

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

**March 4, 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 with staff's recommended conditions a Final Plat of Redneck Retreat, Section 6, being a 20.00-acre tract of land, out of Section 15, Block 38, T-2-S, T&P RR Co. Survey, Midland County, Texas (Generally located on the north side of East County Road 140, approximately 1,570 feet west of South County Road 1160) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**
3. Motion approving a Final Plat of Garden Twenty Addition, Section 5, being a 7.84-acre tract of land located in Section 6, Block 38, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Interstate 20 East, approximately 360 feet east of South Fairgrounds Road) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
4. Motion approving a Final Plat of Grasslands Estates, Section 25, being a replat of Lot 1, Block 11, Grassland Estates, Section 7, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Crowley Boulevard and West Wadley Avenue.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**
5. Hold a public hearing and consider a motion approving a proposed Final Plat of Carrollwood Addition, Section 3 being a plat of 34.50-acre tract of land out of Section 24, Block 40, T-2-S, T & T, RR Co Survey, Midland County, Texas. (Generally located on the west side of South County Road 1232, approximately 3,430 feet north of West County Road 140.) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**

PUBLIC HEARINGS

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

6. Consider a request by Scott Bowden for a zone change from AE, Agricultural Estate District to SF-2, Single Family Dwelling District on a 20.91-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 of Midland, Texas. (Generally located on the north side of Solomon Lane, approximately 900 feet east of Trenwood Drive) **(DISTRICT 1) (DEVELOPMENT SERVICES)**
7. Consider a request by PubWT, LLC for a Specific Use Designation with Term for the Sale of all alcoholic beverages for on premises consumption in a Restaurant on a 3,094-square foot portion of Lot 3A, Block 3, Mayfield Place Addition, Section 8, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North Midkiff Road and Mockingbird Lane.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**
8. Consider a request by Schumann Surveying, for a zone change from O-1, Office District, to TH, Townhouse District, for Lots 4, 5, and 6, Block 1, Cowden Addition, City and County of Midland, Texas. (Generally located at the northwest corner of the intersection of George Avenue and Bryant Street) **(DISTRICT 4) (DEVELOPMENT SERVICES)**
9. Hold a public hearing to consider a request by Juji's Kitchen, LLC, for a Specific Use Designation with Term for the sale of Alcoholic Beverage Sales for On-Premises Consumption in a Restaurant on a 8,076-square foot portion of Lot 1, Block 2, Claydesta Plaza Addition, City and County of Midland, Texas. (Generally located at the northwest corner of the intersection of West Wadley Avenue and North Big Spring Street.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**

MISCELLANEOUS

10. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Rieta Proctor Addition, being a 12.60-acre tract of land located in the north half of the southeast quarter of Section 15, Block 38, T-2-S, T&P, RR Co. Survey, Midland County, Texas. (Generally located on the west side of South County Road 1160, approximately 470-feet south of East County Road 130) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**
11. Motion approving a Preliminary Plat of Hines Addition, Section 5, being a replat of the east 100 feet of Lot 1, Block 10, Hines Addition, City and County of Midland, Texas. (Generally located southwest of the intersection of Rhode Island Avenue and S. N Street) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
12. Proposed Preliminary Plat of Melody Acres, Section 19, being a replat of the north/2 of Lot 7, Block 1, Melody Acres Addition, and Lots 8A, 9A, and 10B, Block 1, Melody Acres, Section 13, and the East 340 feet of Lot 5A, Block 1, Melody Acres, Section 10, City and County of Midland, Texas. (Generally located at the southwest corner of North Midland Drive

and Mockingbird Lane.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**

13. Proposed Preliminary Plat of East Midland Addition, Section 23, being a Replat of the east 129 feet of the west 279 feet of Block 93, East Midland Addition, Section, City and County of Midland, Texas. (Generally located on the south side of Orchard Lane, approximately 150 feet west of N. Benton Street.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
14. Motion approving with staff's recommended conditions a Preliminary Plat of College Heights Addition, Section 9, being a plat of a 1.562-acre tract of land out of Section 33, Block 39, T-1-S, T&P RY. CO. Survey, in part, and a replat of the west 185 feet of Lot 5, Block E, Garrett Place Addition, the west 200 feet of the north 540 feet of Block 7, College Heights Addition, City and County of Midland, Texas. (Generally located on the south side of West Wall Street, approximately 450-feet east of Bankhead Highway.) **(DISTRICT 2) (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.



Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: March 04, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving with staff's recommended conditions a Final Plat of Redneck Retreat, Section 6, being a 20.00-acre tract of land, out of Section 15, Block 38, T-2-S, T&P RR Co. Survey, Midland County, Texas (Generally located on the north side of East County Road 140, approximately 1,570 feet west of South County Road 1160) (DISTRICT: NONE) (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 October 16, 2023, Planning and Zoning Commission meeting. The applicant, Schumann Surveying, Inc. is requesting to plat a 20.00-acre tract to obtain a septic permit and address.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

PAVING: Deferral request for paving improvements were administratively approved on 09/27/2023. [For Applicant's Information Only.]

WATER: Deferral request for water improvements were administratively approved on 09/27/2023. [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: Sewer improvements were administratively approved on 09/27/2023. [For Applicant's Information Only.]

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

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

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

Transportation: (Approved)

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

Fire: (Approved)

No comments.

Oil and Gas: (Approved)

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

Building Code: (Approved)

ETJ, no jurisdiction.

GIS: (Approved)

No comments.

PUBLIC WORKS: (Approved)

No comments.

CRMWD: (Approved)

No comments.

HEALTH DEPARTMENT: (Approved)

Yes, the health department will review application from the 1 proposed lot of Redneck Retreat, Section 6, PLAT OF A 20 ACRE TRACT OF LAND OUT OF THE SOUTHEAST OF SECTION 15, BLOCK 38, T-2-S, T. & P. RR. CO. SURVEY the lot is 19.2 acres property owner must contact the pipeline company to get the setback to their pipeline before any excavation can occur to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

Planning: (Approved)

Staff recommends approval of the Final Plat of Redneck Retreat, Section 6, 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
Location Map
Aerial Map



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: REDNECK RETREAT SECTION 6**Legal Description (attached sealed Metes and Bounds):** _____

A 20.00 ACRE TRACT OF LAND, OUT OF THE SOUTHEAST PART OF SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS.

Property Owner

Printed Name: TEXAS NNN, LLC.

Phone () 432-684-5548

Email ealeman@schumannonline.net

Address 25528 GENESEE TRAIL RD

City Golden

State CO

Zip 80401

Developer (if different than Owner)

Printed Name:

Phone () 432-684-5548

Email ealeman@schumannonline.net

Address

City

State

Zip

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

Firm: Schumann Surveying, Inc.

Printed Name: Eduardo Aleman

Phone () 432-684-5548

Email ealeman@schumannonline.net

Address 800 N. Marienfeld

City Midland

State TX

Zip 79701

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

Total Acreage: 19.27

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):

BEN R. DAVIS
BEN R. DAVIS

Date: 1-31-24

Property Owner (printed):

BEN R. DAVIS

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.

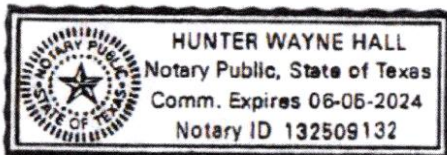
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Texas NNN, LLC who, being by me duly sworn, upon oath says: That (s)he is authorized by Eduardo L. Aleman, 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 L. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 3rd day of February, 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: AD

Date: 1-31-24

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

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

14 13
15 16

REDNECK RETREAT SECTION 6

BEING A 20.00-ACRE TRACT OF LAND, LOCATED IN OUT OF
SECTION 15, BLOCK 38, T-2-S, T&P R.R. CO. SURVEY,
MIDLAND COUNTY, TEXAS.

STATE OF TEXAS §
COUNTY OF MIDLAND §

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

FIELD NOTE DESCRIPTION OF A 20.00 ACRE TRACT OF LAND, OUT OF THE SOUTHEAST PART OF SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, SAID 20.00 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A MAG NAILSET (N:10673058.14, E:1774642.68) IN THE CENTERLINE OF EAST COUNTY ROAD 140 FOR THE SOUTHEAST CORNER OF THIS TRACT, FROM WHICH THE NE CORNER OF SAID SECTION 15 BEARS NORTH 75°38'09" EAST 1600.53 FEET AND NORTH 14°11'42" WEST 5314.73 FEET ;

THENCE SOUTH 75°38'09" WEST, ALONG SAID CENTERLINE OF SAID EAST COUNTY ROAD 140, 531.00 FEET TO A MAG NAIL SET IN SAID CENTERLINE FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°12'14" WEST 870.32 FEET TO A REINF BAR SET FOR AN INTERIOR CORNER OF THIS TRACT;

THENCE SOUTH 75°47'45" WEST 500.00 FEET TO A REINF BAR SET FOR THE MOST NORTHERLY SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°12'15" WEST 394.51 FEET TO A REINF BAR SET FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 75°29'08" EAST 1031.00 FEET TO A REINF BAR SET FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°12'17" EAST 1268.94 FEET TO THE PLACE OF BEGINNING.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINAFORE DESCRIBED PROPERTY AS REDNECK RETREAT, SECTION 6, AN ADDITION OF 20.00 ACRES IN MIDLAND COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

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

TEXAS NNN, LLC.

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE THE CITY PLANNING AND ZONING COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF REDNECK RETREAT, SECTION 6, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 2023.

SIGNED: _____
CHAIRMAN LUCY SINIEGA

ATTEST: _____
SECRETARY XAVIER BAUGNESS

LEGEND:

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

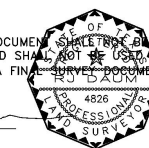
OWNER(S):

TEXAS NNN, LLC.
25528 GENESEE TRAIL RD
GOLDEN, COLORADO 80401

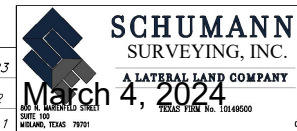
THAT I, RJ DAUM, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY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

"PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT."

RJ DAUM
TEXAS RPLS 4826



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



NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
				JG	06/29/2023
				CHECKED BY:	ED/RJ
				PROJECT NO.:	79342
				JOB NO.:	79,664
				SHEET:	1 OF 1

REINF BAR SET
GRID N:10674029.88
GRID E:1773333.21
N31.8462
W102.0201

R3600
EDWARDS
JAMES L.

R3595
MIDLAND FARMS
LLC

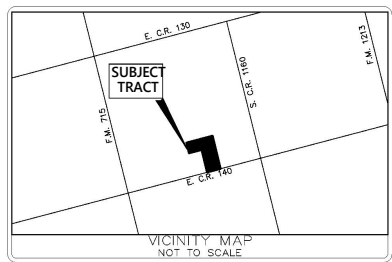
R3595
MIDLAND FARMS
LLC

R221618
THP
LLC

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY TEXAS NNN, LLC.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS



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.
- REPRESENTATION OF FLOODPLAIN BOUNDARIES ARE APPROXIMATE AND FOR ILLUSTRATIVE PURPOSES ONLY. THIS PROPERTY IS IN FEMA'S FLOOD INSURANCE RATE MAP NO. 48328C0206F, EFFECTIVE DATE, SEPTEMBER 16, 2005, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA, ALL OF TRACT IS IN ZONE "X".
- 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.

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

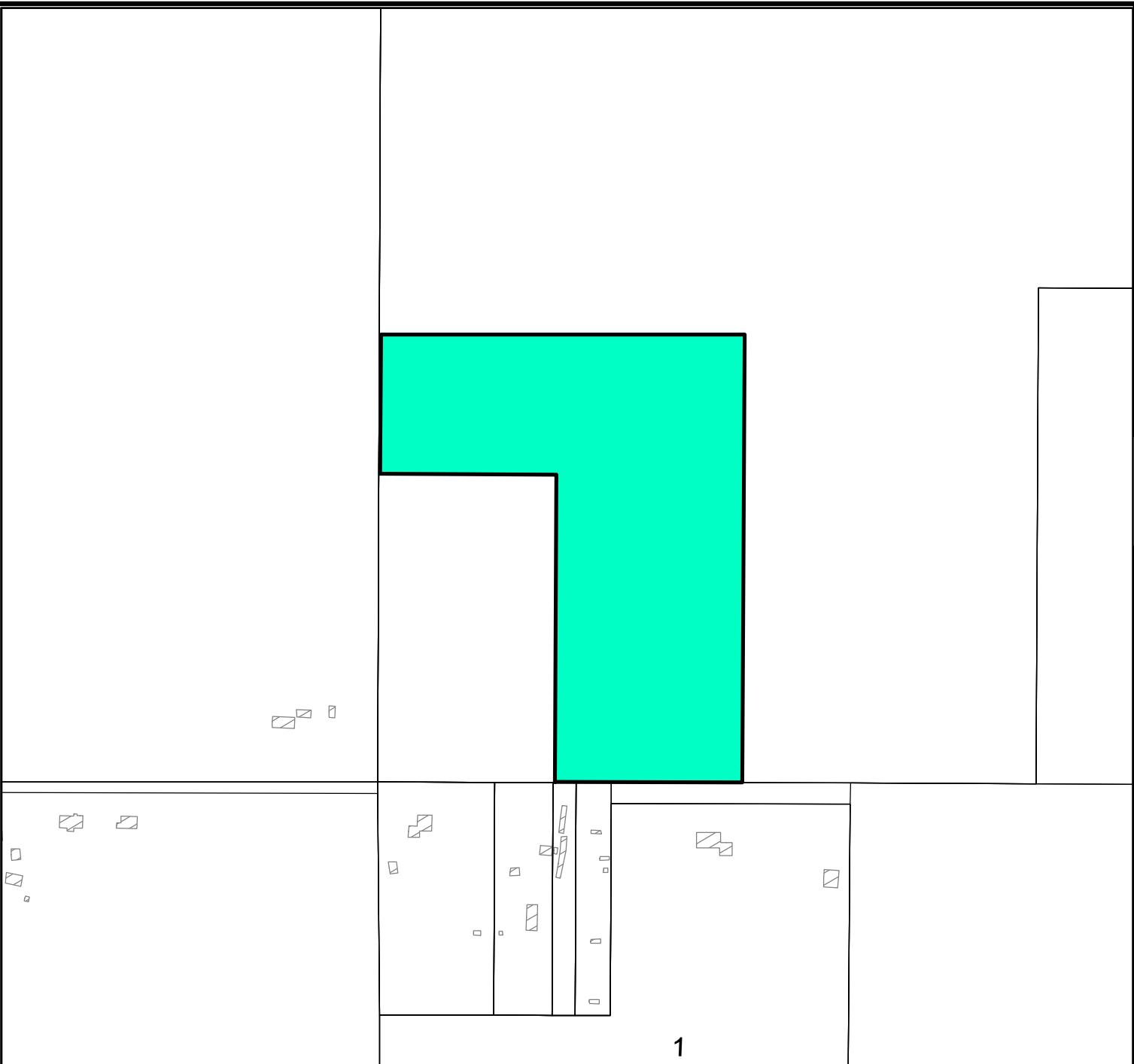
SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM COMMUNICATIONS

SIGNED: _____
ASTOUND COMMUNICATIONS

PACKET



LOCATION MAP

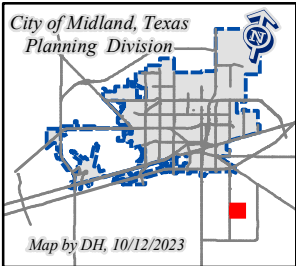
SUB-23-0651 **Scale: 1" = 4,912'**

Proposed plat of Redneck Retreat, Section 6, being a 20.00-acre tract of land, out of Section 15, Block 38, T-2-S, T&P R.R. Co. Survey, Midland County, Texas.

