before the Commission, Chair Sisniega adjourned the meeting at 3:52pm

Lucy Sisniega, Chair

Date

Xavier Bauguess
Development Services Manager

Date



Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: February 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving a Final 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)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

PD, Planned District for Housing Development (Ordinance 9788)

Preliminary Plat Approval:

The applicant, Cross Texas land Services is requesting to replat Lot 1, Block 1, and a 0.159-acre portion of vacated adjacent Rope Street right-of-way, all out of Adobe Meadows, Section 8, City and County of Midland, Texas to include the vacated portion of Rope Street.

City Council approved the vacation of the portion of Rope Street on December 12, 2023 (Ordinance 10462).

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

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

PAVING: E. Mockingbird roadway okay as is. Rope roadway okay as is. SH 349 Frontage Road is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: 12" water exists in SH 349, okay as is. 12" water exist in E. Mockingbird, 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: 12" sewer exists in E. Mockingbird Street, okay as is. 6" sewer exists in Rope Street N of Tract, okay as is. 15" sewer exists in SH 349, 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.]

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.

Oil and Gas: (Approved)

No Oil & Gas concerns. Two permitted wells that are to the South across Mockingbird Lane have been to be identified on the plat -currently radius circle of 500 ft. denotes 500' oil well offset. Any occupied residence or commercial building within the 500-ft. radius will require a variance from City Council for a building permit. The wells are the Nickel 101D and Nickel 102D.

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.

Planning: (Approved)

Staff recommends approval of the Final Plat of Adobe Meadows, Section 9, subject to Condition A.

Condition(s):

- 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: Adobe Meadows, Section 9**Legal Description (attached sealed Metes and Bounds):** A replat of Lot 1, Block 1, and the previously vacated 0.159 acre portion of Roper Street right of way adjacent westerly to Block 1, all out of Adobe Meadows, Section 8, City & County of Midland, TX**Property Owner**

Printed Name: Adobe Meadows Midland LLC

Phone 9729480558

Email

Address 4145 Travis St., Ste. 300

City Dallas

State TX

Zip 75204

Developer (if different than Owner)

Printed Name:

Phone 9729480558

Email

Address

City

State

Zip

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

Firm: Cross Texas Land Services

Printed Name: Thais Ahlstrand

Phone 9729480558

Email

Address 3503 W. Michigan Ave

City Midland

State TX

Zip 79703

Current Zoning: PD**Reason for Platting:** to plat the vacated Rope Street with existing Lot 1**Plat Information**

Total Acreage: 14.119

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):

Date: 1/4/24

Property Owner (printed): Aaron Sherman

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 _____ who, being by me duly sworn, upon oath says: That (s)he is authorized by _____, 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 _____ day of _____, 20 ____, to certify which witness my hand and seal of office.

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

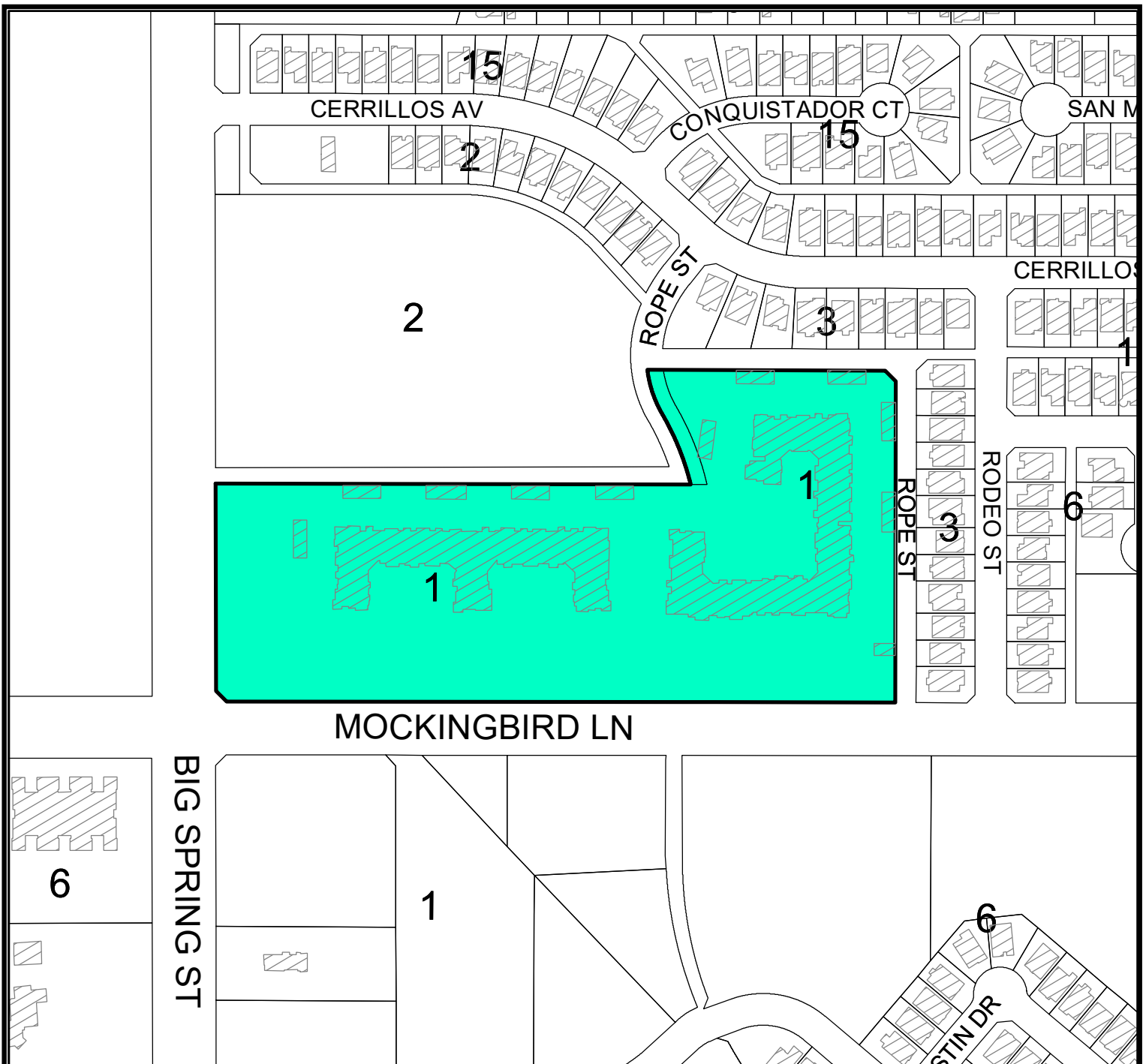
FOR OFFICE USE ONLY

- | | | |
|--|--|---|
| ☒ 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>257562</u> | ☒ Tax Certificates | ☒ Recording Fee |

Received By: Lorban Wilson

Date: JAN 24 2024

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



LOCATION MAP

SUB-23-0677

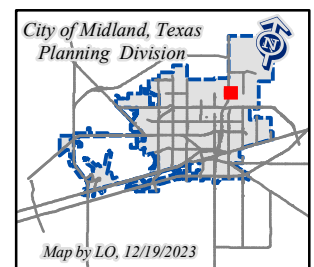
Scale: 1" = 271'

Proposed 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. (Council District 1)

LEGEND

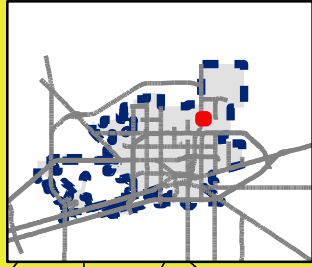
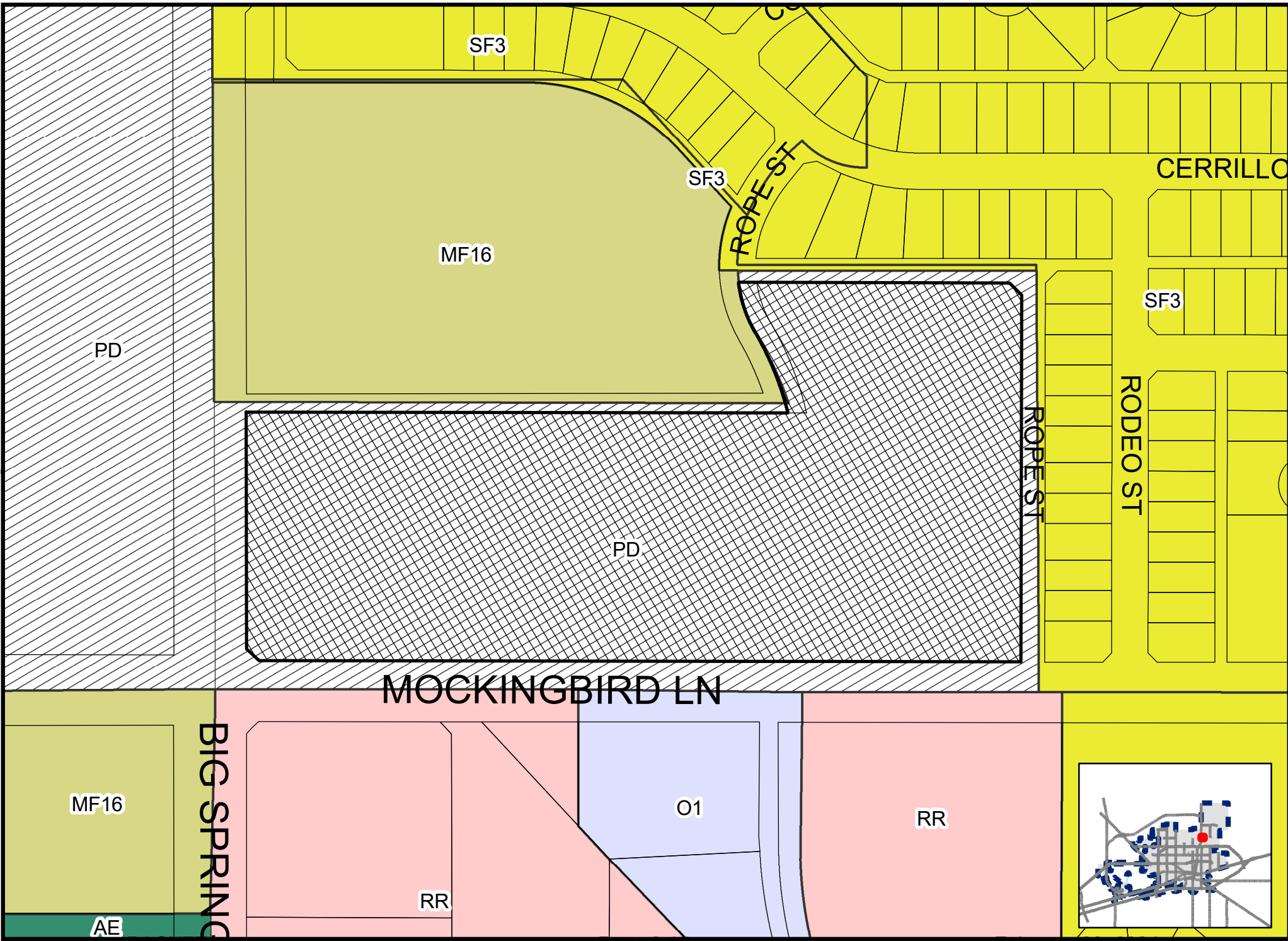
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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. 9788

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 15, BLOCK 2, AND LOT 1, BLOCK 3, ADOBE MEADOWS, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED LR-2, LOCAL RETAIL DISTRICT, IN PART, AND MF-1, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, TO BE USED AS A PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF MOCKINGBIRD LANE AND BIG SPRING STREET); 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 and the State law with reference to the creation of "Planned Districts" under the zoning ordinance regulations and zoning map, 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 the creation of a PD, Planned District for a Housing Development, as set out hereinafter and subject to the conditions and restrictions set out hereinafter;

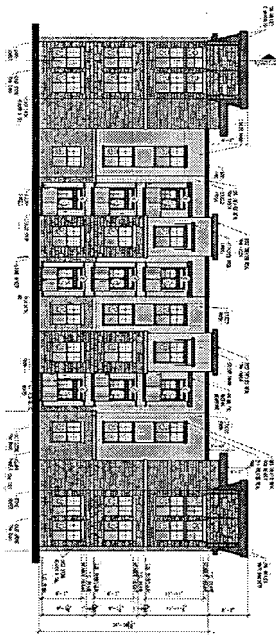
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That Chapter 1, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described property is concerned, which is presently zoned LR-2, Local Retail District, in part, and MF-1, Multiple-Family Dwelling District, in part, and it shall be used as a PD, Planned District for a Housing Development, said property being described as follows:

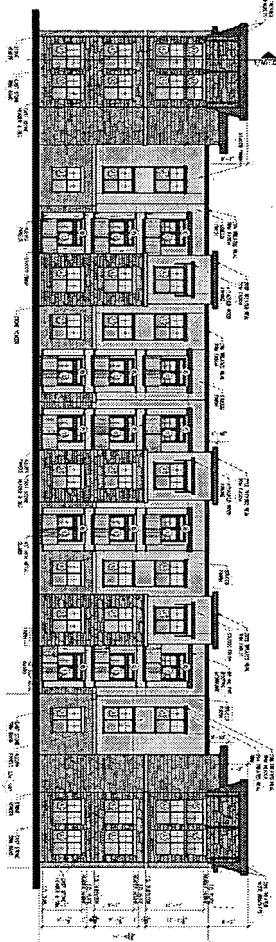
As of June 20, 2018, staff has received (3) three letters of objection to this request.

Attachments:

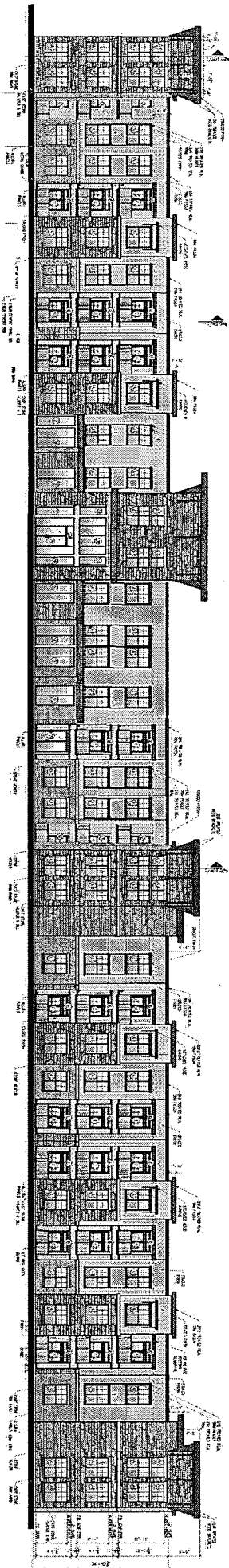
Site Plan (Exhibit A)
Section (Exhibit B)
Rendering (Exhibit C)
Elevation (Exhibit D)
Ordinance 6617
Application
Maps
Objection letters



WEST SIDE ELEVATION



REAR RIGHT SIDE ELEVATION



FRONT ELEVATION AT LEASING

Adobe Meadows

Midland, Texas

Steinberg

Dickey

Collaborative, LLP

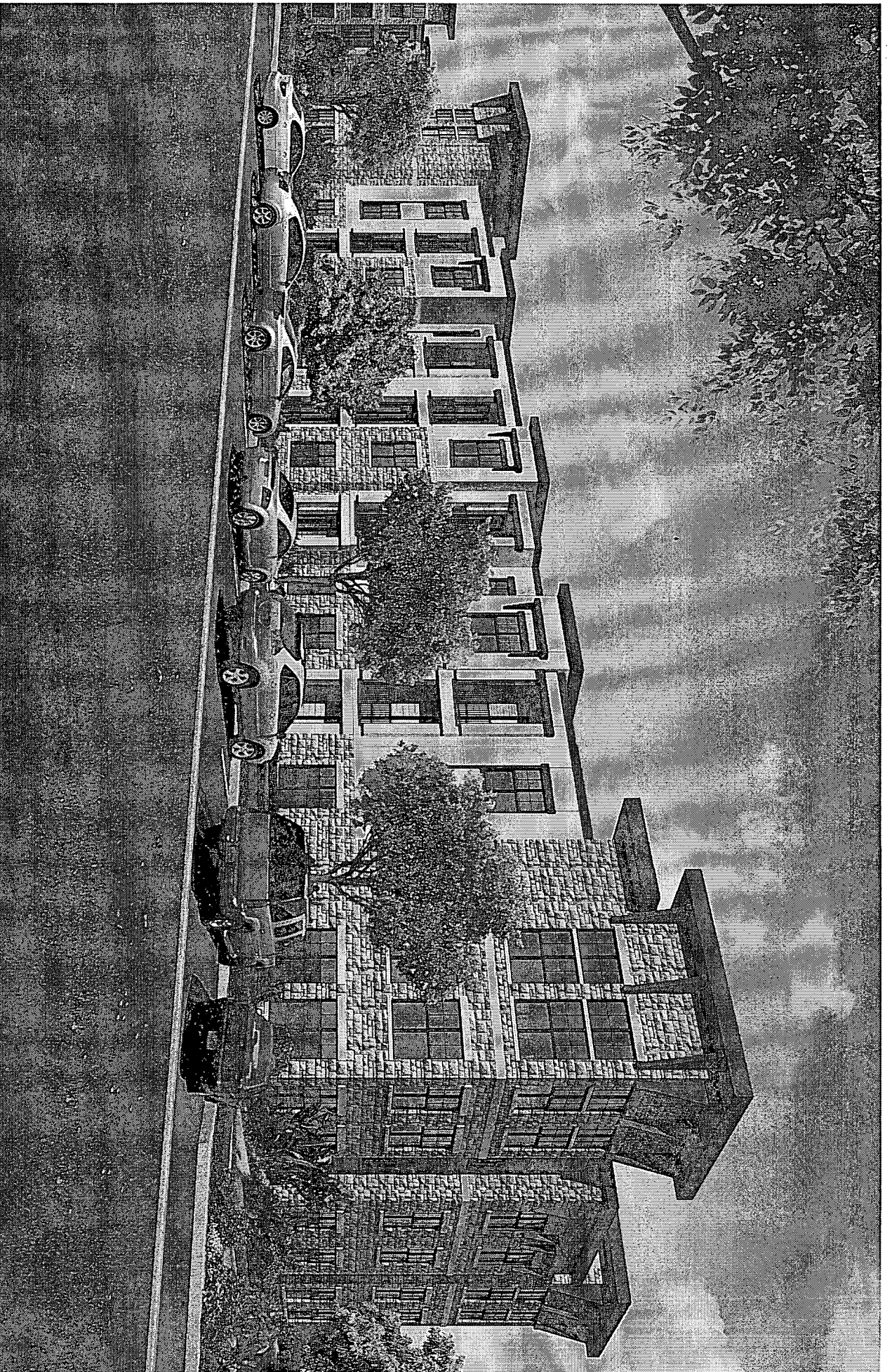
Scale: N.T.S.

Date: 2018.05.01

PROJECT #: 18-022

34.9

CONCEPTUAL DESIGN - Colored Elevation Concept



February 20, 2024

Page 3.19

PACKET 1

Not for regulatory approval. Intended for construction.

Steinberg
Dickey Collaborative, LLP

Perspective

Cross Creek Ranch

Date: 2017.03.14

PROJECT #: 16-031

34.10

CONCEPTUAL DESIGN



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

Project Number: Z-18-0026
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Brandon Easterling</u>		Phone: () Email	
Address <u>3500 Oakmont Blvd. #205</u>	City <u>Austin</u>	State <u>TX</u>	Zip <u>78731</u>

Property Owner Printed Name: <u>Curt & Tammy Alvin</u>		Phone: () Email	
Address <u>109 Blackberry Ct.</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79705</u>

Representative (if different from Applicant or Property Owner) Firm: <u>Maverick Engineering</u> Printed Name: <u>Andrew Mellen, P.E.</u>		Phone (432-) <u>262-0999</u> Email <u>amellen@maverick-eng.com</u>	
Address <u>1909 W. Wall St. Ste K</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

Street Address: _____

Legal Description

Lot: (15) & 1 Block: (2) & 3 Subdivision: Adobe Meadows, Section 2

Current Zoning: LR2 & MF1

Proposed Zone: PD-HD
(List by tracts if more than one district is requested)

Reason for Zone Change Request: Development of an multi-family apartment complex

Present Use of Property: Vacant

Proposed Use of Property: Apartment complex

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

This zone change would serve to provide much-needed additional housing solutions in Midland

Describe how conditions affecting the property have changed since present zoning designation: No change. These are previously platted, undeveloped lots.

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)

RECEIVED

MAY 23 2018

CITY OF MIDLAND
PLANNING DIVISION

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

Applicant (signature):

Date: 5/22/18

Applicant (printed): Brandon Easterling

Property Owner (signature): Curt Alvin Tammy Alvin

Date: 5/22/18

Property Owner (printed): Curt Alvin Tammy Alvin

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 Andrew L. Mellen, PE who, being by me duly sworn, upon oath says: That (s)he is authorized by Curt & Tammy Alvin, 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 22nd day of May, 20 18, to certify which witness my hand and seal of office.



Kelsey Ann Stine

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☐ Plans in Digital Format (PDF/JPEG)

Check # 2260

Received By: Jeremy McNeil

Date:

RECEIVED

MAY 23 2018

CITY OF MIDLAND
PLANNING DIVISION OFFICE

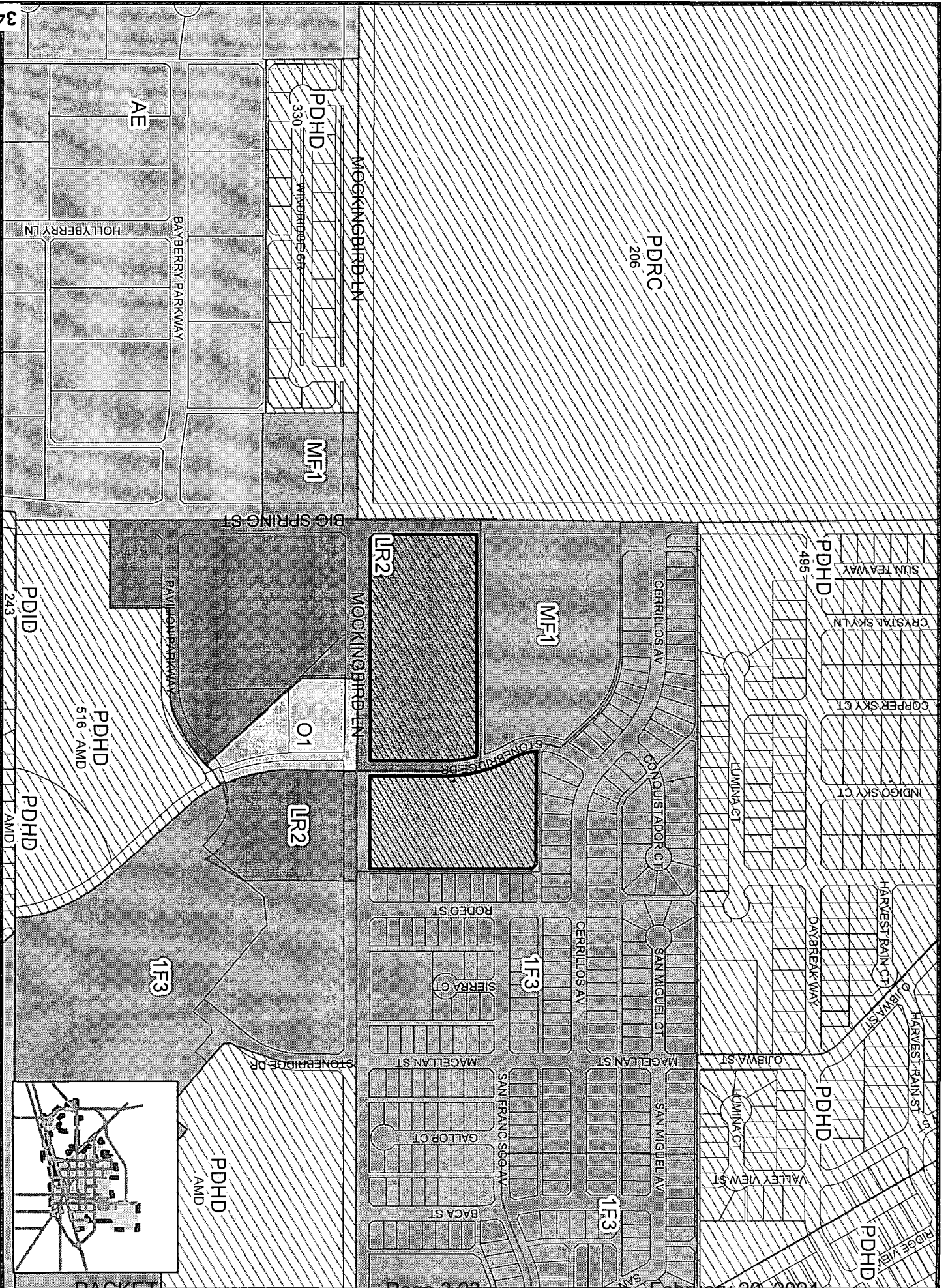
****Application will not be considered for scheduling until reviewed by a planner.****

34.13

ZONING MAP



© THE CITY OF MIDLAND - 2017. THIS MAP IS A SUGGESTION FOR A FUTURE PROJECT. MAP IS NOT A RESPONSE TO ANY REQUEST. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.





MIDLAND

Planning Division

PUBLIC NOTICE

HREBICEK MATTHEW &
5610 RODEO ST
MIDLAND TX 79705

The Planning Commission of the City of Midland, Texas will hold a public hearing at 3:30 p.m. on **Monday, June 18, 2018**, in the Council Chambers, City Hall, 300 N. Loraine, on a request by **Brandon Easterling** for approval of a **Zone Change** on the following described property:

LEGAL DESCRIPTION: Lot 15, Block 2 & Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas.

LOCATION: Generally located at the northeast corner of East Mockingbird Lane and North Big Spring Street. Council District 1.

PROPOSED ZONING:

From: LR-2, Local Retail District (Ordinance No. 6617) and MF-1, Multiple Family Dwelling District.

To: PD, Planned District for a Housing Development.

Not to be considered a part of the Public Notice: 1) See reverse side for location map; 2) In order to be considered as an official objection to this request a response **must be submitted by mail or delivered in writing** to the Planning Division at the address listed above. An official objection may be filed by completing this notice and returning it to the address listed above.

I object to this request: ☒ Comments:

Required Information:


Property Owner's Signature


Printed Name


Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400.
Si ud. desea más información en Español sobre esta cuestión, llame al: 685-7400.

Notices Mailed: 45

Date Mailed: June 8, 2018

Case Number: Z-18-0026

Case Name: Stillwater Apartments

ES Planner's Initials


Cristina Odenborg
Interim Planning Division Manager
Department of Development Services

The meeting facility is accessible to disabled persons. A wheelchair entry ramp is located at the southeast entrance to City Hall. A parking space designated for use by disabled persons is available near the southeast entrance doors. Any disabled person needing special accommodations or hearing impaired persons wishing to have an interpreter should request services through the Administrative Services Department at least 48 hours prior to the scheduled meeting by contacting Compliance Coordinator for the City of Midland at (432) 685-7251. If communication via TDD is required, please call 1-800-735-2989.

34.16



MIDLAND

Planning Division

BOYCE DANIEL &
5619 RODEO ST
MIDLAND TX 79705

PUBLIC NOTICE

The **Planning Commission** of the City of Midland, Texas will hold a public hearing at **3:30 p.m.** on **Monday, June 18, 2018**, in the Council Chambers, City Hall, 300 N. Loraine, on a request by **Brandon Easterling** for approval of a **Zone Change** on the following described property:

LEGAL DESCRIPTION: Lot 15, Block 2 & Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas.

LOCATION: Generally located at the northeast corner of East Mockingbird Lane and North Big Spring Street. Council District 1.

PROPOSED ZONING:

From: LR-2, Local Retail District (Ordinance No. 6617) and MF-1, Multiple Family Dwelling District.

To: PD, Planned District for a Housing Development.

Not to be considered a part of the Public Notice: 1) See reverse side for location map; 2) In order to be considered as an official objection to this request a response **must be submitted by mail or delivered in writing** to the Planning Division at the address listed above. An official objection may be filed by completing this notice and returning it to the address listed above.

I object to this request ☒ Comments:

Reduction of Privacy

Required Information:

Jessica Boyce
Property Owner's Signature

Jessica Boyce
Printed Name

5619 Rodeo St
Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400.
Si ud desea más información en Español sobre esta cuestión, llame al: 685-7400.

Notices Mailed: 45

Date Mailed: June 8, 2018

Case Number: Z-18-0026

Case Name: Stillwater Apartments

ES Planner's Initials

Cristina Odenborg
Cristina Odenborg
Interim Planning Division Manager
Department of Development Services

The meeting facility is accessible to disabled persons. A wheelchair entry ramp is located at the southeast entrance to City Hall. A parking space designated for use by disabled persons is available near the southeast entrance doors. Any disabled person needing special accommodations or hearing-impaired persons wishing to have an interpreter should request services through the Administrative Services Department at least 48 hours prior to the scheduled meeting by contacting Compliance Coordinator for the City of Midland at (432) 685-7251. If communication via TDD is required, please call 1-800-735-2989.

34.17



BURTTSCHELL JESSE
5623 RODEO ST
MIDLAND TX 79705

PUBLIC NOTICE

The Planning Commission of the City of Midland, Texas will hold a public hearing at 3:30 p.m. on **Monday, June 18, 2018**, in the Council Chambers, City Hall, 300 N. Loraine, on a request by **Brandon Easterling** for approval of a **Zone Change** on the following described property:

LEGAL DESCRIPTION: Lot 15, Block 2 & Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas.

LOCATION: Generally located at the northeast corner of East Mockingbird Lane and North Big Spring Street. Council District 1.

PROPOSED ZONING:

From: LR-2, Local Retail District (Ordinance No. 6617) and MF-1, Multiple Family Dwelling District.

To: PD, Planned District for a Housing Development.

Not to be considered a part of the Public Notice: 1) See reverse side for location map; 2) In order to be considered as an official objection to this request a response **must be submitted by mail or delivered in writing** to the Planning Division at the address listed above. An official objection may be filed by completing this notice and returning it to the address listed above.

I object to this request ☒ Comments:

Required Information:


Property Owner's Signature

Jesse Burttshell
Printed Name

5623 Rodeo St Midland, Tx 79705
Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400.
Si ud desea más información en Español sobre esta cuestión, llame al: 685-7400.

Notices Mailed: 45

Date Mailed: June 8, 2018

Case Number: Z-18-0026

Case Name: Stillwater Apartments

ES Planner's Initials


Cristina Odenborg
Interim Planning Division Manager
Department of Development Services

The meeting facility is accessible to disabled persons. A wheelchair entry ramp is located at the southeast entrance to City Hall. A parking space designated for use by disabled persons is available near the southeast entrance doors. Any disabled person needing special accommodations or hearing impaired persons wishing to have an interpreter should request services through the Administrative Services Department at least 48 hours prior to the scheduled meeting by contacting Compliance Coordinator for the City of Midland at (432) 685-7251. If communication via TDD is required, please call 1-800-735-2989.

34.18

Lot 15, Block 2, and Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas.

SECTION TWO. That said property shall be subject to the following special conditions and restrictions:

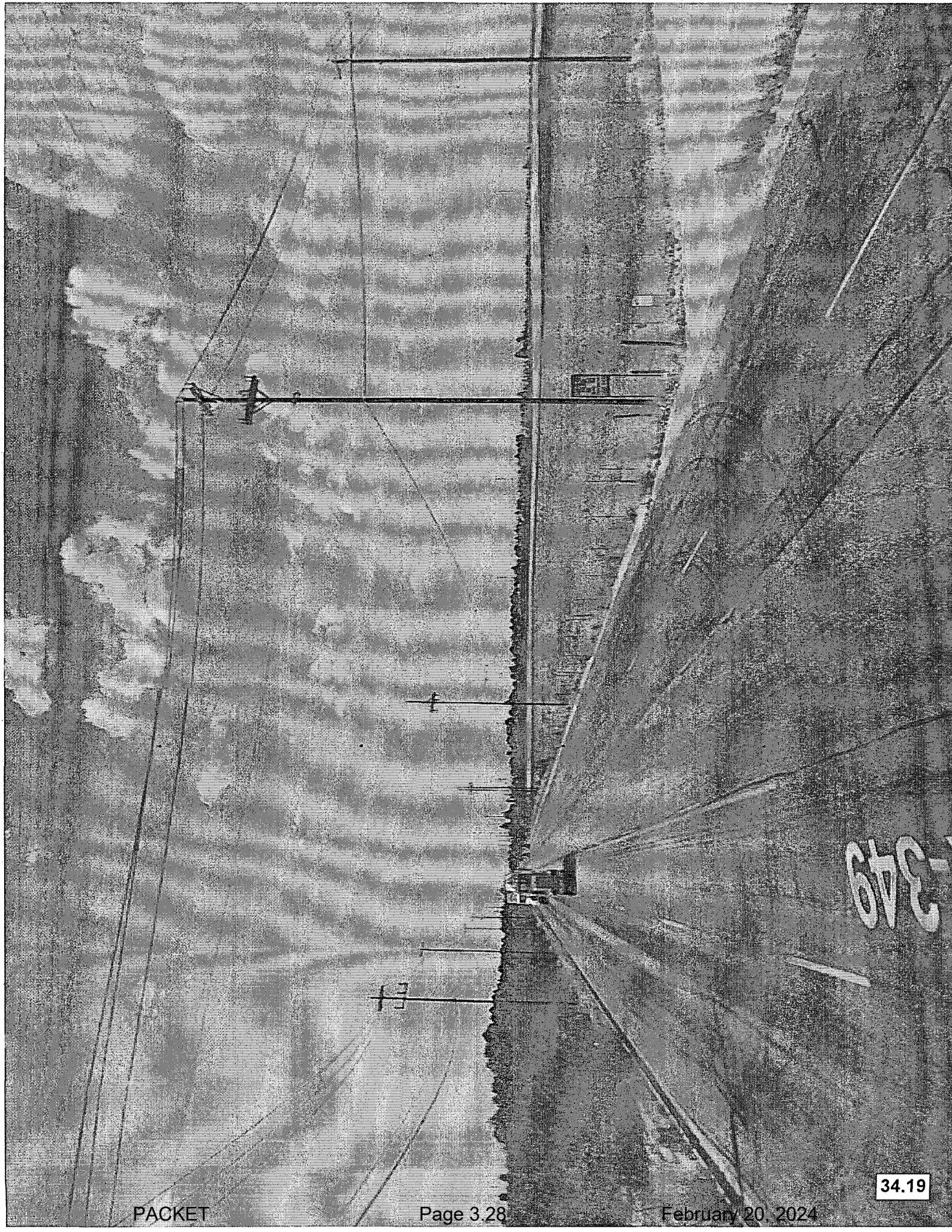
- A. That the use and development of this property shall conform to the regulations of the MF-1, Multiple-Family Dwelling District, except as otherwise stated below.
- B. That this property shall significantly conform to Exhibits "A" and "B", which are attached hereto and incorporated herein.
- C. That the parking shown in Exhibit "A" shall be considered illustrative. The parking shall conform to the regulations set forth in Title XI, Chapter 1 of the City Code.
- D. That the landscaping shown in Exhibit "A" shall be considered illustrative. The landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.

SECTION THREE. 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.