Generally located on the north side of East County Road 140, approximately 1,570 feet west of South County Road 1160 (Extraterritorial Jurisdiction)

PACKET Page 2.10

- LEGEND**
- CITY LIMITS
 - PARCEL
 - ▨ PRIVATE BLDGS

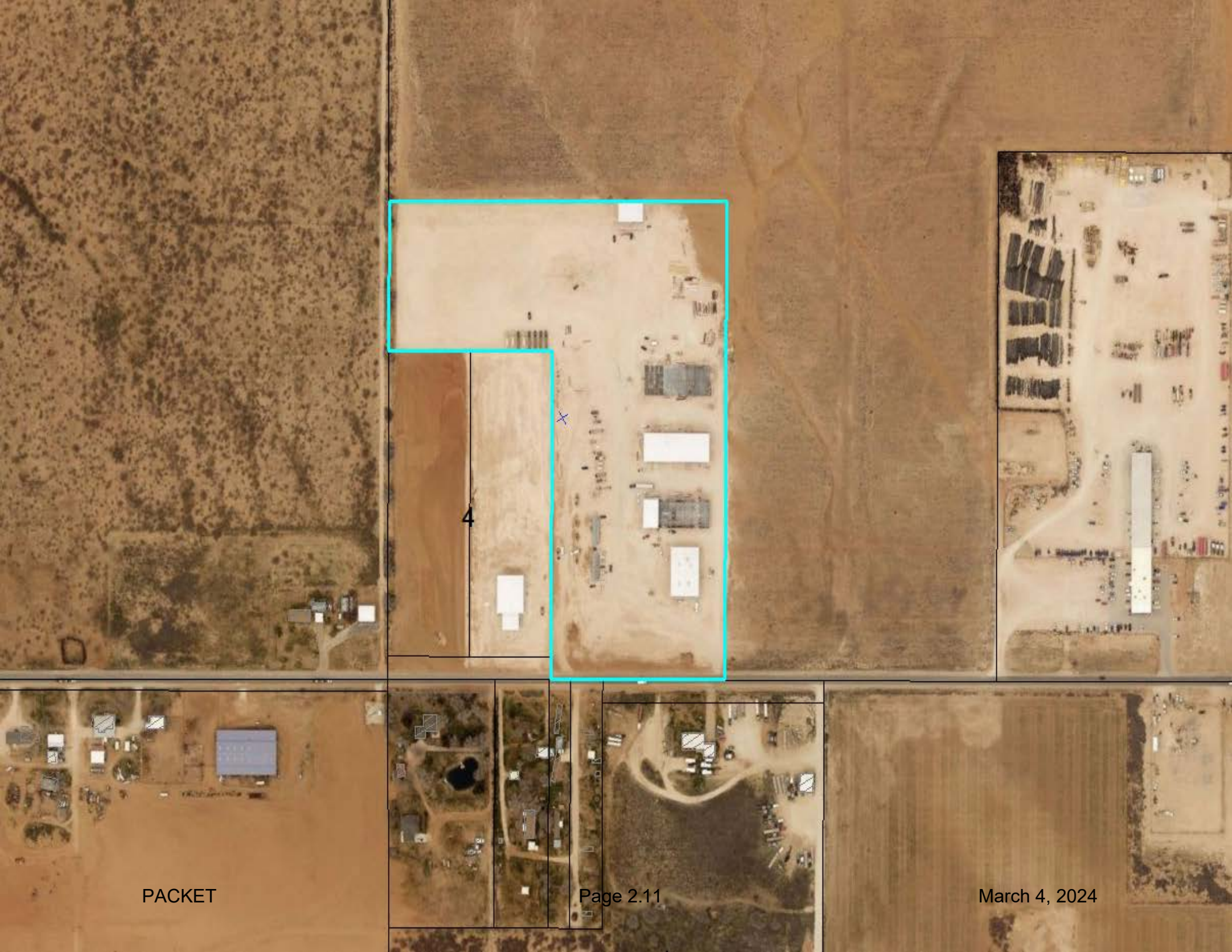


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THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT. NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

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

March 4, 2024





Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: March 04, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving a Final Plat of Garden Twenty Addition, Section 5, being a 7.84-acre tract of land located in Section 6, Block 38, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Interstate 20 East, approximately 360 feet east of South Fairgrounds Road) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

BP, I-20 Business Park District.

Preliminary Plat Approval:

This plat was approved through short form procedure. The property owner is platting for development purposes.

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: TxDOT review requested. [For Applicant's Information Only.]

PAVING: Interstate E I-20 Frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: 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 E I-20 alley S 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.]

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.

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 Garden Twenty 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:

Application
Proposed Final Plat
Location Map
Zoning Map
Aerial Map



Final Plat Application

Project Number:

84B-23-0688

Case Number:

Proposed Subdivision Plat Name: Garden Twenty Addition, Section 5**Legal Description (attached sealed Metes and Bounds):**

Garden Twenty Addition, Section 5 being a 7.84 acre tract located in Section 6, Block 38, T-2-S, T&P RR. Co. Survey,

City and County of Midland, Texas

Property Owner

Printed Name: Forrest Hermanos, LLC

Phone (432) 967-2771

Email mforrestutx@gmail.com

Address P.O. Box 1551

City Odessa

State TX

Zip 79760

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Newton Engineering, PC

Printed Name: Kyle L. Newton, P.E.

Phone (432) 935-0707

Email

kyle@newtoncivil.com

Address P.O. Box 12287

City Odessa

State TX

Zip 79768

Current Zoning:**Reason for Platting:** Create a single lot for development purposes.**Plat Information**

Total Acreage: 7.84 ac

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

Number of Lots: 1

Number of Multi-Family Dwelling Units: 0

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

Items to be submitted with this application form:

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- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
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- 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):

[Signature]

Date: 2/6/24

Property Owner (printed): MICHAEL FORREST

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.

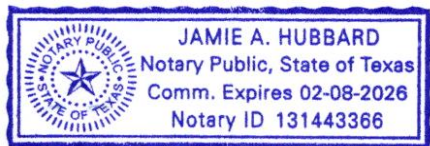
STATE OF TEXAS
COUNTY OF MIDLAND

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

[Signature]

Authorized Agent (signature)

Subscribed and sworn to before me, this 6th day of February, 2024, to certify which witness my hand and seal of office.



Jamie A. Hubbard

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 # 1698

☐ Tax Certificates

☐ Recording Fee

Received By: [Signature]

Check # [Signature]

Date: FEB 07 2024

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

PACKET

Page 3.16

March 4, 2024



LOCATION MAP
N.T.S.

GARDEN TWENTY ADDITION, SECTION 5

BEING A 7.84 ACRE TRACT
LOCATED IN SECTION 6, BLOCK 38, T-2-S, T&P RR. CO. SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS

LEGEND

- 1/2" IRON ROD FOUND WITH CAP
- 1/2" IRON ROD SET WITH CAP SET WHERE POSSIBLE
- BOUNDARY LINE
- - - ADJACENT PROPERTY

GRAPHIC SCALE
0 50' 100'
(IN FEET)
1 inch = 50 ft.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, FORREST HERMANOS, LLC, IS THE RECORD OWNER OF ALL OF THAT CERTAIN LAND SHOWN ON THIS PLAT AND DESIGNATED AS GARDEN TWENTY ADDITION, SECTION 5, BEING A 7.84 ACRE TRACT LOCATED IN SECTION 6, BLOCK 38, T-2-S, T&P RR. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, MICHAEL FORREST, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS GARDEN TWENTY ADDITION, SECTION 5 AND HEREBY DEDICATE TO THE PUBLIC USE FOREVER OF THE STREETS AND EASEMENTS SHOWN HEREON.

WITNESS OUR HANDS AT MIDLAND, TEXAS, THIS _____ DAY OF _____, 2024.

FORREST HERMANOS, LLC
MICHAEL FORREST, MANAGING MEMBER

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF MIDLAND

THIS PLAT WAS ACKNOWLEDGED BEFORE ME ON _____, 2024 BY MICHAEL FORREST.

NOTARY PUBLIC, STATE OF TEXAS

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 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.
- BEARINGS/DISTANCES/COORDINATES RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, WITH A COMBINED GRID FACTOR OF 0.999999992 AND THETA ANGLE OF -50.5245°.
- THE AREA SHOWN ON THIS PLAT IS IN FLOOD ZONE X ACCORDING TO FIRM MAP NUMBER 48302C000F DATED SEPTEMBER 16, 2005.
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- ACCESS TO INTERSTATE 20 IS LIMITED TO THE TWO ACCESS POINTS SHOWN.

OWNER:

FORREST HERMANOS, LLC
PO BOX 1551
ODESSA, TEXAS 79760

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____
DATE _____

GARDEN TWENTY ADDITION, SECTION 5



NEWTON ENGINEERING, PC
4501A Santa Rosa Dr. P-13855 2481 E. 2nd St.
Midland, Texas 79707 F-10194509 Odessa, Texas 79761
(409) 720-0000 (409) 933-0707

March 4, 2024
DATE: JANUARY 2024

SCALE: 1"=50'

FINAL PLAT

PROJECT NUMBER
23-ME09121

CERTIFICATE OF APPROVAL: FOR APPROVAL BY THE COMMISSION:

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

SURVEYOR'S CERTIFICATE:

THAT I, DOW E KELLY, 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 WERE FOUND PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.



Page 3.17 20

REGISTERED PROFESSIONAL SURVEYOR

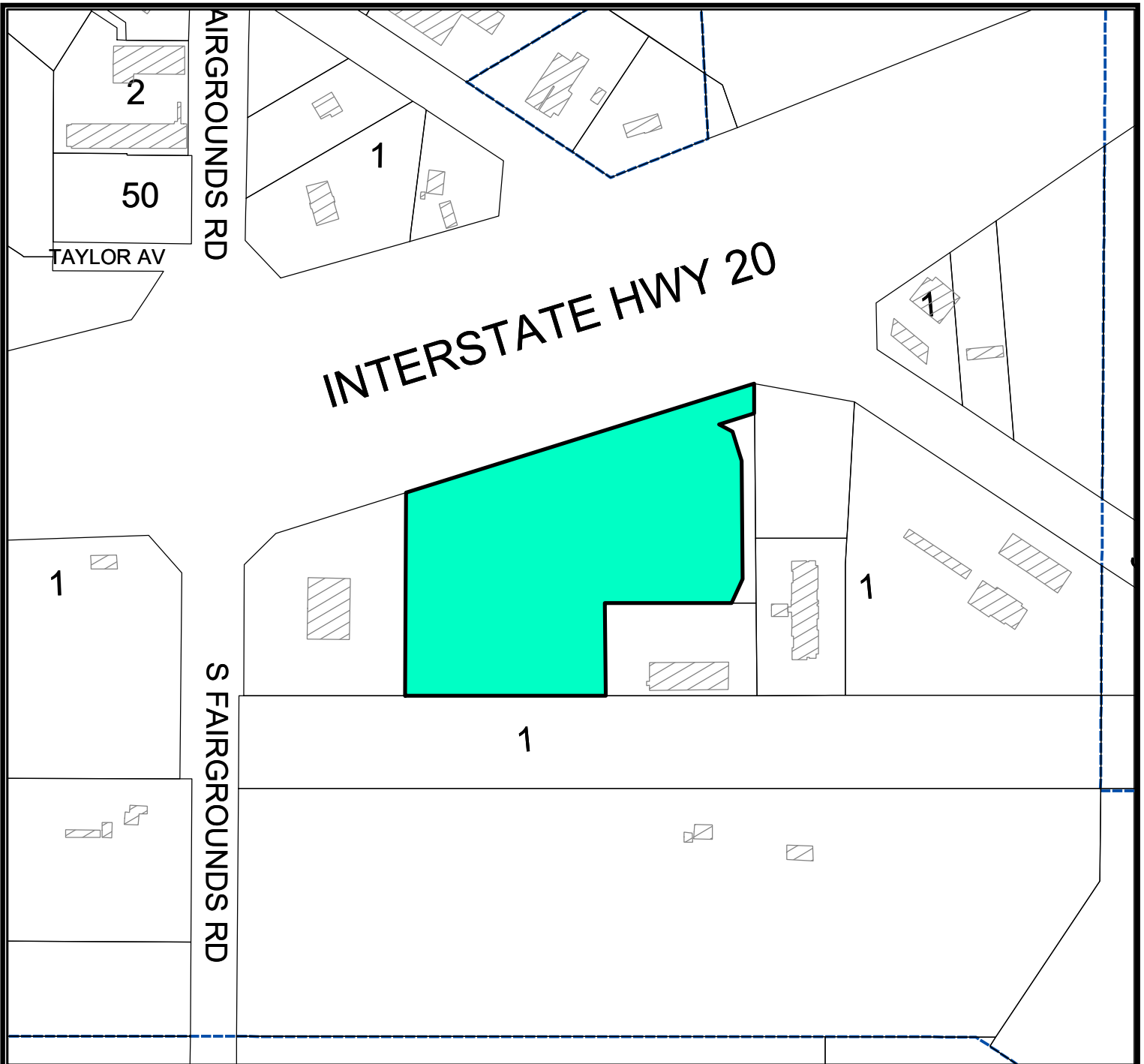
UTILITY COMPANY CERTIFICATE:

This plot has been checked for accessibility of utilities.

Signed: _____ Signed: _____
Onor Electric Delivery Company Optimum
Signed: _____ Signed: _____
A. T. & T. Astound Broadband
Signed: _____ Signed: _____
Altos Energy

PACKET

Signed: _____
Lucy Staniega, Chairman
Signed: _____
Xavier Bauguess, Secretary



LOCATION MAP

SUB-23-0683

Scale: 1" = 311'

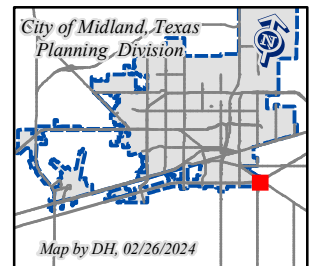
Proposed plat of Garden Twenty Addition, Section 5, being a 7.84-acre tract of land located in Section 6, Block 38, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located on the south side of Interstate 20 East, approximately 360 feet east of South Fairgrounds Road. (Council District 2)

PACKET

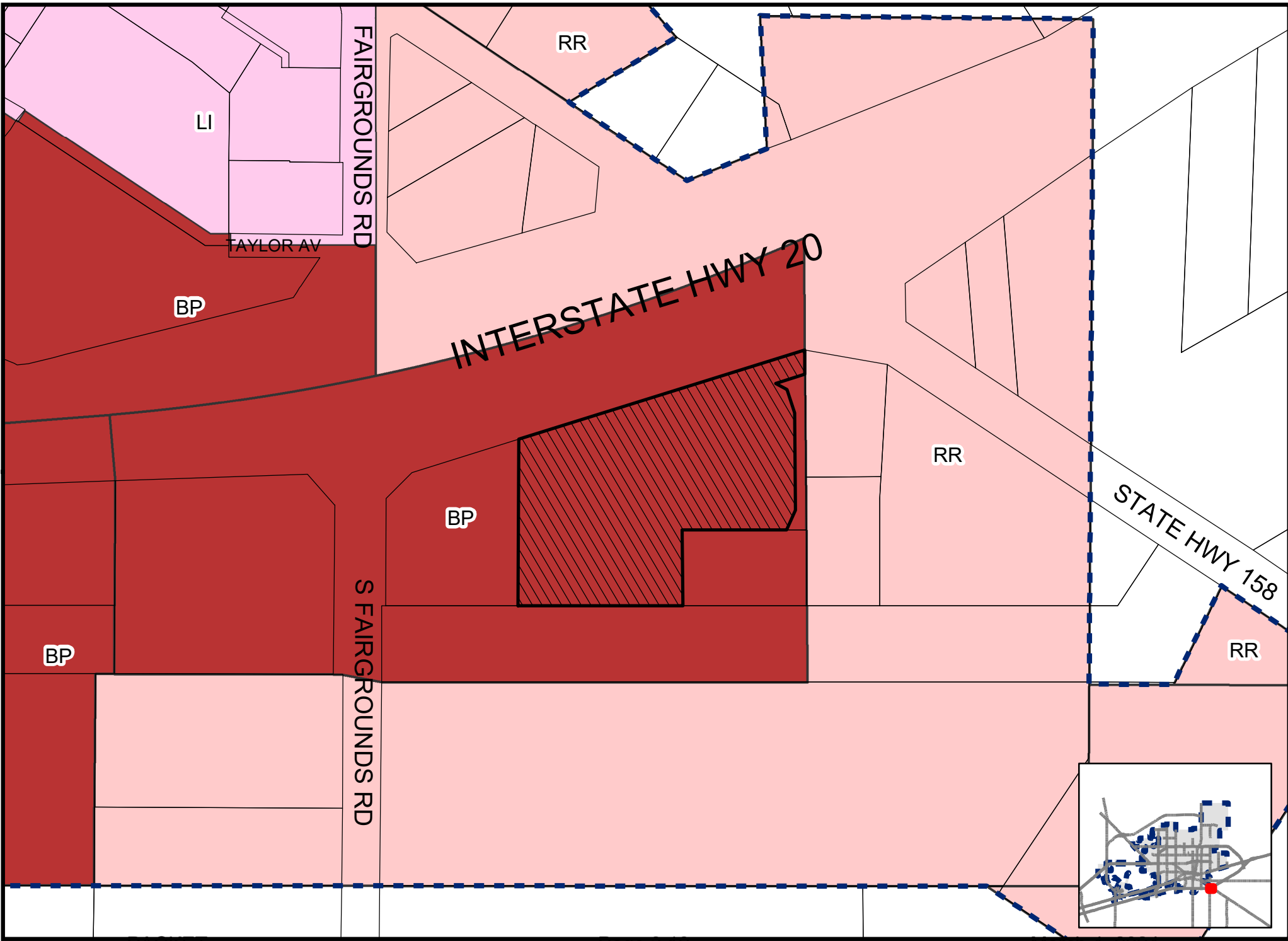
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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INTERSTATE HWY 20

S FAIRGRO



1

1



Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: March 4, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving a Final Plat of Grasslands Estates, Section 25, being a replat of Lot 1, Block 11, Grassland Estates, Section 7, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Crowley Boulevard and West Wadley Avenue.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

AE, Agricultural Estate District.

Preliminary Plat Approval:

Parkhill, on behalf of Midland Independent School District, is requesting to replat the property at 3201 Heritage Boulevard, being Lot 1, Block 11, Grassland Estates, Section 7, City and County of Midland, to remove the access prohibition from the previous plat and allow driveway access from West Wadley Avenue.

The Planning & Zoning Commission recommended approval of the preliminary plat on August 21, 2023. City Council approved the preliminary plat on September 12, 2023.

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: Wadley Ave okay as is. Heritage roadway okay as is. Highland roadway okay as is. Crowley roadway okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 12" water exists in Wadley Ave, okay as is. 12" water exists in Heritage Street, okay as is. 12" water exists in Highland Street, okay as is. 16" water exists in Crowley 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: 18" sewer exists North of tract, okay as is. 15" sewer exists West of tract, okay as is. 10" sewer exists in Highland Street, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

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

Fire: (Approved)

No comments or objections.

Oil and Gas: (Approved)

No Oil & Gas issues.

Building Code: (Approved)

No objections.

GIS: (Approved)

No comments.

Planning: (Approved with Conditions)

Print the name of the person signing the owner's certificate. [Information]

Staff recommends approval of the Final Plat of Grassland Estates, Section 25, 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
Location Map
Zoning Map
Aerial Map



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Grassland Estates Section 25**Legal Description (attached sealed Metes and Bounds):** Being 31.596 Ac. suited in Section 36 and 25, Block 40 T-1-S, T. & P. RR. Survey, City and County of Midland, Texas. A Replat of Grassland Estates, Section 7, City and County of Midland, Texas**Property Owner**Printed Name: Midland ISDPhone ()
EmailAddress 615 W Missouri AveCity MidlandState TXZip 79701**Developer (if different than Owner)**

Printed Name: _____

Phone ()
Email

Address _____

City _____

State _____

Zip _____

Representative (if acting as Agent, see affidavit on page 2)Firm: ParkhillPrinted Name: Josh WallenderPhone (432) 697-1447
Emailjwallender@parkhill.comAddress 1700 West Wall, Suite 100City MidlandState TexasZip 79701**Current Zoning:** AE**Reason for Platting:** Platting for driveway access**Plat Information**Total Acreage: 31.59 Ac.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:

Property Owner (printed):

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.

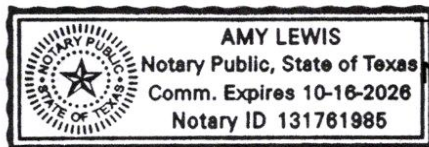
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Josh Wallender who, being by me duly sworn, upon oath says: That (s)he is authorized by Midland ISD, 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 7 day of February, 20 24, 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>2nd online</u> | ☒ Tax Certificates | Check # <u>001662</u> |

Received By:

Date:

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

PACKET

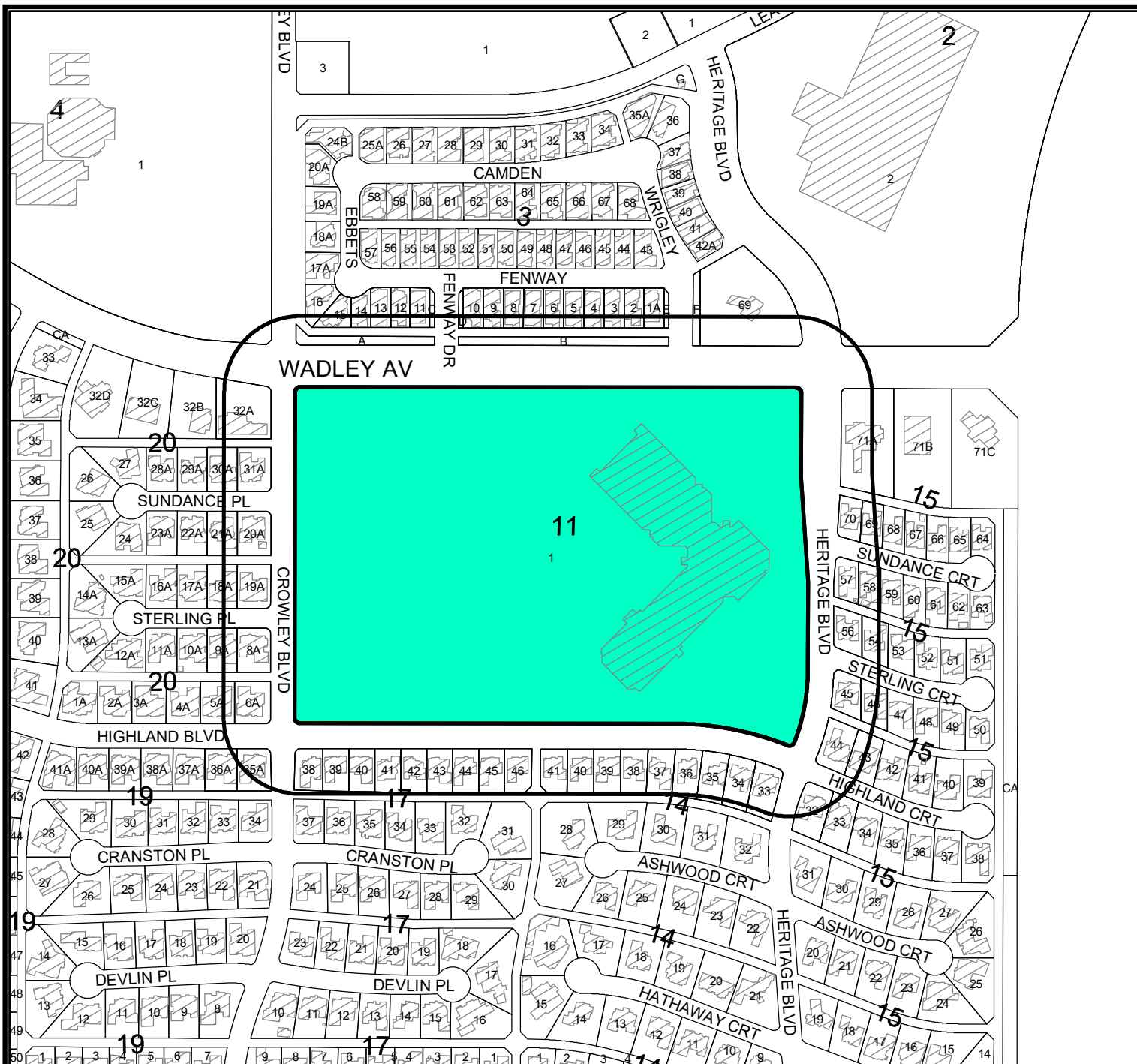
Page 4.25

FEB 08 2024
March 4, 2024

Final Plat Application

2

Revised 7/01/19



LOCATION MAP

SUB-23-0637

Scale: 1" = 4,885'

Plat of Grasslands Estates, Section 25, being a replat of Lot 1, Block 11, Grassland Estates, Section 7, City and County of Midland, Texas.

Generally located on the southeast corner of the intersection of Crowley Boulevard and Wadley Avenue. (Council District 4)

PACKET

Page 4.27

LEGEND

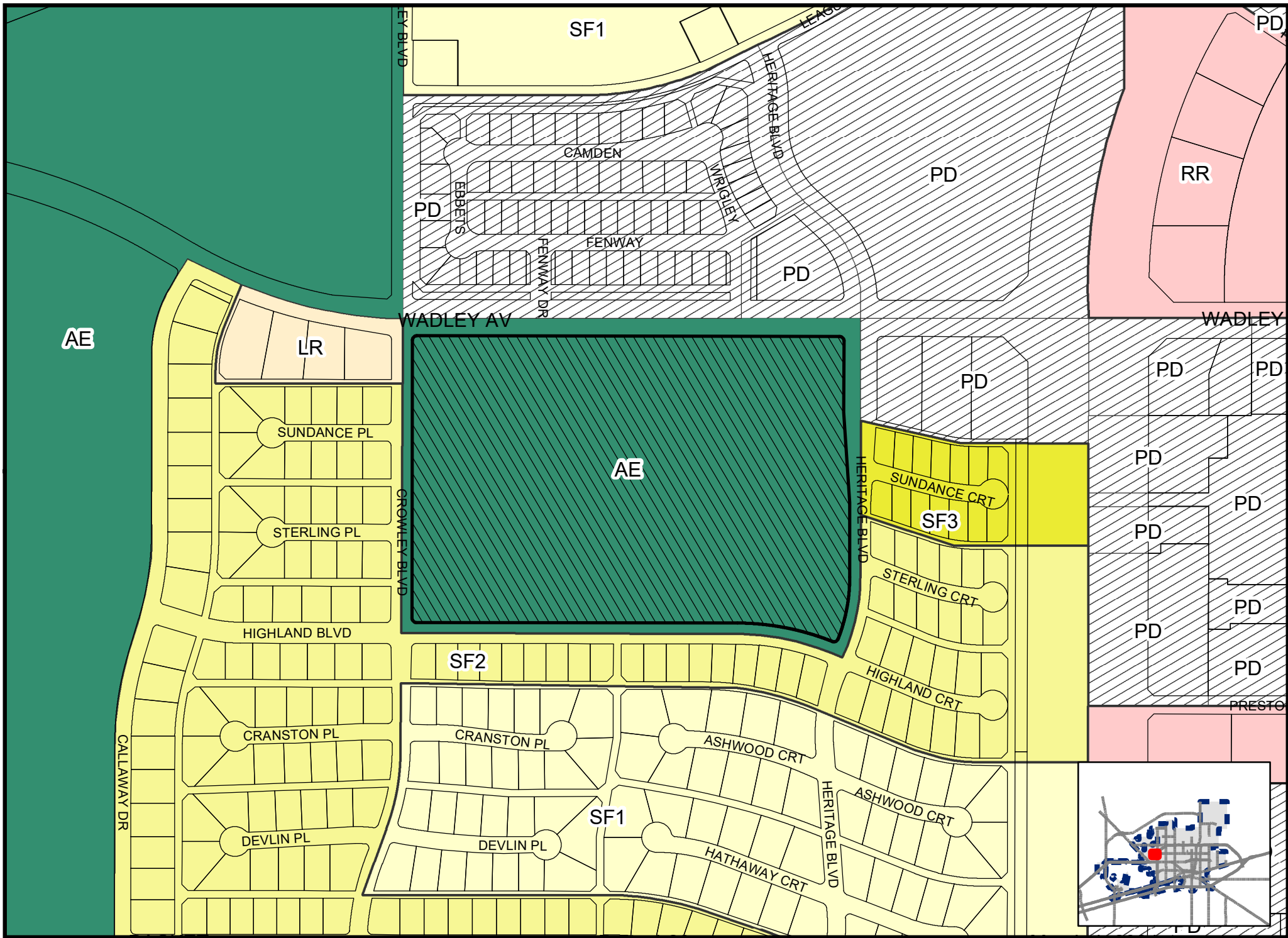
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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March 4, 2024