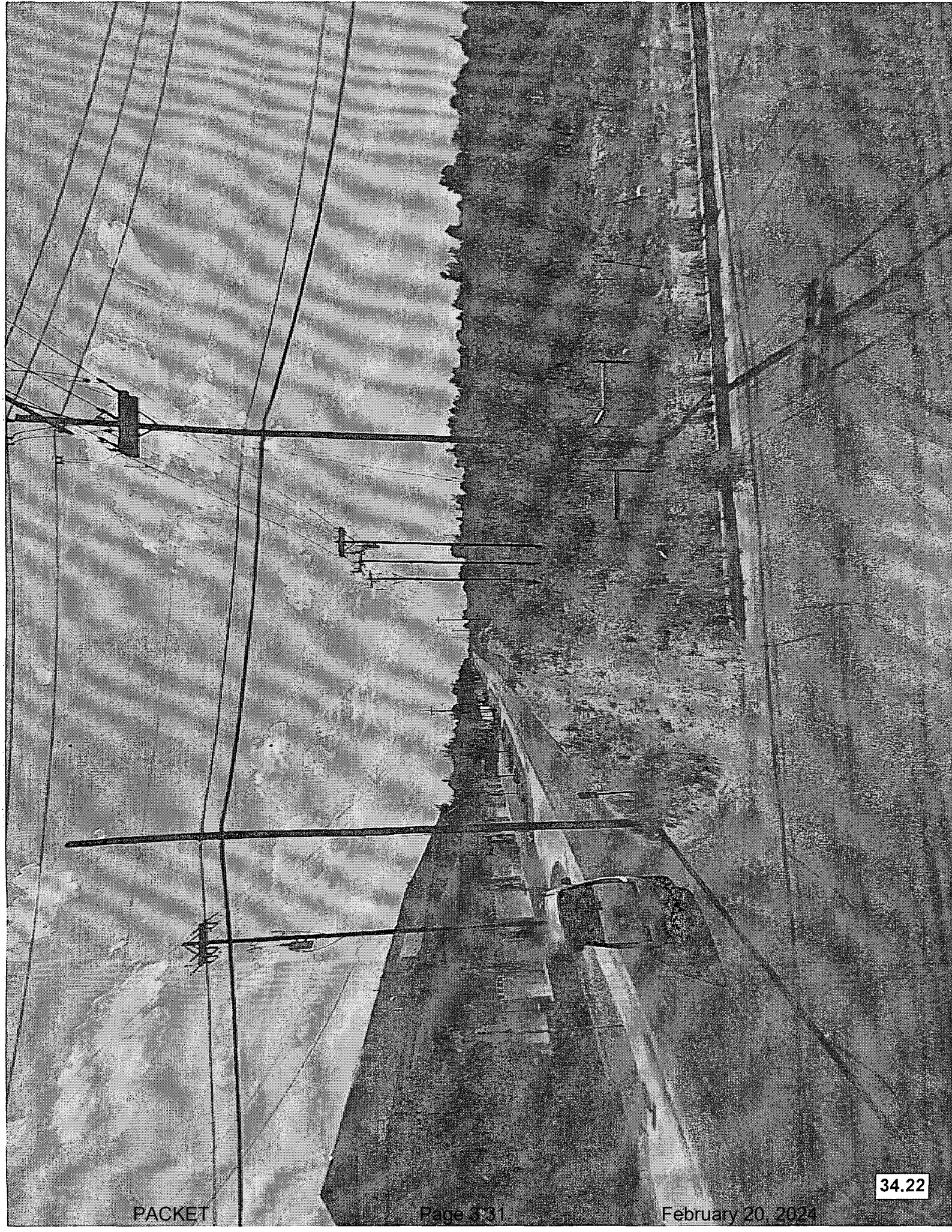
SECTION FOUR. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the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

SECTION FIVE. 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 SIX. The penalty for violation of this ordinance shall be in accordance



349



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 SEVEN. 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 24th day of July, A.D., 2018; and passed to second reading on motion of Council member Lacy, seconded by Council member Robnett, by the following vote:

Council members voting "AYE": Hotchkiss, Love, Morales, Dufford, Lacy, Robnett

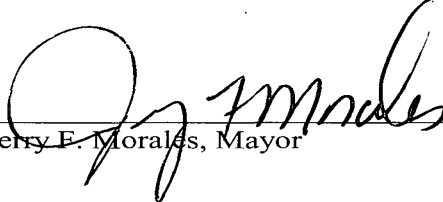
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Lacy, seconded by Council member Hotchkiss, on the 14th day of August, A.D., 2018, at a regular meeting of the City Council:

Council members voting "AYE": Hotchkiss, Love, Sparks, Dufford, Lacy, Robnett

Council members voting "NAY": None

PASSED AND APPROVED THIS 14th day of August, A.D., 2018.



Jerry E. Morales, Mayor

ATTEST:



Amy M. Turner, City Secretary

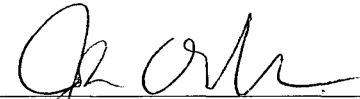
APPROVED AS TO CONTENT
AND COMPLETENESS:



Frank Salvato, Assistant City Manager

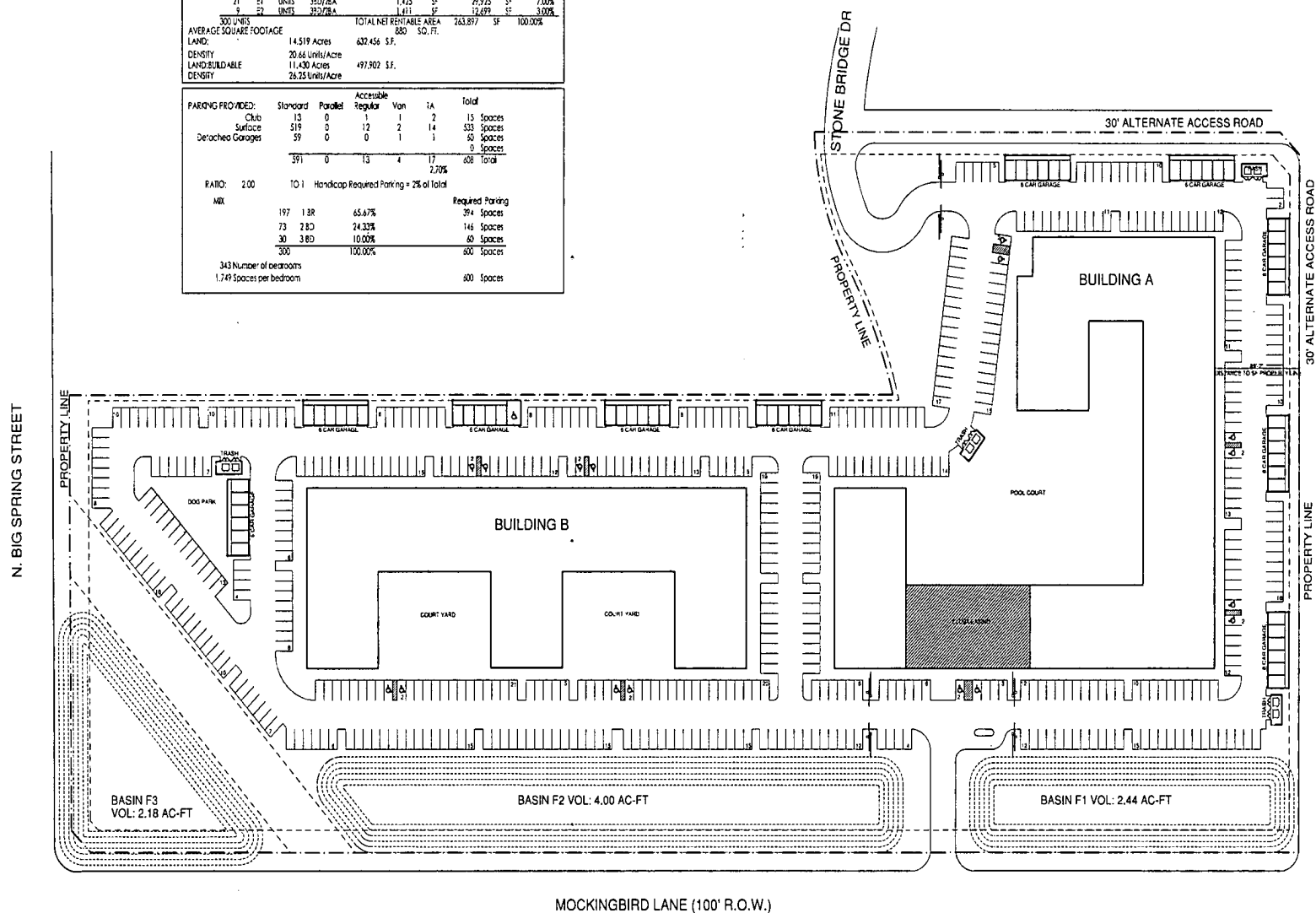
Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:



John Ohnemiller, City Attorney

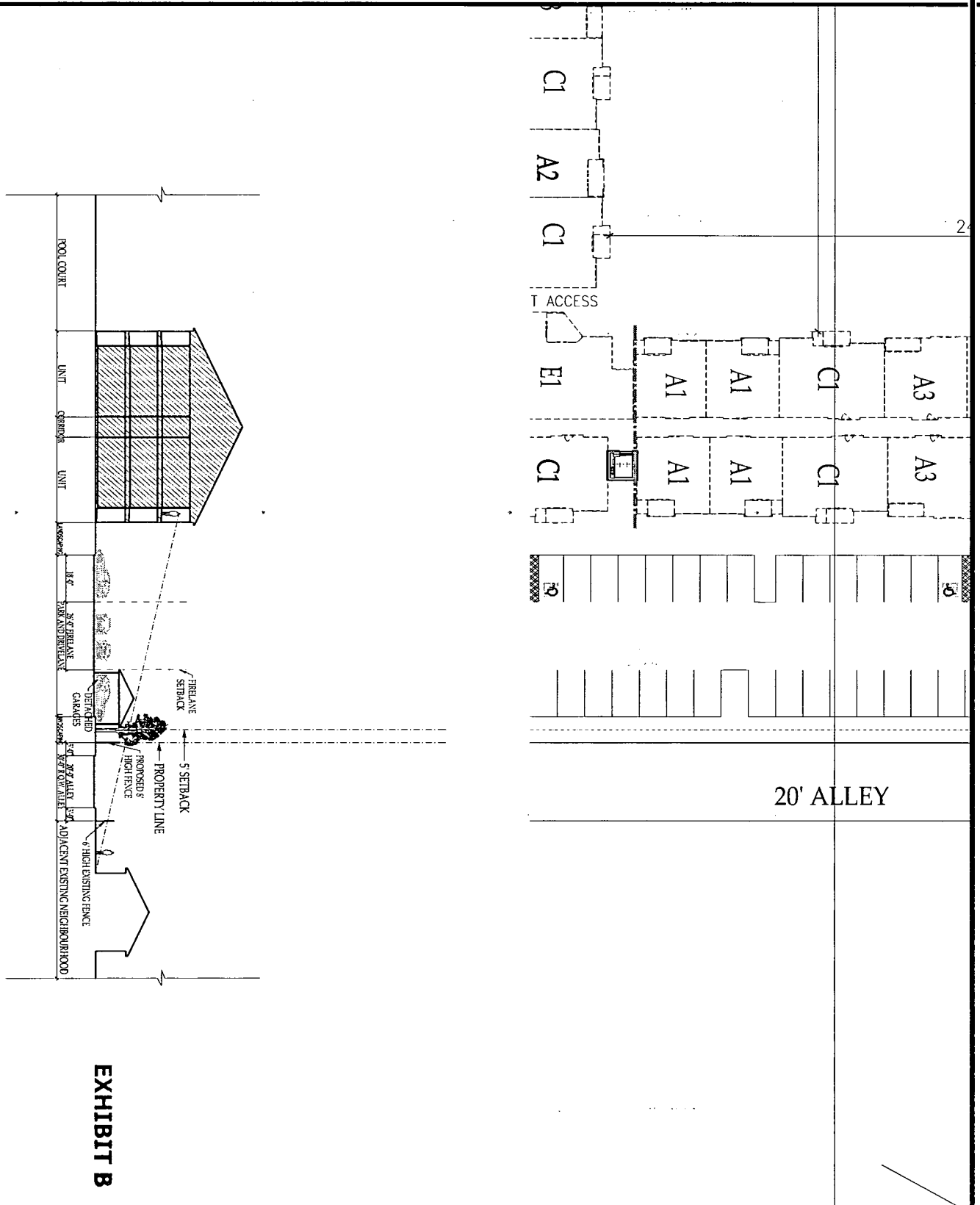
PARKING PROVIDED:	Allocable				Total
	Standard	Parallel	Regular	Van	
Club	13	0	1	1	15 Spaces
Surface	519	0	12	2	533 Spaces
Detached Garages	59	0	0	1	60 Spaces
	591	0	13	4	608 Total
RATIO: 2.00 10:1 Handicap Required Parking = 2% of Total					2.70%
ADR	197	13R	65.67%		Required Parking 394 Spaces
	73	28D	24.33%		146 Spaces
	30	38D	10.00%		80 Spaces
	300		100.00%		600 Spaces
343 Number of bedrooms					
1,749 Spaces per bedroom					400 Spaces



1 CONCEPTUAL SITE PLAN

February 20, 2024

SITE PLAN



1 SITE SECTION
Scale: 1/8" = 1'-0"

EXHIBIT B

Adobe Meadows

Midland, Texas

Steinberg
Dickey

Collaborative, LLP

ARCHITECTS, PLANNERS

Sanford P. Steinberg
AIA

8100 Washington Avenue
Suite 250
Houston, Texas 77007
713.552.1777 @ 713.850.7744 Fax

PACKET



CITY COUNCIL AGENDA

9788
APPROVED

Approved for Agenda:

City Manager's Office

MEETING DATE: August 14, 2018

TO: CITY COUNCIL/CITY MANAGER

FROM: Elizabeth Shaughnessy, Planner

SUBJECT: Consider an ordinance on second reading on a request by Brandon Easterling for a Zone Change from a LR-2, Local Retail District and MF-1, Multiple Family Dwelling District, to PD, Planned District for a Housing Development on Lot 15 Block 2 and Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas. (Generally located on the northeast corner of Mockingbird Lane and Big Spring Street. Council District 1)

Purpose:

The applicant, Brandon Easterling, is requesting a Zone Change from a LR-2, Local Retail District and MF-1, Multiple Family Dwelling District, to PD, Planned District for a Housing Development on Lot 15 Block 2 and Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas.

Recommended City Council Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Fiscal Impact:

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

Current Zoning:

LR-2, Local Retail District (Ordinance 6617) and MF-1, Multiple Family Dwelling District.

Surrounding Zoning and Land Use:

Property to the north is zoned MF-1, Multiple Family Dwelling, which is currently undeveloped. Property to the west is zoned PD, Planned District for a Recreation Center. Properties located to the east are zoned 1F-3, One-Family Dwelling District. Properties located south are zoned LR-2, Local Retail District and O-2, Office District, which are currently undeveloped properties.

Discussion:

Lot 15 is currently zoned LR-2, Local Retail District, regulated by Ordinance 6617, which was adopted on January 14th, 1986. Lot 1 is currently zoned MF-1, Multiple Family Dwelling District.

The applicant, Brandon Easterling, is now requesting a Zone Change from LR-2, Local Retail District and MF-1, Multiple Family Dwelling District, to PD, Planned District for a Housing Development to allow for an apartment complex at this location.

The applicant will be required to adhere to the site plan review standards outline within the City of Midland Zoning Ordinance Chapter 10- Site Plan Review Standards as well as Chapter 9-Landscape Regulations for future landscaping.

This request has been approved at the Planning and Zoning Commission meeting on July 2, 2018.

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:

Engineering: (Approved with Conditions)

No objection to zone change.

Utilities, drainage and access reviewed with building permit. All public infrastructure improvements and plat to comply with City of Midland – Engineering Services, Fire Department & Utilities Policy Statement – City Standards & Development Requirements. (Found on-line at: <http://www.midlandtexas.gov/DocumentCenter/View/2625>)

Enprotec/Hibbs & Todd, Inc. has determined through computer modeling that the City of Midland's existing water system cannot support additional service demand in the northeast portion of the system within TCEQ minimum pressure requirements.

Until all other plat requirements are met and on-site pressure testing shows adequate pressure and/or minimum TCEQ requirements are met for the water improvements installed for this subdivision, Engineering Services cannot support approval of the Final Plat.

The City is working diligently to determine short term and long term corrective actions to improve the Northeast portion of the water system and to partner with the area developers in seeking solutions.

Transportation: (Approved)

Site plan and access points are approved with construction drawing review and not with zone change.

Depending on the nature and scale of the proposed development, a Traffic Impact Analysis MAY be required prior to approval of construction drawings.

No objection to zone change.

Fire: (Approved)

No comment

Code Administration: (Approved)

No Oil or Gas wells identified within 500 ft. radius of location on plat.

Code Compliance: (Approved)

No comment

Planning:

This request is in compliance with the *Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision*, Principle 8, "Land use policies and regulations should create and support balanced neighborhoods." (Tall City Tomorrow, Page 59) This request will aid in promoting balanced neighborhoods offering a variety of housing options, access to open space, and contain activity centers, or commercial areas that are well connected to surrounding neighborhoods.

The Planning and Zoning Commission recommended approval of this request at the July 2nd, 2018 meeting.

Staff recommends approval of the zone change from a LR-2, Local Retail District and MF-1, Multiple Family Dwelling District, to PD, Planned District for a Housing Development, subject to condition A-D.

Conditions:

- A. That the use and development of this property shall conform to the regulations of the MF-1, Multiple-Family Dwelling District
- B. That this property shall significantly conform to the site plan, attached hereto and incorporated herein, as Exhibit A.
- C. That parking shall be considered illustrative. Parking shall conform to conform to regulations set forth in Title XI, Chapter 1 of the City code.
- D. That the Landscape Plan shall be considered illustrative. Landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City code.

Letters of Objection:

ORDINANCE NO. 10462

AN ORDINANCE VACATING AND ABANDONING A 0.159-ACRE PORTION OF ROPE STREET RIGHT-OF-WAY LOCATED ADJACENT TO LOT 1, BLOCK 1, ADOBE MEADOWS ADDITION, SECTION 8, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF ROPE STREET, APPROXIMATELY 435 FEET NORTH OF MOCKINGBIRD LANE); ADOPTING THE APPRAISAL BY THE ASSISTANT CITY MANAGER OF \$477.00; RETAINING A NONEXCLUSIVE UTILITY EASEMENT; AND ORDERING RECORDATION BY THE CITY SECRETARY

WHEREAS, it has been determined by the Midland City Council that a 0.159-acre portion of Rope Street right-of-way located adjacent to Lot 1, Block 1, Adobe Meadows Addition, Section 8, City and County of Midland, Texas, as described in Exhibits “A” and “B” attached hereto and made a part hereof for all legal purposes (the “Property”), is no longer needed for public use; and

WHEREAS, Section 272.001 of the Texas Local Government Code provides that a political subdivision may not convey, sell, or exchange its interest in land without observing notice and bid requirements, unless the conveyance is to one or more abutting property owners; and

WHEREAS, an application for vacating the Property has been received by the City from the abutting property owner; and

WHEREAS, the Assistant City Manager has appraised the value of the City’s property interest in the Property at \$477.00, as shown in Exhibit “B” attached hereto and incorporated herein by reference; and

WHEREAS, the Council finds it to be in the public interest to abandon and vacate the Property;

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

SECTION ONE. That the Property is hereby vacated and abandoned for all public

purposes. Provided, however, that the City is hereby abandoning only the public interest in the Property, and this ordinance in no way affects any private easement or access easement which abutting property owners may have in the Property.

SECTION TWO. That this ordinance shall not be effective until:

- A. the City of Midland has received from the abutting property owner(s) the sum of \$477.00; and
- B. a replat of the Property is approved by the City of Midland and filed and recorded with the County Clerk of Midland County, Texas.

SECTION THREE. That the City herein retains an accessible nonexclusive utility easement across, through, over, under, on and along the Property until all entities that were using the Property for utility purposes as of the date of approval of this ordinance have abandoned their uses of the Property.

SECTION FOUR. That upon the City's receipt of the sum set forth in Section Two hereof, the City Secretary is hereby authorized and directed to file a certified copy of this ordinance with the County Clerk of Midland County, Texas, for purposes of recording in the Official Records of Midland County, Texas.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 14th day of November, A.D., 2023; and passed to second reading on motion of Council member Dufford, seconded by Council member Poole, by the following vote:

Council members voting "AYE": Stretcher Burkes, Corrales, Poole, Blong, 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 Norman, seconded by Council member Corrales, on the 12th day of December, A.D., 2023, at a regular meeting of the City Council:

Council members voting "AYE": Stretcher Burkes, Corrales, Poole, Blong, Ladd, Norman

Council members voting "NAY": None

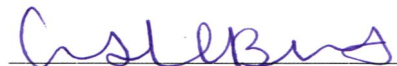
PASSED AND APPROVED THIS 12th day of December, A.D., 2023.


Lori Merritt Blong, Mayor

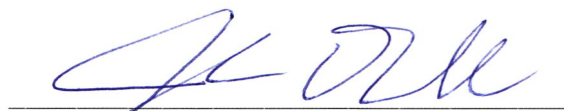
ATTEST:


Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:


Cristina Burns, Director of Development Services

APPROVED ONLY AS TO FORM:


John Ohnemiller, City Attorney

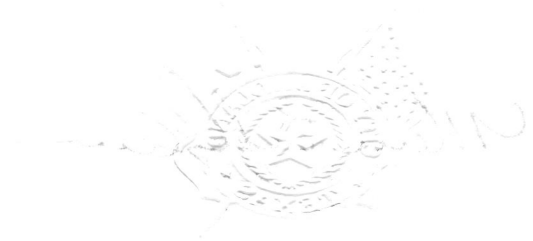


EXHIBIT "A"



PROPOSED STREET VACATE

LEGAL DESCRIPTION: Being 0.159 acres (6,947 sq. ft.) of land, being the east half of that certain portion of Rope Street (60' wide right of way) located between Lot 14, Block 2, Adobe Meadows, Section 2, recorded in Cabinet C, Page 171, of the Plat Records of Midland County, Texas, and Lot 1, Block 1, Adobe Meadows, Section 8, recorded in Cabinet L, Page 135, of the said Plat Records; Said 0.159 acre tract being more particularly described as follows and as surveyed under the supervision of Cross Texas Land Services Inc in July/ August 2023:

BEGINNING at a 1/2 inch iron rod set in the east right of way line of said Rope Street, for the southwest corner of Rope Street (40' wide right of way), for the most easterly northwest corner of said Lot 1, for the northeast corner hereof, from which a 1/2 inch iron rod found for the northeast corner of said Lot 1 bears North 75°39'25" East, a distance of 416.87 feet;

THENCE along the east right of way of said Rope Street (60') and the upper west line of said Lot 1, and along a curve to the left with a radius of 190.44 feet, an arc length of 72.82 feet, and a chord bearing and distance of South 33°46'14" East, 72.37 feet to a "X" marked in concrete found in the east right of way of said Rope Street (60') and the upper west line of said Lot 1, for an angle point in the east line hereof;

THENCE along the east right of way of said Rope Street (60') and the upper west line of said Lot 1, and along a curve to the right with a radius of 528.93 feet, an arc length of 158.77 feet, and a chord bearing and distance of South 36°06'48" East, 158.18 feet the southeast corner of said Rope Street (60'), an ell corner of said Lot 1, for the southeast corner hereof;

THENCE South 75°34'44" West, along the south line of said Rope Street (60') and the lower north line of said Lot 1, a distance of 30.85 feet to a 1/2 inch iron rod set in the center of the south line of said Rope Street (60') and in the lower north line of said Lot 1, for the southwest corner hereof, from which a 1/2 inch iron rod with cap marked "Maverick" found in the lower north line of said Lot 1, for the southwest corner of said Rope Street (60') bears South 75°34'44" West, a distance of 30.88 feet;

THENCE along the centerline of said Rope Street (60') and along a curve to the left with a radius of 498.93 feet, an arc length of 142.77 feet, and a chord bearing and distance of

North $36^{\circ}30'52''$ West, 142.29 feet to a 1/2 inch iron rod set in the centerline of said Rope Street (60'), for an angle point in the west line hereof;

THENCE along the centerline of said Rope Street (60') and along a curve to the right with a radius of 220.44 feet, an arc length of 88.75 feet, and a chord bearing and distance of North $33^{\circ}11'25''$ West, 88.15 feet to a "X" marked in concrete set in the centerline of said Rope Street (60'), for the northwest corner hereof, from which a 1/2 inch iron rod set in the east line of said Lot 14, in the west line of said Rope Street (60') bears North $75^{\circ}39'25''$ West, a distance of 30.14 feet;

THENCE North $75^{\circ}39'25''$ East, crossing said Rope Street and along the same bearing of a line extension of the most northerly north line of said Lot 1, a distance of 30.29 feet to the POINT OF BEGINNING, and containing 0.159 acres, more or less, and as shown on the certified plat herewith.

Note: Bearings, distances and acreage shown hereon are NAD 83, Texas Central Zone and are derived from GPS techniques. Iron Rod set are 1/2-inch rod with plastic caps marked "CTLS".

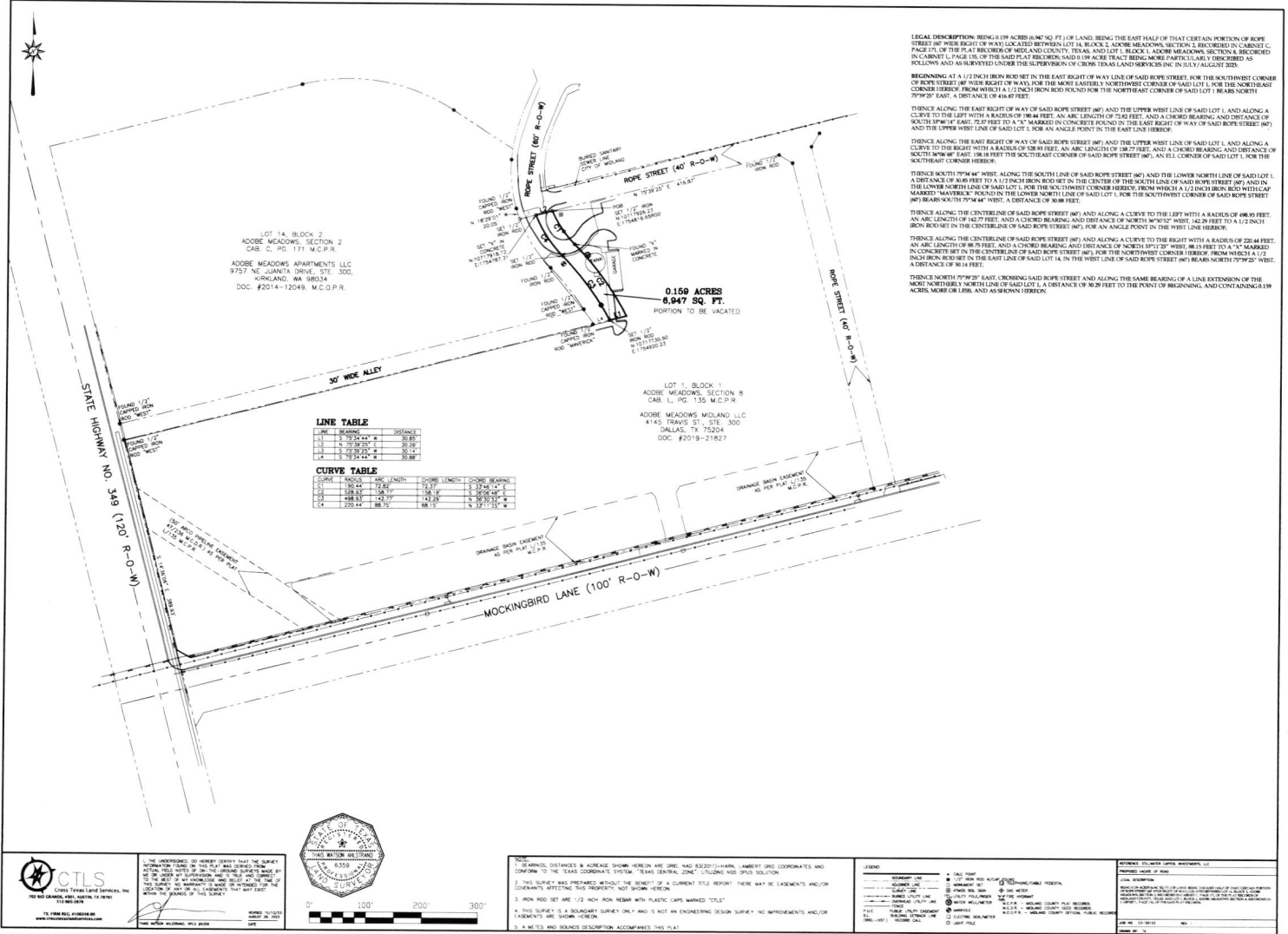
Surveyed by:



August 28, 2023

Thais Watson Ahlstrand, R.P.L.S. #6359
702 Rio Grande, Ste. #301, Austin, TX 78701 - (512-965-2878)
Firm#100248-00
Job#23-50122

EXHIBIT "B"





Office of the City Manager

November 7, 2023

Midland City Council
City of Midland, Texas

RE: Request for vacation of a 0.159-acre portion of Rope Street right-of-way located adjacent to Lot 1, Block 1, Adobe Meadows Addition, Section 8, City and County of Midland, Texas

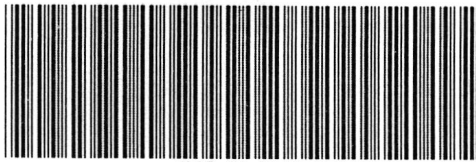
Dear Members of the City Council:

The above-referenced property has been appraised in accordance with Chapter 272 of the Texas Local Government Code. The fair market value of the property is \$477.00. Upon the City's receipt of this sum from the adjoining property owner(s), the ordinance vacating and abandoning the City's interest in the property may be recorded in the Midland County Clerk's office.

Very truly yours,

Jose Ortiz
Assistant City Manager

EXHIBIT "C"



VG-66-2023-29769

**Midland County
Alison Haley
Midland County Clerk**

Instrument Number: 29769

Real Property Recordings

Recorded On: December 18, 2023 10:41 AM

Number of Pages: 9

" Examined and Charged as Follows: "

Total Recording: \$54.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 29769
Receipt Number: 20231218000077
Recorded Date/Time: December 18, 2023 10:41 AM
User: Abarrane C
Station: cc10299

Record and Return To:

CITY OF MIDLAND
PO BOX 1152

MIDLAND TX 79701



STATE OF TEXAS

Midland County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Midland County, Texas

Alison Haley
Midland County Clerk
Midland County, TX

PACKET

Page 3.47

Alison Haley
February 20, 2024

CERTIFICATION

THE STATE OF TEXAS

COUNTY OF MIDLAND

I, **Marcia Bentley-German, City Governance Officer/ City Secretary** of the City of Midland, Midland County, Texas, do hereby certify that the following is a true and correct copy of an Ordinance styled:

ORDINANCE NO. 10462

AN ORDINANCE VACATING AND ABANDONING A 0.159-ACRE PORTION OF ROPE STREET RIGHT-OF-WAY LOCATED ADJACENT TO LOT 1, BLOCK 1, ADOBE MEADOWS ADDITION, SECTION 8, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF ROPE STREET, APPROXIMATELY 435 FEET NORTH OF MOCKINGBIRD LANE) ; ADOPTING THE APPRAISAL BY THE ASSISTANT CITY MANAGER OF \$477.00; RETAINING A NONEXCLUSIVE UTILITY EASEMENT; AND ORDERING RECORDATION BY THE CITY SECRETARY

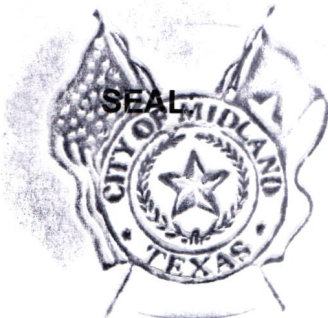
which was duly passed and approved at a regular meeting of the City Council of said City on the **12th** day of **December 2023** showing those present, the motions made, and votes taken in connection with said Ordinance.

THIS certification makes no representation regarding possible modification or repeal of said Ordinance, which may have taken place since its adoption.

WITNESS my hand and seal of said City this the **14th** day of **December 2023**.



Marcia Bentley-German,
City Governance Officer/ City Secretary



[Handwritten signature]



ORDINANCE NO. 10462

AN ORDINANCE VACATING AND ABANDONING A 0.159-ACRE PORTION OF ROPE STREET RIGHT-OF-WAY LOCATED ADJACENT TO LOT 1, BLOCK 1, ADOBE MEADOWS ADDITION, SECTION 8, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF ROPE STREET, APPROXIMATELY 435 FEET NORTH OF MOCKINGBIRD LANE); ADOPTING THE APPRAISAL BY THE ASSISTANT CITY MANAGER OF \$477.00; RETAINING A NONEXCLUSIVE UTILITY EASEMENT; AND ORDERING RECORDATION BY THE CITY SECRETARY

WHEREAS, it has been determined by the Midland City Council that a 0.159-acre portion of Rope Street right-of-way located adjacent to Lot 1, Block 1, Adobe Meadows Addition, Section 8, City and County of Midland, Texas, as described in Exhibits “A” and “B” attached hereto and made a part hereof for all legal purposes (the “Property”), is no longer needed for public use; and

WHEREAS, Section 272.001 of the Texas Local Government Code provides that a political subdivision may not convey, sell, or exchange its interest in land without observing notice and bid requirements, unless the conveyance is to one or more abutting property owners; and

WHEREAS, an application for vacating the Property has been received by the City from the abutting property owner; and

WHEREAS, the Assistant City Manager has appraised the value of the City’s property interest in the Property at \$477.00, as shown in Exhibit “B” attached hereto and incorporated herein by reference; and

WHEREAS, the Council finds it to be in the public interest to abandon and vacate the Property;

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

SECTION ONE. That the Property is hereby vacated and abandoned for all public

purposes. Provided, however, that the City is hereby abandoning only the public interest in the Property, and this ordinance in no way affects any private easement or access easement which abutting property owners may have in the Property.

SECTION TWO. That this ordinance shall not be effective until:

- A. the City of Midland has received from the abutting property owner(s) the sum of \$477.00; and
- B. a replat of the Property is approved by the City of Midland and filed and recorded with the County Clerk of Midland County, Texas.

SECTION THREE. That the City herein retains an accessible nonexclusive utility easement across, through, over, under, on and along the Property until all entities that were using the Property for utility purposes as of the date of approval of this ordinance have abandoned their uses of the Property.

SECTION FOUR. That upon the City's receipt of the sum set forth in Section Two hereof, the City Secretary is hereby authorized and directed to file a certified copy of this ordinance with the County Clerk of Midland County, Texas, for purposes of recording in the Official Records of Midland County, Texas.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 14th day of November, A.D., 2023; and passed to second reading on motion of Council member Dufford, seconded by Council member Poole, by the following vote:

Council members voting "AYE": Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

Council members voting "NAY": None

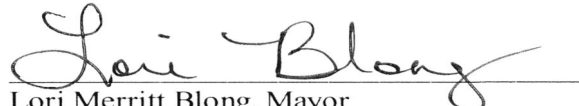
The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Norman, seconded by Council member Corrales, on the 12th day of December, A.D., 2023, at a regular meeting of the City Council:

Council members voting "AYE":

Stretcher Burkes, Corrales, Poole, Blong, Ladd, Norman

Council members voting "NAY": None

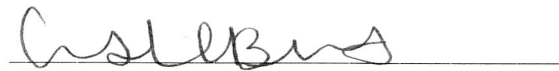
PASSED AND APPROVED THIS 12th day of December, A.D., 2023.


Lori Merritt Blong, Mayor

ATTEST:


Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:


Cristina Burns, Director of Development Services

APPROVED ONLY AS TO FORM:


John Ohnemiller, City Attorney

**PROPOSED STREET VACATE**

LEGAL DESCRIPTION: Being 0.159 acres (6,947 sq. ft.) of land, being the east half of that certain portion of Rope Street (60' wide right of way) located between Lot 14, Block 2, Adobe Meadows, Section 2, recorded in Cabinet C, Page 171, of the Plat Records of Midland County, Texas, and Lot 1, Block 1, Adobe Meadows, Section 8, recorded in Cabinet L, Page 135, of the said Plat Records; Said 0.159 acre tract being more particularly described as follows and as surveyed under the supervision of Cross Texas Land Services Inc in July / August 2023:

BEGINNING at a 1/2 inch iron rod set in the east right of way line of said Rope Street, for the southwest corner of Rope Street (40' wide right of way), for the most easterly northwest corner of said Lot 1, for the northeast corner hereof, from which a 1/2 inch iron rod found for the northeast corner of said Lot 1 bears North 75°39'25" East, a distance of 416.87 feet;

THENCE along the east right of way of said Rope Street (60') and the upper west line of said Lot 1, and along a curve to the left with a radius of 190.44 feet, an arc length of 72.82 feet, and a chord bearing and distance of South 33°46'14" East, 72.37 feet to a "X" marked in concrete found in the east right of way of said Rope Street (60') and the upper west line of said Lot 1, for an angle point in the east line hereof;

THENCE along the east right of way of said Rope Street (60') and the upper west line of said Lot 1, and along a curve to the right with a radius of 528.93 feet, an arc length of 158.77 feet, and a chord bearing and distance of South 36°06'48" East, 158.18 feet the southeast corner of said Rope Street (60'), an ell corner of said Lot 1, for the southeast corner hereof;

THENCE South 75°34'44" West, along the south line of said Rope Street (60') and the lower north line of said Lot 1, a distance of 30.85 feet to a 1/2 inch iron rod set in the center of the south line of said Rope Street (60') and in the lower north line of said Lot 1, for the southwest corner hereof, from which a 1/2 inch iron rod with cap marked "Maverick" found in the lower north line of said Lot 1, for the southwest corner of said Rope Street (60') bears South 75°34'44" West, a distance of 30.88 feet;

THENCE along the centerline of said Rope Street (60') and along a curve to the left with a radius of 498.93 feet, an arc length of 142.77 feet, and a chord bearing and distance of

North $36^{\circ}30'52''$ West, 142.29 feet to a 1/2 inch iron rod set in the centerline of said Rope Street (60'), for an angle point in the west line hereof;

THENCE along the centerline of said Rope Street (60') and along a curve to the right with a radius of 220.44 feet, an arc length of 88.75 feet, and a chord bearing and distance of North $33^{\circ}11'25''$ West, 88.15 feet to a "X" marked in concrete set in the centerline of said Rope Street (60'), for the northwest corner hereof, from which a 1/2 inch iron rod set in the east line of said Lot 14, in the west line of said Rope Street (60') bears North $75^{\circ}39'25''$ West, a distance of 30.14 feet;

THENCE North $75^{\circ}39'25''$ East, crossing said Rope Street and along the same bearing of a line extension of the most northerly north line of said Lot 1, a distance of 30.29 feet to the POINT OF BEGINNING, and containing 0.159 acres, more or less, and as shown on the certified plat herewith.

Note: Bearings, distances and acreage shown hereon are NAD 83, Texas Central Zone and are derived from GPS techniques. Iron Rod set are 1/2-inch rod with plastic caps marked "CTLS".