PACKET

Page 4.28

March 4, 2024

Map By LO, 8/15/2023

SUB-23-0637

Scale: 1" = 4,799'

ZONING MAP



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WADLEY AV

FENWAY DR

SUNDANCE PL

STERLING PL

CROWLEY BLVD

HERITAGE BLVD

SUNDANCE CR

STERLING CRT

HIGHLAND BLVD

ANSTON PL

PACKET

CRANSTON PL

SHWOOD CRT

HIGHLAND CR



Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: March 04, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Hold a public hearing and consider a motion approving a proposed Final Plat of Carrollwood Addition, Section 3 being a plat of 34.50-acre tract of land out of Section 24, Block 40, T-2-S, T & T, RR Co Survey, Midland County, Texas. (Generally located on the west side of South County Road 1232, approximately 3,430 feet north of West County Road 140.) (DISTRICT: NONE) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

Schumann Engineering, on behalf of Antelope Trails Two LLC, is requesting to plat a 34.50-acre tract of land out of Section 24, Block 40, T-2-S, T & T Co. Survey, Midland County, Texas, into six (6) lots to obtain septic permits and addresses.

The preliminary plat received recommended approval from the Planning and Zoning Commission on December 18, 2023 meeting and approval from City Council approved it on January 9, 2024.

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 all been received.

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

Below are the departments' comments.

Departmental Review:

ENGINEERING: (Approved)

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

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

PAVING: South County Road 1232 is sub-standard, construct to City Standards for entire platted frontage or request a deferral. [Reference Midland City Code Sect. 11-2-3(G)2]

WATER: None existing. Construct water to City standards along entire platted frontage, or request a deferral. [Reference Midland City Code Sect. 11-2-3(G)2]

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

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

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

DRAINAGE: 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 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)

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction.

GIS: (Approved)

Is the 20' utility easement on the west of the plat existing? If so, please provide recording information. Is the access easement private?

CRMWD: (Approved)

We do not have any comments on this plat.

Midland County: (Approved)

They will need to get a Driveway Permit from Public Works on the 11th floor of Courthouse to tie into SCR 1232.

Midland County Health Department: (Approved)

Yes, the health department will review applications from the 6 proposed lots of Carrollwood Addition Section 3, PLAT OF A 34.5 ACRE TRACT OF LAND OUT OF SECTION 24, BLOCK 40, T-2-S, T. & P. RR. CO. SURVEY each lot 10 is 5.7 acre, lot 11 is 6.4acre, lot 12 is 6.4 acre, lot 9 is 5 acre, lot 8 is 5.3 acre, and lot 7 is 5.3 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

Planning: (Approved with Conditions)

All comments have been addressed.

Condition:

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

Attachments:

Application
Proposed Final Plat
Application
Location Map



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: **Carrollwood Addition, Section 3**Legal Description (attached sealed Metes and Bounds): **An Addition of 34.50 Acres out of Section 24, Block 40, T-2-S, T&P RR CO SURVEY, Midland County, Texas****Property Owner**Printed Name: **Antelope Trails Two, LLC**Phone **(432) 232-0087**Email **dannyt@dannyspaving.com**Address **2000 E 42nd St., S.C310** City **Odessa**State **Tx** Zip **79762****Developer (if different than Owner)**

Printed Name: _____

Phone () _____

Email **doe**

Address _____ City _____

State _____ Zip _____

Representative (if acting as Agent, see affidavit on page 2)Firm: **Schumann Engineering**

Phone (432) 684-5548

Email **ealeman@schumannonline.net**Printed Name: **Eduardo L. Aleman**Address **800 N. Marienfeld, Suite 100**City **Midland**State **TX**Zip **79701****Current Zoning:** _____

Reason for Platting: _____

Plat InformationTotal Acreage: **34.50**Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: **6**

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)
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Mylar Reproductions

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- ☐ 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: 2/7/2024

Property Owner (printed): Antelope trails Two LLC

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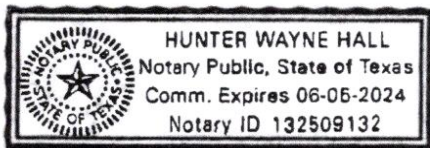
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Antelope Trails LLC who, being by me duly sworn, upon oath says: That (s)he is authorized by Eduardo L. Aleman, 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 7th day of February, 20 24 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>Paid Online</u> | ☒ Tax Certificates | ☒ Recording Fee |
| | | Check # <u>1160-77718</u> |

Received By:

Date: 7/7/24

****Application will not be considered for scheduling until reviewed by a planner: 7/7/2024**

CARROLLWOOD ADDITION

SECTION 3,

A PLAT OF 34.50 ACRES
OUT OF SECTION 24, BLOCK 40,
T-2-S, T & P, RR CO. SURVEY,
MIDLAND COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, ANTELOPE TRAILS TWO, LLC. IS THE RECORD OWNER(S) OF A TRACT OF LAND SITUATED IN THE NORTHEAST PART OF SECTION 24, BLOCK 40, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 34.50 ACRE TRACT OF LAND, OUT OF THE NORTHEAST PART OF SECTION 24, BLOCK 40, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, SAID 34.50 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINFORCING BAR SET (N-10668131.76, E-1738051.48) IN THE WEST RIGHT OF WAY LINE OF SOUTH COUNTY ROAD 1232, ANTELOPE TRAIL (300' RIGHT OF WAY) FOR THE NORTHEAST CORNER OF THIS TRACT, FROM WHICH THE NE CORNER OF SAID SECTION 24 BEARS NORTH 75°37'01" EAST 1098.46 FEET AND NORTH 14°17'57" WEST 966.87 FEET;

THENCE SOUTH 14°22'59" EAST, ALONG SAID WEST RIGHT OF WAY LINE OF SAID SOUTH COUNTY ROAD 1232, 896.92 FEET TO A REINFORCING BAR FOUND FOR THE SOUTHEAST CORNER OF THIS TRACT AND ALSO BEING THE NORTHEAST CORNER OF CARROLLWOOD ADDITION;

THENCE SOUTH 75°37'01" WEST 1656.48 FEET TO A REINFORCING BAR FOUND FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 16°47'31" WEST 897.71 FEET TO A REINFORCING BAR SET FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 75°37'01" EAST 1694.21 FEET TO THE PLACE OF BEGINNING.

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS CARROLLWOOD ADDITION, SECTION 3, AN ADDITION OF 34.50 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.

ANTELOPE TRAILS TWO, LLC.

STATE OF TEXAS
COUNTY OF MIDLAND

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2024, BY ANTELOPE TRAILS TWO, LLC.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE THE CITY PLANNING AND ZONING COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF CARROLLWOOD ADDITION, SECTION 3 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 BAUGUES

LEGEND:

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

OWNER(S):

ANTELOPE TRAILS TWO, LLC.
2000 E. 42ND ST., SUITE C310
ODESSA, TX 79762

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

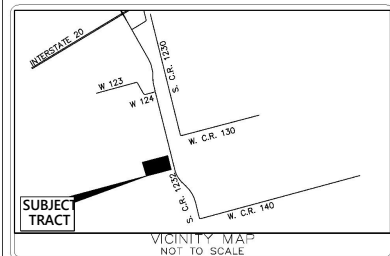
GRAPHIC SCALE
0 200 400
(1 INCH = 200' FEET)

RJ DAUM
TEXAS RPLS 4826



PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____
DATE _____ PAGE _____



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

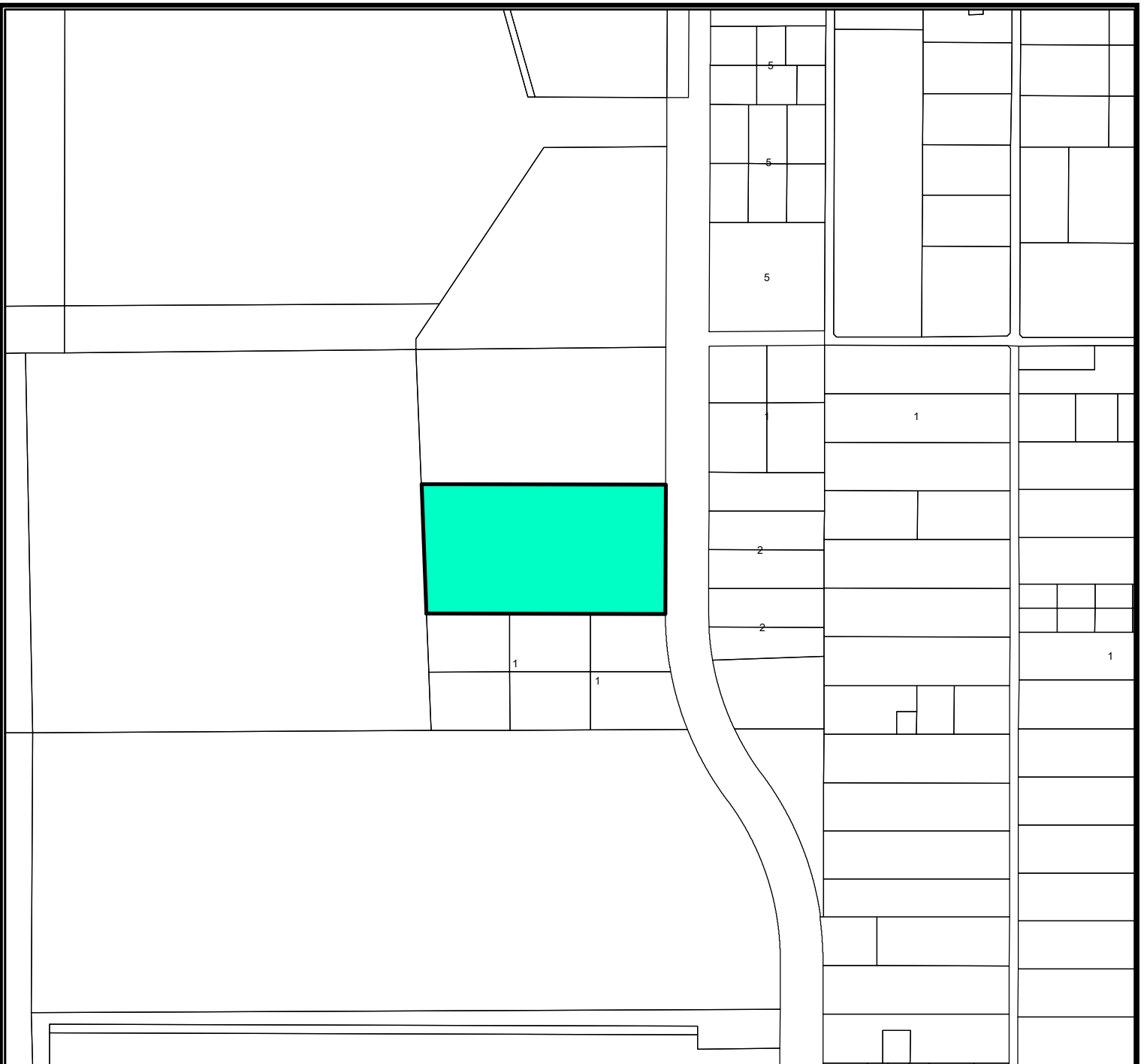
PACKET

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.
- 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 FEMA PANEL 483290200F, EFFECTIVE DATE OF SEPTEMBER 16, 2005. PROPERTY IS IN ZONE "A" AND ZONE "X" SHOWN ABOVE.
- 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 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 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.
- MIDLAND COUNTY AND ITS EMPLOYEES, CONTRACTORS, AGENTS, SUCCESSORS, AND ASSIGNS SHALL HAVE THE FREE AND UNINTERRUPTED RIGHT AND PRIVILEGE AT ANY AND ALL TIMES TO ENTER, OR ANY PART THEREOF, FOR THE PURPOSES OF ESTABLISHING, CONSTRUCTING, INSTALLING, REALIGNING, MODIFYING, REPLACING, IMPROVING, OPERATING, MAINTAINING, INSPECTING, REPAIRING AND REMOVING DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO THE RIGHT TO CUT AND TRIM BUSHES AND TREES AND TO REMOVE SEDIMENT, AND FOR ENFORCEMENT OF THE COUNTY SUBDIVISION REGULATIONS AND FLOOD DAMAGE PREVENTION REGULATIONS, OR FOR ANY OTHER ANCILLARY PUBLIC USE AS USUAL AND CUSTOMARY IN CONNECTION THEREWITH.
- DEVELOPER MAY NOT USE ANY PART OF THE PROPERTY DESCRIBED HEREIN IF SUCH USE WILL DAMAGE, DESTROY, INJURE, AND/OR UNDOLY INTERFERE WITH MIDLAND COUNTY'S USE OF THE PROPERTY. DEVELOPER EXPRESSLY COVENANTS AND AGREES FOR ITSELF, ITS LEGAL REPRESENTATIVES, SUCCESSORS AND/OR ASSIGNS, THAT NO BUILDING, ROADWAYS, OR CURBS AND GUTTERS OF ANY KIND WILL BE PLACED ON THE PROPERTY DESCRIBED HEREIN. WRITTEN PERMISSION FOR ABOVE-GROUND APPEARANCES MUST BE OBTAINED FROM MIDLAND COUNTY PRIOR TO INSTALLATION.
- THE MAINTENANCE OF ANY STORMWATER FACILITY IN THIS EASEMENT IS THE RESPONSIBILITY OF THE PROPERTY OWNER. PROPERTY OWNER AGREES TO MAINTAIN THE FACILITY IN WORKING ORDER, WITH INSPECTIONS AND CORRECTIVE ACTION MADE AT LEAST ANNUALLY. REPORTS OF SUCH INSPECTIONS AND MAINTENANCE SHALL BE KEPT FOR INSPECTION BY THE MIDLAND COUNTY JUDGE'S OFFICE ON REQUEST, OR MAY BE FORWARDED TO THE COUNTY JUDGE'S OFFICE AT 500 N. LORAIN ST., SUITE 1100, MIDLAND, TEXAS 79701.
- MIDLAND COUNTY SHALL HAVE THE RIGHT TO MITIGATE DEFICIENCIES IN THE FUNCTION OF THE STORMWATER FACILITY, AND TO BE REIMBURSED BY THE PROPERTY OWNER, IF THE COUNTY FINDS IT NECESSARY FOR PUBLIC HEALTH AND SAFETY.
- APPROVAL OF THE SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THESE LOT(S) MAY BE DEVELOPED AND A BUILDING PERMIT MAY BE OBTAINED.