Surveyed by:



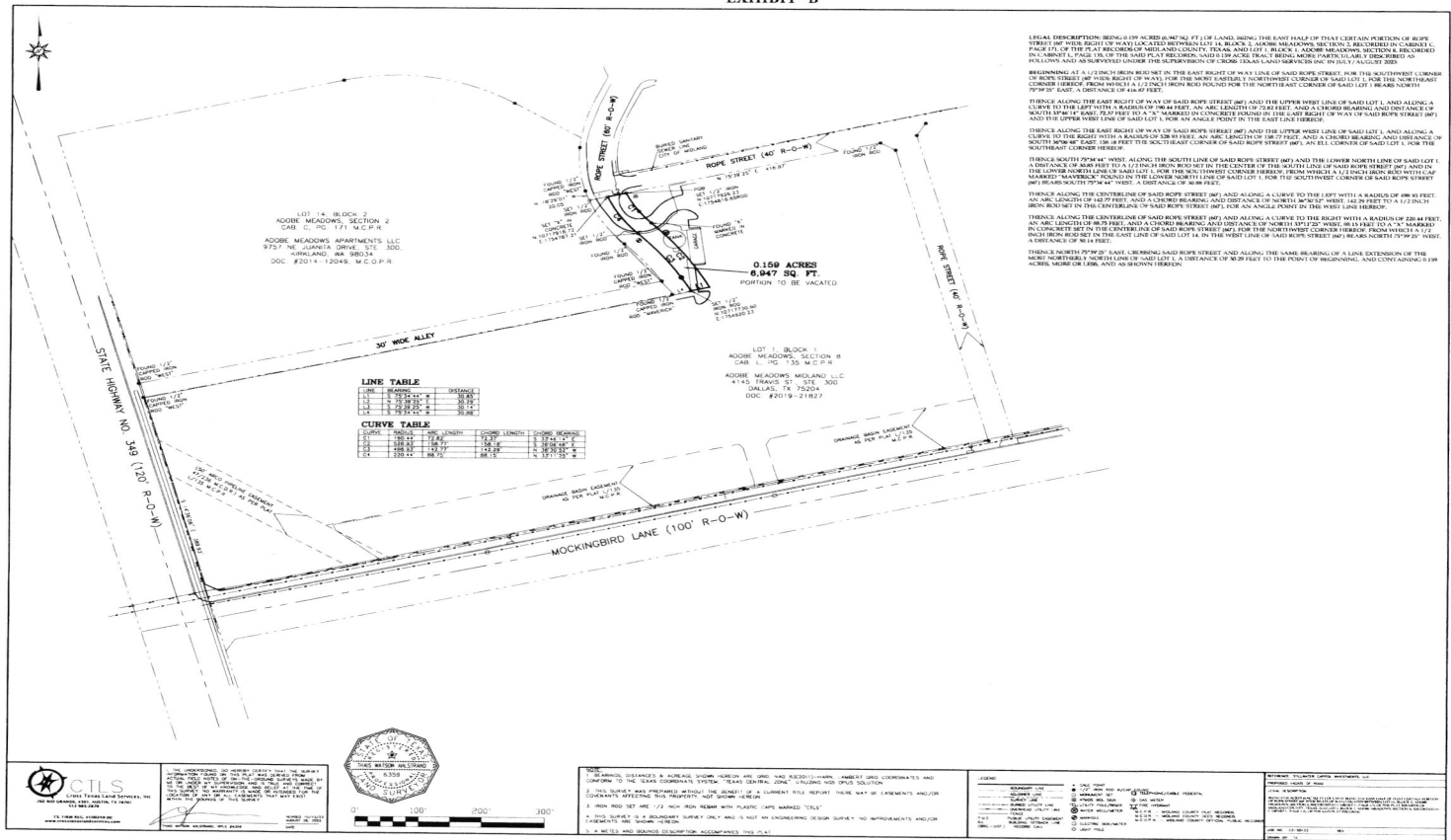
Thais Watson Ahlstrand, R.P.L.S. #6359
702 Rio Grande, Ste. #301, Austin, TX 78701 - (512-965-2878)
Firm#100248-00
Job#23-50122



August 28, 2023

Page 2 of 2

EXHIBIT "B"





Office of the City Manager

November 7, 2023

Midland City Council
City of Midland, Texas

RE: Request for vacation of a 0.159-acre portion of Rope Street right-of-way located adjacent to Lot 1, Block 1, Adobe Meadows Addition, Section 8, City and County of Midland, Texas

Dear Members of the City Council:

The above-referenced property has been appraised in accordance with Chapter 272 of the Texas Local Government Code. The fair market value of the property is \$477.00. Upon the City's receipt of this sum from the adjoining property owner(s), the ordinance vacating and abandoning the City's interest in the property may be recorded in the Midland County Clerk's office.

Very truly yours,

Jose Ortiz
Assistant City Manager

EXHIBIT "C"



APPROVED



City Council Meeting

Item Number: 37
Meeting Date: November 14, 2023, December 12, 2023
To: City Council / City Manager
From: Landon Ochoa, Senior Planner
Subject: AN ORDINANCE VACATING AND ABANDONING A 0.159-ACRE PORTION OF ROPE STREET RIGHT-OF-WAY LOCATED ADJACENT TO LOT 1, BLOCK 1, ADOBE MEADOWS ADDITION, SECTION 8, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF ROPE STREET, APPROXIMATELY 435 FEET NORTH OF MOCKINGBIRD LANE); ADOPTING THE APPRAISAL BY THE ASSISTANT CITY MANAGER OF \$477.00; RETAINING A NONEXCLUSIVE UTILITY EASEMENT; AND ORDERING RECORDATION BY THE CITY SECRETARY (DISTRICT: 1) (DEVELOPMENT SERVICES)

Purpose:

The applicant, Thais Ahlstrand, is requesting to vacate a 0.159-acre portion of Rope Street right-of-way located adjacent to Lot 1, Block 1, Adobe Meadows, Section 8, City and County of Midland, Texas in order to add parking to the site.

Recommended City Council Action:

Approve

Fiscal Impact:

The 2023 appraised value of the right-of-way is a total value of \$477.00.

Discussion:

The applicant is seeking to vacate a 0.159-acre (6,947 square feet) of the Rope Street right-of-way to expand the parking and expand their property boundary to remove current improvements (parking and tower) out of the City's right-of-way that were previously allowed using a right-of-way license which will be expiring soon.

APPROVED



The Midland Central Appraisal District's appraisal of this land at a total of \$477.00 using the formula of .159 x \$3,000.

The property owner will replat Lot 1, Block 1, Adobe Meadows, Section 8 to include the .159-acre right-of-way being vacated as one lot.

This request has been circulated and reviewed by all pertinent City departments and franchise utility companies. Their comments, conditions, and requests are as follows:

Code Compliance: (Approved)

No oil and gas issues.

Building Code: (Approved)

No objections.

Engineering: (Approved)

No objections to vacation. Applicant shall be responsible for relocating any utilities, if existing, or providing easements as needed.

Fire: (Approved)

No objection to vacation request.

Transportation: (Approved)

No objections to vacation. Applicant shall be responsible for relocating any utilities, if existing, or providing easements as needed.

GIS: (Approved)

No comment

AT&T: (Approved)

We have no issues here.

Atmos: (Approved)

Atmos Energy currently has facilities located within the above-described Right of Way of Rope Street. We currently have a gas main that crosses a portion of the proposed vacate area. Atmos would have no objection to this vacation if a 10ft. gas utility easement is maintained within the existing portion where we cross.

Astound: (Approved)

We only have services within the apartment complex.

Oncor: (Approved)

Oncor has underground facilities immediately impacted by the entrance reroute. Oncor can provide a cost to the developer to adjust the location of such facilities if this projects moves forwards.

Altice USA: (Approved)

Optimum does not have any utilities running through the property.

Planning:

Pertinent City departments and franchise utility companies have reviewed this vacation request and have approved the request.

Therefore, staff recommends approval of this vacation subject to conditions A through C.

Conditions:

- A. That the value of the property shall be \$477.00.**
- B. That an accessible nonexclusive utility easement is retained.**
- C. That a replat of the subject property is approved by the City of Midland and filed and recorded with the County Clerk of Midland County.**

Letters of Objection:

As of November 3, staff has not received any letters of objection to this request.

Attachments:

Metes & Bounds (Exhibit A)
Vacation Survey (Exhibit B)
Application
Maps
Responses from Franchise Utility Companies

Mario Williams Jr.

City Manager's Office



PROPOSED STREET VACATE

LEGAL DESCRIPTION: Being 0.159 acres (6,947 sq. ft.) of land, being the east half of that certain portion of Rope Street (60' wide right of way) located between Lot 14, Block 2, Adobe Meadows, Section 2, recorded in Cabinet C, Page 171, of the Plat Records of Midland County, Texas, and Lot 1, Block 1, Adobe Meadows, Section 8, recorded in Cabinet L, Page 135, of the said Plat Records; Said 0.159 acre tract being more particularly described as follows and as surveyed under the supervision of Cross Texas Land Services Inc in July/ August 2023:

BEGINNING at a 1/2 inch iron rod set in the east right of way line of said Rope Street, for the southwest corner of Rope Street (40' wide right of way), for the most easterly northwest corner of said Lot 1, for the northeast corner hereof, from which a 1/2 inch iron rod found for the northeast corner of said Lot 1 bears North 75°39'25" East, a distance of 416.87 feet;

THENCE along the east right of way of said Rope Street (60') and the upper west line of said Lot 1, and along a curve to the left with a radius of 190.44 feet, an arc length of 72.82 feet, and a chord bearing and distance of South 33°46'14" East, 72.37 feet to a "X" marked in concrete found in the east right of way of said Rope Street (60') and the upper west line of said Lot 1, for an angle point in the east line hereof;

THENCE along the east right of way of said Rope Street (60') and the upper west line of said Lot 1, and along a curve to the right with a radius of 528.93 feet, an arc length of 158.77 feet, and a chord bearing and distance of South 36°06'48" East, 158.18 feet the southeast corner of said Rope Street (60'), an ell corner of said Lot 1, for the southeast corner hereof;

THENCE South 75°34'44" West, along the south line of said Rope Street (60') and the lower north line of said Lot 1, a distance of 30.85 feet to a 1/2 inch iron rod set in the center of the south line of said Rope Street (60') and in the lower north line of said Lot 1, for the southwest corner hereof, from which a 1/2 inch iron rod with cap marked "Maverick" found in the lower north line of said Lot 1, for the southwest corner of said Rope Street (60') bears South 75°34'44" West, a distance of 30.88 feet;

THENCE along the centerline of said Rope Street (60') and along a curve to the left with a radius of 498.93 feet, an arc length of 142.77 feet, and a chord bearing and distance of

North 36°30'52" West, 142.29 feet to a 1/2 inch iron rod set in the centerline of said Rope Street (60'), for an angle point in the west line hereof;

THENCE along the centerline of said Rope Street (60') and along a curve to the right with a radius of 220.44 feet, an arc length of 88.75 feet, and a chord bearing and distance of North 33°11'25" West, 88.15 feet to a "X" marked in concrete set in the centerline of said Rope Street (60'), for the northwest corner hereof, from which a 1/2 inch iron rod set in the east line of said Lot 14, in the west line of said Rope Street (60') bears North 75°39'25" West, a distance of 30.14 feet;

THENCE North 75°39'25" East, crossing said Rope Street and along the same bearing of a line extension of the most northerly north line of said Lot 1, a distance of 30.29 feet to the POINT OF BEGINNING, and containing 0.159 acres, more or less, and as shown on the certified plat herewith.

Note: Bearings, distances and acreage shown hereon are NAD 83, Texas Central Zone and are derived from GPS techniques. Iron Rod set are 1/2-inch rod with plastic caps marked "CTLS".

Surveyed by:



August 28, 2023

Thais Watson Ahlstrand, R.P.L.S. #6359
702 Rio Grande, Ste. #301, Austin, TX 78701 - (512-965-2878)
Firm#100248-00
Job#23-50122



PROPOSED STREET VACATE

LEGAL DESCRIPTION: Being 0.159 acres (6,947 sq. ft.) of land, being the east half of that certain portion of Rope Street (60' wide right of way) located between Lot 14, Block 2, Adobe Meadows, Section 2, recorded in Cabinet C, Page 171, of the Plat Records of Midland County, Texas, and Lot 1, Block 1, Adobe Meadows, Section 8, recorded in Cabinet L, Page 135, of the said Plat Records; Said 0.159 acre tract being more particularly described as follows and as surveyed under the supervision of Cross Texas Land Services Inc in July/ August 2023:

BEGINNING at a 1/2 inch iron rod set in the east right of way line of said Rope Street, for the southwest corner of Rope Street (40' wide right of way), for the most easterly northwest corner of said Lot 1, for the northeast corner hereof, from which a 1/2 inch iron rod found for the northeast corner of said Lot 1 bears North 75°39'25" East, a distance of 416.87 feet;

THENCE along the east right of way of said Rope Street (60') and the upper west line of said Lot 1, and along a curve to the left with a radius of 190.44 feet, an arc length of 72.82 feet, and a chord bearing and distance of South 33°46'14" East, 72.37 feet to a "X" marked in concrete found in the east right of way of said Rope Street (60') and the upper west line of said Lot 1, for an angle point in the east line hereof;

THENCE along the east right of way of said Rope Street (60') and the upper west line of said Lot 1, and along a curve to the right with a radius of 528.93 feet, an arc length of 158.77 feet, and a chord bearing and distance of South 36°06'48" East, 158.18 feet the southeast corner of said Rope Street (60'), an ell corner of said Lot 1, for the southeast corner hereof;

THENCE South 75°34'44" West, along the south line of said Rope Street (60') and the lower north line of said Lot 1, a distance of 30.85 feet to a 1/2 inch iron rod set in the center of the south line of said Rope Street (60') and in the lower north line of said Lot 1, for the southwest corner hereof, from which a 1/2 inch iron rod with cap marked "Maverick" found in the lower north line of said Lot 1, for the southwest corner of said Rope Street (60') bears South 75°34'44" West, a distance of 30.88 feet;

THENCE along the centerline of said Rope Street (60') and along a curve to the left with a radius of 498.93 feet, an arc length of 142.77 feet, and a chord bearing and distance of

North 36°30'52" West, 142.29 feet to a 1/2 inch iron rod set in the centerline of said Rope Street (60'), for an angle point in the west line hereof;

THENCE along the centerline of said Rope Street (60') and along a curve to the right with a radius of 220.44 feet, an arc length of 88.75 feet, and a chord bearing and distance of North 33°11'25" West, 88.15 feet to a "X" marked in concrete set in the centerline of said Rope Street (60'), for the northwest corner hereof, from which a 1/2 inch iron rod set in the east line of said Lot 14, in the west line of said Rope Street (60') bears North 75°39'25" West, a distance of 30.14 feet;

THENCE North 75°39'25" East, crossing said Rope Street and along the same bearing of a line extension of the most northerly north line of said Lot 1, a distance of 30.29 feet to the POINT OF BEGINNING, and containing 0.159 acres, more or less, and as shown on the certified plat herewith.

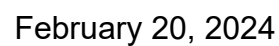
Note: Bearings, distances and acreage shown hereon are NAD 83, Texas Central Zone and are derived from GPS techniques. Iron Rod set are 1/2-inch rod with plastic caps marked "CTLS".

Surveyed by:



August 28, 2023

Thais Watson Ahlstrand, R.P.L.S. #6359
702 Rio Grande, Ste. #301, Austin, TX 78701 - (512-965-2878)
Firm#100248-00
Job#23-50122





**Vacate Right-of-Way/Public Utility
Easement/Land/Street Application**

Project Number: V-23-0056
Case Number: _____

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

Printed Name: Aaron Sherman

Phone 432)661-2202

Email
tahlstrand@crosstexaslandservices.com

Address
3503 W. Michigan Ave.

City
Midland

State
TX

Zip
79703

Application is hereby made to the City Council to vacate the following:

- ☐ Right-of-Way
- ☐ Public Utility Easement
- ☐ Land
- ☒ Street

Description of Address: East half of Rope Street between Lot 14, Block 2, Adobe Meadows, Section 2, and
Lot 1, Block 1, Adobe Meadows, Section 8

Reason for Request: To vacate portion of street to allow existing additional structures to remain.

**Reasons, in applicant's opinion, why the requested vacation will not adversely affect the
public welfare or will contribute to it in a positive way:** Currently not in use as public ROW due to
special use permit granted to owners of Lot 1, Block 1. Area is currently fenced.

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Sealed metes and bounds description of the property to be vacated (included on the map) and total square feet of vacation. Include ownership, legal and deed information for adjacent property owners
- Digital Copies of Survey (PDF/JPEG)

Utility Company Approval

Clearance is needed from the following utility companies:

- City of Midland
- Atmos Energy
- Oncor Electric
- AT&T
- Suddenlink Cable TV Co.
- Grande Communications

The City will route the request to these companies, but it is the applicant's responsibility to ensure clearance has been obtained to resolve any issues that may arise.

Policies

1. If the vacation request involves only a portion of a section right-of-way, such that approval would not affect the public's ability to travel along said right-of-way, then the request will be scheduled for consideration by the City Council. No public hearing will be needed.
2. If the vacation request involves an entire section of right-of-way, such that approval would cause the public to lose all rights to use it, then the following procedures apply:
 - a. Nearby land owners who have a reasonable expectation to use said right-of-way, as determined by the Transportation Division, must first agree to the proposed vacation. It is the applicant's responsibility to obtain a letter of concurrence signed by the affected landowners.
 - b. If all letters are received indicating that the affected landowners agree to the request, then a public hearing before the City Council will be scheduled. The Planning Division will mail public notice of the hearing to landowners within 400 feet of the affected right-of-way.
 - c. If a request is approved, the right-of-way shall be divided into two equal parts, with each half becoming the property of the respective abutting owner. If the applicant desires to own the entire width, he or she must negotiate with the opposite landowner.

Signatures

DocuSigned by:

Applicant (signature):

Aaron Sherman

Date: 8/28/2023

535FPPFEPF414F8

Affected Property Owners:

Signature:	Print:	Date:
Signature:	Print:	Date:
Signature:	Print:	Date:
Signature:	Print:	Date:

The Vacation of right-of-way/public utility easement/land/street 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.

FOR OFFICE USE ONLY
☒ 1 FOLDED Copy of Survey

☒ Survey in Digital Format (PDF/JPEG)

☒ Application Fee

Check # _____

Received By: *London Moore*

Date:

SEP 05 2023

PACKET

37.19

December 13, 2023**

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



**Vacate Right-of-Way/Public Utility
Easement/Land/Street Application**

Project Number: V-23-0056

Case Number: _____

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

Printed Name: Aaron Sherman

Phone: 432)661-2202

Email
tahlstrand@crostexaslandservices.com

Address
3503 W. Michigan Ave.

City
Midland

State
TX

Zip
79703

Application is hereby made to the City Council to vacate the following:

- ☐ Right-of-Way
- ☐ Public Utility Easement
- ☐ Land
- ☒ Street

Description of Address: East half of Rope Street between Lot 14, Block 2, Adobe Meadows, Section 2, and
Lot 1, Block 1, Adobe Meadows, Section 8

Reason for Request: To vacate portion of street to allow existing additional structures to remain.

Reasons, in applicant's opinion, why the requested vacation will not adversely affect the public welfare or will contribute to it in a positive way: Currently not in use as public ROW due to
special use permit granted to owners of Lot 1, Block 1. Area is currently fenced.

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Sealed metes and bounds description of the property to be vacated (included on the map) and total square feet of vacation. Include ownership, legal and deed information for adjacent property owners
- Digital Copies of Survey (PDF/JPEG)

Utility Company Approval

Clearance is needed from the following utility companies:

- City of Midland
- Atmos Energy
- Oncor Electric
- AT&T
- Suddenlink Cable TV Co.
- Grande Communications

The City will route the request to these companies, but it is the applicant's responsibility to ensure clearance has been obtained to resolve any issues that may arise.

Policies

1. If the vacation request involves only a portion of a section right-of-way, such that approval would not affect the public's ability to travel along said right-of-way, then the request will be scheduled for consideration by the City Council. No public hearing will be needed.
2. If the vacation request involves an entire section of right-of-way, such that approval would cause the public to lose all rights to use it, then the following procedures apply:
 - a. Nearby land owners who have a reasonable expectation to use said right-of-way, as determined by the Transportation Division, must first agree to the proposed vacation. It is the applicant's responsibility to obtain a letter of concurrence signed by the affected landowners.
 - b. If all letters are received indicating that the affected landowners agree to the request, then a public hearing before the City Council will be scheduled. The Planning Division will mail public notice of the hearing to landowners within 400 feet of the affected right-of-way.
 - c. If a request is approved, the right-of-way shall be divided into two equal parts, with each half becoming the property of the respective abutting owner. If the applicant desires to own the entire width, he or she must negotiate with the opposite landowner.

Signatures

DocuSigned by:

Applicant (signature):

Aaron Sherman

Date: 8/28/2023

63BFFPPEPP414PB

Affected Property Owners:

Signature:	Print:	Date:
Signature:	Print:	Date:
Signature:	Print:	Date:
Signature:	Print:	Date:

The Vacation of right-of-way/public utility easement/land/street 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.

FOR OFFICE USE ONLY
☒ 1 FOLDED Copy of Survey

☒ Survey in Digital Format (PDF/JPEG)

☒ Application Fee

Check # _____

Received By: *London Elmer*

Date:

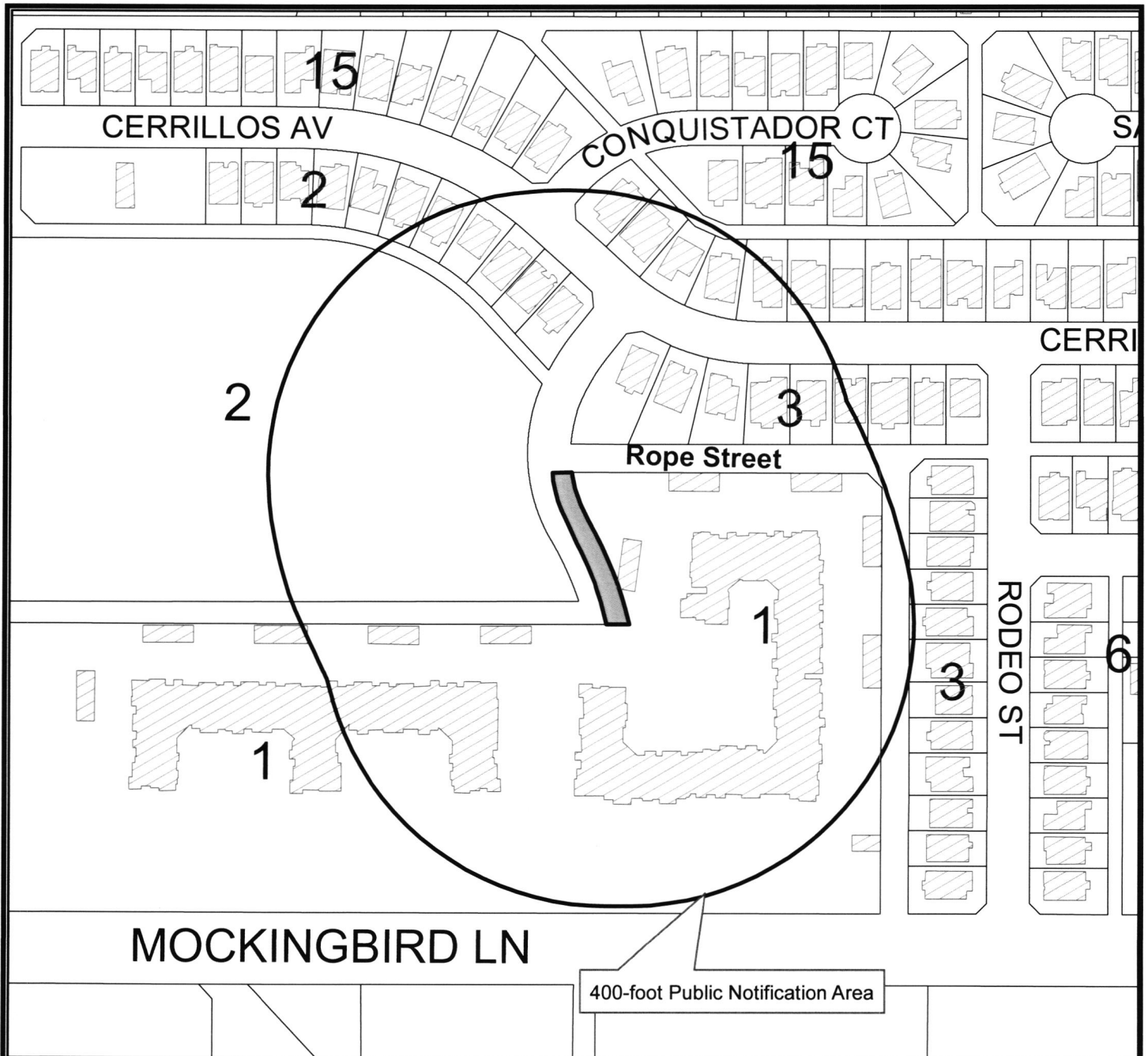
SEP 05 2023

PACKET

37.21

December 12, 2023**

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



LOCATION MAP

V-23-0056

Scale: 1" = 2,921'

Consider a request by Thais Ahlstrand for a vacation of a 0.159 acre portion of Rope right-of-way located adjacent to Lot, Block 1, Adobe Meadows, Section 8, City and County of Midland, Texas.

PACKET

37.22

LEGEND

- - CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY. IT IS DESIGNED TO BE USED AS A 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.

December 12, 2023

Landon J. Ochoa

From: LReyna@midcad.org
Sent: Monday, October 9, 2023 3:54 PM
To: Landon J. Ochoa
Cc: Jeffrey S. Fisher
Subject: Re: V-23-0056 Vacation of Rope Street Portion Valuation
Attachments: V-23-0056, TaxVacMCAD vac ltr.pdf; V-23-0056, Survey.pdf; V-23-0056, Location Map.pdf



Landon,

See below,

Market Value

.159 X \$3,000 = \$477

Sincerely,

Lisa Reyna, RPA
Assistant Chief Appraiser
Midland Central Appraisal District
4631 Andrews Hwy
Midland, TX 79703
Phone (432) 699-4991
Fax (432) 689-7185

From: "Landon J. Ochoa" <ljochoa@midlandtexas.gov>
To: Lisa Reyna <lreyna@midcad.org>
Cc: "Jeffrey S. Fisher" <jsfisher@midlandtexas.gov>
Date: 10/06/2023 04:03 PM
Subject: V-23-0056 Vacation of Rope Street Portion Valuation

Lisa,

Please see the attached documents for this request to vacate a portion of Rope Street. Please provide a valuation for this property by October 12, 2023. Thank you!

Respectfully,

Landon Ochoa
Senior Planner
Planning Division
Development Services
O. 432-685-7405

PACKET

37.23
1

December 12, 2023

PACKET

Page 3.73

February 20, 2024

ljochoa@midlandtexas.gov



300 N. Loraine | P.O. Box 1152 | Midland, TX 79702

CAUTION: This email originated from outside your organization — exercise caution when opening attachments or clicking links, especially from unknown senders.

PACKET

37.24
2

December 12, 2023

PACKET

Page 3.74

February 20, 2024



October 6, 2023

Mr. Mark Lieb
Atmos Energy
P.O. Box 1111
Midland, Texas 79702

STREET VACATION: Please see attached Exhibit A and map.

CASE NO.: V-23-0056
CASE NAME: Rope Street

Dear Mr. Lieb,

Thais Ahlstrand has submitted a request to vacate a 0.159-acre portion of Rope Street right-of-way, located adjacent to Lot 1, Block 1, Adobe Meadows, Section 8, City and County of Midland, Texas (see attached exhibit). Please advise if your company has utilities within the alley or the portion of Rope Street to be vacated. We would appreciate any comments you may have concerning this requested vacation returned to us within 5-7 days. You may reach me at (432) 685-7405 if you have any questions. You can send your response via email to jsfisher@midlandtexas.gov.

Thank you for your assistance.

Sincerely,

Jeff Fisher

Jeff Fisher, AICP
Planning Manager
Planning Division

Attachment:
Exhibit A
Map

PACKET

37.25

December 12, 2023

PACKET

Page 3.75

February 20, 2024

Landon J. Ochoa

From: Lieb, Mark <Mark.Lieb@atmosenergy.com>
Sent: Monday, October 9, 2023 10:40 AM
To: Landon J. Ochoa
Cc: Jeffrey S. Fisher
Subject: RE: V-23-0056 Rope Street Vacation (Atmos)
Attachments: V-23-0056, Atmos Letter.pdf; Request to Vacate Rope Street ROW.pdf



Landon,
Please see attached.
Thanks again.

Mark Lieb
Project Specialist
Atmos Energy/Permian Basin
432-967-0370 cell
Mark.Lieb@atmosenergy.com

From: Landon J. Ochoa <ljochoa@midlandtexas.gov>
Sent: Friday, October 6, 2023 11:47 AM
To: Lieb, Mark <Mark.Lieb@atmosenergy.com>
Cc: Jeffrey S. Fisher <jsfisher@midlandtexas.gov>
Subject: [EXT] V-23-0056 Rope Street Vacation (Atmos)

CAUTION: Don't be quick to click. This e-mail originated from outside of Atmos Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Mark.

Please see the attached letter and supporting documents and provide comments by October 12, 2023 as this request will be going to the October 24 City Council meeting. Thank you!

Respectfully,

Landon Ochoa
Senior Planner
Planning Division
Development Services
O. 432-685-7405

PACKET

37.26
1

December 12, 2023

ljochoa@midlandtexas.gov



300 N. Loraine | P.O. Box 1152 | Midland, TX 79702

CAUTION: This email originated from outside your organization — exercise caution when opening attachments or clicking links, especially from unknown senders.

Landon J. Ochoa

From: UNDERWOOD, JERRY D <ju1659@att.com>
Sent: Friday, October 13, 2023 1:12 PM
To: Landon J. Ochoa
Cc: Jeffrey S. Fisher
Subject: RE: V-23-0056 Rope Street Vacation (AT&T)

Follow Up Flag: Follow up
Flag Status: Flagged



We have no issues here.

Thanks,
Jerry

From: Landon J. Ochoa <ljochoa@midlandtexas.gov>
Sent: Friday, October 13, 2023 12:27 PM
To: UNDERWOOD, JERRY D <ju1659@att.com>
Cc: Jeffrey S. Fisher <jfisher@midlandtexas.gov>
Subject: RE: V-23-0056 Rope Street Vacation (AT&T)

Jerry,

We urgently need your comments for this one. I don't believe I have gotten a response from you. Thank you for your time, sir.

From: Landon J. Ochoa
Sent: Friday, October 6, 2023 11:49 AM
To: Jerry Underwood <ju1659@att.com>
Cc: Jeffrey S. Fisher <jfisher@midlandtexas.gov>
Subject: V-23-0056 Rope Street Vacation (AT&T)

Good morning, Jerry.

Please see the attached letter and supporting documents and provide comments by October 12, 2023 as this request will be going to the October 24 City Council meeting. Thank you!

Respectfully,

Landon Ochoa
Senior Planner
Planning Division
Development Services
O. 432-685-7405

PACKET

37.28
1

December 12, 2023

ljochoa@midlandtexas.gov



300 N. Loraine | P.O. Box 1152 | Midland, TX 79702

CAUTION: This email originated from outside your organization — exercise caution when opening attachments or clicking links, especially from unknown senders.

PACKET

37.29
2

December 12, 2023

PACKET

Page 3.79

February 20, 2024

Landon J. Ochoa

From: Ruben Guerra <ruben.guerra@astound.com>
Sent: Friday, November 3, 2023 10:51 AM
To: Landon J. Ochoa
Subject: Re: FW: V-23-0056 Rope Street Vacation (Grande)



We only have services within the apartment complex.

Thank You
Ruben Guerra
Construction Coordinator
O: 432-272-3088
C: 432-653-9369
Ruben.Guerra@astound.com
Astound Business Solutions
Powered by RCN | Grande | Wave
astound.com

On Fri, Nov 3, 2023 at 8:54 AM Landon J. Ochoa <ljchoa@midlandtexas.gov> wrote:

Ruben I do not believe I have received comments from you on this one. Please respond this morning or we will have to proceed without comments from you. Feel free to call me if you have any questions.

From: Landon J. Ochoa
Sent: Friday, October 6, 2023 11:58 AM
To: Ruben Guerra <ruben.guerra@astound.com>
Cc: Jeffrey S. Fisher <jsfisher@midlandtexas.gov>
Subject: V-23-0056 Rope Street Vacation (Grande)

Good morning, Ruben.

Please see the attached letter and supporting documents and provide comments by October 12, 2023 as this request will be going to the October 24 City Council meeting. Thank you!

Respectfully,

Landon Ochoa

Senior Planner

Planning Division

Development Services

O. 432-685-7405

ljochoa@midlandtexas.gov



300 N. Loraine | P.O. Box 1152 | Midland, TX 79702

CAUTION: This email originated from outside your organization — exercise caution when opening attachments or clicking links, especially from unknown senders.

PACKET

37.31
2

December 12, 2023

PACKET

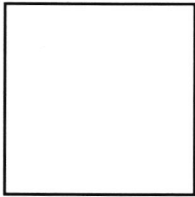
Page 3.81

February 20, 2024

Landon J. Ochoa

From: Landon J. Ochoa
Sent: Friday, November 3, 2023 11:05 AM
To: Landon J. Ochoa
Subject: FW: V-23-0056 Rope Street Vacation (Oncor)

From: Molina, Sergio <Sergio.Molina@oncor.com>
Sent: Sunday, October 15, 2023 10:55 PM
To: Jeffrey S. Fisher <jsfisher@midlandtexas.gov>; Landon J. Ochoa <ljochoa@midlandtexas.gov>; Arguello, Martin <Martin.Arguello@oncor.com>
Cc: Blankenship, Chad <Chad.Blankenship@oncor.com>
Subject: RE: V-23-0056 Rope Street Vacation (Oncor)



Yes sir

Sergio Molina, P.E.
Oncor | NCM Manager WTX
Cell: 214.970.4143

My Manager: Hannah Hamilton
Cell: 432.894.4601 email: Hannah.Hamilton@oncor.com

From: Jeffrey S. Fisher <jsfisher@midlandtexas.gov>
Sent: Friday, October 13, 2023 6:21 AM
To: Molina, Sergio <Sergio.Molina@oncor.com>; Landon J. Ochoa <ljochoa@midlandtexas.gov>; Arguello, Martin <Martin.Arguello@oncor.com>
Cc: Blankenship, Chad <Chad.Blankenship@oncor.com>
Subject: RE: V-23-0056 Rope Street Vacation (Oncor)

WARNING: This email message did not originate from Oncor and is from an external organization. **DO NOT CLICK** links or attachments unless you recognize the sender and are certain the content is safe.

Sergio,

Can they secure with a utility access easement through the replat process as we've done with other projects?

PACKET

37.32
1

December 12, 2023

PACKET

Page 3.82

February 20, 2024

Jeff

Jeff Fisher, AICP
Planning Manager

Planning Division | City of Midland
Tel. 432-685-7407
jfisher@midlandtexas.gov



300 N. Loraine | P.O. Box 1152 | Midland, TX 79702

From: Molina, Sergio <Sergio.Molina@oncor.com>

Sent: Friday, October 13, 2023 2:22 AM

To: Landon J. Ochoa <ljochoa@midlandtexas.gov>; Arguello, Martin <Martin.Arguello@oncor.com>

Cc: Jeffrey S. Fisher <jfisher@midlandtexas.gov>; Blankenship, Chad <Chad.Blankenship@oncor.com>

Subject: RE: V-23-0056 Rope Street Vacation (Oncor)

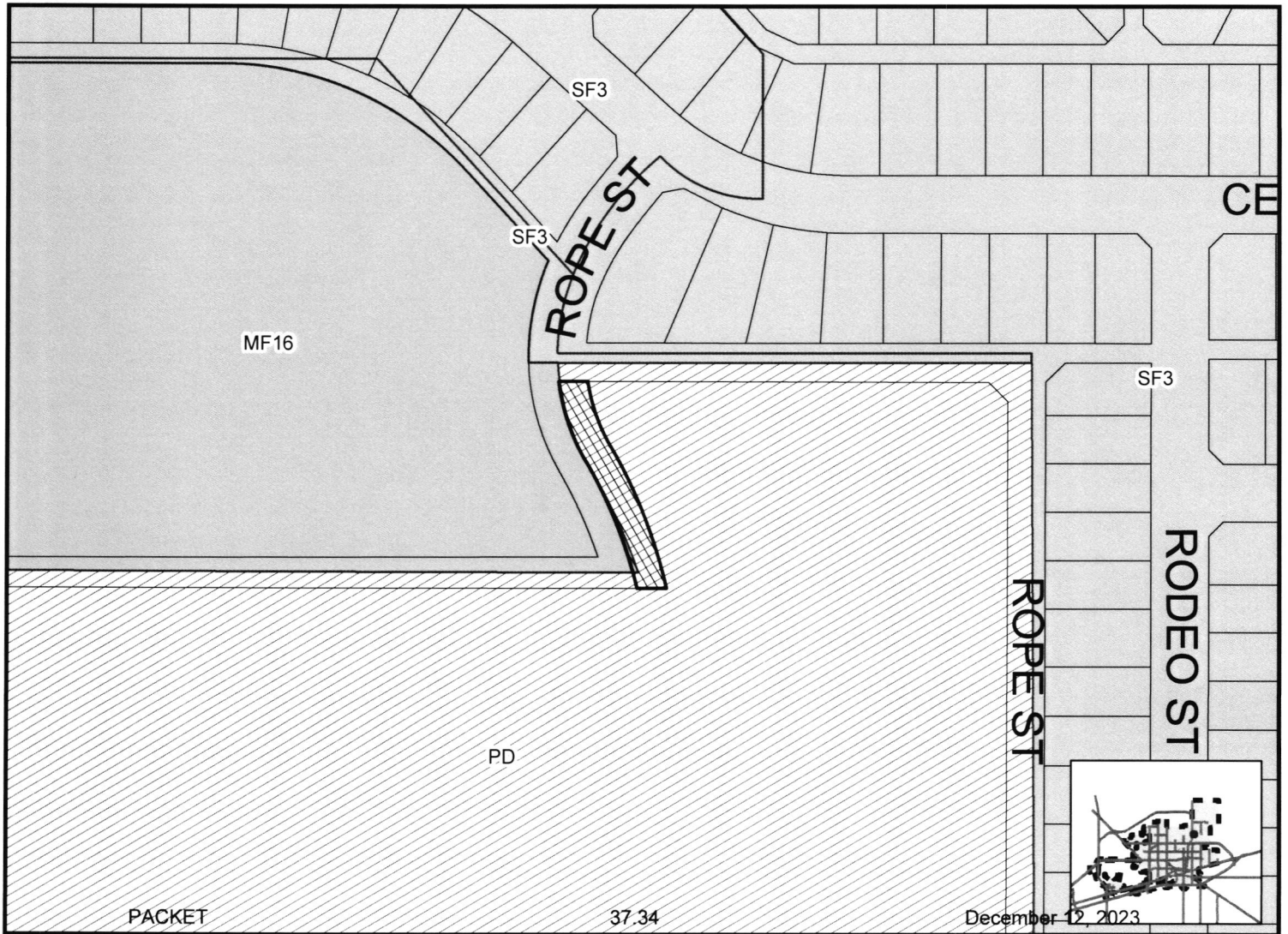
Landon,

Oncor has underground facilities immediately impacted by the entrance reroute. Oncor can provide a cost to the developer to adjust the location of such facilities if this projects moves forwards.

Regards,

Sergio Molina, P.E.
Oncor | NCM Manager WTX
Cell: 214.970.4143

My Manager: Hannah Hamilton
Cell: 432.894.4601 email: Hannah.Hamilton@oncor.com



Map By LO, 11/3/2023

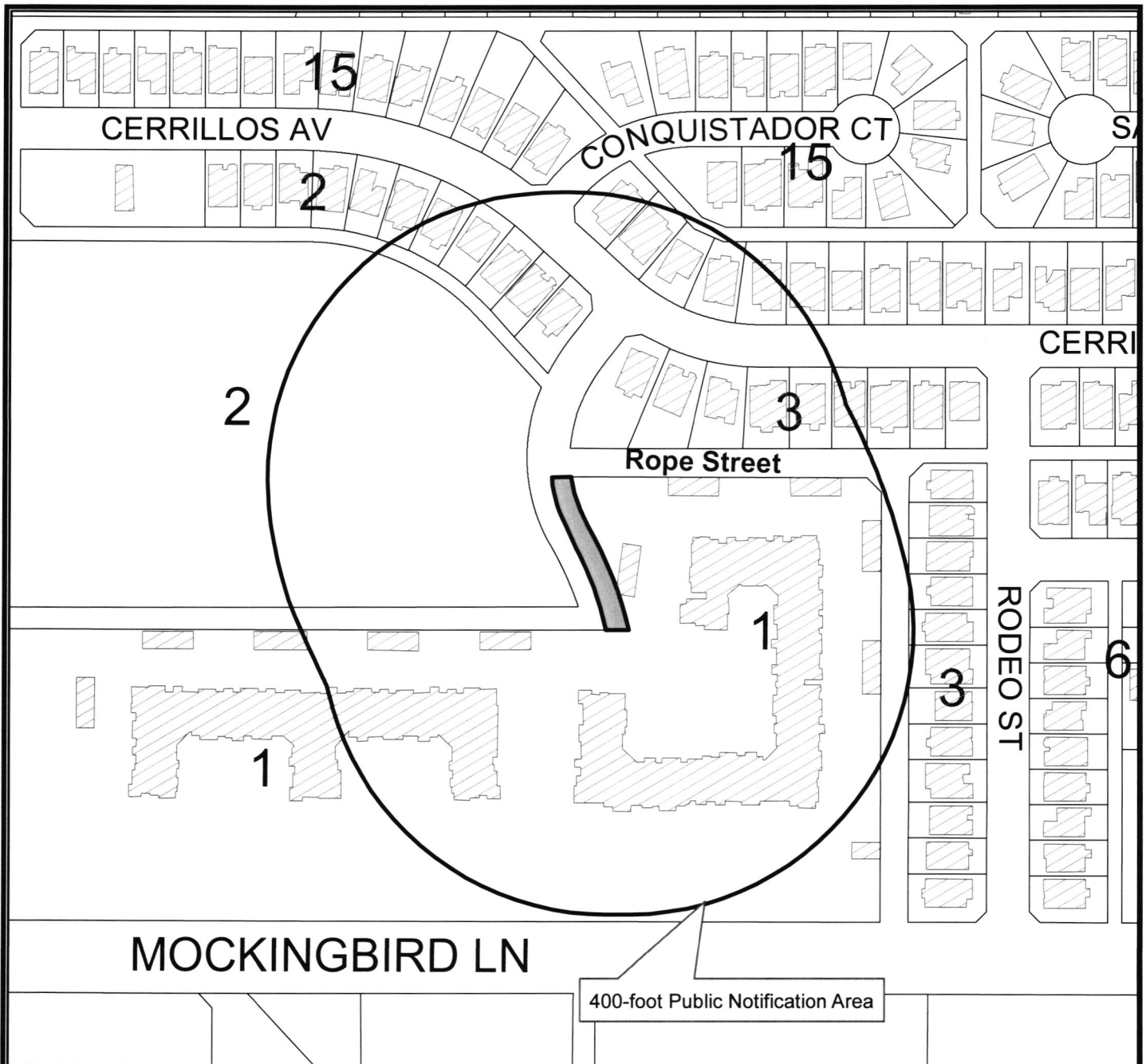
V-23-0056

Scale: 1" = 1,495'

ZONING MAP



© THE CITY OF MIDLAND - 2021. THIS MAP IS NOT A SUBSTITUTE FOR A SURVEY OR ENGINEERING DRAWING. IT IS TO BE USED AS A GUIDANCE TOOL IN PERMITTING AND OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY CONSEQUENCES ARISING FROM THE USE OF THIS MAP.



LOCATION MAP

V-23-0056

Scale: 1" = 2,921'

Consider a request by Thais Ahlstrand for a vacation of a 0.159 acre portion of Rope right-of-way located adjacent to Lot, Block 1, Adobe Meadows, Section 8, City and County of Midland, Texas.

PACKET

37.35

LEGEND

- - CITY LIMITS
- ▭ PARCEL
- ▨ PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

THIS DATA IS NOT A SUBSTITUTION FOR A PROFESSIONAL ENGINEER'S DESIGN OR A CITY ENGINEER'S DESIGN. IT IS DESIGNED TO ASSIST IN THE CITY'S PLANNING AND DEVELOPMENT. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

December 12, 2023

Landon J. Ochoa

From: LReyna@midcad.org
Sent: Monday, October 9, 2023 3:54 PM
To: Landon J. Ochoa
Cc: Jeffrey S. Fisher
Subject: Re: V-23-0056 Vacation of Rope Street Portion Valuation
Attachments: V-23-0056, TaxVacMCAD vac ltr.pdf; V-23-0056, Survey.pdf; V-23-0056, Location Map.pdf



Landon,

See below,

Market Value

.159 X \$3,000 = \$477

Sincerely,

Lisa Reyna, RPA
Assistant Chief Appraiser
Midland Central Appraisal District
4631 Andrews Hwy
Midland, TX 79703
Phone (432) 699-4991
Fax (432) 689-7185

From: "Landon J. Ochoa" <ljochoa@midlandtexas.gov>
To: Lisa Reyna <lreyna@midcad.org>
Cc: "Jeffrey S. Fisher" <jsfisher@midlandtexas.gov>
Date: 10/06/2023 04:03 PM
Subject: V-23-0056 Vacation of Rope Street Portion Valuation

Lisa,

Please see the attached documents for this request to vacate a portion of Rope Street. Please provide a valuation for this property by October 12, 2023. Thank you!

Respectfully,

Landon Ochoa
Senior Planner
Planning Division
Development Services
O. 432-685-7405

PACKET

37.36
1

December 12, 2023

ljochoa@midlandtexas.gov



300 N. Loraine | P.O. Box 1152 | Midland, TX 79702

CAUTION: This email originated from outside your organization — exercise caution when opening attachments or clicking links, especially from unknown senders.

PACKET

37.37
2

December 12, 2023

PACKET

Page 3.87

February 20, 2024



October 6, 2023

Mr. Mark Lieb
Atmos Energy
P.O. Box 1111
Midland, Texas 79702

STREET VACATION: Please see attached Exhibit A and map.

CASE NO.: V-23-0056
CASE NAME: Rope Street

Dear Mr. Lieb,

Thais Ahlstrand has submitted a request to vacate a 0.159-acre portion of Rope Street right-of-way, located adjacent to Lot 1, Block 1, Adobe Meadows, Section 8, City and County of Midland, Texas (see attached exhibit). Please advise if your company has utilities within the alley or the portion of Rope Street to be vacated. We would appreciate any comments you may have concerning this requested vacation returned to us within 5-7 days. You may reach me at (432) 685-7405 if you have any questions. You can send your response via email to jsfisher@midlandtexas.gov.

Thank you for your assistance.

Sincerely,

Jeff Fisher

Jeff Fisher, AICP
Planning Manager
Planning Division

Attachment:
Exhibit A
Map

PACKET

37.38

December 12, 2023

PACKET

Page 3.88

February 20, 2024

Landon J. Ochoa

From: Lieb, Mark <Mark.Lieb@atmosenergy.com>
Sent: Monday, October 9, 2023 10:40 AM
To: Landon J. Ochoa
Cc: Jeffrey S. Fisher
Subject: RE: V-23-0056 Rope Street Vacation (Atmos)
Attachments: V-23-0056, Atmos Letter.pdf; Request to Vacate Rope Street ROW.pdf



Landon,
Please see attached.
Thanks again.

Mark Lieb
Project Specialist
Atmos Energy/Permian Basin
432-967-0370 cell
Mark.Lieb@atmosenergy.com

From: Landon J. Ochoa <ljochoa@midlandtexas.gov>
Sent: Friday, October 6, 2023 11:47 AM
To: Lieb, Mark <Mark.Lieb@atmosenergy.com>
Cc: Jeffrey S. Fisher <jsfisher@midlandtexas.gov>
Subject: [EXT] V-23-0056 Rope Street Vacation (Atmos)

CAUTION: Don't be quick to click. This e-mail originated from outside of Atmos Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Mark.

Please see the attached letter and supporting documents and provide comments by October 12, 2023 as this request will be going to the October 24 City Council meeting. Thank you!

Respectfully,

Landon Ochoa
Senior Planner
Planning Division
Development Services
O. 432-685-7405
PACKET

37.39
1

December 12, 2023

ljochoa@midlandtexas.gov



300 N. Loraine | P.O. Box 1152 | Midland, TX 79702

CAUTION: This email originated from outside your organization — exercise caution when opening attachments or clicking links, especially from unknown senders.

PACKET

37.40
2

December 12, 2023

PACKET

Page 3.90

February 20, 2024

Landon J. Ochoa

From: UNDERWOOD, JERRY D <ju1659@att.com>
Sent: Friday, October 13, 2023 1:12 PM
To: Landon J. Ochoa
Cc: Jeffrey S. Fisher
Subject: RE: V-23-0056 Rope Street Vacation (AT&T)

Follow Up Flag: Follow up
Flag Status: Flagged



We have no issues here.

Thanks,
Jerry

From: Landon J. Ochoa <ljochoa@midlandtexas.gov>
Sent: Friday, October 13, 2023 12:27 PM
To: UNDERWOOD, JERRY D <ju1659@att.com>
Cc: Jeffrey S. Fisher <jsfisher@midlandtexas.gov>
Subject: RE: V-23-0056 Rope Street Vacation (AT&T)

Jerry,

We urgently need your comments for this one. I don't believe I have gotten a response from you. Thank you for your time, sir.

From: Landon J. Ochoa
Sent: Friday, October 6, 2023 11:49 AM
To: Jerry Underwood <ju1659@att.com>
Cc: Jeffrey S. Fisher <jsfisher@midlandtexas.gov>
Subject: V-23-0056 Rope Street Vacation (AT&T)

Good morning, Jerry.

Please see the attached letter and supporting documents and provide comments by October 12, 2023 as this request will be going to the October 24 City Council meeting. Thank you!

Respectfully,

Landon Ochoa
Senior Planner
Planning Division
Development Services
O. 432-685-7405

PACKET

37.41
1

December 12, 2023

PACKET

Page 3.91

February 20, 2024

ljochoa@midlandtexas.gov



300 N. Loraine | P.O. Box 1152 | Midland, TX 79702

CAUTION: This email originated from outside your organization — exercise caution when opening attachments or clicking links, especially from unknown senders.

PACKET

37.42
2

December 12, 2023

PACKET

Page 3.92

February 20, 2024

Landon J. Ochoa

From: Ruben Guerra <ruben.guerra@astound.com>
Sent: Friday, November 3, 2023 10:51 AM
To: Landon J. Ochoa
Subject: Re: FW: V-23-0056 Rope Street Vacation (Grande)



We only have services within the apartment complex.

Thank You
Ruben Guerra
Construction Coordinator
O: 432-272-3088
C: 432-653-9369
Ruben.Guerra@astound.com
Astound Business Solutions
Powered by RCN | Grande | Wave
astound.com

On Fri, Nov 3, 2023 at 8:54 AM Landon J. Ochoa <ljchoa@midlandtexas.gov> wrote:

Ruben I do not believe I have received comments from you on this one. Please respond this morning or we will have to proceed without comments from you. Feel free to call me if you have any questions.

From: Landon J. Ochoa
Sent: Friday, October 6, 2023 11:58 AM
To: Ruben Guerra <ruben.guerra@astound.com>
Cc: Jeffrey S. Fisher <jsfisher@midlandtexas.gov>
Subject: V-23-0056 Rope Street Vacation (Grande)

Good morning, Ruben.

Please see the attached letter and supporting documents and provide comments by October 12, 2023 as this request will be going to the October 24 City Council meeting. Thank you!

Respectfully,

Landon Ochoa

Senior Planner

Planning Division

Development Services

O. 432-685-7405

ljochoa@midlandtexas.gov



300 N. Lorraine | P.O. Box 1152 | Midland, TX 79702

CAUTION: This email originated from outside your organization — exercise caution when opening attachments or clicking links, especially from unknown senders.

PACKET

37.44
2

December 12, 2023

PACKET

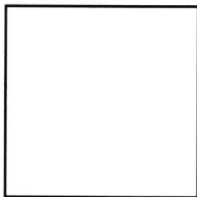
Page 3.94

February 20, 2024

Landon J. Ochoa

From: Landon J. Ochoa
Sent: Friday, November 3, 2023 11:05 AM
To: Landon J. Ochoa
Subject: FW: V-23-0056 Rope Street Vacation (Oncor)

From: Molina, Sergio <Sergio.Molina@oncor.com>
Sent: Sunday, October 15, 2023 10:55 PM
To: Jeffrey S. Fisher <jsfisher@midlandtexas.gov>; Landon J. Ochoa <ljochoa@midlandtexas.gov>; Arguello, Martin <Martin.Arguello@oncor.com>
Cc: Blankenship, Chad <Chad.Blankenship@oncor.com>
Subject: RE: V-23-0056 Rope Street Vacation (Oncor)



Yes sir

Sergio Molina, P.E.
Oncor | NCM Manager WTX
Cell: 214.970.4143

My Manager: Hannah Hamilton
Cell: 432.894.4601 email: Hannah.Hamilton@oncor.com

From: Jeffrey S. Fisher <jsfisher@midlandtexas.gov>
Sent: Friday, October 13, 2023 6:21 AM
To: Molina, Sergio <Sergio.Molina@oncor.com>; Landon J. Ochoa <ljochoa@midlandtexas.gov>; Arguello, Martin <Martin.Arguello@oncor.com>
Cc: Blankenship, Chad <Chad.Blankenship@oncor.com>
Subject: RE: V-23-0056 Rope Street Vacation (Oncor)

WARNING: This email message did not originate from Oncor and is from an external organization. **DO NOT CLICK** links or attachments unless you recognize the sender and are certain the content is safe.

Sergio,

Can they secure with a utility access easement through the replat process as we've done with other projects?

PACKET

37.45
1

December 12, 2023

PACKET

Page 3.95

February 20, 2024

Jeff

Jeff Fisher, AICP
Planning Manager

Planning Division | City of Midland

Tel. 432-685-7407

jsfisher@midlandtexas.gov



300 N. Loraine | P.O. Box 1152 | Midland, TX 79702

From: Molina, Sergio <Sergio.Molina@oncor.com>

Sent: Friday, October 13, 2023 2:22 AM

To: Landon J. Ochoa <ljochoa@midlandtexas.gov>; Arguello, Martin <Martin.Arguello@oncor.com>

Cc: Jeffrey S. Fisher <jsfisher@midlandtexas.gov>; Blankenship, Chad <Chad.Blankenship@oncor.com>

Subject: RE: V-23-0056 Rope Street Vacation (Oncor)

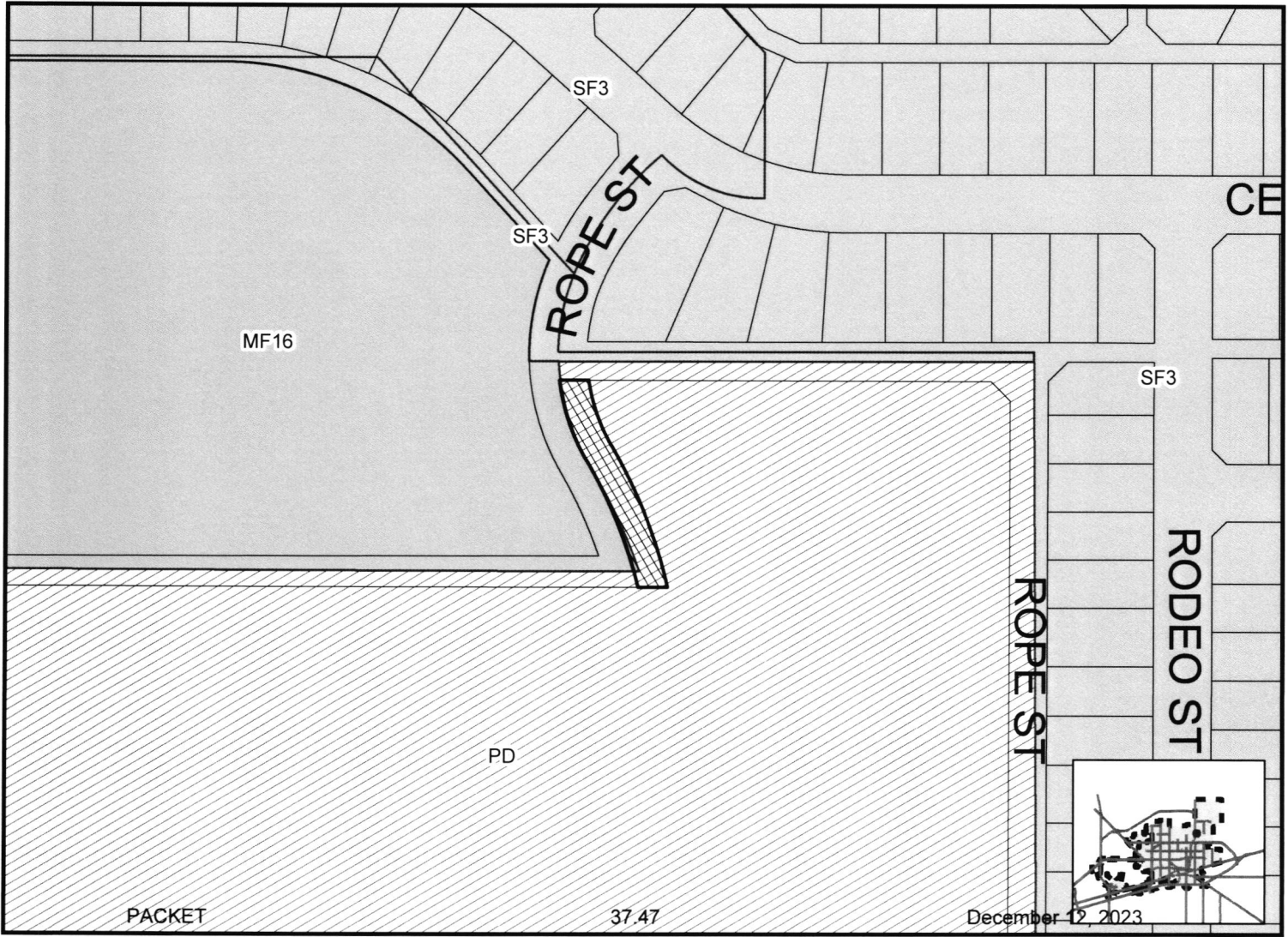
Landon,

Oncor has underground facilities immediately impacted by the entrance reroute. Oncor can provide a cost to the developer to adjust the location of such facilities if this projects moves forwards.

Regards,

Sergio Molina, P.E.
Oncor | NCM Manager WTX
Cell: 214.970.4143

My Manager: Hannah Hamilton
Cell: 432.894.4601 email: Hannah.Hamilton@oncor.com



Map By LO, 11/3/2023

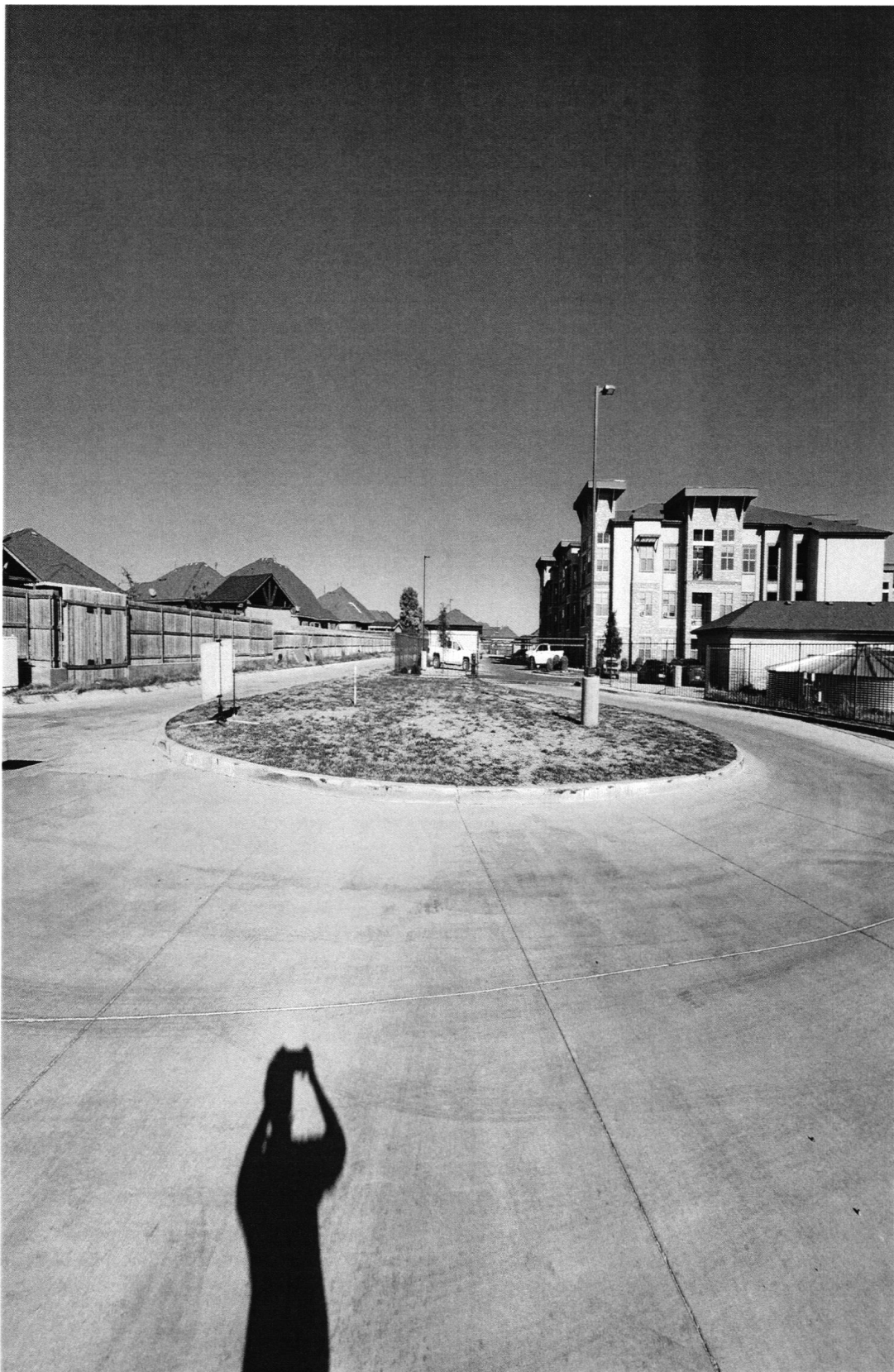
V-23-0056

Scale: 1" = 1,495'

ZONING MAP



©THE CITY OF MIDLAND - 2021. THIS DATA IS NOT A SUBSTITUTE FOR A SURVEY. THE CITY OF MIDLAND IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE CITY OF MIDLAND IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE CITY OF MIDLAND IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS.



PACKET

37.48

December 12, 2023

PACKET

Page 3.98

February 20, 2024



PACKET

37.49

December 12, 2023

PACKET

Page 3.99

February 20, 2024



PACKET

37.50

December 12, 2023

PACKET

Page 3.100

February 20, 2024



PACKET

37.51

December 12, 2023

PACKET

Page 3.101

February 20, 2024



Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: February 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving a Final Plat of Urbandale Addition, Section 3, being a replat of the east 31 feet of Lot 15 and all of Lot 16, Block 1, A Replat of All of Tracts 1, 7, 9, 10 and the East Half of 8, Urbandale Addition, City and County of Midland, Texas. (Generally located southwest of the intersection of H Street and Princeton Avenue.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

X Approve Deny Directional/Informational

Current Zoning:

SF-1, Single Family Dwelling District.

Preliminary Plat Approval:

The preliminary plat was approved at the December 18, 2023, Planning and Zoning Commission meeting. The property owner is replatting to obtain construction permits. The proposed lot will have a total acreage of 0.35.

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

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

PAVING: Princeton ave roadway okay as is. 'H' roadway okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 12" water exists in Princeton Street, okay as is. 4" water exists in alley 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: 6" sewer exists in alley S of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: Drainage study not required for development into single family residences. Development considered infill. [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)

No comments.

Fire: (Approved)

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

Oil and Gas: (Approved)

No Oil and Gas issues.

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.

Planning: (Approved)

Staff recommends approval of the Final Plat of Urbandale Addition, Section 3, subject to Condition A.

Condition(s):

- 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:

Application
Proposed Final Plat
Maps



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Urbandale Addition, Section 3**Legal Description (attached sealed Metes and Bounds):** PROPOSED PLAT OF URBANDALE ADDITION, BEING A RE-PLAT OF THE EAST 31 FEET OF LOT 15 AND ALL OF LOT 16, BLOCK 1, REPLAT OF TRACTS 1,7,9,10 & E/2 OF 8, URBANDALE ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS**Property Owner**

Printed Name: Andrew & Kassi Bell

Phone ()

Email

Address 1403 Community Ln.

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: Schumann Surveying

Printed Name: Eduardo L. ALeman

Phone (432) 254-0327

Email

ealeman@schumannonline.net

Address 800 N. Marienfeld, Suite 100

City Midland

State TX

Zip 79701

Current Zoning: SF1**Reason for Platting:** For Construction permits**Plat Information**

Total Acreage: 0.35

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):

A Bell

Date:

1-24-24

Property Owner (printed): Andrew Bell

Kassi Bell

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.

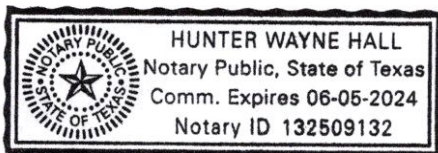
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 Mr. & Mrs Bell, 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.

Guadalupe Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 24th day of January, 2024, to certify which witness my hand and seal of office.



Attn
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>Paid Online</u> | ☒ Tax Certificates | ☒ Recording Fee |
| | | Check # <u>1152</u> |

Received By: [Signature]

Date:

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

URBANDALE ADDITION SECTION 3.

PROPOSED PLAT OF URBANDALE ADDITION, BEING A REPLAT
OF THE EAST 31 FEET OF LOT 15 AND ALL OF LOT 16, BLOCK
1, REPLAT OF TRACTS 1, 7, 9, 10 & E/2 OF 8, URBANDALE
ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, ANDREW BELL, IS THE RECORD OWNER(S) OF A TRACT OF LAND BEING THE EAST 31 FEET OF LOT 15 AND ALL OF LOT 16, BLOCK 1, URBANDALE ADDITION, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON:

FIELD NOTE DESCRIPTION OF A 0.35 ACRE TRACT OF LAND, BEING THE EAST 31 FEET OF LOT 15, AND ALL OF LOT 16, BLOCK 1, URBANDALE ADDITION, MIDLAND COUNTY, TEXAS. SAID 0.35 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINF BAR FOUND (N:10698367.73, E:1750666.19) IN THE SOUTH RIGHT OF WAY LINE OF PRINCETON AVENUE FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 75°34'53" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE OF SAID PRINCETON AVENUE, 81.60 FEET TO A REINF BAR FOUND FOR THE MOST NORTHERLY NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 59°18'18" EAST 42.43 FEET TO A REINF BAR FOUND FOR THE MOST SOUTHERLY NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°25'25" EAST 111.18 FEET TO A REINF BAR FOUND FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 75°39'13" WEST 111.51 FEET TO A REINF BAR FOUND FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°26'21" WEST 141.11 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 HEREINAFOVE DESCRIBED PROPERTY AS URBANDALE ADDITION, STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 2024.

ANDREW BELL

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINAFOVE DESCRIBED PROPERTY AS URBANDALE ADDITION, STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 2024.

KASSI BELL

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2024, BY ANDREW BELL .

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2024, BY KASSI BELL .

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

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.



RJ DAUM
TEXAS RPLS 4826

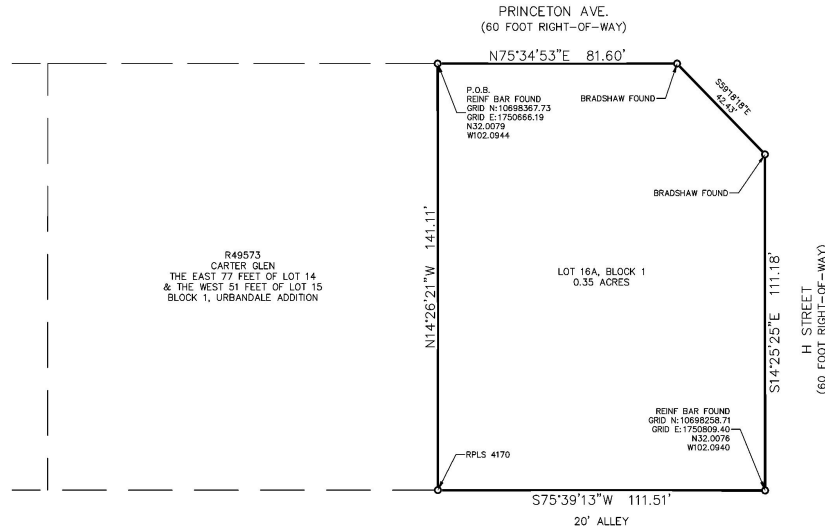
PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO. _____ CABINET _____
DATE _____ PAGE _____



February 20, 2024

DATE 100
MIDLAND, TEXAS 79701

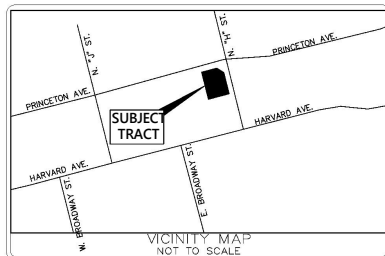
Office (432) 684-5548



R49565
DICKERSON STEPHEN B
THE WEST 44 FEET OF LOT 3
AND THE EAST 66 FEET OF LOT 4
BLOCK 1, URBANDALE ADDITION

R49564
LAMBERT ADAM
THE WEST 57 FEET OF LOT 2
AND THE EAST 38 FEET OF LOT 3
BLOCK 1, URBANDALE ADDITION

R49563
SPARKMAN SCOTT
BEING ALL OF LOT 1
AND THE EAST 25 FEET OF LOT 2
BLOCK 1, URBANDALE ADDITION



NOTES:

- BEARINGS/DISTANCES/COORDINATES TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 .
- MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
- 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 THESE LOT(S) MAY BE DEVELOPED AND BEFORE A BUILDING PERMIT MAY BE OBTAINED .
- 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 INCREASE OF FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- 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.
- PROPERTY IS IN ZONE X ACCORDING TO FEMA MAP PANEL 48329C089F WITH AN EFFECTIVE DATE OF 9/16/2005.
- ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE OR ENLARGE AN EXISTING STRUCTURE, ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE ADD-4 MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTIONS 11-11-8, 11-11-9, AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.
- PROPOSED WATER, SANITARY SEWER, AND STORM SEWER PIPELINES WITH CULVERTS, BRIDGES, AND OTHER APPURTENANCES OR STRUCTURES SHOWN (ONE-LINE PLANS), ARE REQUIRED BEFORE PRELIMINARY PLAT APPROVAL.

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE CITY PLANNING AND ZONING COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF URBANDALE ADDITION, 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 SINIEGA

ATTEST: _____
SECRETARY

LEGEND:

- MONUMENT AS DESCRIBED
- PROPERTY LINE
- ADJOINING PROPERTIES
- SECTION LINE
- UTILITY EASEMENT

OWNER(S):

ANDREW BELL
KASSI BELL
1403 COMMUNITY LN
MIDLAND, TX 79701

GRAPHIC SCALE
0 30 60
(1 INCH = 30 FEET)

NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
				JG	09/13/2023
				CHECKED BY:	ED/RJ
				PROJECT NO.:	79,790
				SHEET:	1 OF 1

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

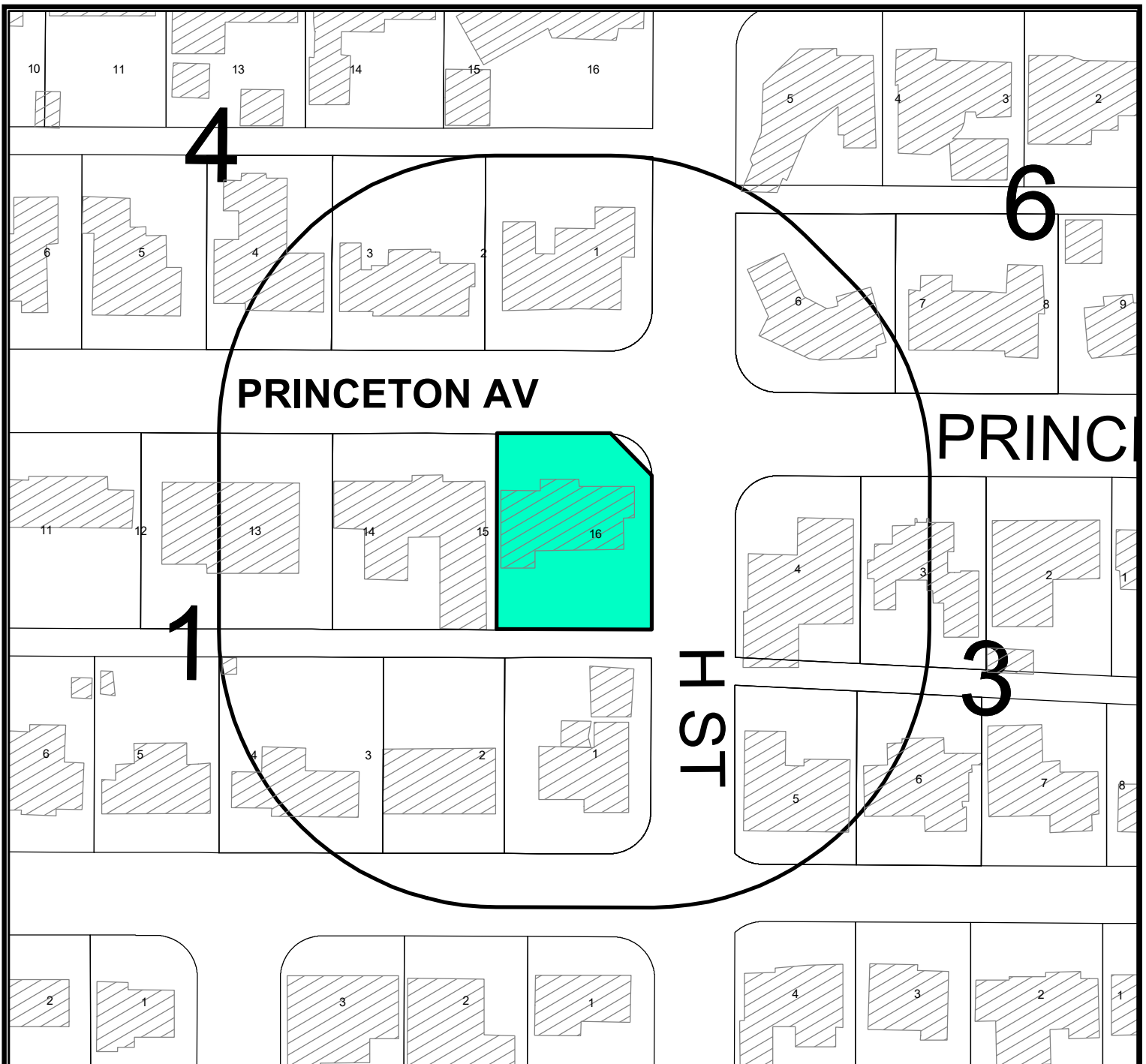
SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM COMMUNICATIONS

SIGNED: _____
ASTOUND COMMUNICATIONS

PACKET



LOCATION MAP

SUB-23-0679

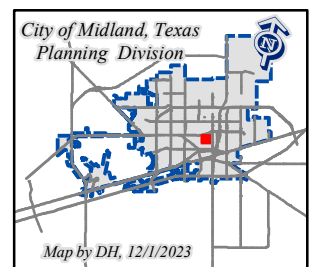
Scale: 1" = 104'

Proposed plat of Urbandale Addition, Section 3 being a replat of the east 31 feet of Lot 15 and all of Lot 16, Block 1, A Replat of All of Tracts 1, 7, 9, 10 and the East Half of 8, Urbandale Addition, City and County of Midland, Texas.