Page 5.35

NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
				JG	07/24/2023
				CHECKED BY:	ED/RJ
				PROJECT NO.:	79662
				JOB NO.:	79,662
				SHEET:	1 OF 1



LOCATION MAP

SUB-23-0635

Scale: 1" = 1000'

Proposed plat of Carrollwood Addition, Section 3, being a plat of a 34.50-acre tract of land out of Section 24, Block 40, T-2-S, T&P, RR Co Survey, Midland County, Texas.

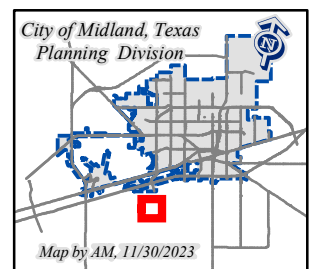
Generally located on the west side of South County Road 2332, approximately 3,340 feet north of West County Road 140. (Extraterritorial Jurisdiction)

PACKET

Page 5.36

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

March 4, 2024



Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: March 4, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Consider a request by Scott Bowden for a zone change from AE, Agricultural Estate District to SF-2, Single Family Dwelling District on a 20.91-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 of Midland, Texas. (Generally located on the north side of Solomon Lane, approximately 900 feet east of Trenwood Drive) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Scott Bowden, is requesting a Zone Change from AE, Agricultural Estate District to SF-2, Single Family Dwelling District to add fifty-eight (58) lots in the next phase of Pavilion Park Addition. This property is a replat, Pavilion Park, Section 15, that is currently in the preliminary stage.

Current Zoning:

AE, Agricultural Estate District

Surrounding Zoning and Land Use:

The surrounding zoning includes SF-2, Single Family Dwelling District, to the west, which is currently being developed into a subdivision. All abutting lots to the north are part of a developed residential neighborhood. The adjacent lots to the east and south are zoned AE, Agricultural Estate District and consist of mostly vacant land with a Saltwater disposal well and one house.

Analysis:

The subject property is zoned AE, Agricultural Estate District Scott Bowden, is seeking this zone change in order to continue subdivision development. This area already has a large SF-2 zoning area. Changing this zoning would help the development of more homes in the area and will conform to existing zoning in the area.

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

This proposed zone change has been circulated to the respective City departments for internal review and their comments, conditions, and requirements are as follows:

Fire: (Approved)

No objections.

Oil and Gas: (Approved with Conditions)

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.

Engineering: (Approved with Conditions)

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

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from

Engineering and Traffic Operations. [For the Applicant's information only.] No objection to zone change. [For the Applicant's information only.]

Planning:

Therefore, staff recommends approval of this zone change from AE, Agricultural Estate District, to SF-2, Single Family Dwelling District.

Conditions:

- A. That the use and development of this property shall conform to the regulations of the SF-2, Single-Family Dwelling District.**

Letters of Objection:

Staff has not received any letters of objection as of March 1, 2024.

Attachments:

Application
Zone Change Exhibit (Exhibit A)
Maps



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

Project Number: _____

Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: Scott Bowden		Phone (432) 967-1259 Email scott@midlandreco.com	
Address 4513 Santos Rosa Drive	City MIDLAND	State TX	Zip 79707

Property Owner Printed Name: 3 CENTAVOS, LLC.		Phone (432) 967-1259 Email	
Address 4513 Santos Rosa Drive	City MIDLAND	State TX	Zip 79707

Representative (if different from Applicant or Property Owner) Firm: WA CIVIL, LLC. Printed Name: LARRY H. WALKER, P.E., P.M.P.		Phone (432) 901-2060 Email lwalker@wcivil.com	
Address 223 West Wall St., Suite 226 (8th Floor) Midland Towers	City MIDLAND	State TX	Zip 79701

Street Address: RIAZ DRIVE	
Legal Description Lot: 1-9, 1-18, 1-4, & 1-3 Block: 6, 7, 8, & 10 Subdivision: PAVILLION PARK ADDITION, SECTION 15	

Current Zoning: AE	Proposed Zone: SF2 (List by tracts if more than one district is requested)
---------------------------	--

Reason for Zone Change Request: Change owner's land that is still zoned Agricultural Estate (AE) to add lots in the next phase of residential subdivision that is Single Family 2(SF2).

Present Use of Property: UNDEVELOPED LAND
--

Proposed Use of Property: RESIDENTIAL (SF2)
--

How would this zone change affect the public health, safety and welfare? It will have no adverse affect on the public health, safety, or welfare.

Describe how conditions affecting the property have changed since present zoning designation: No physical conditions have changed owner owns the land and surrounding land, and has decided to add lots to the phase of the subdivision.

Submittal and Fees Items to be submitted with this application form: • Application Fee – Payable to the 'City of Midland' • Dimensioned Site Plan • Digital Copies of Site Plan (PDF/JPEG)

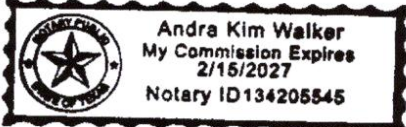
Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): <u>[Signature]</u>	Date: <u>11/10/2023</u>
Applicant (printed): Scott Bowden	
Property Owner (signature): <u>[Signature]</u>	Date: <u>11/10/2023</u>
Property Owner (printed): 3 CENTAVOS, LLC. - Scott Bowden	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Larry Walker who, being by me duly sworn, upon oath says: That (s)he is the owner of Pavilion Park or 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.



Andra Kim Walker
My Commission Expires 2/15/2027
Notary ID 134205545

[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
☒ Property Owner Authorization ☒ Application Fee Check # <u>Paid Online</u>	☒ Dimensioned Site Plan ☒ Plans in Digital Format (PDF/JPEG)
Received By: <u>[Signature]</u>	Date: <u>JAN 24 2024</u>

ZONE CHANGE EXHIBIT - TRACT 'Z' [Agricultural to SF2] PAVILION PARK ADDITION, SECTION 15

BEING A 20.91 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.

TRACT 'Z' [Agricultural to SF2]

BEING A 20.91 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 of Midland, Texas;
BEGINNING at (Lat. 32.05881074°; Lon. -102.07047150°) a ½ inch iron rod with red plastic cap marked "LANDPOINT MIDLAND" found in the North line of Pavilion Park Addition, Section 7, for the most Northeasterly corner of this 20.91 acre tract;
THENCE S 14°24'06" E, a distance of 259.48 feet to a ½ inch iron rod with red plastic cap marked "WEST CO. MIDLAND" found for an interior corner of this 20.91 acre tract;
THENCE S 79°09'51" E, a distance of 216.69 feet to a ½ inch iron rod with red plastic cap marked "WEST CO. MIDLAND" found for the Most Easterly corner of this 20.91 acre tract;
THENCE S 26°43'47" W, a distance of 412.17 feet to a ½ inch iron rod with an orange plastic cap found for an interior corner of this 20.91 acre tract;
THENCE S 14°26'59" E, a distance of 600.00 feet to a ½ inch iron rod with red plastic cap marked "LANDPOINT MIDLAND" found for the Most Southeasterly corner of this 20.91 acre tract;
THENCE S 75°39'45" W, a distance of 660.00 feet to a ½ inch iron rod with red plastic cap marked "WEST CO. MIDLAND" found for the Southwest corner of this 20.91 acre tract;
THENCE N 14°27'32" W, a distance of 1262.52 feet to a point in the North line of said Pavilion park Addition, Section 7, for the Northwest corner of this 20.91 acre tract;
THENCE N 75°41'12" E, with the North line of said Pavilion Park Addition, Section 7, a distance of 735.96 feet to the POINT OF BEGINNING, and containing 20.91 acres.

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
Midland, Texas 79701

LEGEND

	DENOTES FOUND MONUMENT AS NOTED		DENOTES BOUNDARY LINE
	DENOTES EXISTING FIRE HYDRANT		DENOTES LOT LINE
	DENOTES EXISTING TOPOGRAPHIC POINTS & ELEVATIONS		DENOTES EASEMENT LINE
	DENOTES POWER POLE		DENOTES EASEMENT LINE
	DENOTES ZONE CHANGE TRACT 'Z' FROM AGRICULTURAL TO SF2 AS PER APPLICATION		DENOTES EXISTING EASEMENT LINE
	DENOTES POINT OF BEGINNING		DENOTES EXISTING WATER LINE
	D.R.M.C.T. DEED RECORD, MIDLAND COUNTY, TEXAS		DENOTES EXISTING SANITARY SEWER
	M.C.D.R. MIDLAND COUNTY DEED RECORDS		DENOTES EXISTING ELECTRIC LINE
	P.R.M.C.T. PLAT RECORDS, MIDLAND COUNTY, TEXAS		DENOTES EXISTING FENCE LINE
			DENOTES EXISTING OPTIC LINE
			DENOTES EXISTING CONTOURS

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

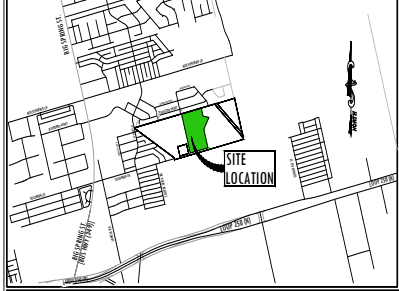
PENNELL LAND SURVEYING, LLC
SURVEYING FIRM #: 10193978
2030 W. Cuthbert
Midland, Texas 79701