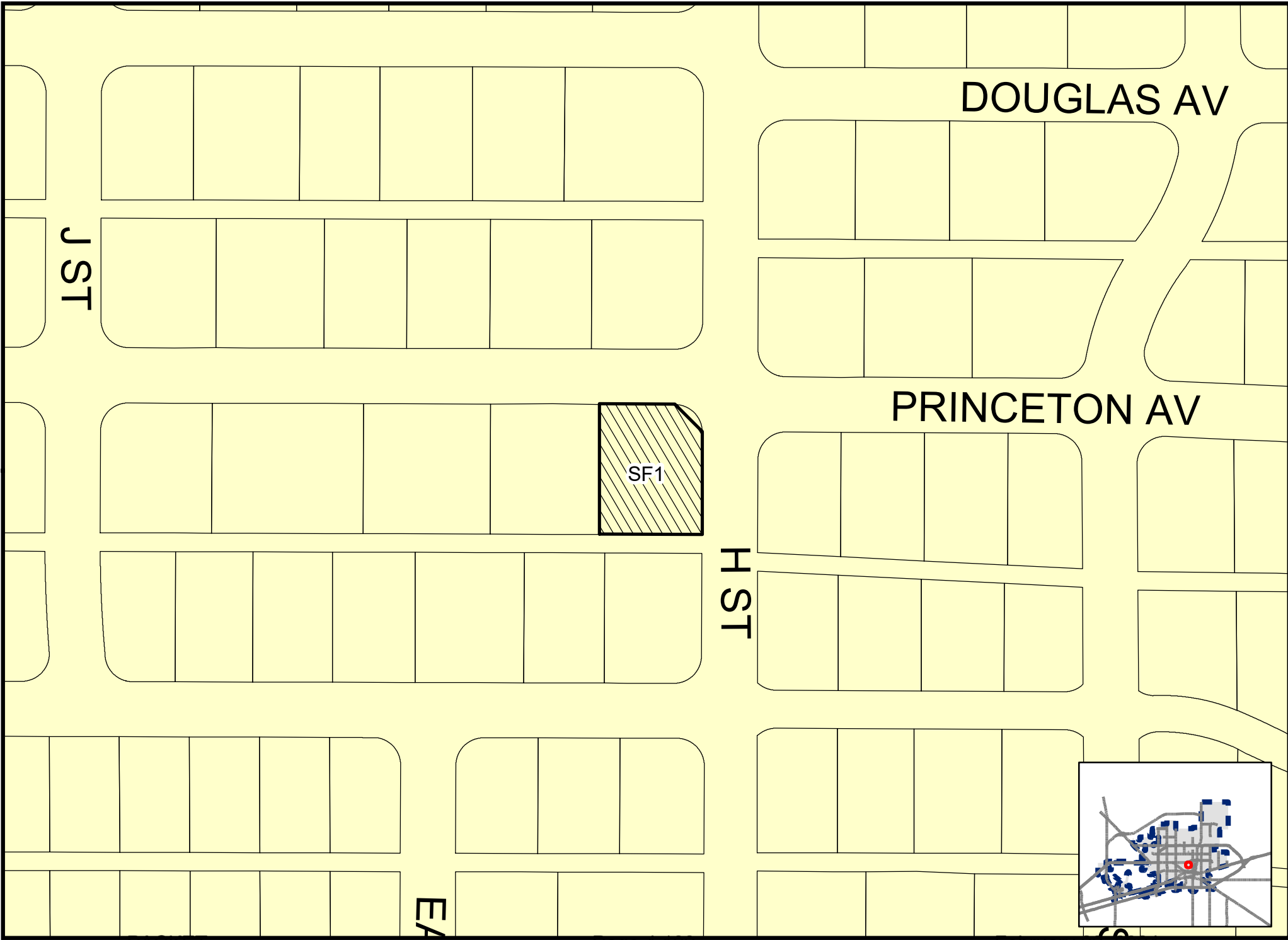
Generally located southwest of the intersection of H Street and Princeton Avenue. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2020
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.



DOUGLAS AV

PRINCETON AV

J ST

H ST

E ST

SF1



PACKET

Page 4.109

February 20, 2024





Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: February 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving a Final Plat of Tanglewood Addition, Section 9, being a replat of Lots 8 and 9, Tanglewood Addition, Section 8 and Lots 6 and 7, Block 4, Tanglewood Addition, Section 4, City and County of Midland, Texas. (Generally located west of North Lamesa Road, approximately 815-feet north of East Wadley Avenue.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

MF-16, Multiple-Family Dwelling District.

Preliminary Plat Approval:

The preliminary plat was approved at the November 20, 2023, Planning and Zoning Commission meeting. Maverick Engineering is requesting to replat for ownership purposes. The proposed subdivision will have three (3) lots with a total acreage of 19.09.

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

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

PAVING: La Mesa roadway okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 12" water exists in La Mesa, okay as is. 16" water exists in La Mesa, 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 La Mesa, okay as is. 15" sewer exists in La Mesa, okay as is. 10" sewer exists in alley north of tract, okay as is. 24" sewer exists West of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

EASEMENTS: Show existing and proposed. [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.

Oil and Gas: (Approved)

No Oil and Gas issues.

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.

Planning: (Approved)

The southern 80.48-feet of Lot 11 is zoned LR, Local Retail District, and the remainder is zoned MF-16, Multiple Family Dwelling District. It is recommended to rezone into one zoning district for ease of development, however it is not required. [Informational]

Staff recommends approval of the Final Plat of Tanglewood Addition, Section 9, subject to Condition A.

Condition(s):

- 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:

Application
Proposed Final Plat
Maps



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Tanglewood Addition, Section 9**Legal Description (attached sealed Metes and Bounds):** Being a Replat of Lots 8 and 9, Block 4 Tanglewood Addition, Section 8, and Lots 6 and 7, Block 4, Tanglewood Addition, Section 4, City and County of Midland, Texas**Property Owner**

Printed Name: Redeemer Church of Midland

Phone (432) 262-0999

Email jdsona@redeermidland.org

Address PO Box 8333

City Midland

State TX

Zip 79708

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: MF-16, LR**Reason for Platting:** ownership purposes**Plat Information**

Total Acreage: 19.089

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'

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

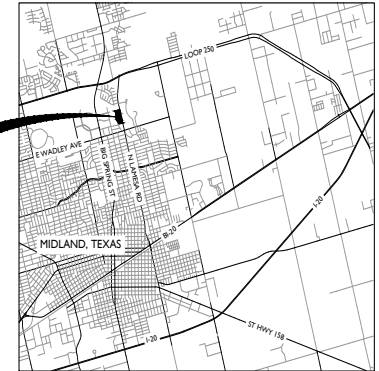
For related documents, \$26.00 for first page, \$4.00 for each additional page.

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.

TANGLEWOOD ADDITION SECTION 9

BEING A REPLAT OF LOTS 8 AND 9, BLOCK 4, TANGLEWOOD ADDITION, SECTION 8
AND LOTS 6 AND 7, BLOCK 4, TANGLEWOOD ADDITION, SECTION 4
CITY AND COUNTY OF MIDLAND, TEXAS

SITE
LOCATION



VICINITY MAP
N.T.S.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, GREGORY W. SHAULTS, 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. SHAULTS 06503336
MAVERICK ENGINEERING (TX FIRM #10194514)
1909 W. WALL STREET, SUITE 4
MIDLAND, TX 79701



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS REDEEMER CHURCH OF MIDLAND, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 9, BLOCK 4, TANGLEWOOD ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT REDEEMER CHURCH OF MIDLAND, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS TANGLEWOOD ADDITION, SECTION 9, AN 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 ROGUES AND LOGS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS, AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THEREIN, AND CONDITION SAID EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

WITNESS MY HAND AT _____, TX,
THIS _____ DAY OF _____, 2024.

BY: _____ FOR REDEEMER CHURCH OF MIDLAND

ACKNOWLEDGEMENT

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 _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE WAS ACTING AS OWNER, 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

THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

ATTEST: ENERGY

BY: _____

ATTEST: CITY

BY: _____

ATTEST: OPTIMUM

BY: _____

ATTEST: REFOUND BRIGGS

BY: _____

ATTEST: ONCOR ELECTRIC DELIVERY

BY: _____

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF TANGLEWOOD ADDITION, SECTION 9, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS:

_____ DAY OF _____, 2024.

_____ CHAIRMAN

_____ SECRETARY



0' 100' 200'
ORIGINAL SCALE: 1" = 100'

LEGEND

✕	BENCH MARK
●	SET 1/2-INCH IRON ROD W/ WIRE PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
⊕	FOUND MONUMENT AS NOTED
—	"I" IN CONCRETE
---	BOUNDARY LINE
---	PROPERTY LINES
---	EASEMENT LINE
---	PIPELINE
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
P.R.M.C.T.	PLAT RECORDS, MIDLAND CO., TX
D.R.M.C.T.	DEED RECORDS, MIDLAND CO., TX

PACKET

Page 5.115

PROPERTY OWNER

REDEEMER CHURCH OF MIDLAND
PO BOX 8333
MIDLAND, TEXAS 79708
DEED INSTRUMENT # 2023-1742, 09/09/21

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

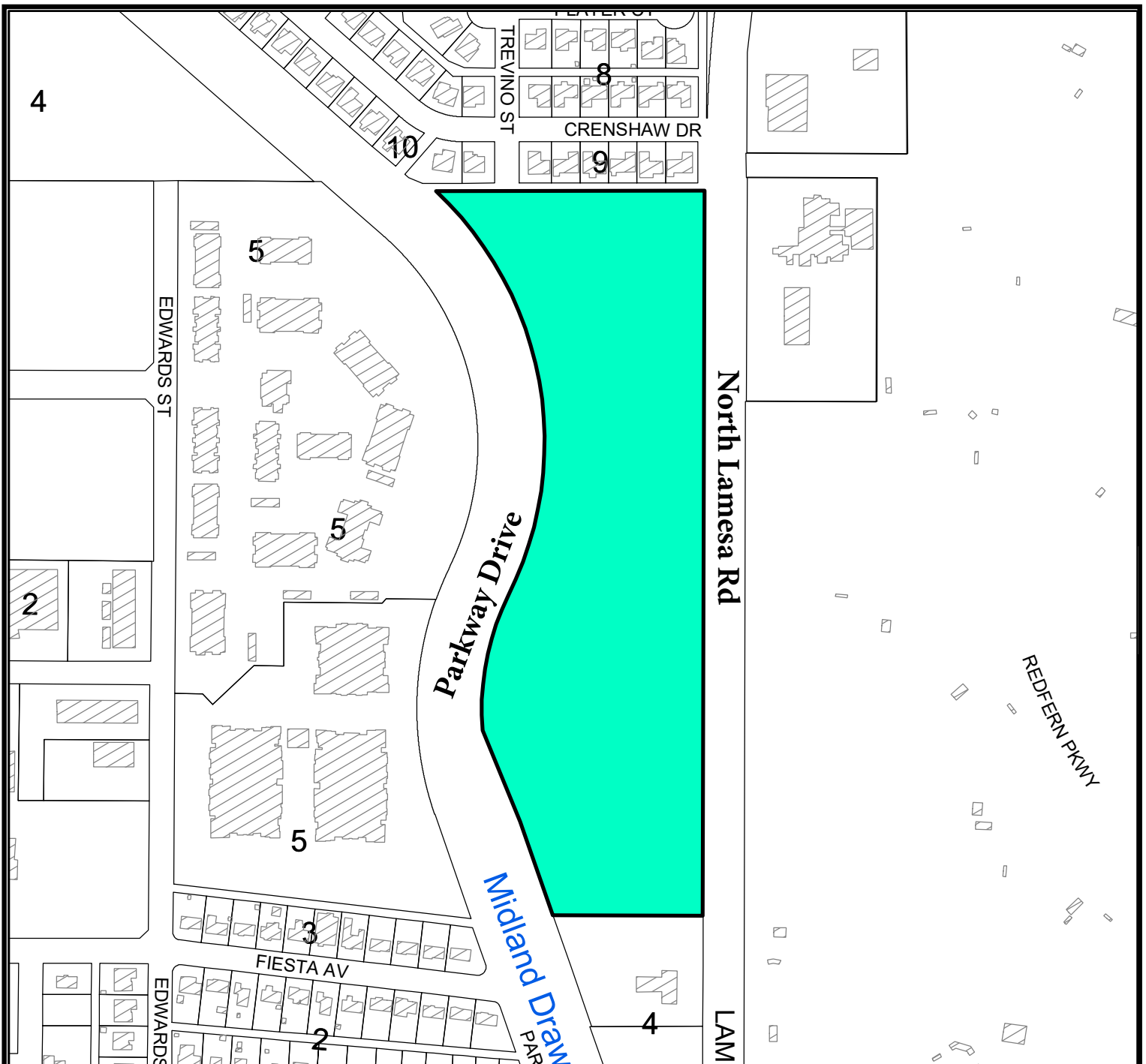
DATE _____



MAVERICK
CIVIL ENGINEERING (LAND SURVEYING)

1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FIRM # F-15089
SURVEY FIRM # F-10194514
Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com

TANGLEWOOD ADDITION
SECTION 9



LOCATION MAP

SUB-23-0648

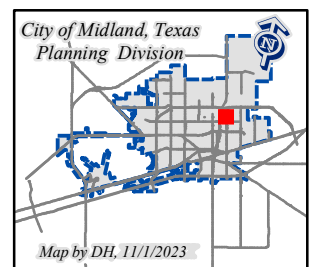
Scale: 1" = 4250'

Proposed Plat of Tanglewood Addition, Section 9, being a residential replat of Lots 8 and 9, Block 4, Tanglewood Addition, Section 8, and Lots 6 and 7, Block 4, Tanglewood Addition, Section 4, City and County of Midland, Texas.

Generally located on the west side of North Lamesa Road, approximately 815 feet north of East Wadley Avenue. (DISTRICT 2)

LEGEND

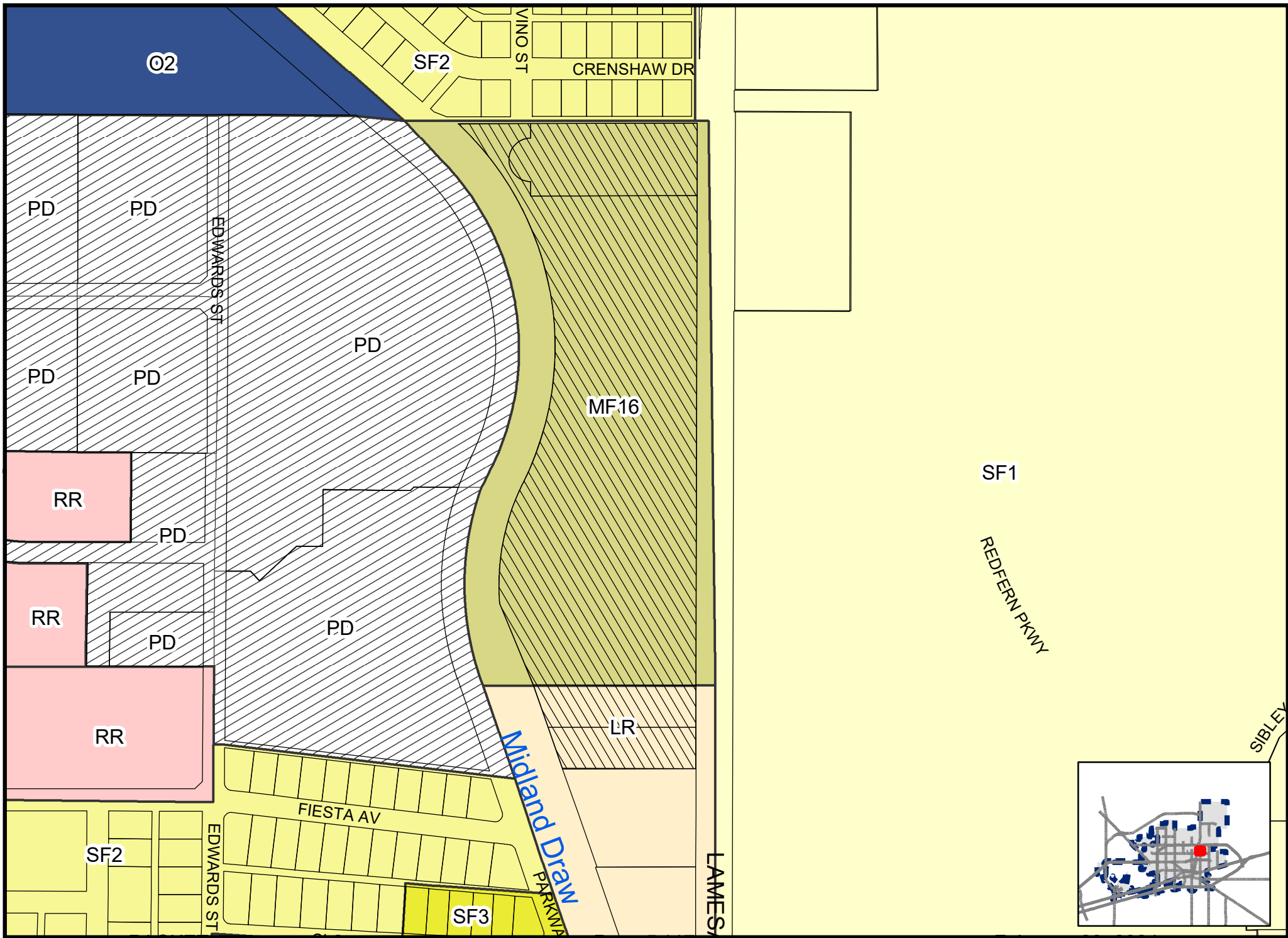
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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 5.117

February 20, 2024





Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: February 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving a Final Plat of Avalon Addition, Section 5, being a replat of Lots 12, 13, and the west 49.6-feet of Lot 14, Avalon Addition, a replat of Lot 11, Block 2, Lots 11 and 12 of Blocks 3-7, and Lots 1-11, Block 8, City and County of Midland, Texas. (Generally located south of Winfield Road, approximately 140-feet east of North L Street.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

SF-1, Single-Family Dwelling District.

Preliminary Plat Approval:

The preliminary plat was approved at the November 20, 2023, Planning and Zoning Commission meeting. The property owner is replatting to combine the lots into one, demolish the existing structures and build a new house.

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

ROW: ROW okay as shown. [For the Applicant's information only.]

PAVING: Winfield roadway okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 6" water exists in Winfield Street, 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: 21" sewer exists in alley west of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: Drainage study not required for development into single family residences. Development considered infill. [For Applicant's Information Only.]

EASEMENTS: Show existing and proposed. [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)

No comments.

Oil and Gas: (Approved)

No Oil and Gas issues.

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.

Planning: (Approved)

Staff recommends approval of the Final Plat of Avalon Addition, Section 5, subject to Condition A.

Condition(s):

- 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

AVALON ADDITION SECTION 5

BEING A REPLAT OF LOT 13 AND THE WEST 49.6- FEET OF LOT 14, BLOCK 3, AVALON ADDITION, AND LOT 12, BLOCK 3, A REPLAT OF LOT 11, BLOCK 2, LOTS 11 AND 12 OF BLOCKS 3-7, AND LOTS 1-11, AVALON ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS &
COUNTY OF MIDLAND &

WHEREAS, PINTAL PROPERTIES LLC, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND SITUATED IN AVALON ADDITION, BLOCK 3, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 0.52 ACRE TRACT OF LAND, BEING LOT 13 AND THE WEST 49.6- FEET OF LOT 14, BLOCK 3, AVALON ADDITION, AND LOT 12, BLOCK 3, A REPLAT OF LOT 11, BLOCK 2, LOTS 11 AND 12 OF BLOCKS 3-7, AND LOTS 1-11, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, SAID 0.49 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT BEGINNING AT A REINFB BAR FOUND (N:10700471.40, E:1749287.92) IN THE SOUTH RIGHT OF WAY LINE OF WINFIELD ROAD FOR THE NORTHEAST CORNER OF THIS TRACT;
THENCE SOUTH 14°23'23" EAST 134.70 FEET TO A REINFB BAR SET FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 75°36'37" WEST 154.46 FEET TO A REINFB BAR SET IN THE EAST RIGHT OF WAY LINE OF A 25' ALLEY FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 59°23'22" WEST 20.00 FEET TO REINFB BAR SET FOR A CORNER SET FOR THIS TRACT;

THENCE NORTH 14°23'23" WEST 120.56 TO AN "X" SET IN CONCRETE IN SAID SOUTH RIGHT OF WAY LINE OF SAID WINFIELD ROAD FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 75°36'37" EAST, ALONG AID SOUTH RIGHT OF WAY LINE OF SAID WINFIELD ROAD, 158.60 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 HEREBY DESCRIBED PROPERTY AS AVALON ADDITION, SECTION 5, AN ADDITION OF 0.49 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 _____, 2024.

PINTAL PROPERTIES LLC

STATE OF TEXAS &
COUNTY OF MIDLAND &

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2024, BY PINTAL 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 AVALON, SECTION 5 WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 2024.

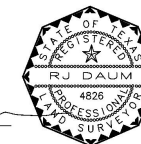
SIGNED: _____
CHAIRMAN LUCY SIGNEGA

ATTEST: _____
SECRETARY XAVIER BAUGUASS.

OWNER:

PINTAL PROPERTIES LLC
1613 WINFIELD RD
MIDLAND, TX 79705
432-683-0081
STEPHANIE@NBMORTGAGE.COM

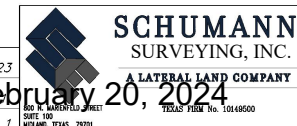
THAT I, RJ DAUM, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY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



RJ DAUM
TEXAS RPLS 4826

GRAPHIC SCALE
0 60 120
(1 INCH = 60' FEET)

NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
				JG	08/04/2023
				CHECKED BY:	ED/RJ
				PROJECT NO.:	79,741
				JOB NO.:	79,741
				SHEET:	1 of 1



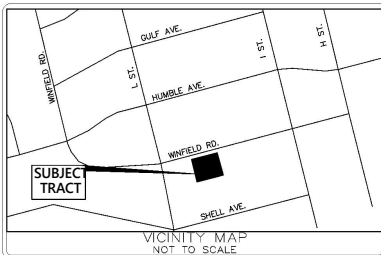
LEGEND:

- MONUMENT AS DESCRIBED
- PROPERTY LINE
- ADJOINING PROPERTIES
- - - SECTION LINE
- - - UTILITY EASEMENT
- - - WATER LINE
- - - SEWER LINE
- - - FENCE LINE
- ☆ LIGHT POLE
- ☆ IRRIGATION CONTROL VALVE
- ☆ FIRE HYDRANT
- ☆ CLEAN OUT
- ☆ WATER METER
- ☆ SANITARY SEWER MANHOLE
- ☆ ELECTRIC METER
- ☆ AIR CONDITIONER

NOTES:

- 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.
- MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
- 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.
- 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 INCREASE OF FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- 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.
- PROPERTY IS IN ZONE "X SHADED" ACCORDING TO FEMA MAP PANEL 48329C0088F WITH AN EFFECTIVE DATE OF 9/16/2005.

Page 6.121



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

PACKET



Final Plat Application

Project Number: SUB-23-06060

Case Number: _____

Proposed Subdivision Plat Name: **Avalon Addition, Section 5**

Legal Description (attached sealed Metes and Bounds): A 0.52 ACRE TRACT OF LAND, BEING LOTS 12 & 13 AND THE WEST 49.6 FEET OF LOT 14, BLOCK 3, AVALON ADDITION, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS.

Property Owner Printed Name: PINTAIL PROPERTIES LLC		Phone (432) 683-0081 Email STEPHANIE@HNBMMORTGAGE.COM	
Address 1613 winfield Rd		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: <u>Schumann Engineering</u> 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: SF 1**Reason for Platting:** To combine lots, demolish existing structures and build new House

Plat Information	Total Acreage: 0.52
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): Stephanie Houston

Date: 1/15/2024

Property Owner (printed): STEPHANIE HOUSTON -PINTAIL PROPERTIES LLC.

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.

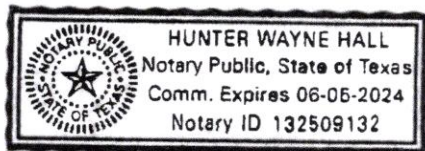
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 Stephanie Houston 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 J Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 24th day of Jan, 20 24 to certify which witness my hand and seal of office.



HWH
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 # _____ | ☐ Tax Certificates | ☐ Recording Fee |

Received By: [Signature]

Date: JAN 24 2024

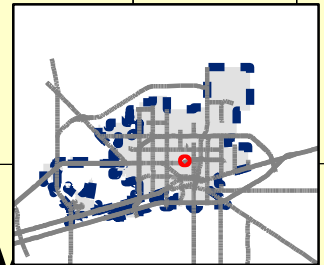
****Application will not be considered for scheduling until reviewed by a planner. 2024**

1ST

WINFIELD RD

SF1

SHELL AV



PACKET

Page 6.124

February 20, 2024

Map By ES, 7/8/2021

SUB-23-0666

Scale: 1" = 1000'

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:
Xavier Bauguess

MEETING DATE: February 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving a Final Plat of Redneck Retreat, Section 3, being a 11.08-acre tract of land out of Section 15, Block 38, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of East County Road 130, approximately 1881-feet east of F.M. 715.) (Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The preliminary plat was approved at the November 20, 2023, Planning and Zoning Commission meeting. The property owner is platting to obtain septic permits and addresses. The proposed subdivision will have four (4) lots with a total acreage of 11.08.

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: Plat outside designated service areas. [For Applicant's Information Only.]

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

PAVING: Deferral request for paving improvements were administratively approved on 10/30/2023. [For Applicant's Information Only.]

WATER: Deferral request for water improvements were administratively approved on 10/30/2023. [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 10/30/2023. [For Applicant's Information Only.]

DRAINAGE: Drainage report 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)

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.

MIDLAND COUNTY PUBLIC WORKS: (Approved)

No comments.

HEALTH DEPARTMENT: (Approved)

Yes, the health department will review applications from the 4 proposed lots of REDNECK RETREAT SECTION 3, PLAT OF A 11 ACRE TRACT OF LAND OUT OF SECTION 15, BLOCK 38, T-2-S, T. & P. RR. CO. SURVEY lot 1 is 2.5 acre, lot 2 is 2.5 acre lot 3 is 2.5 acre, lot 4 is 2.5 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 3, subject to Condition A.

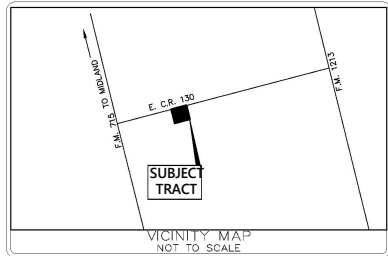
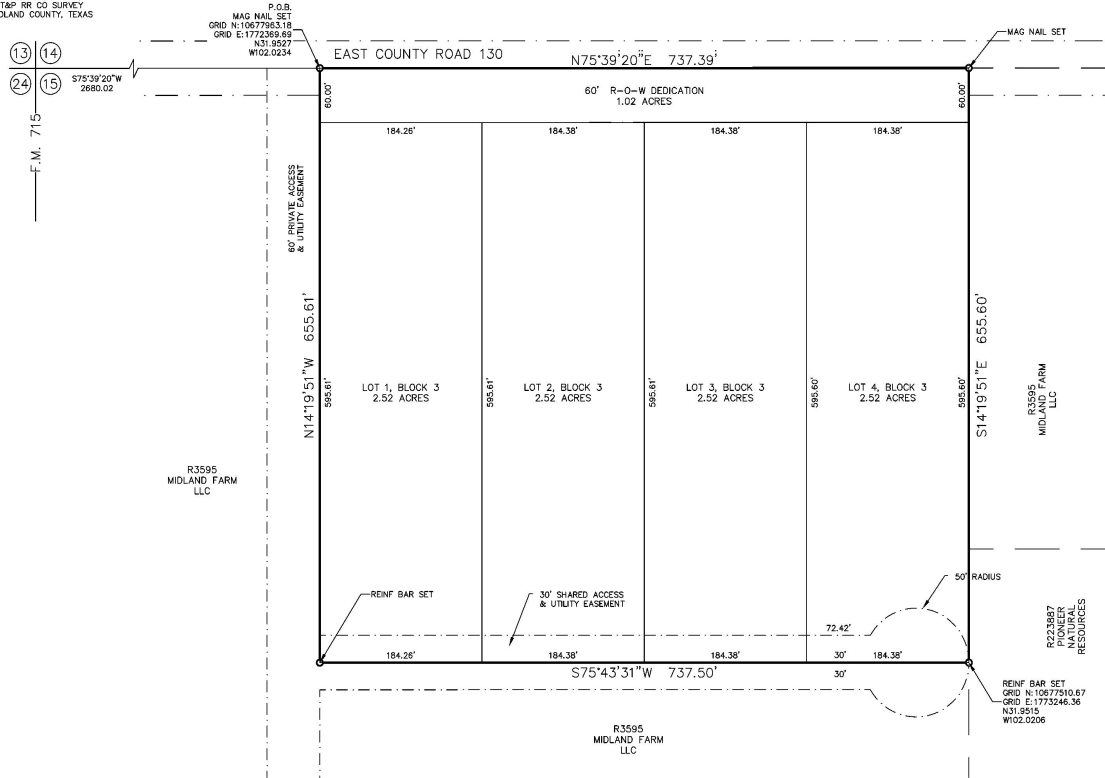
Condition(s):

- 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

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



OWNER(S):

BIG HAT NO CATTLE HOLDINGS, LLC & FYW
PROPERTIES, LLC

1212 W PAUL AVE
FRESNO CA, 93711
599-930-0817
lonestardriller@gmail.com

NOTES:

- 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.
- MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
- 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.
- 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.
- THIS PROPERTY IS IN FEMA'S FLOOD INSURANCE RATE MAP NO. 48329C0209F, EFFECTIVE DATE OF SEPTEMBER 16, 2005, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA, ALL OF THIS TRACT IS IN ZONE "X".
- MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE. MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES; AND, THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH.
- IF PHASE II DOES NOT HAPPEN, THE PROPOSED PRIVATE ROADS ON THIS PLAT MAY HAVE TO GO AWAY.

LEGEND:

- MONUMENT AS DESCRIBED
- PROPERTY LINE
- ADJOINING PROPERTIES
- SECTION LINE
- UTILITY EASEMENT

GRAPHIC SCALE
0 100 200
Page 7 of 129
(1 INCH = 100 FEET)

REDNECK RETREAT SECTION 3

BEING AN 11.10-ACRE TRACT OF LAND OUT OF 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 NORTHWEST 1/4 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 11.10 ACRE TRACT OF LAND, OUT OF THE NORTHWEST 1/4 OF SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, SAID 11.10 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A MAG NAIL SET (N:10677963.15, E:1772369.58) IN THE CENTERLINE OF EAST COUNTY ROAD 130 FOR THE NORTHWEST CORNER OF THIS TRACT, FROM WHICH THE NW CORNER OF SAID SECTION 15 BEARS SOUTH 75°39'20" WEST 2680.02 FEET;

THENCE NORTH 75°39'20" EAST, ALONG SAID CENTERLINE OF SAID EAST COUNTY ROAD 130, 737.50 FEET TO A MAG NAIL SET FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°19'51" EAST 655.60 FEET TO A REINF BAR SET FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 75°43'31" WEST 737.50 FEET TO A REINF BAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°19'51" WEST 655.61 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 REDNECK RETREAT SECTION 3, AN ADDITION OF 11.08 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 _____, 2024.

BIG HAT NO CATTLE HOLDINGS, LLC

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BIG HAT NO CATTLE HOLDINGS, LLC

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE DIRECTOR OF DEVELOPMENT SERVICES:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF SUBDIVISION NAME 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 XAVIER BAUGUESS.

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.

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

RJ DAUM
TEXAS RPLS 4826

NO.	DATE	DESCRIPTION	BY
1	05/03/2023	JG	
2	ED/RJ		
3	79,389		
4	1		

SCHUMANN
A LATERAL LAND COMPANY
LAND SURVEYING
10000 W. 10TH ST. SUITE 100
MIDLAND, TEXAS 79701
(432) 684-5548



Final Plat Application

Project Number:

SUB-23-0009

Case Number:

Proposed Subdivision Plat Name: REDNECK RETREAT SECTION 3**Legal Description (attached sealed Metes and Bounds):**

A 11.10 ACRE TRACT OF LAND, OUT OF THE NORTHWEST/4 OF SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS.

Property Owner

Printed Name: BIG HAT NO CATTLE HOLDINGS, LLC

Phone (559) 930 0817

Email honestardriller@gmail.com

Address 1212 W PAUL AVE

City Fresno

State CA

Zip 93711

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, Inc.

Printed Name: Eduardo Aleman

Phone (432) 254 0327

Email

ealeman@schumannonline.net

Address 800 N. Marienfeld Street

City Midland

State TX

Zip 79701

Current Zoning:**Reason for Platting:** To obtain Address and Septic permits**Plat Information**

Total Acreage: 11.10

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

Number of Lots: 4

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: 1/24/2024

Property Owner (printed):

Brad Tower - Big Hat No Cattle

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.

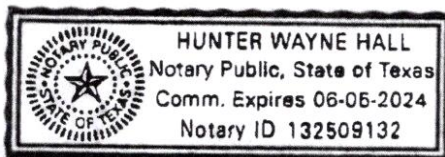
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 Brad Towers, 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.

Edوارد J Aleman
Authorized Agent (signature)

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



H. H.
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 # _____ | ☐ Tax Certificates | ☐ Recording Fee / _____ |

Received By: _____

Date: _____

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

Final Plat Application

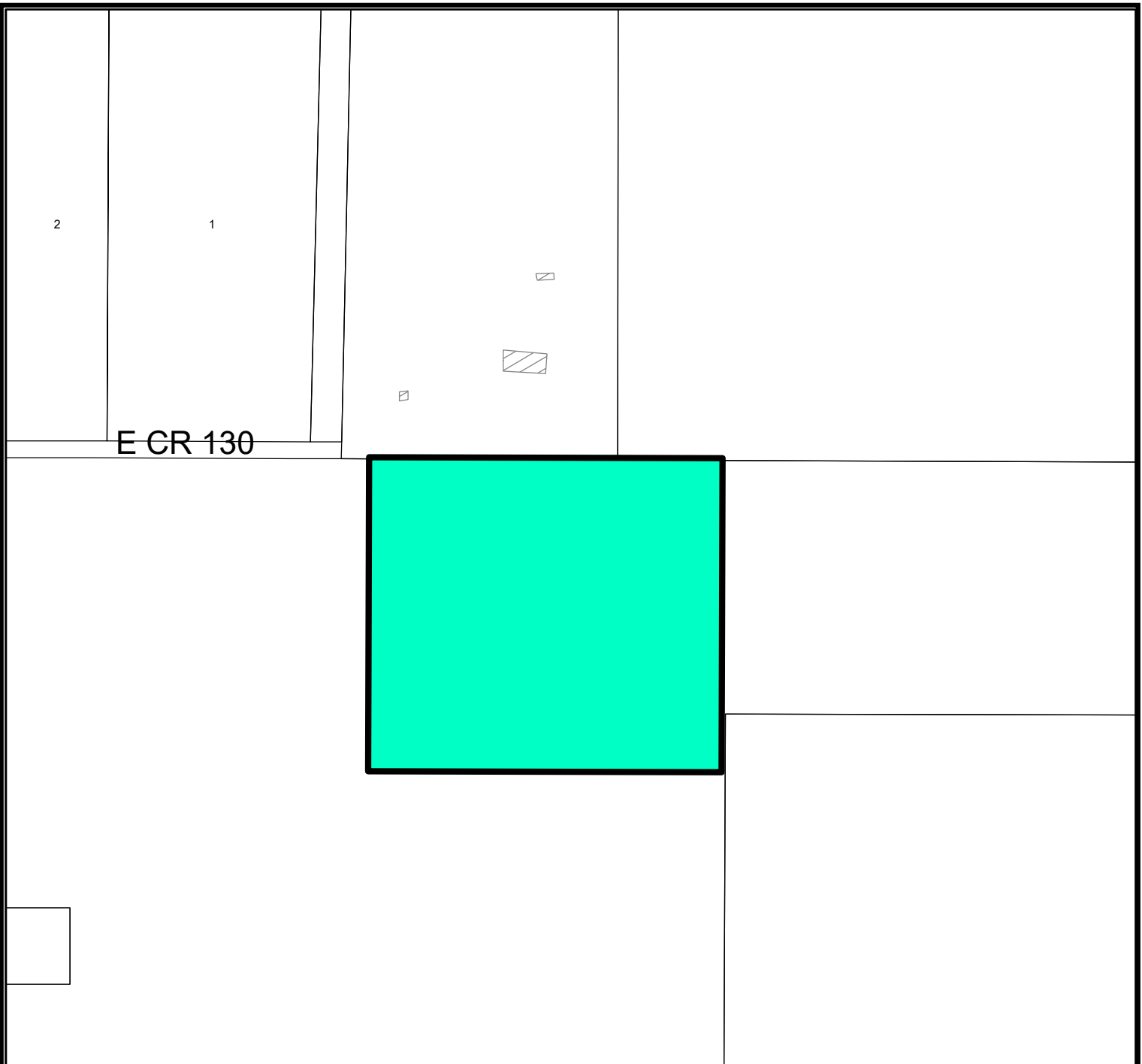
2

Revised 7/01/19

PACKET

Page 7.131

JAN 24 2024 February 20, 2024



LOCATION MAP

SUB-23-0619

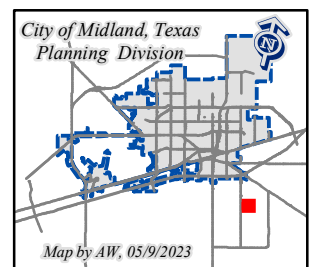
Scale: 1" = 200'

Proposed plat of Redneck Retreat, Section 3, being a 11.08-acre tract of land out of Section 15, Block 38, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located on the south side of East County Road 130, approximately 1881-feet east of F.M. 715. – (Extraterritorial Jurisdiction)

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.



Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: February 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Consider a request by Waystone Brewing LLC, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a brewpub, on a 1,674 square foot portion of Lot 1-H, Block 5, Colony Place, Section 5, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of W Wadley Avenue and N. Garfield Street.) (District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Waystone Brewing LLC, is requesting a Specific Use Designation (SUD) with Term for Alcoholic Beverages Sales for On-Premises Consumption in a brewpub located at 2101 W. Wadley Ave.

Current Zoning:

RR, Regional Retail District

Surrounding Zoning and Land Use:

The properties to the north are zoned MF-16, Multiple-Family Dwelling District, and RR, Regional Retail District, and is the location of an apartment complex and a shopping center. The properties to the east are zoned SF-1, Single-Family Dwelling District, and MF-22, Multiple-Family Dwelling District and is the location of single-family houses and the racquet club, respectively. The properties to the south are zoned SF-1, Single-Family Dwelling District and O-1, Office District, and is the location of single-family houses and office buildings. The properties to the west are zoned PD, Planned District for a Shopping and Office Center and SF-1, Single-Family Dwelling District, and is the location of office buildings and single-family houses, respectively.

Analysis:

The property is zoned RR, Regional Retail District. The RR zoning allows for the sales of Alcoholic Beverages for On-Premises Consumption in a Restaurant with the approval of an SUD. The total area of the brewpub, The Waystone, is 1,674-square feet and the proposed alcohol serviceable area is 1,120-square feet. They are proposing to amend their existing SUD to extend the hours and days of alcohol service.

The current SUD allows for alcohol sales Thursday and Friday from 5:00 p.m. to 10:00 p.m. and Saturday from 9:00 a.m. to 10:00 p.m.

The applicant is now requesting the following days and hours for alcohol sales and consumption:

Monday through Sunday from 10 a.m. to 11 p.m.

Per Midland City Code, Section 5-4-4, Prohibited Places of Business:

The sale of any alcoholic beverage is hereby prohibited by any person, where the place of business of any such dealer is within 300 feet of any church, public-school, public-school ground, athletic stadium used by any public school or public hospital, the measurements to be along the property lines of the street fronts and from front door to front door and in a direct line across intersections where they occur.

There are no churches, public schools, athletic stadiums or public hospitals within 300 feet of the property.

This project has been circulated to all City departments for review. Below are the department comments.

Departmental Review:

Fire: (Approved)

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

Engineering: (Approved)

No objections.

Transportation: (Approved)

No objections.

Building Code: (Approved)

No objections.

Planning: (Approved with Conditions)

The request is in compliance with the *Tall City Tomorrow Comprehensive Plan, Chapter 6-Character Plan Goal 4*, which is to “Encourage the development of places where Midland residents can gather and socialize to build connections.” The Waystone is a destination where Midland residents will gather and socialize.

This request meets all requirements; therefore, staff recommends approval of the request of the Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a brewpub, subject to Condition A through F.

Conditions:

A. That the serviceable area of the establishment shall be limited to approximately 1,674 square feet as shown in Exhibit “A”.

B. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

C. That the permitted hours of the sale of alcoholic beverages sales and consumption shall be limited to:

Monday through Sunday from 10 a.m. to 11 p.m.

D. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.

E. That the establishment shall meet all requirements of the Fire Department and Code Administration.

F. That in accordance with Section 9.07.E.3 of the zoning ordinance, the restaurant shall be in operation within 120 days from the final adoption date of this ordinance.

Letters of Objection:

As of February 14, 2024, staff has not received any letters of objection.

Attachments:

Application
Floor Plan (Exhibit A)
Site Plan (Exhibit B)
Maps



Specific Use Designation with
Term for the Sale of Alcoholic
Beverages for On-Premises
Consumption

Project Number: _____

Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2)		Phone (432) 770 2322	
Printed Name: Waystone Brewing LLC		Email: waystonebrew@gmail.com	
Address: 3525 Andrews Hwy	City: Midland	State: TX	Zip: 79703

Property Owner		Phone (310) 993-2381	
Printed Name: Plaza Oaks BPRE Investors LLC		Email: ArizonaRetailShawn@gmail.com	
Address: 1539 Sawtelle Blvd, ste 9	City: Los Angeles	State: CA	Zip: 90025

Representative (if different from Applicant or Property Owner)		Phone ()	
Firm: _____		Email: _____	
Printed Name: _____		_____	
Address: _____	City: _____	State: _____	Zip: _____

Street Address: 2101 W Wadley Ave, suite 27, Midland, TX 79705

Business Name: The Waystone

Legal Description
Lot: 1C-5 Block: 005 Subdivision: Colony Place

Current Zoning: RR, Regional Retail District

Reason for Request: Amend my current SUD to add additional days, we host private groups and would like to serve on other days

Type of Business (restaurant, bar, lounge, nightclub, etc.): Board Game Cafe / Brewpub

Proposed/Current Days and Hours of Operation: M/Tu/W/Th/F/Sa/Su 10am - 11pm

Proposed Days and Hours of Alcohol Service: M/Tu/W/Th/F/Sa/Su 10am - 11pm

Total Square Footage of Business: 1674

Square Footage of Alcohol Serviceable Area: 1120

Restroom Fixtures:	Men	Toilets/Urinals: / / /	Bathroom Sinks: /
	Women	Toilets: /	Bathroom Sinks: /

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Floor Plan showing:
 - Seating
 - Exits
 - Restrooms
 - Kitchen (if applicable)
 - Total Square Footage
 - Serviceable Square Footage
- Dimensioned Site Plan showing:
 - Parking
 - Business Footprint
- Digital Copies of Floor Plan & Site Plan (PDF/JPEG)

Signatures

Applicant (signature): [Signature] Date: Jan 12 2024

Applicant (printed): Edward Morehouse

Property Owner (signature): [Signature] Date: 1/12/24

Property Owner (printed): Shaun Krasowski

The Specific Use Designation with Term for the sale of all alcoholic beverages 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.

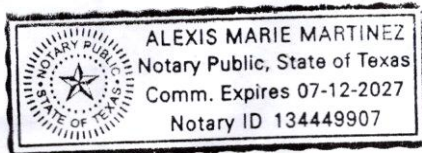
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared The Waystone who, being by me duly sworn, upon oath says: That (s)he is authorized by Edward Morehouse, 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 22nd day of January, 20 2024, to certify which witness my hand and seal of office.

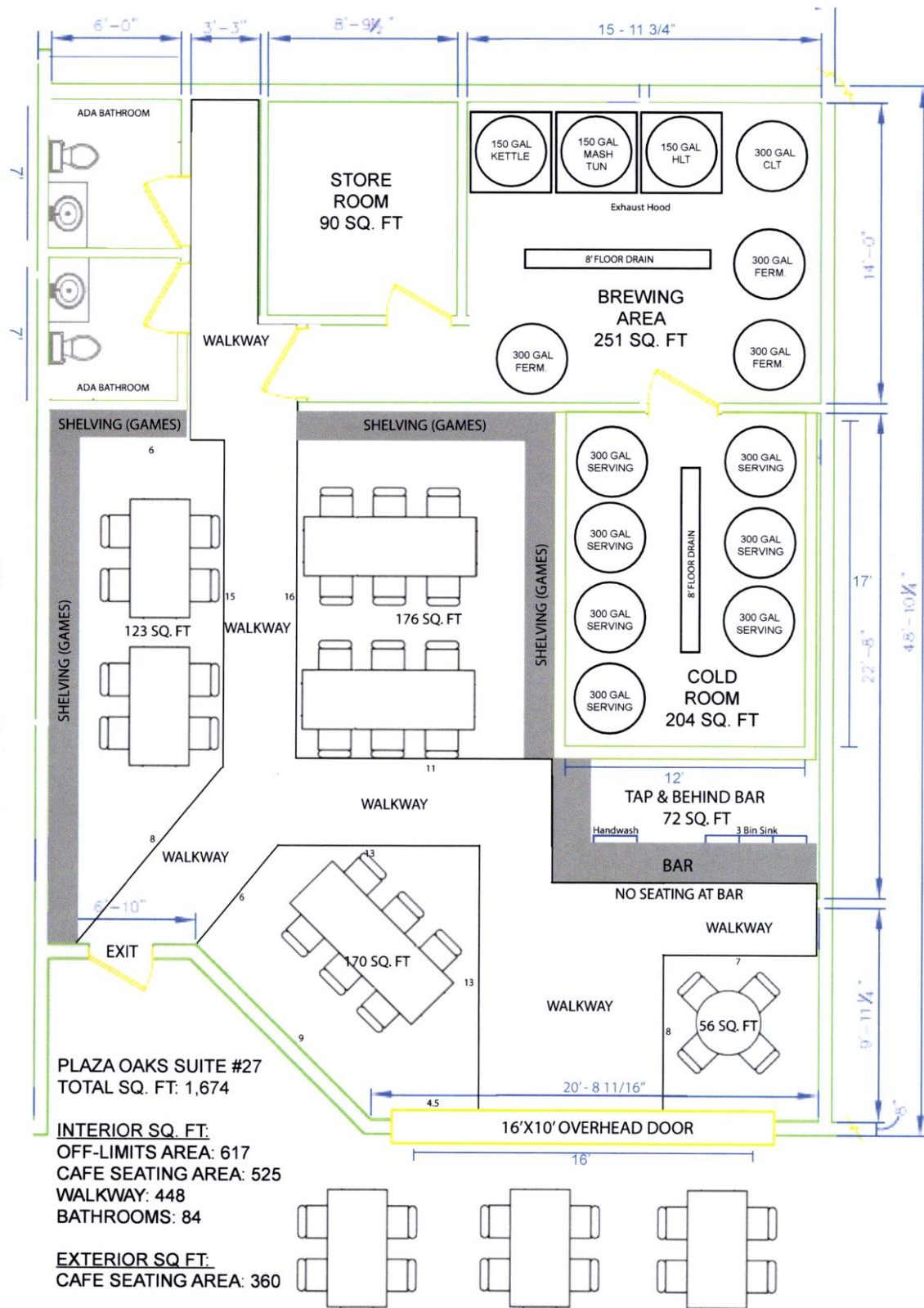


[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

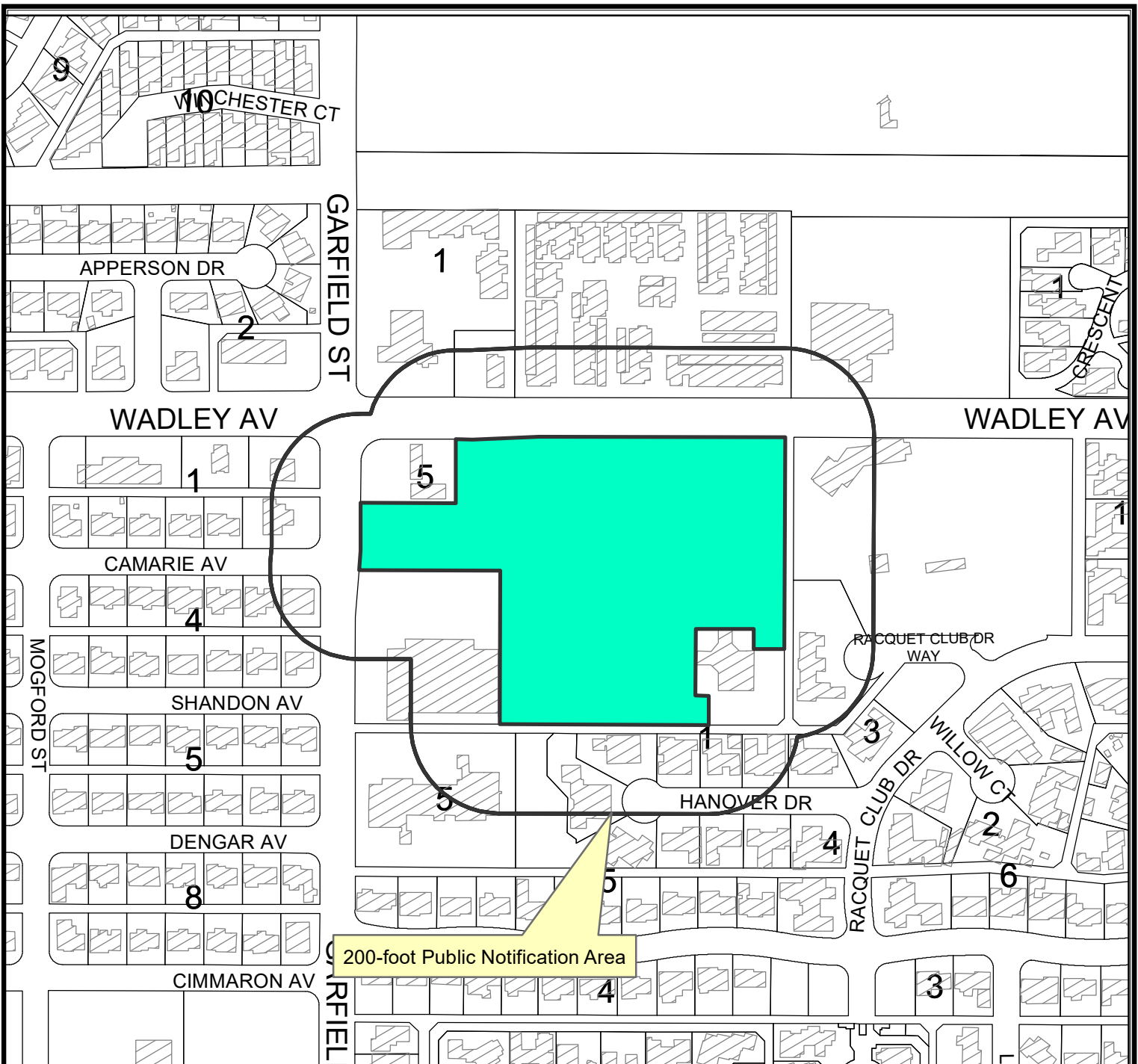
FOR OFFICE USE ONLY	
☒ Property Owner Authorization	☐ Dimensioned Floor Plan
☒ Application Fee	☒ Site Plan
Check # _____	☐ Plans in Digital Format (PDF/JPEG)
Received By: <u>DG1</u>	Date: _____

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



LINE TABLE MEASURED		
LINE #	DIRECTION	LENGTH
L1	N74°42'3.5"E	37.00'
L2	S74°42'00"W	70.82'
L3	N15°18'00"W	45.00'
L4	N74°42'00"E	30.00'
L5	S15°18'00"E	65.00'
L6	N09°43'0.3"E	44.33'
L7	N15°21'00"W	107.00'





LOCATION MAP

SUD-24-0172

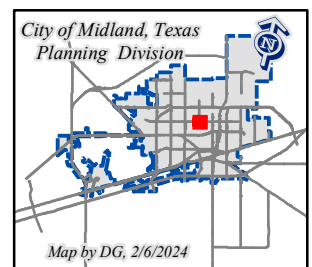
Scale: 1" = 200'

Consider a request by Waystone Brewing LLC, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a brewpub, on a 1,674 square foot portion of Lot 1-H, Block 5, Colony Place, Section 5, City and County of Midland, Texas.

Generally located on the southeast corner of the intersection of W Wadley Avenue and N. Garfield Street. (Council District 3)

LEGEND

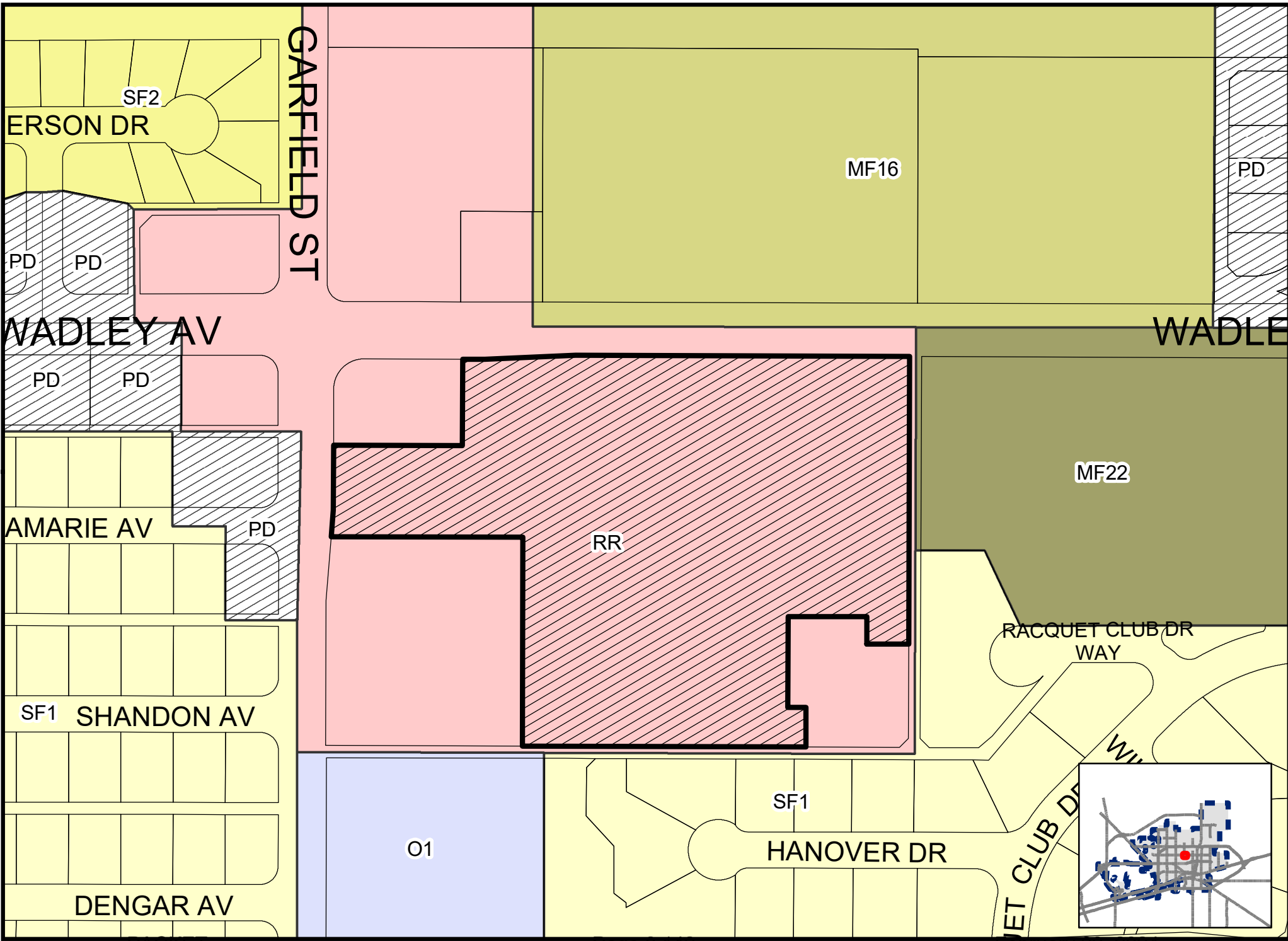
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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.













Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: February 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed preliminary plat of proposed plat of Ranchero Park, Section 8, being a 4.057-acre tract of land out of the southwest quarter of Section 4, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of W. Interstate 20 Service Road, approximately 215 feet east of S. Midkiff Road.) (Council District 2)

Recommended Planning and Zoning Commission Action:

☒ **Approve** ☐ **Deny** ☐ **Direction/Informational**

Details of Request:

Maverick Engineering is requesting to plat a 4.057-acre tract for ownership purposes.

Current Zoning:

RR, Regional Retail 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: Refer to transportation's comments. [For Applicant's Information Only.]

PAVING: Interstate 20 Frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required. W Sunglo roadway okay as is. No public paving improvements required. [For Applicant's Information Only.][For Applicant's Information Only.]

WATER: None existing. Construct water to City standards along entire platted frontage, or request a deferral. [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: 36" sewer exists in Sunglo Street N of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: Drainage report is required during preliminary stage of the platting process. [Reference Midland City Code 11-2-3(D)8]

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

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

TRANSPORTATION: (Approved with Conditions)

Driveway permitting within city limits on I-20, LP 250, SH 191, and FM 1788 is under the jurisdiction of TxDOT. A copy of an approved TxDOT driveway permit must be provided to the City with the building permit application before a City building permit can be issued. 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)

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

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)

Please label access easement width.

PLANNING: (Approved with Conditions)

Provide recording information for easement on West County Road 110.

Provide at least one PIN description (set or found) in one of the plat boundary corners.

Show existing sewer line on West County Road 110.

Staff recommends approval of the Preliminary Plat of Ranchero Park, Section 8, 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: _____

Case Number: _____

Proposed Subdivision Plat Name: Ranchero Park, Section 8
Legal Description (attached sealed Metes and Bounds): Being a 4.057 Acre Tract of Land out of the Southwest Quarter of Section 4, Block 39, T-2-S, T&P Railway Co. Survey, City and County of Midland, Texas
Property Owner Perry L Riggs
 Printed Name:

 Phone (432) 262-0999
 Email perry@slashguitars.com

 Address 2222 Quarterpath Dr

 City Richmond

 State TX

 Zip 77469
Developer (if different than Owner)
 Printed Name: Wheelhouse Development

 Phone (432) 262-0999
 Email garrett@wheelhousetexas.com

 Address 6502 Slide Rd

 City Lubbock

 State TX

 Zip 79424
Representative (if acting as Agent, see affidavit on page 2)

 Firm: Maverick Engineering

Phone (432) 262-0999

 Email phuckaba@maverick-eng.com

 Printed Name: Paladin Huckaba

 Address 1909 W Wall St Ste K

 City Midland

 State TX

 Zip 79701
Current Zoning: RR
Reason for Platting: ownership purposes
Plat Information

 Total Acreage: 4.057

 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):

DocuSigned by:
Perry L. Riggs
30052260738420

Date: 01/23/24

Property Owner (printed): Perry Riggs

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.

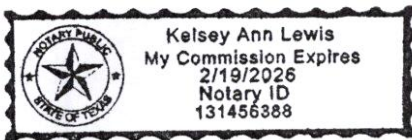
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Perry Riggs 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 24th day of January, 2024, 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)☒ Application Fee☒ 1 Copy of Plat (11x17)Check # 4692Received By: [Signature]Date: 1-24-24

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

PRELIMINARY PLAT

RANCHERO PARK, SECTION 8

BEING A 4.057 ACRE TRACT OF LAND OUT OF THE SOUTHWEST QUARTER OF
SECTION 4, BLOCK 39, T-2-S, T&P RAILWAY CO. SURVEY
CITY AND COUNTY OF MIDLAND, TEXAS

W INTERSTATE 20 SERVICE ROAD (300' R.O.W.)

N 75°35'39" E 603.53'

11

LOT 1
4.057 ACRES
176.741 SFW INTERSTATE 20 SERVICE ROAD
(VARIABLE WIDTH R.O.W.)

N 14°22'12" W 223.61'

SEC. 4
BLK. 39 T-2-S
SEC. 9
BLK. 39 T-2-S
POB
1/2" IRF (BENT)
N 108°24'31.14"
E 174°79'38.30"PROPOSED
ACCESS ESMT.

S 75°19'04" W 654.99'

W SUNGL0 - W COUNTY ROAD 110 (VARIABLE WIDTH R.O.W.)

(0.057 ACRES)
POMA LAMARCO
TELECOM INC.
VOL. 1114 PG. 324
D.M.C.T.
L1
L3
BROADBAND COMMUNICATIONS
VOL. 3112 PG. 560
D.M.C.T.40" PIPELINE ESMPT
DOC. 2020153101 O.P.M.C.T.50" PIPELINE ESMPT
VOL. 38 PG. 430 & VOL. 1531 PG. 246
O.P.M.C.T.(19.154 ACRES)
TENDER PROPERTIES, L.P.
DOC. 2009117539 D.M.C.T.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLANDWHEREAS PERRY L. BIGGS, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 4, BLOCK 39, T-2-S,
T&P RAILWAY CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT PERRY L. BIGGS, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS RANCHERO PARK,
SECTION 8, IN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBMITTED
HEREIN, 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
COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS
AND ACCESS THEREIN, AND CONDITION SAID EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID
LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED
BY THE DIRECTOR OF UTILITIES.

WITNESS MY HAND AT _____, TX,

THIS _____ DAY OF _____, 2024.

BY _____, FOR WHEELHOUSE DEVELOPMENT, LLC

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLANDBEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THE DAY
PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE
NAME IS SUBMITTED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE WAS ACTING AS
OWNER, 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

THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF RANCHERO PARK, SECTION 8, WAS APPROVED BY
PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

____ DAY OF _____, 2024.

LUCY SONEGA, CHAIRMAN

ELIZABETH TRIGGS, SECRETARY

DEFINITIONS

- 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.
- THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
(1) THE REPRESENTED LOT IS REPARCELLED FOR SUBDIVISION INTO MORE THAN ONE LOT OR
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- 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 ON
INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO
BE DEVELOPED ON THE TRACT INCREASED.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S FLOOD INSURANCE RATE MAP #48320C0203, DATED
SEPTEMBER 14, 2015, THIS PROPERTY IS WITHIN THE UNDESIGNED PORTION OF ZONE "C", DESIGNATED AS "AREA
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 OCCASION, 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.

FIELD NOTE DESCRIPTION:

FIELD NOTE DESCRIPTION OF A 4.057-ACRE TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF
SECTION 4, BLOCK 39, TOWNSHIP 2 SOUTH, TEXAS AND IN THE RAILWAY COMPANY SURVEY, MIDLAND
COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN "TRACT 7" GRANTED TO PERRY L. BIGGS BY
VOLUME 1226, PAGE 124 OF THE DEED RECORDS OF SAID MIDLAND COUNTY, TEXAS (DMCT), AND
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:BEGINNING AT N 75°19'04" E, A DISTANCE OF 654.99 FEET TO AN IRP SET FOR A CORNER HEREOF;
THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;
THENCE N 14°22'12" W, A DISTANCE OF 223.61 FEET TO A RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514" (RP)
SET FOR A CORNER HEREOF;THENCE N 75°35'39" E, A DISTANCE OF 70.74 FEET TO AN IRP SET FOR A CORNER HEREOF;
THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR THE NORTHEAST CORNER HEREOF; FROM WHICH A
ONE-HALF INCH IRON ROD WITH PLASTIC CAP MARKED "THOMAS" FOUND FOR THE NORTHEAST
CORNER OF SAID "TRACT 7" BEARS N 75°35'39" E, A DISTANCE OF 633.57 FEET;THENCE S 14°40'54" E, ACROSS SAID "TRACT 3" A DISTANCE OF 270.48 FEET TO AN IRP SET ON THE
SOUTH LINE OF SAID SECTION 4 AND THE NORTH RIGHT-OF-WAY LINE OF SAID WEST COUNTY ROAD
110 FOR THE SOUTHWEST CORNER HEREOF;THENCE S 75°19'04" W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 654.99 FEET TO THE POINT
OF BEGINNING, CONTAINING 4.057 ACRES OF LAND.SAID AND EXCEPT A 0.057-ACRE TRACT OF LAND DEEDED TO POMA LAMARCO TELECOMMUNICATIONS
IN VOLUME 1114, PAGE 324, DMCT, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT N 75°19'04" E, A DISTANCE OF 654.99 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE S 14°40'54" E, A DISTANCE OF 270.48 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE S 75°19'04" W, A DISTANCE OF 654.99 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 14°22'12" W, A DISTANCE OF 223.61 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

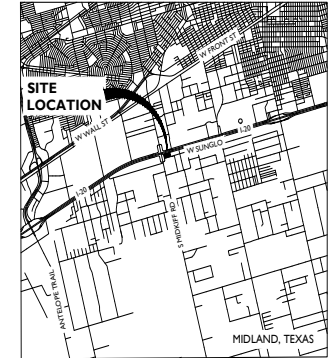
THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

THENCE N 75°35'39" E, A DISTANCE OF 603.53 FEET TO AN IRP SET FOR A CORNER HEREOF;

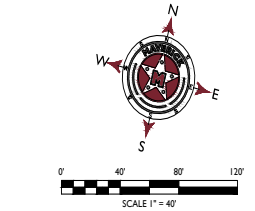


VICINITY MAP

N.T.S.

LEGEND

- DENOTES SET 1/2 INCH IRON ROD WIRED PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
- DENOTES FOUND MONUMENT AS NOTED
- DENOTES BOUNDARY LINE
- DENOTES EXISTING PROPERTY LINES
- DENOTES EXISTING SECTION LINE
- DENOTES EXISTING EASEMENT LINE
- DENOTES OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
- DENOTES PLAT RECORDS, MIDLAND CO., TX
- DENOTES DEED RECORDS, MIDLAND CO., TX
- DENOTES RECORD BEARING, DISTANCE, OR ACREAGE CALLS



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 75°35'39" E	500.07
L2	S 14°40'54" E	49.96
L3	S 75°35'39" W	500.07
L4	N 14°22'12" W	49.96

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF
UTILITIES.

AT&T ENERGY

BY _____

AT&T

BY _____

OPENWIRE

BY _____

ASTOUND BROADCAST

BY _____

ON/OFF ELECTRIC DELIVERY

BY _____

PROPERTY OWNER
PERRY L. BIGGS
2122 QUARTERPATH DRIVE
RICHARDSON, TX 77469
VOL. 745, PG. 139 - D.M.C.T.

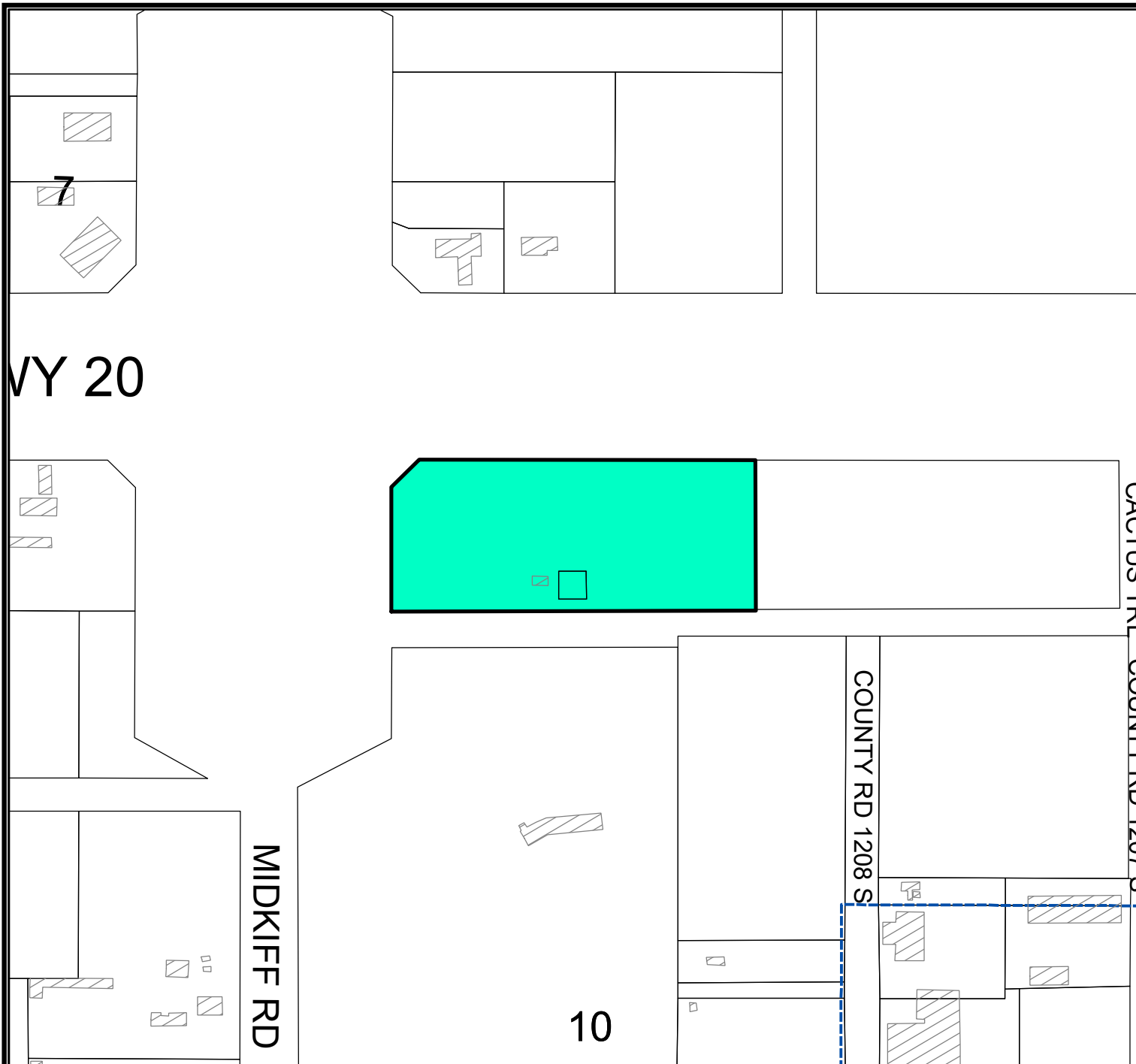
MAVERICK
CIVIL ENGINEERING / LAND SURVEYING
1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FIRM # F-15089
SURVEY FIRM # F-10194514
Tel: (432) 262-0999 Fax: (432) 262-0999
www.Maverick-Eng.com

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE _____

RANCHERO PARK
SECTION 8
February 20, 2024



LOCATION MAP

SUB-23-0704

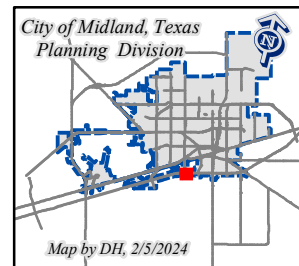
Scale: 1" = 259'

Proposed plat of Ranchero Park, Section 8, being a 4.057-acre tract of land out of the southwest quarter of Section 4, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located on the south side of W. Interstate 20 Service Road, approximately 215 feet east of S. Midkiff Road. (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.



Planning and Zoning Commission

Approved for
Agenda:
Xavier Bauguess

MEETING DATE: February 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions a Preliminary Plat of Original Town, Section 27 being a replat of Lots 10, 11 & 12, Block 82, Original Town, City and County of Midland, Texas. (Generally located at the northwest corner of the intersection of East Indiana Avenue and South Fort Worth Street.) (DISTRICT: 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Amigos Glass and Mirror, is requesting to replat Lots 10, 11 & 12, Block 82, Original Town Addition, City and County of Midland, Texas. The property is proposed to be replatted into two lots for future development.

Current Zoning:

LI, Light Industrial District

Departmental Review:

The applicant, Amigos Glass and Mirror, is requesting to replat Lots 10, 11 & 12, Block 82, Original Town Addition, City and County of Midland, Texas. The property is proposed to be replatted into two lots for future development.