March 4, 2024
PAVILION PARK ADDITION, SECTION 15

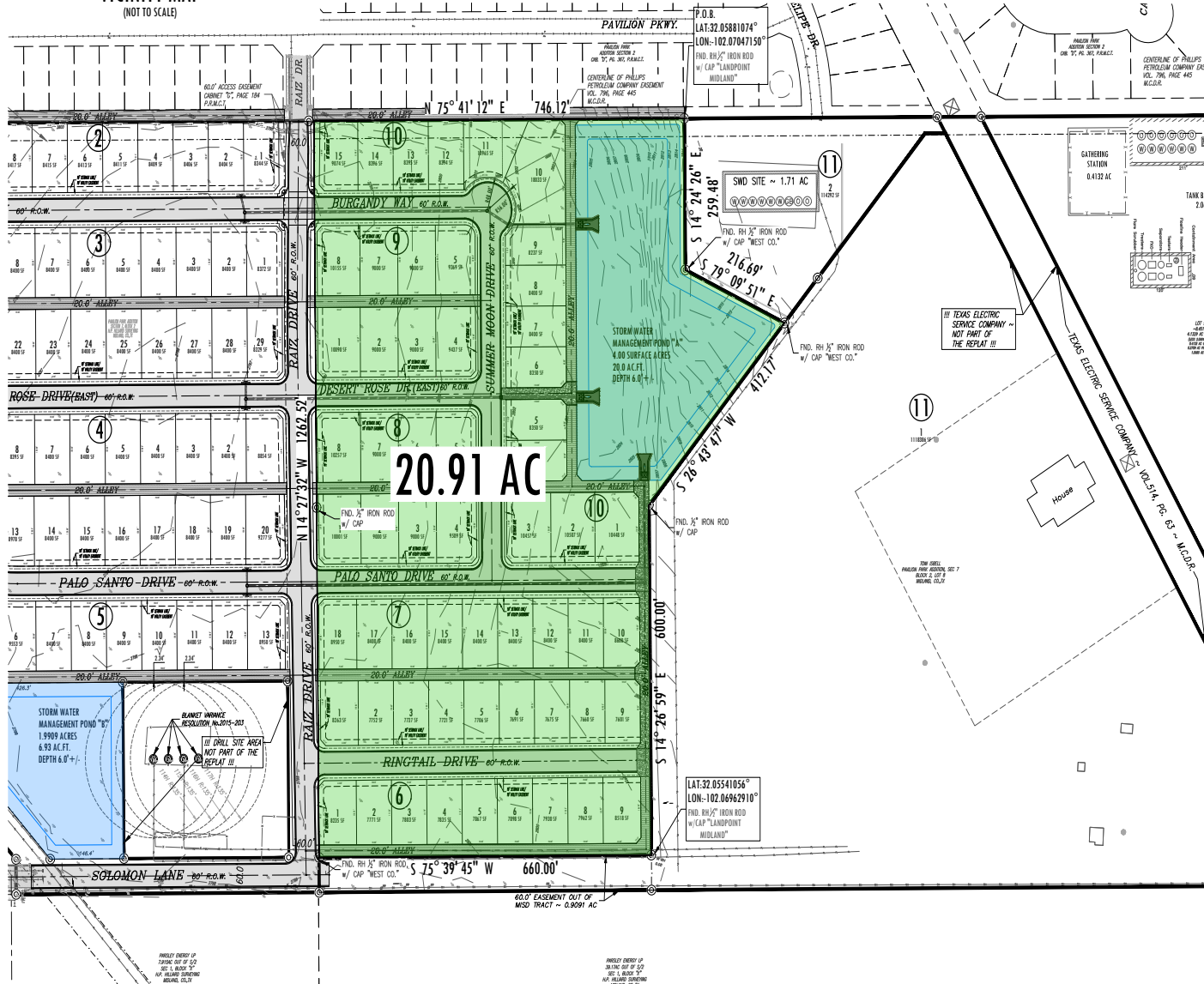
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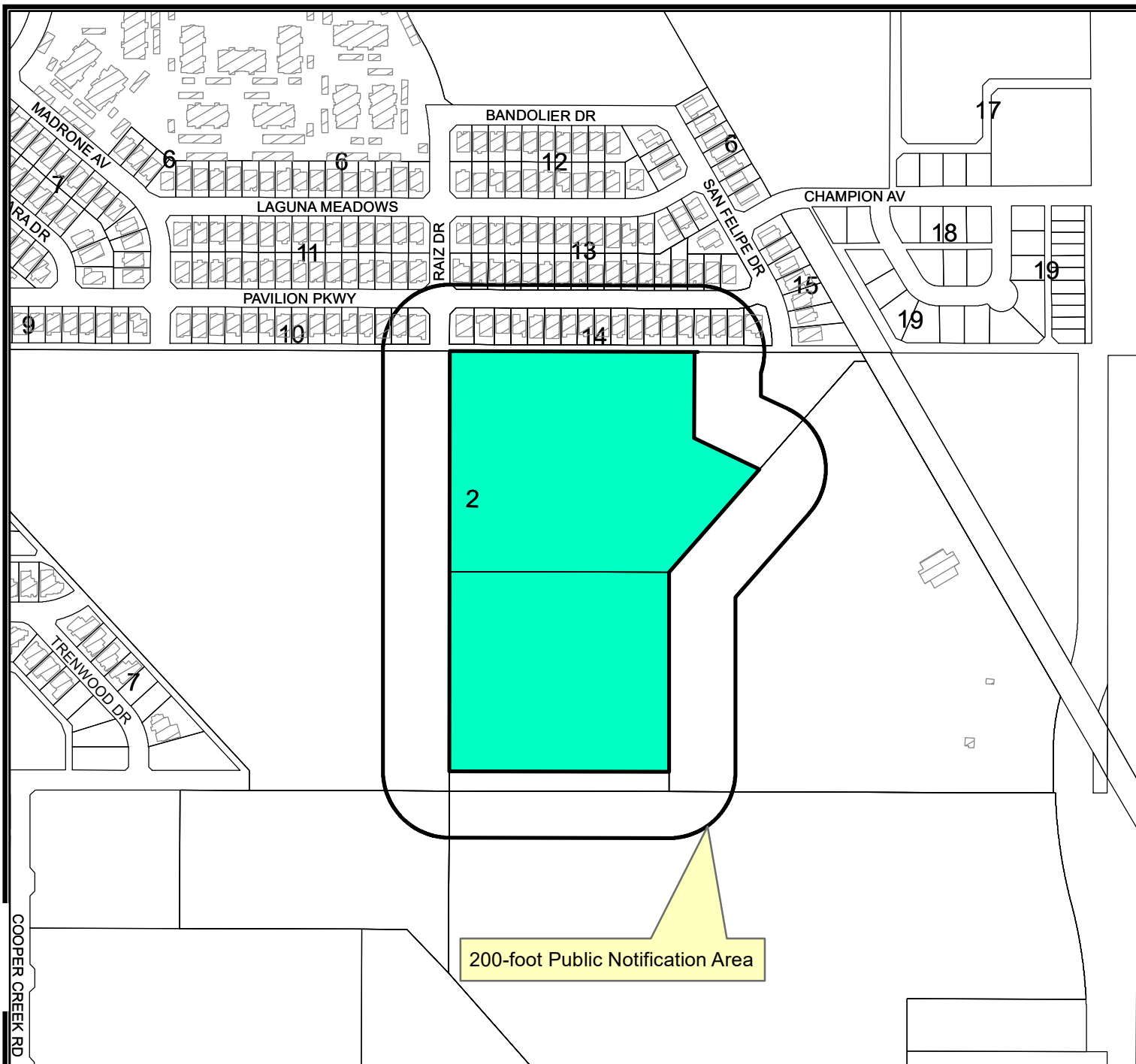
Page 6.42

0' 100' 200' 300'
SCALE 1" = 100'



VICINITY MAP
(NOT TO SCALE)





LOCATION MAP

Z-24-0361

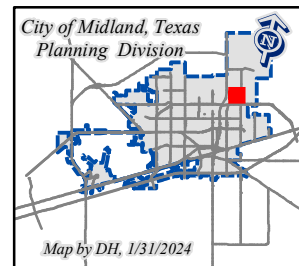
Scale: 1" = 434'

Consider a request by Scott Bowden for a zone change from AE, Agricultural Estate District to SF-2, Single Family Dwelling District on a 20.91-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 of Midland, Texas.

Generally located on the north side of Solomon Lane, approximately 900 feet east of Trenwood Drive.
(Council District 1)

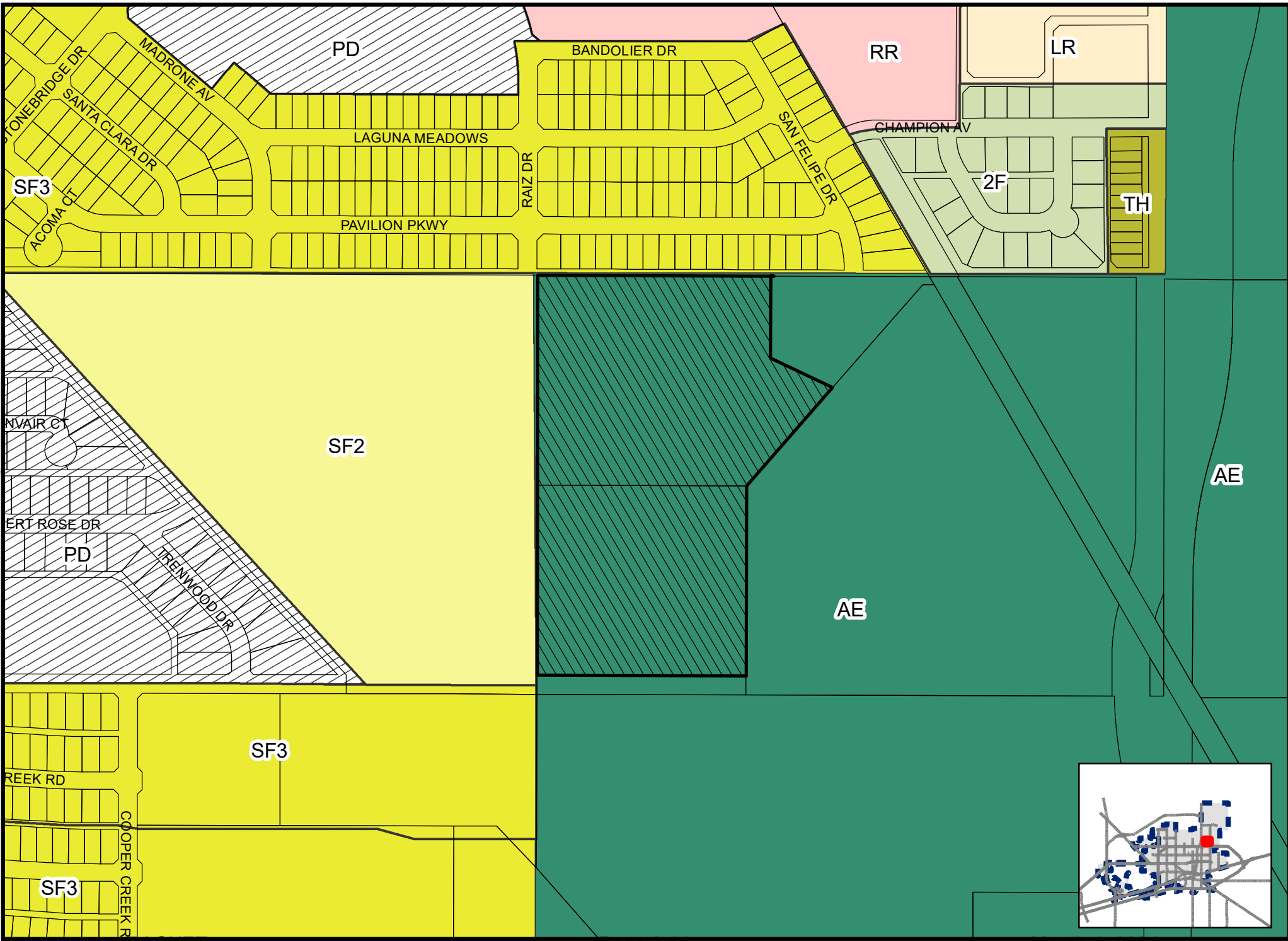
LEGEND

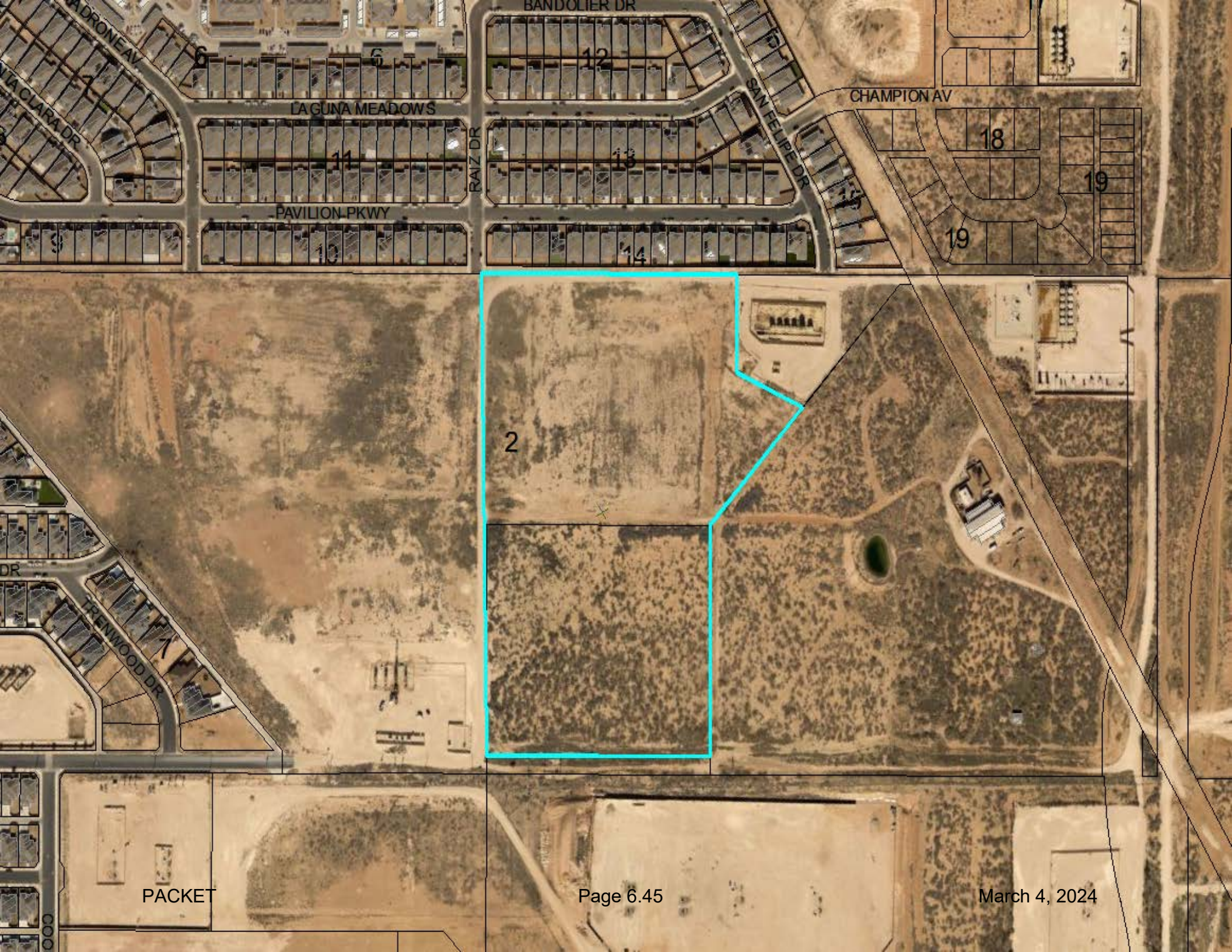
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: March 4, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Consider a request by PubWT, LLC for a Specific Use Designation with Term for the Sale of all alcoholic beverages for on premises consumption in a Restaurant on a 3,094-square foot portion of Lot 3A, Block 3, Mayfield Place Addition, Section 8, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North Midkiff Road and Mockingbird Lane.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, PubWT, LLC, is requesting a Specific Use Designation (SUD) with Term for Alcoholic Beverages Sales for On-Premises Consumption in a restaurant called The Public House WT located at 3200 Mockingbird Lane.

Current Zoning:

RR, Regional Retail District

Surrounding Zoning and Land Use:

The property to the north is zoned PD, Planned District for Housing Development and is the location of apartments. The properties to the east are zoned O-1, Office District and are the locations of a vacant property and a medical lodge. The properties to the south are zoned PD, Planned District for Housing Development and are the location of residences. The properties to the west are zoned RR, Regional Retail District, in part, and AE, Agricultural Estate District, in part. One of the properties is vacant and the other is the location of an oil well.

Analysis:

The property is zoned RR, Regional Retail District. The RR zoning allows for Alcoholic Beverages Sales for On-Premises Consumption in a Restaurant with the approval of an SUD. The property does not have an existing SUD and the building has not been constructed but they have recently received their building permit. Per the approved plans, the site will have adequate parking and circulation. The total area of the restaurant is 3,094-square feet and the proposed alcohol serviceable area is 2,374.75-square feet.

The proposed hours of operation:

**Sunday through Wednesday form 11 a.m. to 12 a.m. (midnight)
Thursday through Saturday from 11 a.m. to 2 a.m. (the following day)**

The proposed hours of alcohol service:

**Sunday through Wednesday form 11 a.m. to 12 a.m. (midnight)
Thursday through Saturday from 11 a.m. to 2 a.m. (the following day)**

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, private schools, public schools, public school grounds, athletic stadium, or public hospitals within 300 feet measurement along the property lines of the street fronts, and from the front door in a direct line across intersection where they occur within this site.