Current Zoning:

LI, Light Industrial District

Departmental Review:

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 No issues. 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: Indiana roadway, okay as is. No public paving improvements required. S. Fort Worth is not built to City of Midland Standards, construct to City Standards for entire platted frontage or request a deferral. [For Applicant's Information Only.]

WATER: 16" water exists in Indiana Street S of tract, okay as is. 6" water exists in Fort Worth Street S of tract, okay as is. 6" water exists in Alley 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 Indiana Street S of tract, okay as is. 8" sewer exists in Alley W 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: Sidewalk improvements required with building permits. [For Applicant's Information Only.]

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.

OIL AND GAS: (Approved)

No Oil & Gas issues. 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)

Please make lot 12A into 11A.

CRMWD: (Approved)

No comments.

Optimum: (Approved)

Optimum, has aerial plant on the poles in that location.
We have plant on the eastside poles in the alley & plant on the northside poles off of, Indiana Ave.

PLANNING: (Approved with Conditions)

The legal description should read, "Being a Replat of Lots 10, 11 & 12, Block 82, Original Town, City and County of Midland, Texas."

Show existing water and sewer lines adjacent to the plat, with pipe sizes.

Change the secretary's name to Xavier Bauguess.

A Special Exception will be required to bring the property up to code due to the existing building being built within the front yard setbacks. [Per Midland City Code Sect. 5.05 Nonresidential Zoning District Dimensional Regulation Chart]

Staff recommends approval of the Preliminary Plat of Original Town Addition, Section 27, 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



VICINITY MAP
(NOT TO SCALE)

PRELIMINARY PLAT ORIGINAL TOWN, SECTION 27

BEING A REPLAT OF LOTS 10, 11, & 12
BLOCK 82, ORIGINAL TOWN,
AN ADDITION TO THE CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS,

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, AMIGOS GLASS AND MIRROR, is the record owner of Lots 10, 11, & 12, Block 82, Original Town, Midland County, Texas, according to the plat recorded in Volume 3, Page 232, of the Deed Records of Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, AMIGOS GLASS AND MIRROR, being the owner of the land shown on this plat designated as ORIGINAL TOWN, SECTION 27, an 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 _____, this the _____ day of _____, 2024.

By: DONNY YBARRA OWNER

ACKNOWLEDGEMENT

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, DONNY YBARRA, 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, 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

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, DURYN HENNINGTON, 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.

DURYN HENNINGTON, R.P.L.S. 6832
2030 W. CUTHBERT, STE. 4
MIDLAND, TX 79701
432.570.8256

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "ORIGINAL TOWN, SECTION 27" 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

CRISTINA O. BURNS, SECRETARY

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE: _____ PAGE _____

OWNER:
AMIGOS GLASS AND MIRROR
214 S. FT. WORTH STREET
MIDLAND, TX 79701

PENNEL LAND SURVEYING
PROFESSIONAL LAND SURVEYING
P.O. BOX 51622, MIDLAND, TEXAS 79710

VOICE (432) 570-8256
brucepennell@yahoo.com

FIRM No: 10193978

JANUARY 2024

February 20, 2024
ORIGINAL TOWN,
SECTION 27

NOTICE:

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 WITHHOLDING 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. COORDINATES, BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE LAMBERT GRID AND CONFORM TO THE "TEXAS COORDINATE SYSTEM", TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM 1983.
4. WITH REFERENCE TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, MAP NO. 48329C0202 F, EFFECTIVE DATE 09/16/05, THIS SURVEYOR HAS DETERMINED THAT PART OF THIS PROPERTY IS LOCATED IN ZONE "X" WITH THE 100 YEAR FLOODPLAIN. THIS DETERMINATION SHALL NOT CREATE A LIABILITY UPON SAID SURVEYOR.

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY Print Name: _____

OPTIMUM Print Name: _____

AT&T-TEXAS Print Name: _____

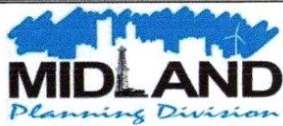
ONCOR ELECTRIC DELIVERY Print Name: _____

ASTOUND Print Name: _____

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 FEE MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

PACKET

Page 10 of 19



Preliminary Plat Application

Project Number:

SUB 23-0703

Case Number:

Proposed Subdivision Plat Name: ORIGINAL TOWN, SECTION 27

Legal Description (attached sealed Metes and Bounds): BEING A REPLAT OF LOTS 10, 11 & 12, BLOCK 82, ORIGINAL TOWN, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

Property Owner

Printed Name: AMIGOS GLASS & MIRROR

Phone (432) 212-8769
Email

Address 214 S. FT. WORTH ST.

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: PENNELL LAND SURVEYING, LLC

Printed Name: DURYN HENINGTON

Phone (432) 570-6256
Email

Address 2030 W. CUTHBERT, STE. 4

City MIDLAND

State TX

Zip 79701

Current Zoning:

Reason for Platting:

Plat Information

Total Acreage:

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

Number of Lots: 2

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): Donny Yferr Date: _____

Property Owner (printed): Donny Yferr

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.

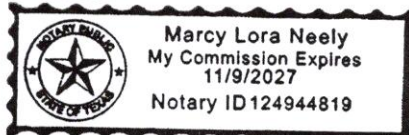
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared _____ who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by _____ 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.

Donny Yferr
Authorized Agent (signature)

Subscribed and sworn to before me, this 10 day of January, 2024, to certify which witness my hand and seal of office.



Marcy Neely
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 # 2047

Received By: DR

Date: RECEIVED
JAN 24 2024

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

Preliminary Plat Application

2

Revised 07/01/19

82

FT WORTH ST

INDIANA AV

LOCATION MAP

SUB-23-0703

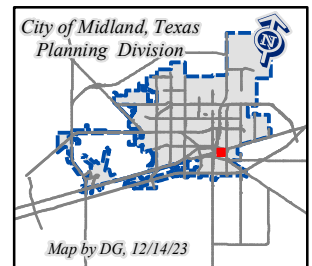
Scale: 1" = 200'

Proposed Plat of Original Town, Section 27 being a Replat of Lots 10, 11 & 12, Block 82, Original Town, City and County of Midland, Texas.

Generally located at the northwest corner of the intersection of East Indiana Avenue and South Fort Worth Street.(DISTRICT: 2)

LEGEND

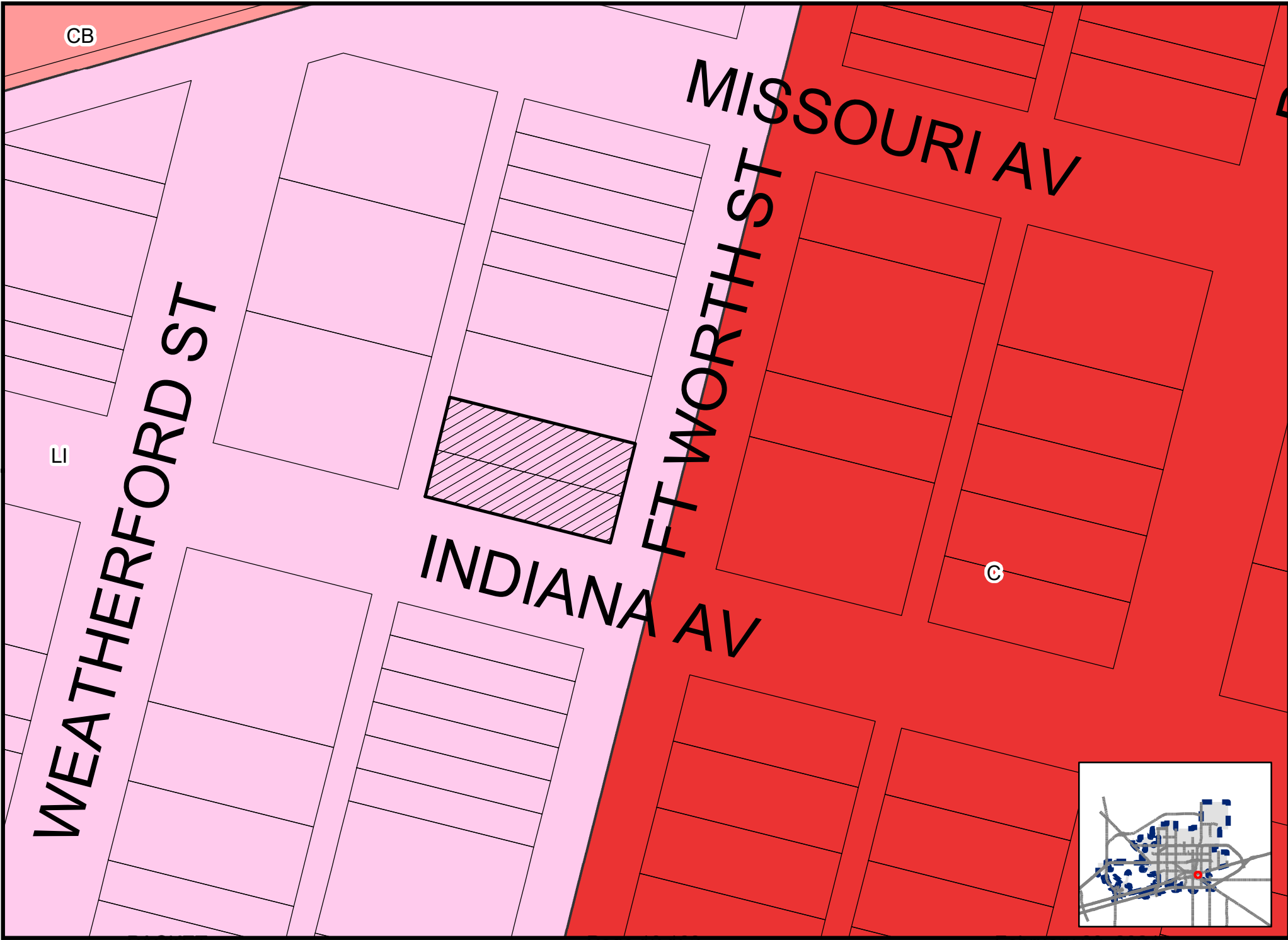
-  CITY LIMITS
-  PARCEL
-  PRIVATE BLDGS



©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.





Planning and Zoning Commission

Approved for
Agenda:
Xavier Bauguess

MEETING DATE: February 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving, with staff's recommended conditions a Proposed Preliminary Plat of Westridge Park Addition, Section 54, being a Replat of a 4.33-acre tract of land out of Lot 4A, Block 5, Westridge Park Addition, Section 53, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Deauville Boulevard and North Loop 250 West.) (District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Maverick Engineering, is requesting to replat a 4.33-acre tract of land out of Lot 4A, Block 5, Westridge Park Addition, Section 53, City and County of Midland, Texas for ownership purposes.

Current Zoning:

PD-RC, Planned Development District for a Recreation Center. (Ordinance 7979)

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

Departmental Review:

Engineering: (Approved)

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

ROW: Okay as shown. [For Applicant's Information Only.] PAVING: Deauville roadway okay as is. N Loop 250 roadway road is TxDOT facility, built and maintained by TxDOT. No public paving improvements required. [For Applicant's Information Only.]

WATER: 12" water exists in Deauville Street N of tract, okay as is. 12" water exists into NorthEast corner 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 Northeast Complex access Street WS corner of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: Comply with Westridge Park Section 6 Sports Complex dated 2000, Westridge Park Drainage Section 19 - Drainage Resolution dated 2012, and SBC-Westridge Park Addition Drainage Memorandum dated 2014 prepared by Parkhill. [For Applicant's Information Only.]

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

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.]

Surveyor: (Approved)

No comments.

Fire: (Approved)

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

Building Inspection: (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.

Oil and Gas: (Approved)

No Oil and Gas issues.

GIS: (Approved)

Legal description will need to be updated to say "Being a replat of 4.09 acres out of Lot 4A, Block 5, Westridge Park, Sec 53, City and County of Midland, Texas." Please change plat label to the west of this plat from Lot 4, Block 5, Westridge Park , Sec 6 to Lot 4A, Block 5, Westridge Park, Sec 53.

Midland County Health Department: (Approved)

The lot is close to a public sewer line, no need for a septic system.

CRWMD: (Approved)

No Comments.

Optimum: (Approved)

Optimum, has underground facilities on the westside ROW off of, N Loop 250 & on both sides of the ROW off of, Deauville Blvd.

Planning: (Approved with Conditions)

Legal description should read 'Proposed plat of Westridge Park Addition, Section 54, being a replat of a 4.33-acre tract of land out of Lot 4A, Block 5, Westridge Park, Section 53, City and County of Midland, Texas.' [Informational]

Please update the Secretary to 'Xavier Bauguess' [Informational]

Please update Lot number to '4A'. [Informational]

Please provide CAD file at Final Plat Stage. [Informational]

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 filling for recording with the County Clerk of Midland County, Texas.**

Attachments:

Application
Proposed Preliminary Plat
Maps



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Westridge Park Addition, Section 54

Legal Description (attached sealed Metes and Bounds): Being a Replat of 4.09 Acres out of Lot 4, Block 5, Westridge Park, Section 6, City and County of Midland, Texas

Property Owner

Printed Name: **City of Midland**

Phone **(432) 262-0999**

Email

Address **PO Box 1152**

City **Midland**

State **TX**

Zip **79702**

Developer (if different than Owner)

Printed Name:

Phone **(432) 262-0999**

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: PD

Reason for Platting: ownership purposes

Plat Information

Total Acreage: **4.09**

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: _____

Property Owner (printed) : _____

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.

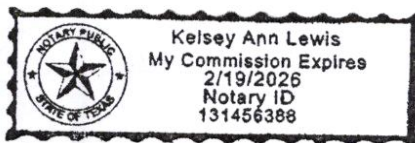
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L. Miller who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by City of Midland 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. Miller
Authorized Agent (signature)

Subscribed and sworn to before me, this 23rd day of January, 2024, 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) |
| ☒ Application Fee | ☒ 1 Copy of Plat (11x17) | |

Check # 4691

Received By: _____

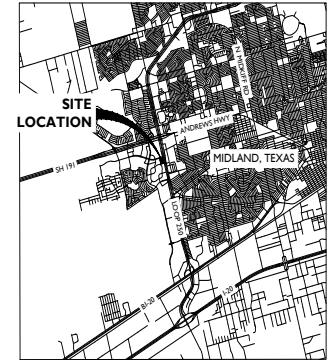
Date: _____

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

PRELIMINARY PLAT

WESTRIDGE PARK ADDITION, SECTION 54

BEING A REPLAT OF 4.33 ACRES
OUT OF LOT 4, BLOCK 5, WESTRIDGE PARK, SECTION 6,
CITY AND COUNTY OF MIDLAND, TEXAS



VICINITY MAP

N.T.S.



LEGEND

- DENOTES SET 1/2" DIA. IRON ROD W/ RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
- ⊕ FOUND MONUMENT AS NOTED
- "X" IN CONCRETE
- BOUNDARY LINE
- EXISTING PROPERTY LINES
- EXISTING EASEMENT LINE



MAVERICK
CIVIL ENGINEERING & LAND SURVEYING
1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FIRM #: F-15089
SURVEY FIRM #: 10194514
Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS THE CITY OF MIDLAND, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 37, BLOCK 46, T-4-S, R-10W, CO. SURREY CITY AND COUNTY OF MIDLAND, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS,

THAT THE CITY OF MIDLAND, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS WESTRIDGE PARK ADDITION, SECTION 54, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HEREIN, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY GIVE AN EASEMENT OF PASSES AND EGRESS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THEREIN, AND CONDITION SAID EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

WITNESS MY HAND AT _____, AL
THE _____ DAY OF _____, 2024.

BY: TOMMY GONZALEZ, CITY MANAGER

ACKNOWLEDGEMENT

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 TOMMY GONZALEZ, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE WAS ACTING AS OWNER, 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

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF WESTRIDGE PARK ADDITION, SECTION 54, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

_____ DAY OF _____, 2024.

LUCKY SORRELL, CHAIRMAN

CRISTINA O. BARRIS, SECRETARY

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

ATKINS ENERGY

BY: _____

AT&T

BY: _____

OPTIMUS

BY: _____

ASTOUND BROADBAND

BY: _____

ONCOR ELECTRIC DELIVERY

BY: _____

PROPERTY OWNER

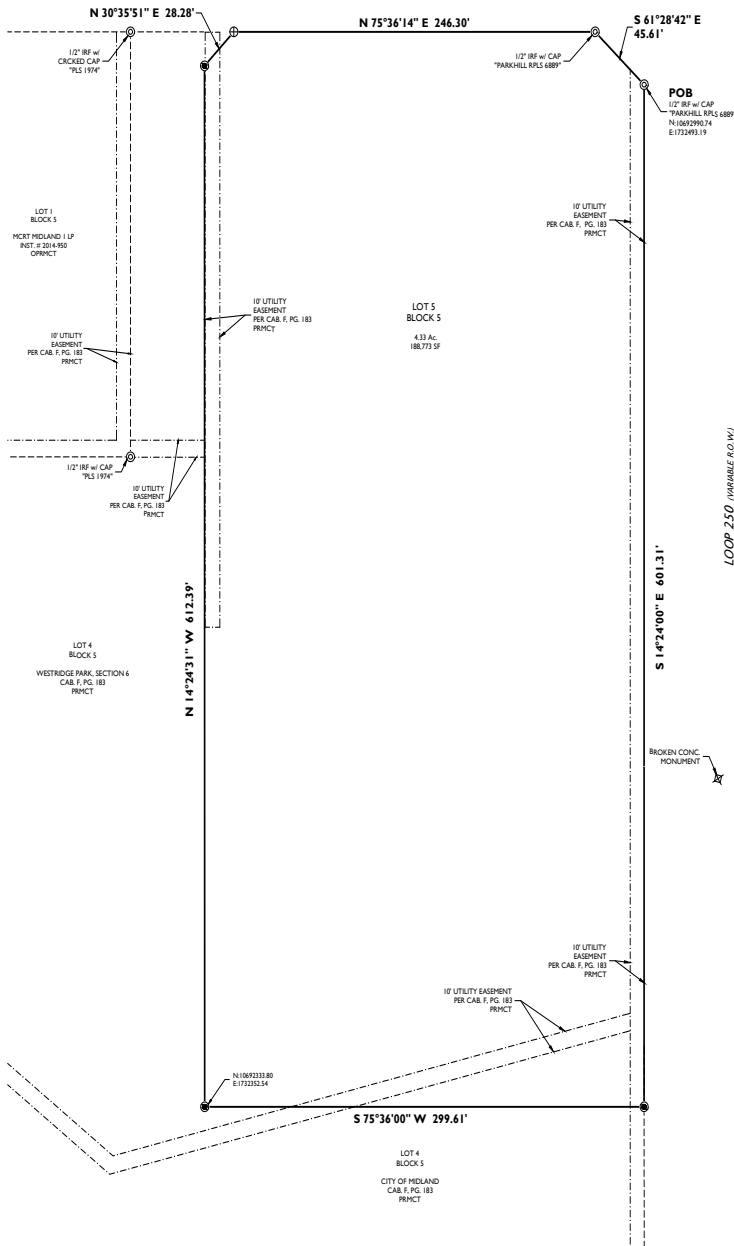
CITY OF MIDLAND
PO BOX 112
MIDLAND, TX 79702
DEED INSTRUMENT CAB F, PG. 183
PRNCT

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____
DATE _____

WESTRIDGE PARK ADDITION
SECTION 54
February 20, 2024

DEAUVILLE BOULEVARD (110' R.O.W.)



SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, GREGORY W. SHULTS, 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 AND SET BY ME OR UNDER MY SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE STATE OF TEXAS.

GREGORY W. SHULTS, SURVEYOR
MAVERICK ENGINEERING, P.C.
1909 W. WALL STREET, SUITE 100
MIDLAND, TX 79702

SURVEY NOTES

- BASE 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 (mm) OF 0.544840" AND A COMBINED SCALE FACTOR OF 0.99999111 AT 40° "MIDLAND".
- 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
- SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
- LOCATION OF BURIED UTILITIES AND APPLIANCES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING SOUNDING, CITY OF MIDLAND GIS AND VISUAL EVIDENCE, OR BY ONE CALL. SITE MARKINGS AT THE TIME OF THIS SURVEY DUE CARE IS RECOMMENDED. CALL 1-800-DIG-TESS FOR LOCATES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.
- THIS IS A PROFESSIONAL PRELIMINARY PLAT. THIS IS NOT TO BE RECORDED OR USED FOR CONSTRUCTION PURPOSES. SET MONUMENTS SHOWN HEREON ARE ALSO PRELIMINARY AND SHALL ONLY BE PLACED IN ACCORDANCE WITH A FINAL SURVEY SEALED BY THE SURVEYOR OF RECORD.

DEVELOPMENT NOTES

- 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.
- 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.
- 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.
- 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 INCREASED IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASED.

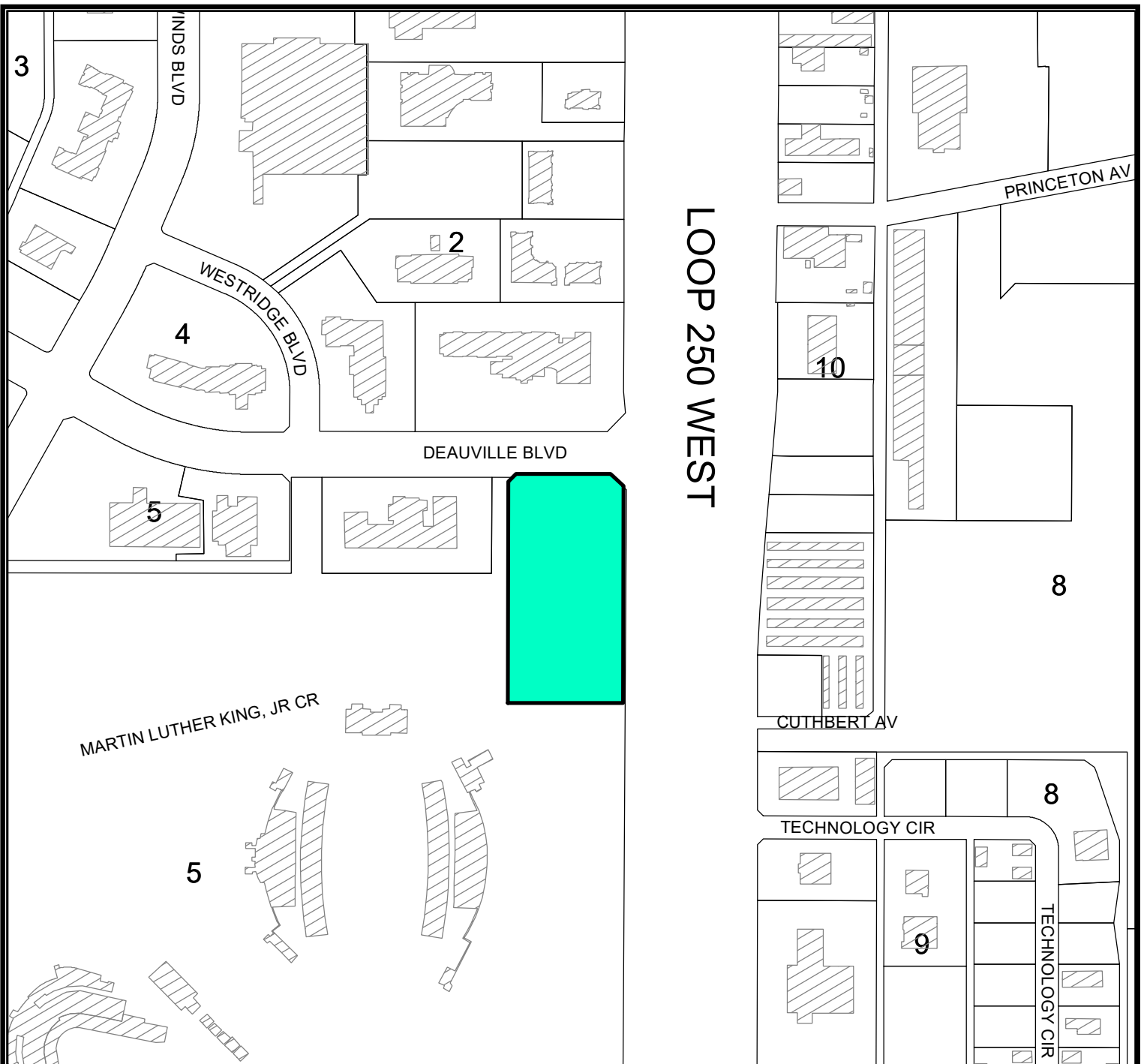
FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #48329C0183Z, DATED SEPTEMBER 1, 2005, THIS PROPERTY IS WITHIN THE UNSHADDED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 1% 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 MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF MAVERICK CIVIL & SURVEY, LLC.

PACKET

Page 11.170



LOCATION MAP

SUB-23-0701

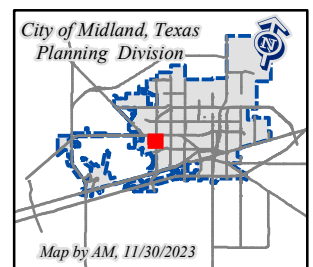
Scale: 1" = 375'

Proposed Plat of Westridge Park Addition, Section 54, being a replat of a 4.33-acre tract of land out of Lot 4A, Block 5, Westridge Park Addition, Section 53 City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of Deauville Boulevard and North Loop 250 West. (District 4)

LEGEND

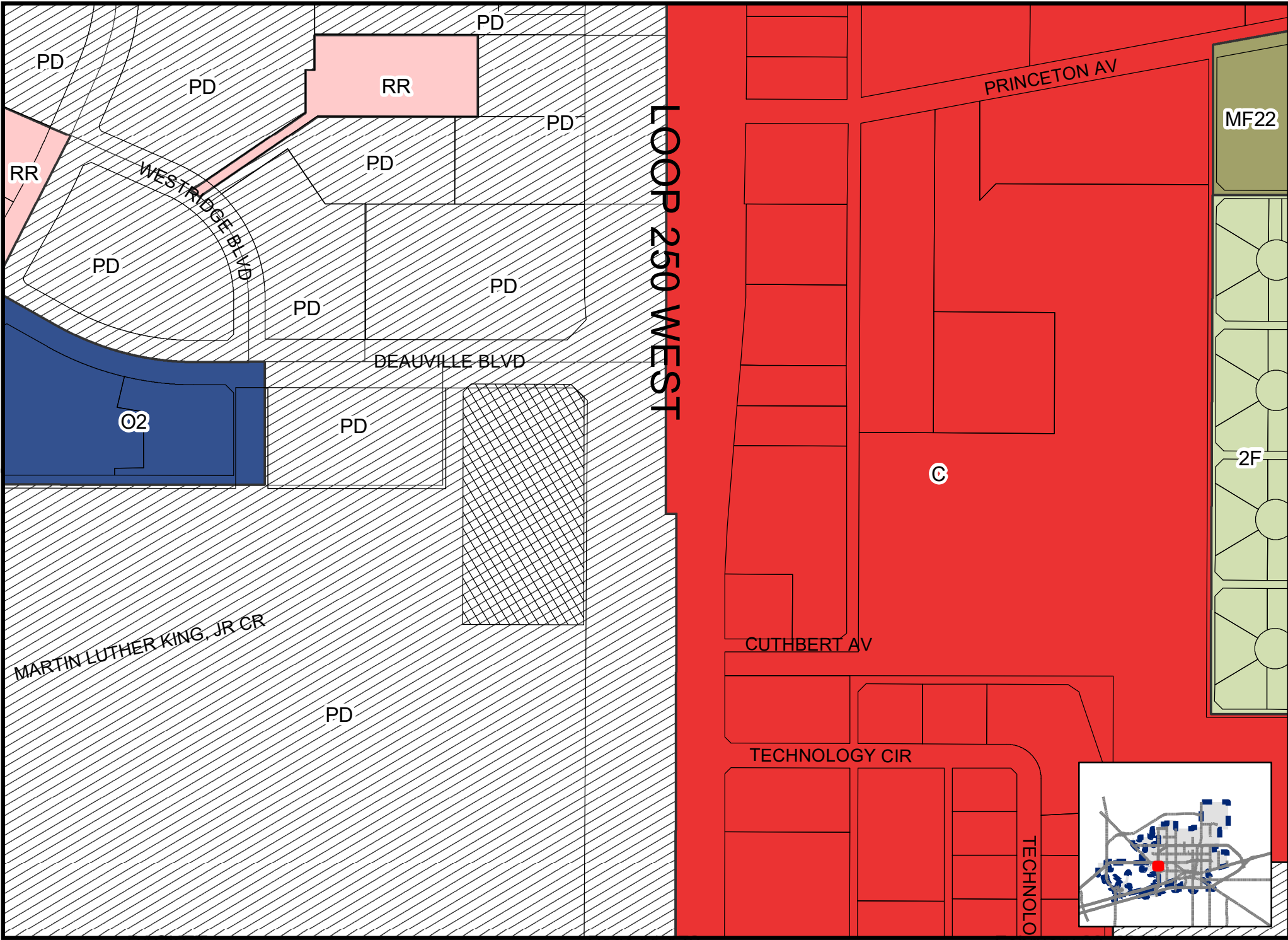
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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.





Planning and Zoning Commission

Approved for
Agenda:
Xavier Bauguess

MEETING DATE: February 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions a Preliminary Plat of Warren Addition, being a plat of a 2.99-acre tract of land out of Section 18, Block 40, T-2-S, T&P RY. Co. Survey, City and County of Midland, Texas. (Generally located on the north side of West County Road 127, approximately 700-feet west of South Farm to Market Road 1788.) (DISTRICT: 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Maverick Engineering, is requesting to plat a 2.99-acre tract of land out of Section 18, Block 40, T-2-S, T&P RY. Co. Survey, City and County of Midland, Texas, for ownership purposes.

Current Zoning:

TP, Technology Park District

Departmental Review:

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 No issues. 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: Refer to transportation's comments, if any. [For Applicant's Information Only.]

PAVING: Deferral Letter has been submitted and is in review. [For Applicant's Information Only.]

WATER: 8" water exists in W CR 127, 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: Deferral Letter has been submitted and is in review. [For Applicant's Information Only.]

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

EASEMENTS: Show existing and proposed. [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.

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)

City limits does not match annexation ordinance 9789. Please check calls. If these calls are correct, a portion of the plat would be considered in the County.

Health Department: (Approved)

Yes, the health department will review applications from the 1 proposed lots of Warren Addition, PLAT OF A 2.9 ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 40, T-2-S, T. & P. RR. CO. SURVEY lot 1 is 2.9 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.

Midland County: (Approved)

They will need to take the Midland County signature off of the plat though since it is in the ETJ.

CRMWD: (Approved)

No comments.

PLANNING: (Approved with Conditions)

Change the secretary's name to Xavier Bauguess.

Show existing water and sewer lines within or adjacent to the plat, with pipe sizes and locations indicated.

Staff recommends approval of the Preliminary Plat of Warren 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.**

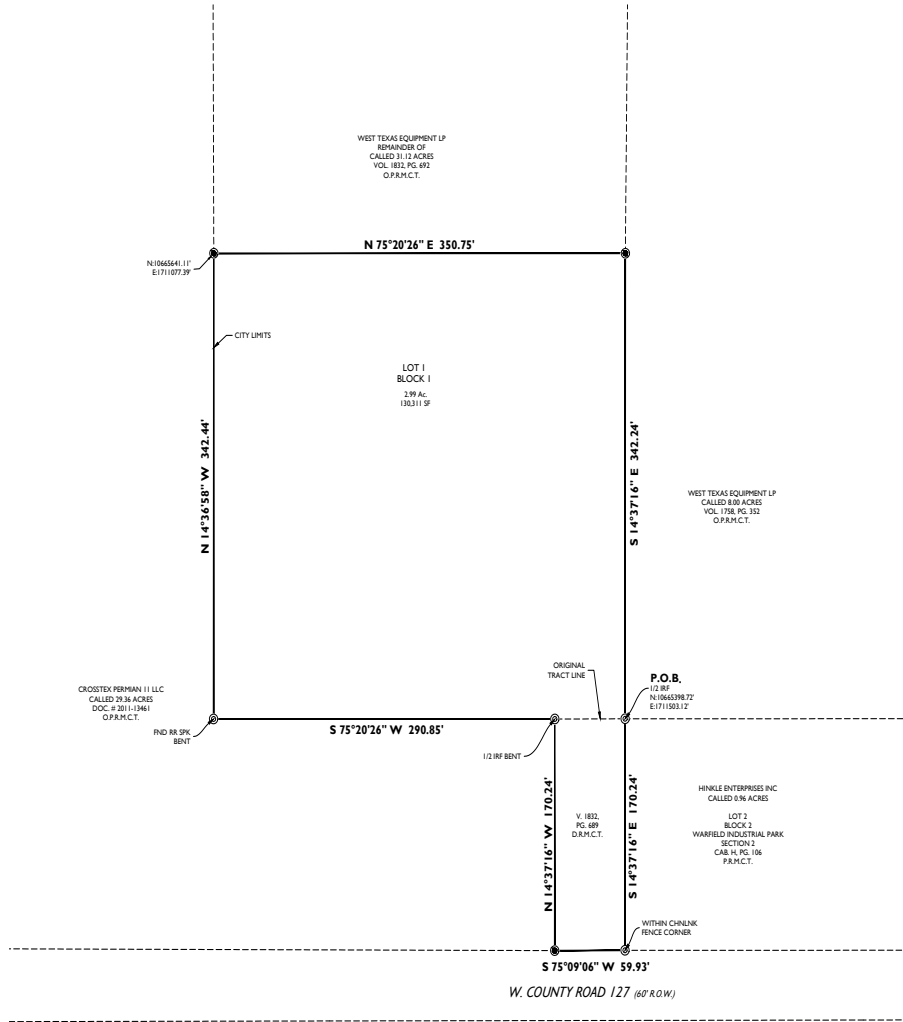
Attachments:

Proposed Preliminary Plat
Application
Maps

PRELIMINARY PLAT

WARREN ADDITION

BEING A PLAT OF 2.99 ACRES IN SECTION 18, BLOCK 40, T-2-S,
T&P RY. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS



SURVEY NOTES

1. BASIS OF BEARING, COORDINATES, DISTANCES AND ACRES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NORTH AMERICAN DATUM 1983, U.S. SURVEY FOOT, WITH A CONVERGENCE ANGLE (RMS) OF 47.37413" AND A COMBINED SCALE FACTOR OF 0.99983334 AT NAD 83 2 1/2 MILE.
2. 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
3. SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
4. LOCATION OF BURIED UTILITIES AND PIPELINES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING SIGNAGE, CITY OF MIDLAND GIS AND VISUAL EVIDENCE, OR BY ONE-CALL 811. SITE MARKINGS AT THE TIME OF THIS SURVEY ARE AS RECOMMENDED. CALL 1-800-DIG-TESS FOR LOCATES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.
5. THIS PROPERTY IS IN THE MIDLAND INTERNATIONAL AIR AND SPACE PORT A02-4 ZONE. SEE NOTE ON THIS SHEET.
6. THIS IS A PROVISIONAL PRELIMINARY PLAT. THIS IS NOT TO BE RECORDED OR USED FOR CONSTRUCTION PURPOSES. SET MONUMENTS AND SET MONUMENTS TO BE PLACED IN ACCORDANCE WITH A CITY OF MIDLAND ORDER.

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 WITHHOLDING 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 SUBMITTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
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.

A02-4 AIRPORT OVERLAY DISTRICT (NOTE PER 1-1-1-1-1 & 2)

ANY PERSON WHO DESIRES TO DRAIN A NEW STRUCTURE OR REBUILD, REPAIR, OR ENLARGE AN EXISTING STRUCTURE OR ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE A02-4 MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTION 1-1-1-1-1, 1-1-1-1-2, AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICE.

PRELIMINARY - THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

SURVEYOR'S CERTIFICATE

I, MAVERICK ENGINEERING (TX FIRM # 10194514), A REGISTERED PROFESSIONAL ENGINEERING FIRM, UNDER MY PERSONAL SUPERVISION AND WITH THE NECESSARY MEASUREMENTS, HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY OF MIDLAND, TEXAS.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS WEST TEXAS EQUIPMENT LP, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 18, BLOCK 40, T-2-S, T&P RY. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WEST TEXAS EQUIPMENT LP, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS WARREN ADDITION, IN 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 COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THERE TO, AND CONSENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

WITNESS MY HAND AT _____, MO.,
THIS _____ DAY OF _____, 2024.

BY: _____ FOR WEST TEXAS EQUIPMENT LP

ACKNOWLEDGEMENT

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 _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE WAS ACTING AS OWNER, 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 _____ DAY OF _____, 2024.

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: _____

OPTUM

BY: _____

AT&T BROADBAND

BY: _____

ONCOR ELECTRIC DELIVERY

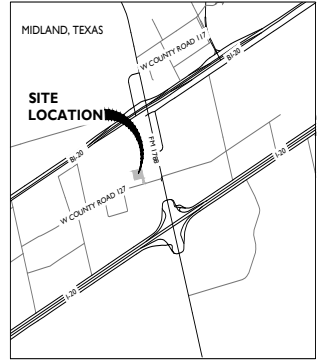
BY: _____

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF WARREN ADDITION, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS _____ DAY OF _____, 2024.

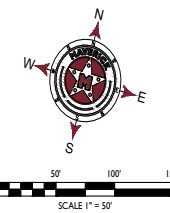
LUCY SOSNEGA, CHAIRMAN

CRISTINA O'NEAL, SECRETARY



VICINITY MAP

N.T.S.



LEGEND

- SET 1/2-INCH BRONZ ROD W/RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514"
- ⊙ FOUND CORNER AS NOTED
- BOUNDARY LINE
- PROPERTY LINE
- P.R.M.C.T. OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
- P.R.M.C.T. PLAT 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) 262-0989 Fax: (432) 262-0989
www.Maverick-Eng.com

PROPERTY OWNER

WEST TEXAS EQUIPMENT LP
PO BOX 60662
MIDLAND, TEXAS 79711
DEED INSTRUMENT # VOL. 1802, PG. 491
ORAMCT

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____
DATE February 20, 2024

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #48120C0200R, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNDESIGNED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #48120C0200R, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNDESIGNED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Warren AdditionLegal Description (attached sealed Metes and Bounds): Being a Plat of 2.99 Acres in Section 18, Block 40, T-2-S, T&P RY. Co. Survey, City and County of Midland, Texas**Property Owner**Printed Name: **West Texas Equipment LP**

Phone (432) 262-0999

Email phuckaba@maverick-eng.comAddress PO Box 60662City MidlandState TXZip 79711**Developer (if different than Owner)**

Printed Name: _____

Phone (432) 262-0999

Email _____

Address _____

City _____

State _____

Zip _____

Representative (if acting as Agent, see affidavit on page 2)Firm: Maverick EngineeringPrinted Name: Paladin Huckaba

Phone (432) 262-0999

Email phuckaba@maverick-eng.comAddress 1909 W Wall St Ste KCity MidlandState TXZip 79701Current Zoning: TPReason for Platting: ownership purposes**Plat Information**Total Acreage: 2.99Type: ☐ 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: 1/11/2024

Property Owner (printed):

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.

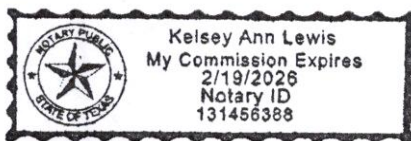
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L. Mollen, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by West Texas Equipment 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. Mollen
Authorized Agent (signature)

Subscribed and sworn to before me, this 17th day of January, 2024^{KL}, 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)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 4630

Received By:

Date:

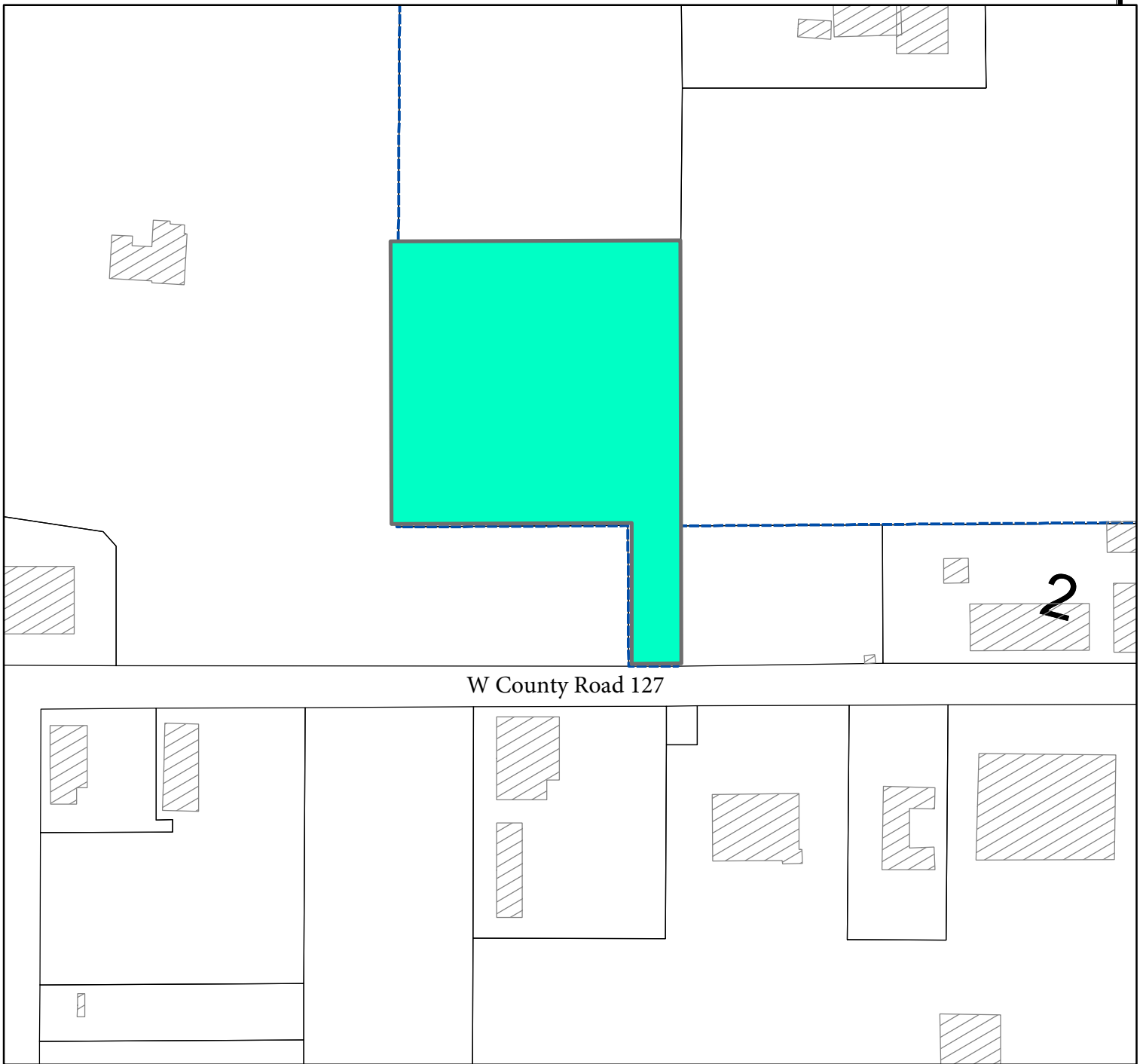
RECEIVED
JAN 24 2024

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

Preliminary Plat Application

2

Revised 07/01/19



LOCATION MAP

SUB-23-0702

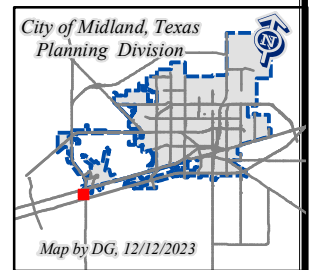
Scale: 1" = 200'

Proposed Plat of Warren Addition, being a Plat of a 2.99-acres tract of land out of Section 18, Block 40, T-2-S, T&P RY. Co. Survey, City and County of Midland, Texas.

Generally located on the north side of West County Road 127, approximately 700-feet west of South Farm to Market Road 1788 (DISTRICT: 4)

LEGEND

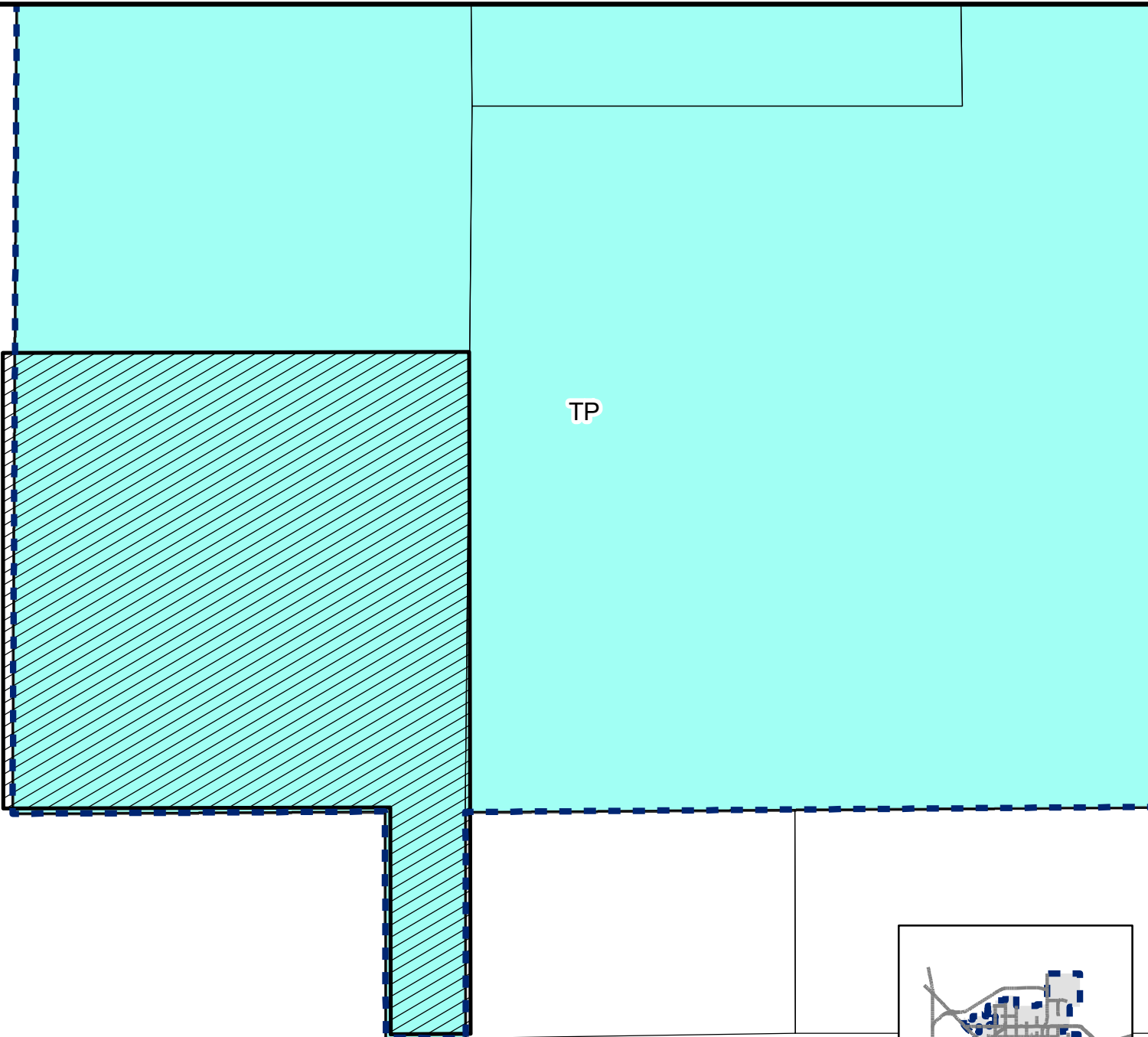
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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.



TP

W County Road 127





Planning and Zoning Commission

Approved for
Agenda:
Xavier Bauguess

MEETING DATE: February 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of Pavilion Park Addition, Section 15, being a replat of a 90.60-acre tract of land out of Lot 8, Block 2, Pavilion Park Addition, Section 7, and a plat of a 10-acre tract of land out of Section 1, Block X H.P. Hillard Survey, City and County Midland County Texas. (Generally located on the north side of Solomon Lane, approximately 1,155 feet west of North Fairgrounds Road.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, WA Civil, LLC, is requesting to replat 90.60-acre tract of land out of Lot 8, Block 2, Pavilion Park Addition, Section 7, and plat a 10-acre tract of land out of Section 1, Block X H.P. Hillard Survey, City and County Midland County, Texas for future residential development.

Current Zoning:

SF-2, Single-Family Dwelling District, in part, and AE, Agricultural Estate District, in part, PD, Planned Development District for Housing Development (9272), in part, and SF-3, Single-Family Dwelling District, in part.

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

BUILDING CODE: (Approved)

Approval pending in regards to the items brought forth by Ron Jenkins our oil and gas coordinator.

SURVEYOR: (Received)

Coordinates need to be shown in X&Y state plane format.

ENGINEERING: (Approved with Conditions)

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

ROW: ROW okay as is. [For the Applicant's information only.]

PAVING: Internal paving improvements have not been submitted/accepted. Construct roads shown to City Standards for entire platted frontage. [Reference City Code Sect. 11-2-3(G)1]

WATER: Internal water improvements have not been submitted/accepted. Construct to City standards along entire platted frontage, serving all lots with looped system. [Reference City Code Sect. 11-2-3(G)1]

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 the Applicant's information only.]

PRO RATA: None. [For the Applicant's information only.]

SEWER: Internal water improvements have not been submitted/accepted. Construct to City standards along entire platted frontage, serving all lots within the subdivision and to adjacent lot lines along exterior roadways. [Reference City Code Sect. 11-2-3(G)1]

DRAINAGE: Drainage letter has been approved for platting purposes. [For the Applicant's information only.]

EASEMENTS: Show existing and proposed. [For the Applicant's information only.]

SIDEWALKS: Sidewalks required on collector/arterial roadway, along common areas and ADA ramps required at corners before public infrastructure is accepted. [Reference City Code Sect. 11-2-3(G)1]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

STREET NAME AND TRAFFIC CONTROL SIGN FEE – Estimated fee due at Final Plat submittal = 11 new intersections created at \$500/intersection = \$5,500. Fee shall be adjusted based on number of intersections if Final Plat is phased. [Reference City Code Section 11-2-5(C)3(t).]

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)

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

OIL AND GAS: (Approved)

Please identify the City permitted wells that are not included on the plat that are operated by Pioneer Resources to the South- approximately 8-10 wells. A 500 ft. radius and 135 ft. radius need to be identified around each permitted well that comes across the property being platted. Jeff Pinkstaff may be able help identify an existing blanket radius variance for these wells that would need to be identified on the plat. Would need to include the approved radius and resolution similar to the wells identified to the west. Any occupied residential/commercial building permits inside the 500 ft. radius will require a variance to the permitted well from the City Council. The variance request would need to be made thru the Building Official – Jeff Pinkstaff which will require council approval. Informational: 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)

Coordinates should be in feet instead of degrees minutes seconds. Calls are needed to draw lots and streets. Storm water management Ponds should be a Common Area with a drainage basin easement. See markup for revised lot and block numbering. Please provide recording information for dedication along east of this plat or say it is being rededicated with this plat. (dedicated with Pavilion Park, Sec 7) Please provide coordinate for drill site to be excluded from replat. 50' Arco Pipeline easement should be in a lot or Common Area. (See markup)

PLANNING: (Approved with Conditions)

Label Pavilion Park, Section 13 to the north. [11-2-3(A)1(d)]

This proposed replat is located within a residential zoning district and will require a public hearing at the final phase. [11-2-7(A)2(b)]

Provide the widths of streets with curve data, alleys, and easements. [Midland City Code 11-2-3(A)1(g)]

Approval by the Council will be required prior to consideration of a final plat by the commission for any preliminary plat that is ten hectares (25 acres) or more in the area and involves any request for a variance from the regulations of this Chapter. [Midland City Code 11-2-3(D)11(a)(1)]

The property owner listed on the plat owns a portion of the property to be platted/replatted. A title opinion showing proof of ownership will be required at final plat submittal. [Informational]

We now have a Planning Division Manager who will act as Secretary of the Planning & Zoning Commission. His name is Xavier Bauguess. Please have him listed as the Secretary instead of Elizabeth Triggs. [Informational]

A portion of this property is zoned AE, Agricultural Estates District and has a minimum lot area of 2 acres which means a zone change will be required to match the SF-2, Single-Family Dwelling District. [Midland City Code 11-2-3 (D)4(h)]

All the lots with building footprints do not meet the setbacks of the SF-2 except for the ones abutting cul-de-sacs. However, they do meet the minimum lot dimensions. Keep in mind that the front yard setback for the SF-2 is 20 feet. The lots that abut a turnaround at the end of a Cul-de-sac street can have a 10 foot setback but all others have to maintain a 20-foot setback. Please make this edit. [11-1-5.04]

For the final phase, remove the building footprints from the plat. No building footprint or location will be approved with this plat. [Informational]

Will the property be annexed into the existing HOA or will it have its own? If it is going to have its own, the Declaration of Restrictive Covenants will need to be submitted and approved by the Planning & Zoning Commission. The plat face will need to have a place for the recordation of the Declaration of Restrictive Covenants. It will say "Declaration of Restrictive Covenants Filed For Record Midland County, Texas." It should have a place for the instrument number and the date it was recorded. [Midland City Code 11-2-3(D)4(c)]

Remove existing site details like the house from the plat. They are only necessary in the sketch phase. [11-2-3(C)2(b)(1)]

Lot 14, Block 3, does not meet the minimum lot width for the rear property line. Since the lot is disproportionate and the lot width for the front property line significantly exceeds the minimum requirement, it is fine. Just keep in mind that the building must adhere to the 5-foot side yard setback. The rear lot line might need to be increased to meet this setback. Lot 19, Block 3 is in a similar situation but with the front lot line. It may need to be lengthened. [Informational]

The width for Lot 1, Block 3, does not appear to meet the minimum lot width of 70 feet for the front property line even with half the distance of the corner clip included. The same can be said for Lot 29, Block 3, but the rear width also does not meet the minimum. Please revise these lots. [11-1-5.04]

Staff recommends approval of the Preliminary Plat Pavilion Park Addition, Section 15, subject to conditions A and B.

Condition:

- 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.**
- B. Approval by the City Council shall be required prior to consideration of a final plat by the Commission on which any preliminary plat is ten hectares (25 acres) or more in area and is located in any survey section (approximately one square mile) which does not contain a publicly owned site or sites intended for both a public school and park, or public site reservation therefor; Midland City Code 11-2-3(D)11(a)(6).**

Attachments:

Proposed Preliminary Plat
Application
Maps



Preliminary Plat Application

Project Number:

SUB-23-0002

Case Number:

P-24-1901

Proposed Subdivision Plat Name: PAVILION PARK ADDITION, SECTION 15

Legal Description (attached sealed Metes and Bounds): BEING A REPLAT OF A 53.86 ACRE TRACT OF LAND OUT OF LOT 8, BLOCK 2, PAVILION PARK ADDITION, SECTION 7, AND A 92.88 ACRE TRACT OF LAND OUT OF SECTION 1, BLOCK 'X' H.P. HILLARD SURVEY, CITY AND COUNTY MIDLAND COUNTY TEXAS.

Property Owner

Printed Name: 3 CENTAVOS, LLC. - Scott Bowden

Phone (432) 967-1259

Email scott@midlandreco.com

Address 4513 Santos Rosa Drive

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: WA CIVIL, LLC

Printed Name: LARRY H. WALKER, P.E., P.M.P.

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

Current Zoning: SF2

Reason for Platting: NEXT PHASE OF RESIDENTIAL SUBDIVISION

Plat Information

Total Acreage: 53.8577 AC

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

Number of Lots: 149

Number of Multi-family Dwelling Units: 0

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): [Signature]Date: 11/10/2023Property Owner (printed): Scott Bowden

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.

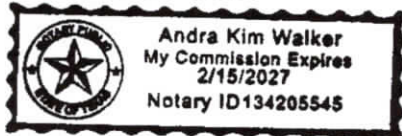
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Scott Bowden who, being by me duly sworn, upon oath says: That (s)he is the owner of Prillan Park or is authorized by Scott Bowden 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 24 day of January, 20 24, to certify which witness my hand and seal of office.

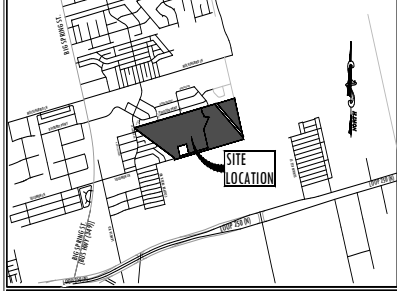


[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

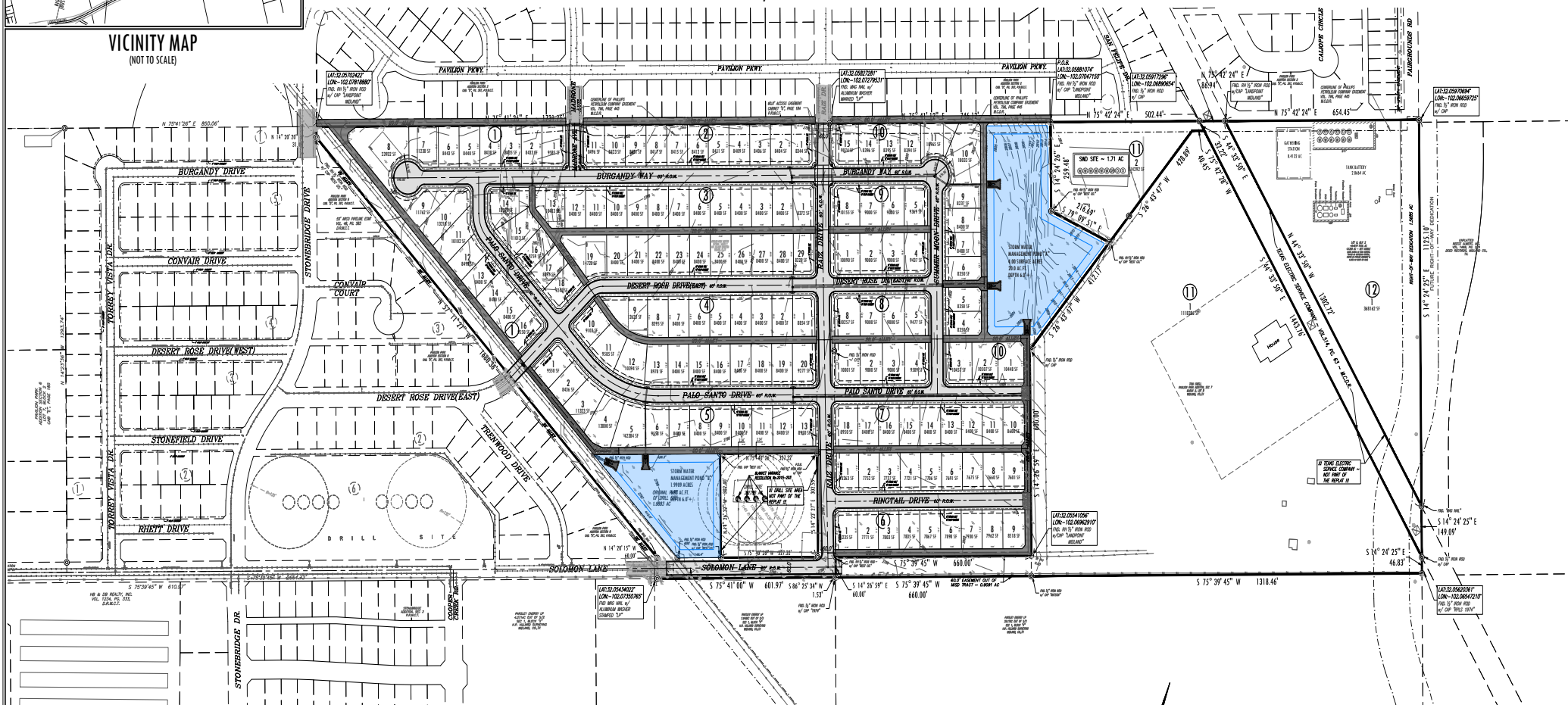
- ☒ Property Owner Authorization ☒ 1 Copy of Dimensioned Plat ☒ Plat in Digital Format (PDF/JPEG)
☒ Application Fee ☒ 1 Copy of Plat (11x17)

Check # Paid OnlineReceived By: [Signature]Date: JAN 24 2024awaiting out of town CAD files****Application will not be considered for scheduling until reviewed by a planner.****



VICINITY MAP
(NOT TO SCALE)

PRELIMINARY PLAT
PAVILION PARK ADDITION, SECTION 15
BEING A REPLAT OF A 90.60 ACRE TRACT OF LAND OUT OF LOT 8, BLOCK 2, PAVILION PARK ADDITION,
SECTION 7, AND A 10.00 ACRE TRACT OF LAND OUT OF SECTION 1,
BLOCK 'X' H.P. HILLARD SURVEY, CITY AND COUNTY MIDLAND TEXAS.

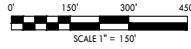


LEGEND

NOTICE:

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 WITHHOLDING 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. ACCORDING TO FEMA FIRM PANEL(S) #48329C0087F DATED 9/16/2005, THE SITE IS LOCATED IN UNSHADED ZONE "X", DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".
4. COORDINATES, BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE LAMBERT GRID AND CONFORM TO THE "TEXAS COORDINATE SYSTEM", TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
5. UNLESS OTHERWISE INDICATED, EASEMENTS SHOWN HEREON ARE CREATED BY THIS PLAT.

	⊙	Denotes FOUND MONUMENT AS NOTED
	⋈	Denotes EXISTING FIRE HYDRANT
	X 261.30 261.30 PD	Denotes EXISTING TOPOGRAPHIC POINTS & ELEVATIONS
	—●—	Denotes POWER POLE
	—	Denotes BOUNDARY LINE
	---	Denotes LOT LINE
	---	Denotes SETBACK LINE (UTILITY EASEMENT, WHERE APPLICABLE)
	---	Denotes EASEMENT LINE
	---	Denotes EXISTING EASEMENT LINE
	---	Denotes ADJACENT DEED OR PROPERTY LINE
	—●—	Denotes EXISTING WATER LINE
	—●—	Denotes EXISTING SANITARY SEWER
	—●—	Denotes EXISTING ELECTRIC LINE
	—●—	Denotes EXISTING FENCE LINE
	—●—	Denotes EXISTING FIBER OPTIC LINE
	—●—	Denotes EXISTING CONTOURS
	—●—	Denotes POINT OF BEGINNING
	—●—	DEED RECORD, MIDLAND COUNTY, TEXAS
	—●—	MIDLAND COUNTY DEED RECORDS PLAT RECORDS, MIDLAND COUNTY, TEXAS



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

PENNEL LAND SURVEYING, LLC

SURVEYING FIRM #: 10193978

OWNER:
3 CENTAVOS, LLC.
Scott Bowden | Managing Partner
4513 Santos Rosa Drive | Midland, TX 79707
(432) 967-1259 | scott@midlandreco.com

February 20, 2024

PAVILION PARK ADDITION, SECTION 15

PRELIMINARY PLAT
PAVILION PARK ADDITION, SECTION 15
BEING A REPLAT OF A 90.60 ACRE TRACT OF LAND OUT OF LOT 8, BLOCK 2, PAVILION PARK ADDITION,
SECTION 7, AND A 10.00 ACRE TRACT OF LAND OUT OF SECTION 1,
BLOCK 'X' H.P. HILLARD SURVEY, CITY AND COUNTY MIDLAND TEXAS.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, 3 CENTAVOS, LLC. is/are the record owner(s) of a tract of land situated in the H.P. Hillard Survey, County of Midland, and more particularly described (as follows: (hereon), Being a replat of a 90.60 acre tract of land out of Lot 8, Block 2 Pavilion Park Addition Section 7, and a 10.0 acre tract of land out of Section 1, Block 'X' H.P. Hillard Survey, City and County Midland Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, SCOTT BOWDEN of 3 CENTAVOS, LLC., do(es) hereby adopt this plat designating the the hereinabove described property as PAVILION PARK ADDITION, SECTION 15, an Addition to the City of Midland, Texas and hereby dedicate to the public use forever the streets, alleys, and easements (and parks)(and parkways)(and drainage basins) shown thereon.

WITNESS our hands at Midland, Texas, this

the _____ day of _____, 2024.

By: SCOTT BOWDEN of 3 CENTAVOS, LLC.

ACKNOWLEDGEMENT

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, SCOTT BOWDEN, 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 3 CENTAVOS, LLC., 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

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, DURYN HENNINGTON, 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.

Preliminary, this document shall not be
recorded for any purpose.

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

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "PAVILION PARK ADDITION, SECTION 15", 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

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY Print Name:

ONCOR ELECTRIC DELIVERY Print Name:

OPTIMUM Print Name:

ASTOUND Print Name:

AT&T-TEXAS Print Name:

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.

NOTICE:

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 WITHHOLDING 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. ACCORDING TO FEMA FIRM PANEL(S) #48329C0087F DATED 9/16/2005, THE SITE IS LOCATED IN UNSHADED ZONE "X", DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".
4. COORDINATES, BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE LAMBERT GRID AND CONFORM TO THE NAD 83 COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
5. UNLESS OTHERWISE INDICATED, ALL EASEMENTS SHOWN HEREON ARE CREATED BY THIS PLAT.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE: _____ PAGE _____

OWNER:
3 CENTAVOS, LLC.

Scott Bowden | Managing Partner
4513 Santos Rosa Drive | Midland, TX 79707
(432) 967-1259 | scott@midlandreco.com

PENNELL LAND SURVEYING, LLC

SURVEYING FIRM #: 10193978

2030 W. Cuthbert

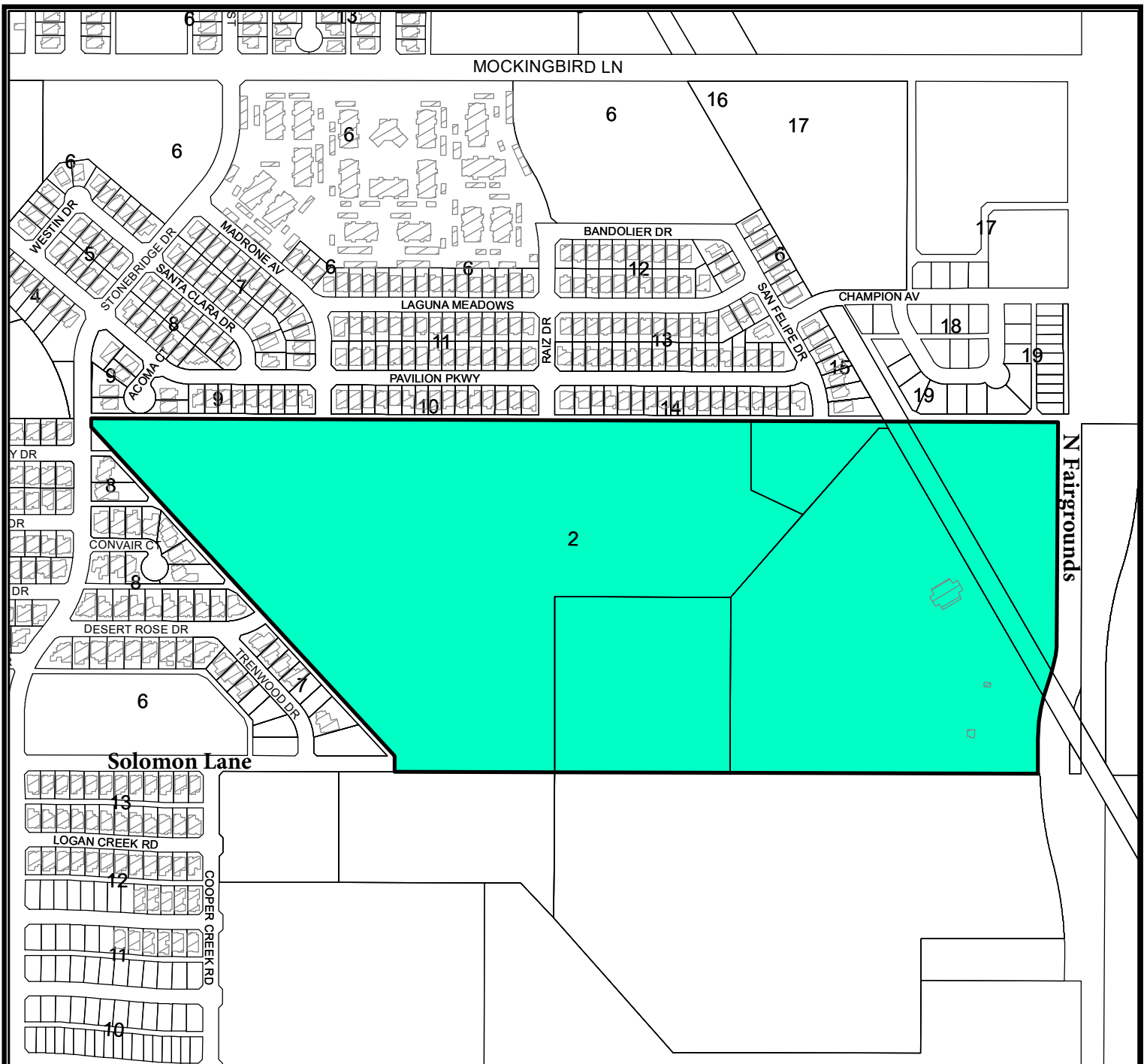
Midland, Texas 79701

February 20, 2024

JANUARY 2024

PAVILION PARK ADDITION, SECTION 15

Pg. 2 of 2



LOCATION MAP

SUB-23-0662

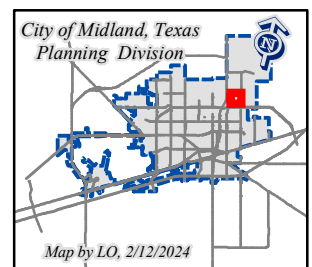
Scale: 1" = 542'

Proposed Plat of Pavilion Park Addition, Section 15, being a replat of a 90.60-acre tract of land out of Lot 8, Block 2, Pavilion Park Addition, Section 7, and a plat of a 10-acre tract of land out of Section 1, Block X H.P. Hillard Survey, City and County Midland County Texas.

Generally located on the north side of Solomon Lane, approximately 1,155 feet west of North Fairgrounds Road. (DISTRICT 1)

LEGEND

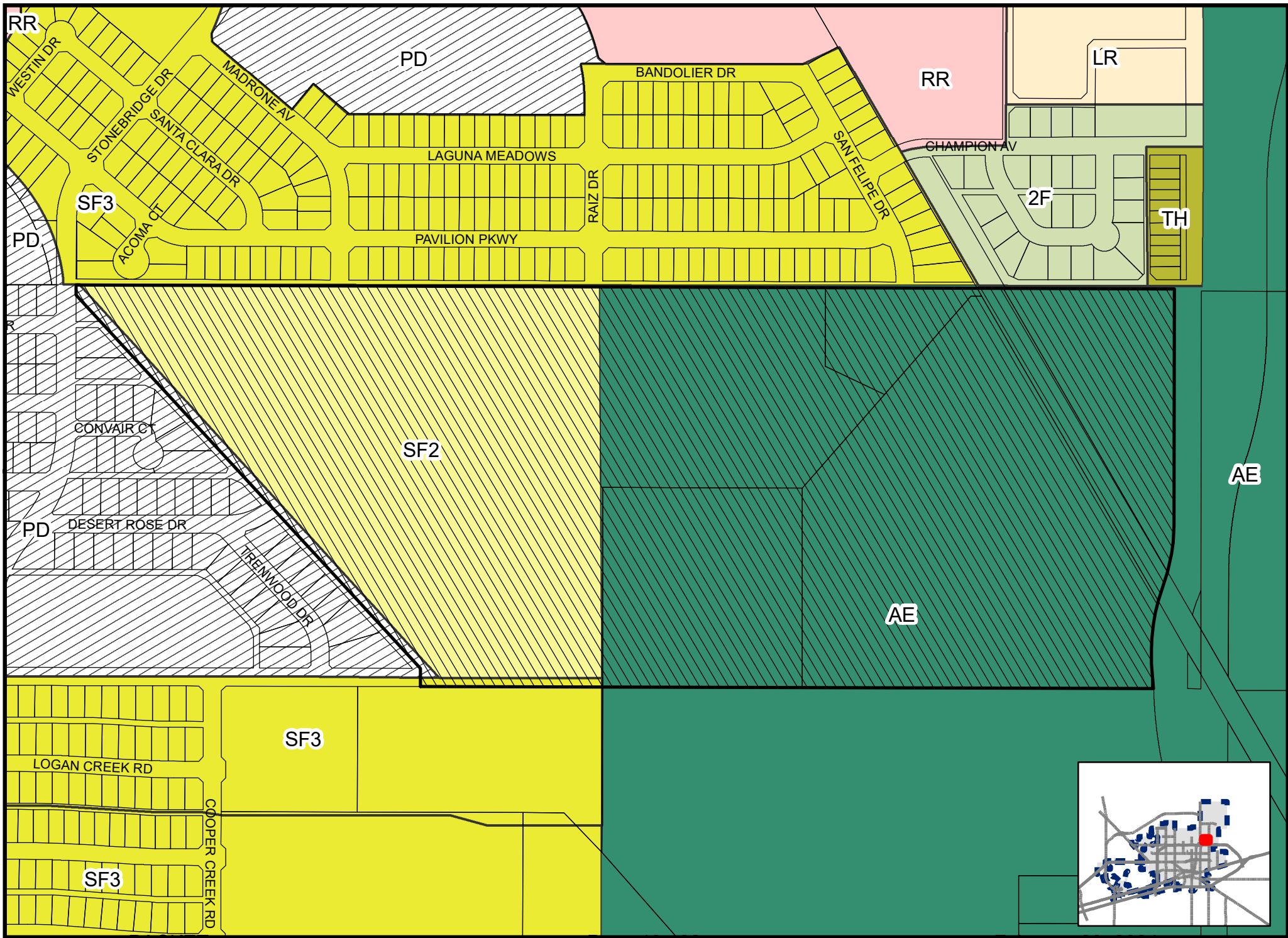
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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.



PACKET

Map By LO, 2/12/2024

SUB-23-0662

Scale: 1" = 399'

Page 13.192

ZONING MAP



February 20, 2024

© 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.