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 Public House WT is a destination where Midland residents will gather and socialize.

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

Fire: (Approved)

No comments.

Engineering: (Approved)

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

Transportation: (Approved)

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

Building Code: (Approved)

The SUD for The Public House is acceptable. The property must adhere to the maximum occupant load of 155 persons for the alcohol serviceable area. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning: (Approved with Conditions)

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 restaurant, subject to Condition A through G.

Conditions:

A. That the serviceable area of the establishment shall be limited to approximately 2,375 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:

Sunday through Wednesday from 11 a.m. to 12 a.m. (midnight)
Thursday through Saturday from 11 a.m. to 2 a.m. (the following day)

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 the operator of the Establishment shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on-premises consumption to ensure that the conditions of this Specific Use Designation With Term are satisfied.

G. 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 26, staff has not received any letters of objection.

Attachments:

Application
Floor Plan (Exhibit A)
Overall Site Plan
Site Plan
Location Map
Zoning Map
Aerial Map
Site Photos



**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)

Printed Name: PubWT, LLC

Phone 512-614-2012

Email
tborrel@mfhliquorlaw.com

Address 3200 Mockingbird Ln, Bldg 7, Ste 100 City Midland

State TX Zip 79705

Property Owner

Printed Name: Summit Center LLC

Phone 512-614-2012

Email
tborrel@mfhliquorlaw.com

Address 550 West Texas Ave, Ste 700 City Midland

State TX Zip 79701

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: PubWT, LLC

Phone 512-614-2012

Email
tborrel@mfhliquorlaw.com

Address _____

City _____

State _____

Zip _____

Street Address: 3200 Mockingbird Ln, Bldg 7, Ste 100

Business Name: The Public House West Texas

Legal Description

Lot: 003 Block: 0035 Subdivision: 57750

Current Zoning: RR, Regional Retail District

Reason for Request: Required for TABC application certification

Type of Business (restaurant, bar, lounge, nightclub, etc.): restaurant/bar

Proposed/Current Days and Hours of Operation: 7 days week; Sun - Wed 11am to 12am; Thur- Sat 11am -2am

Proposed Days and Hours of Alcohol Service: 7 days week; Sun - Wed 11am to 12am; Thur- Sat 11am -2am

Total Square Footage of Business: 3,094sq ft

Square Footage of Alcohol Serviceable Area: 2374.75

Restroom Fixtures:

Men

Toilets/Urinals: 1 / 3

Bathroom Sinks: 2

Women

Toilets: 3

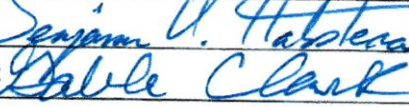
Bathroom Sinks: 2

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):



Date: 1.30.24

Applicant (printed): PubWT, LLC Gable Clark and Benjamin Halstead

Property Owner (signature):

 JKE

Date: 8/6/23

Property Owner (printed): Matt Johnson - President & Co. Summit Center

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.

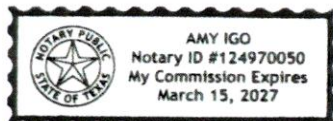
STATE OF TEXAS
COUNTY OF MIDLAND

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



Authorized Agent (signature)

Subscribed and sworn to before me, this 30th day of January, 20 24, to certify which witness my hand and seal of office.


NOTARY PUBLIC, MIDLAND COUNTY, TEXAS
Travis

****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 # <u>12302</u>	☒ Plans in Digital Format (PDF/JPEG)
Received By: <u>[Signature]</u>	Date: <u> </u>

RECEIVED
FEB 06 2024

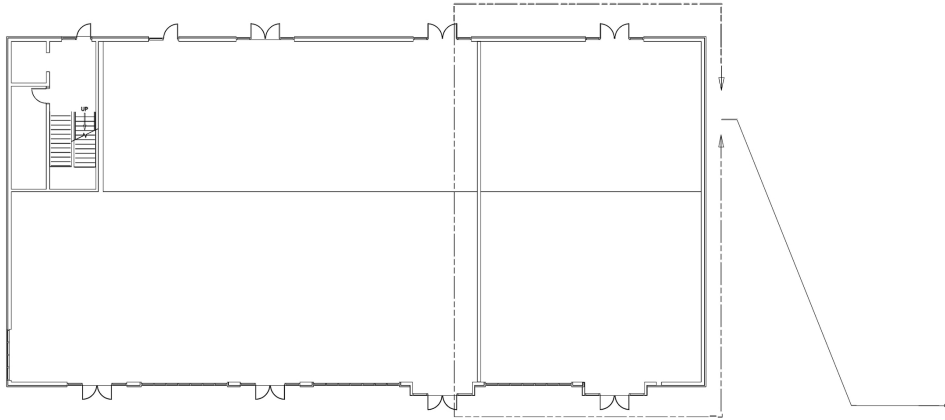
BY:

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

SUD Alcoholic Beverages Application

3

Revised 07/02/19



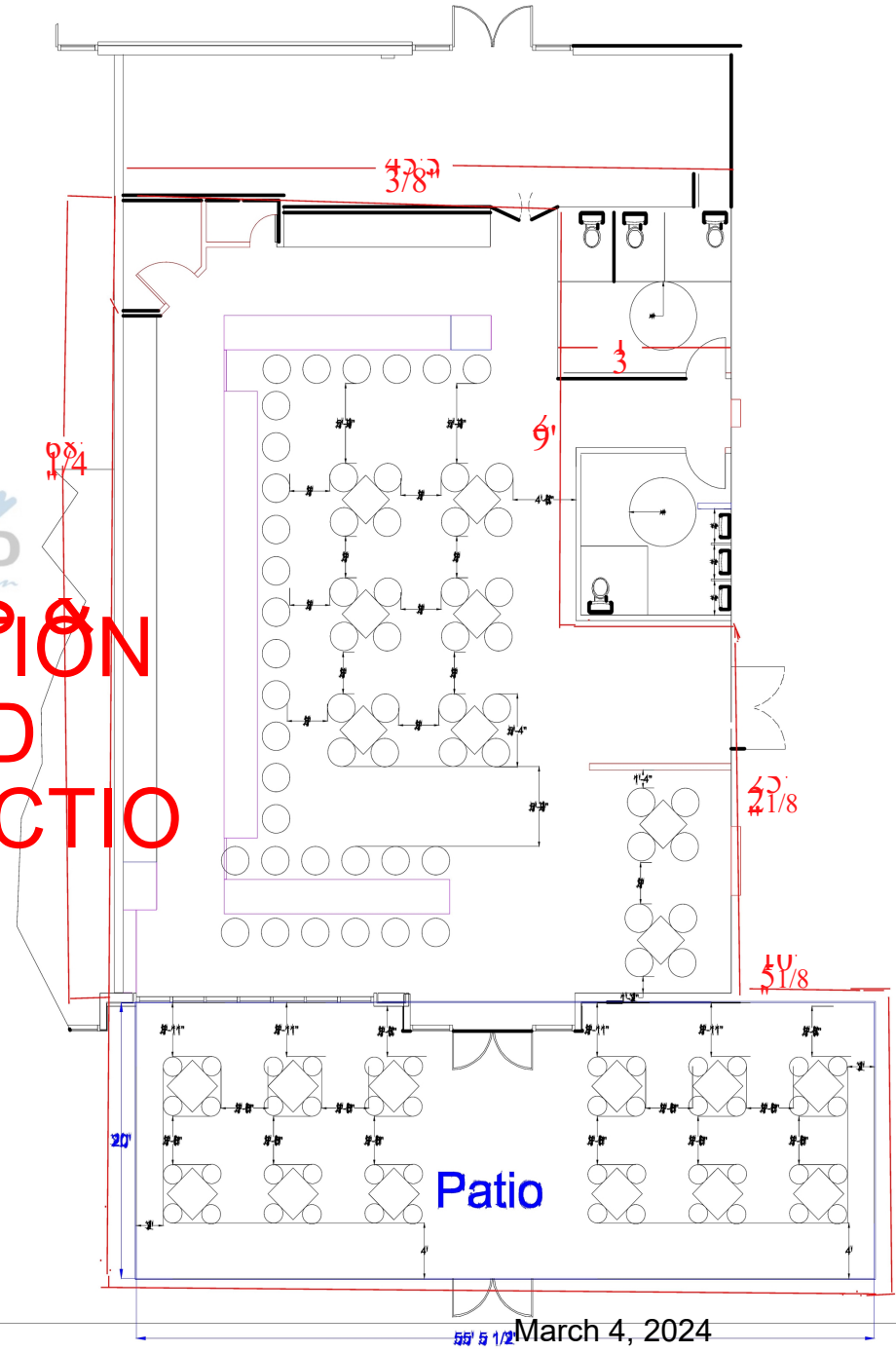
Revised 08.03.23



REVIEWED
APPROVED
FOR
CONSTRUCTION

TABLE SCHEDULE			
Symbol	Qty	Part#	Notes
T1	8	GENERIC	30X30 SQUARE TOP WITH METAL BASE
S1	61	GENERIC	STOOL 25" DIAMETER
T2	12	GENERIC	32X32 SQUARE TOP WITH METAL BASE
S2	48	GENERIC	17X17 OUTDOOR PLASTIC CHAIR

43 1/4' x 12' Square
Feet - Serviceable
Area



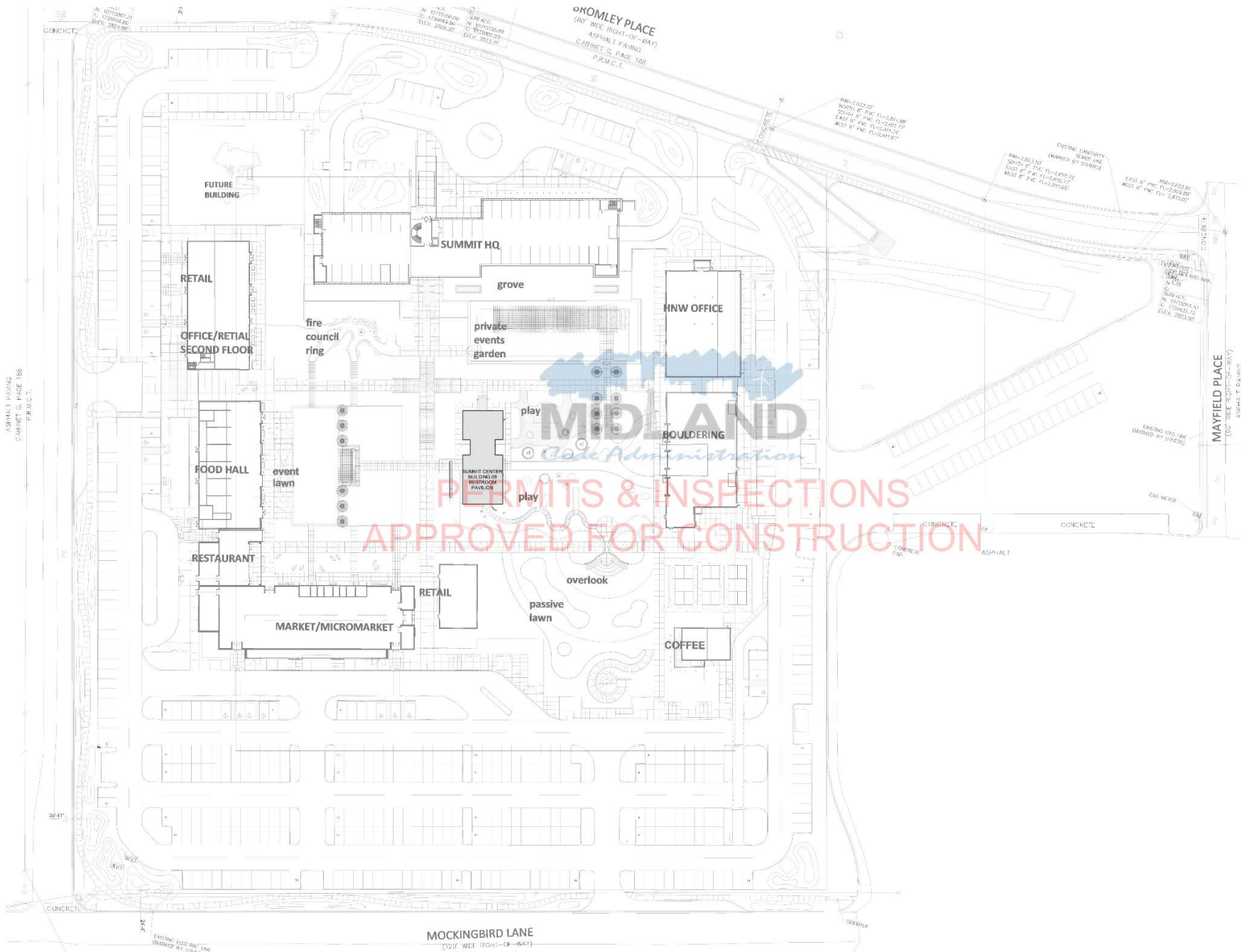
DRAWING TITLE:
TABLES & SEATING

08 RESTROOM PAVILION

1110 W 20TH TEXAS AVE.
MIDLAND TEXAS 79701
PHONE 432.682.1352
FAX 432.682.7977



1110 W 20TH TEXAS AVE.
MIDLAND TEXAS 79701
PHONE 432.682.1352
FAX 432.682.7977



1 SITE PLAN
1" = 40'-0"

PACKET

Δ	Date	Description
1	6/28/20	ISSUE P31 TO NIT
2		ADDENDUM 02

Seal/Signature



Project Name

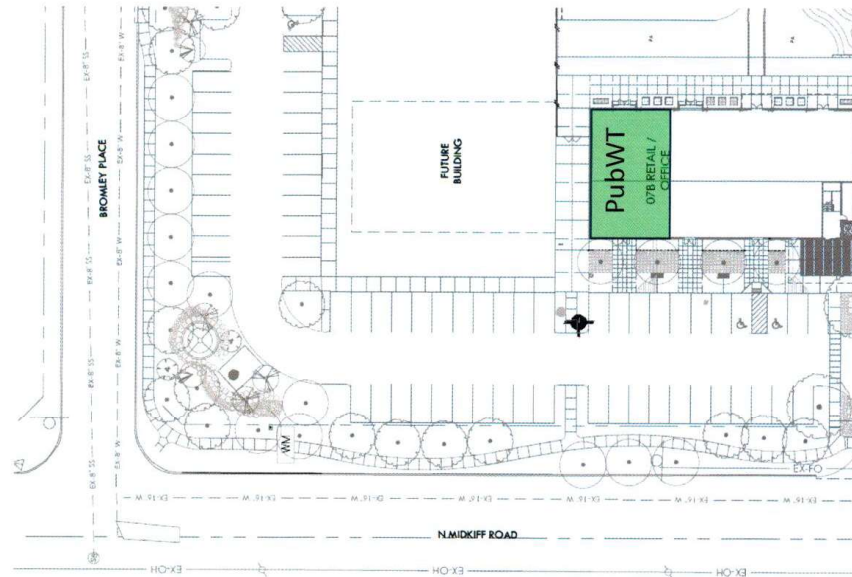
Summit Center Restroom
Pavilion

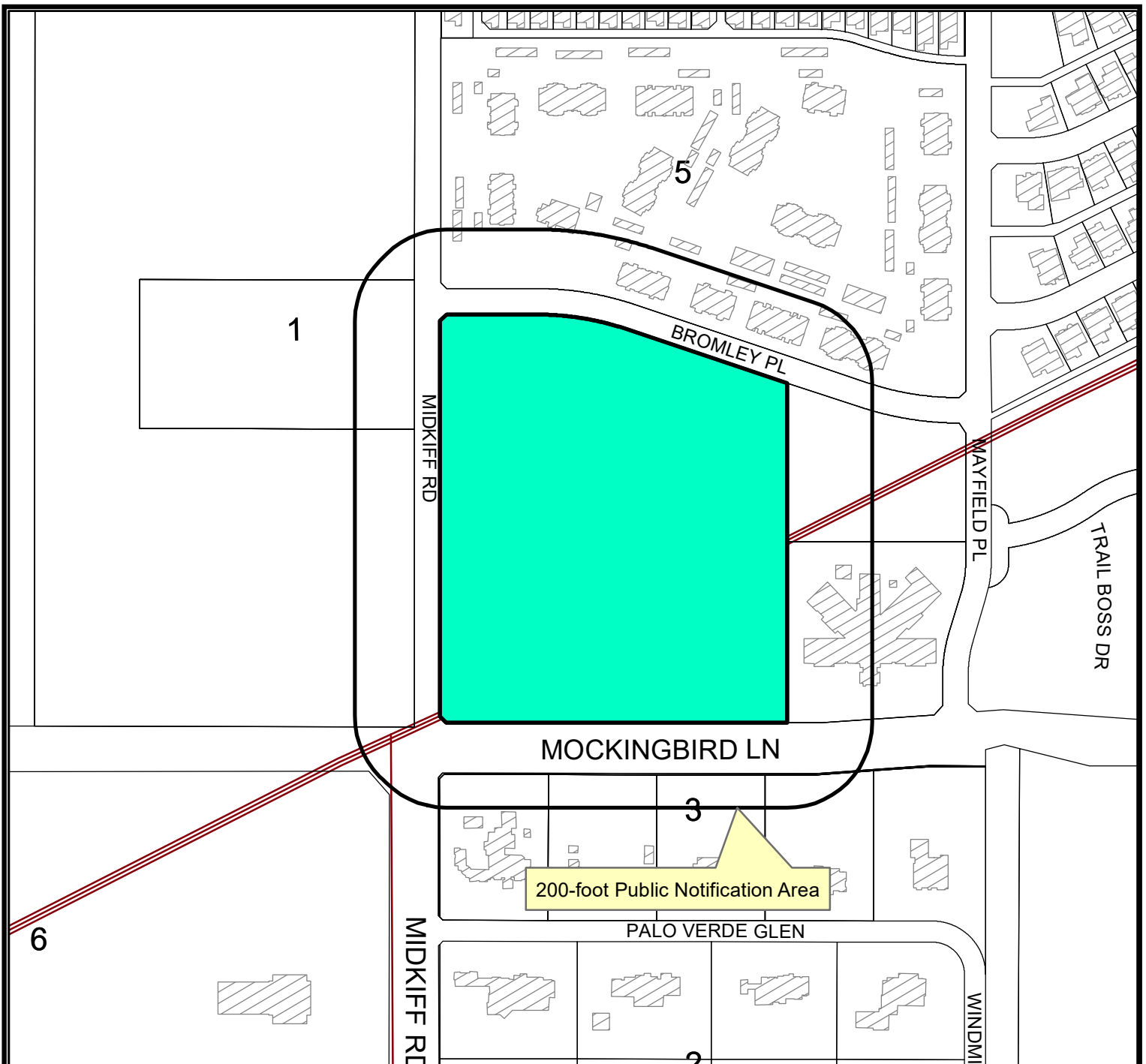
08_2017

Description

SITE PLAN

08 SD-100





LOCATION MAP

SUD-24-0174

Scale: 1" = 339'

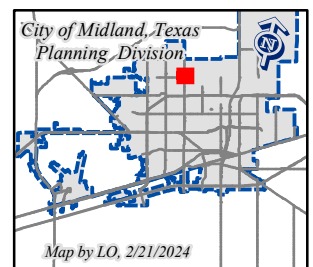
Consider a request by PubWT, LLC for a Specific Use Designation with Term for the Sale of all alcoholic beverages for on premises consumption in a Restaurant on a 3,094-square foot portion of Lot 3A, Block 3, Mayfield Place Addition, Section 8, City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of North Midkiff Road and Mockingbird Lane. (Council District 1)

PACKET

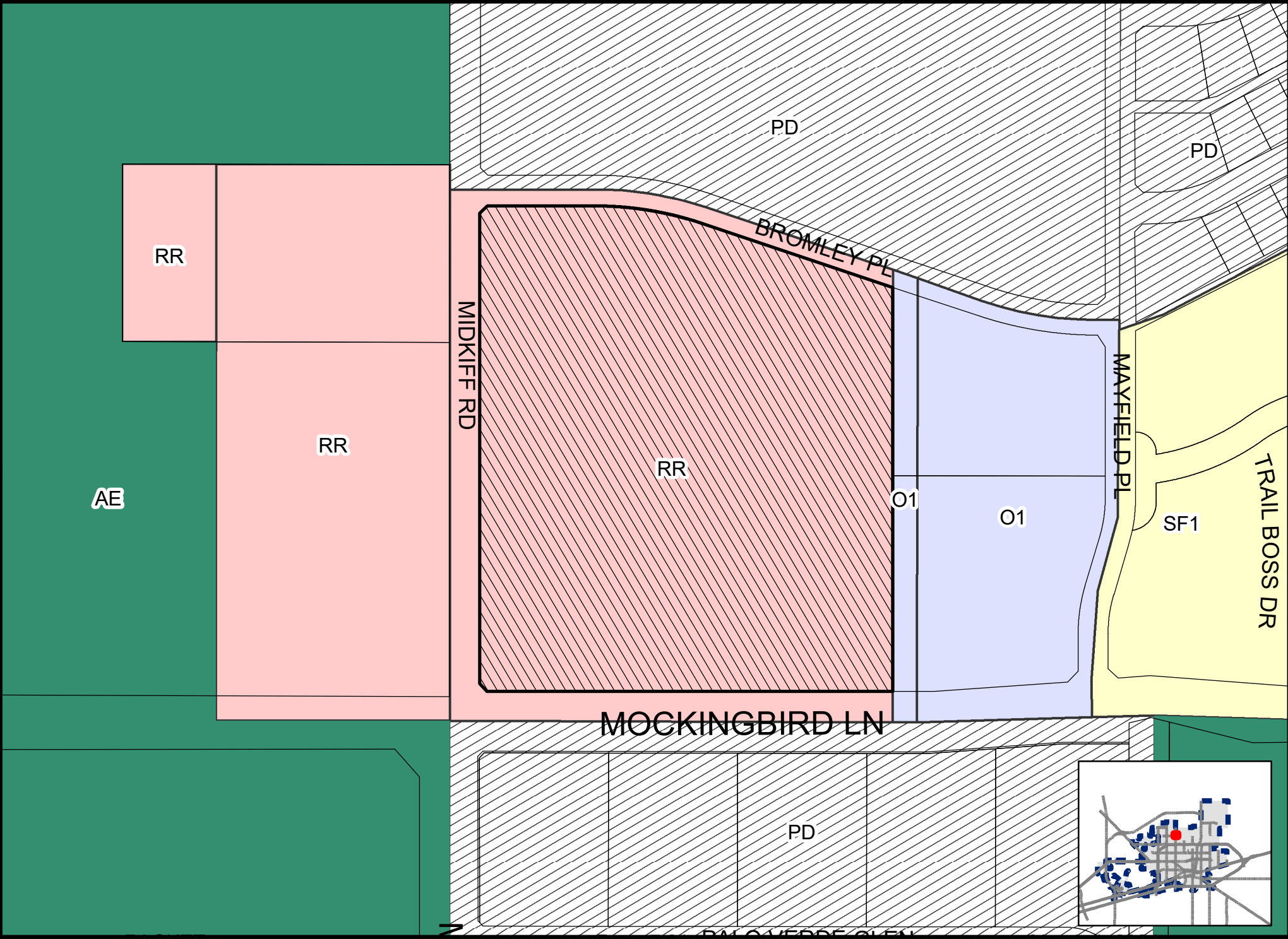
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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1

MIDKIFF RD

BROMLEY PL

3

MOCKINGBIRD LN

PACKET











Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: March 04, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Consider a request by Schumann Surveying, for a zone change from O-1, Office District, to TH, Townhouse District, for Lots 4, 5, and 6, Block 1, Cowden Addition, City and County of Midland, Texas. (Generally located at the northwest corner of the intersection of George Avenue and Bryant Street) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

O-1, Office District.

Surrounding Zoning and Land Use:

The surrounding zoning includes O-1, Office District, to the north and south, RR, Regional Retail District, to the east, and both, MF-22, Multi Family Dwelling District, and SF-2, Single Family Dwelling District, to the west.

Analysis:

The subject property is zoned O-1, Office District. Schumann Surveying is seeking this zone change to construct a townhouse development. This area already has a large residential land use area to the north, south, and west. The vacant lots in question would be better served as more residential homes than as an office building seeing the surrounding area is comprised of several different residential uses.

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

The proposed zone change has been circulated to the respective City departments for internal review and their comments, conditions, and requirements are as follows:

Fire: (Approved)

No objections.

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

Engineering: (Approved)

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

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For Applicant's Information Only.]

Oil and Gas: (Approved)

No Oil and Gas issues.

Transportation: (Approved)

Provide 20 ft x 20 ft intersection corner clips at property corners adjacent to all public street intersections. [Reference City Code Section 11-2-5(C)3(k).] Provide defined shared access easement between lots for driveway approaches. Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant's information only.]

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

Planning: (Approved)

Therefore, staff recommends approval of this zone change from O-1, Office District, to TH, Townhouse District.

Condition:

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

Letters of Objection:

As of February 28, 2024, staff has received no letters of objection for this request.

Attachments:

Site Plan
Application
Location Map
Zoning Map
Aerial Photo
Site Photos

R14706
REAL
FERDINAND

R14702
REAL
FERDINAND

N76°24'45"E 140.00'

LOT 4
0.16 ACRES

140.00'

LOT 5
0.16 ACRES

140.00'

LOT 6
0.16 ACRES

S76°24'45"W 140.00'

GEORGE AV
(60 FOOT RIGHT-OF-WAY)

R14704
SOTO LUIS
ALBERTO

20 FOOT ALLEY

N13°35'15"W 150.00'

50.00'

50.00'

50.00'

50.00'

50.00'

50.00'

S13°35'15"E 150.00'



BRYANT AV
(60 FOOT RIGHT-OF-WAY)

R14741
TARIN
ADRIAN

R14731
REYNOLDS
RICHARD REY

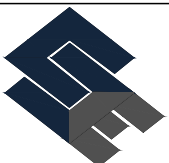
DIMENSIONED SITE PLAN

LOTS 4, 5, AND 6

BLOCK 1, COWDEN ADDITION.

AND ADDITION TO THE CITY OF MIDLAND,

MIDLAND COUNTY, TEXAS



SCHUMANN
SURVEYING, INC.
A LATERAL LAND COMPANY

800 N. MARIENFELD STREET
SUITE 100
MIDLAND, TEXAS 79701

PACKET

TEXAS FIRM No. 10149500

Office (432) 684-5548

Page 8.70

March 4, 2024



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

Project Number: _____

Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: _____		Phone () _____ Email _____	
Address _____	City _____	State _____	Zip _____

Property Owner Printed Name: <u>Cannon Legacy Builders, LLC</u>		Phone <u>(432) 254-0327</u> Email <u>ealeman@schumannonline.net</u>	
Address <u>925 W. Bear Creek Rd</u>	City <u>Calenn Heights</u>	State <u>TX</u>	Zip <u>75154</u>

Representative (if different from Applicant or Property Owner) Firm: <u>Schumann Surveying</u> Printed Name: <u>Ed Aleman</u>		Phone (432) <u>684-5548</u> Email <u>ealeman@schumannonline.net</u>	
Address <u>800 N. Marienfeld, Suite 100</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

Street Address: <u>2103 Bryant street</u>	
Legal Description Lot: <u>4, 5, 6</u> Block: <u>1</u> Subdivision: <u>Cowden Addition</u>	

Current Zoning: <u>O1</u>	Proposed Zone: <u>TH</u> (List by tracts if more than one district is requested)
-------------------------------------	--

Reason for Zone Change Request: To build Townhouses

Present Use of Property: Vacant Lot

Proposed Use of Property: Townhouses

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

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

Submittal and Fees

Items to be submitted with this application form:

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

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

Applicant (signature):

Date:

Applicant (printed):

Property Owner (signature):

 CANNON LEGACY BUILDERS, LLC

Date: 01/24/24

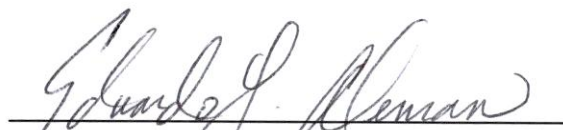
Property Owner (printed): CANNON LEGACY BUILDERS, LLC

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

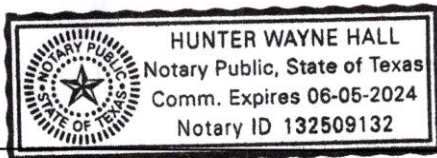
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear _____ who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or authorized by Cannon Legacy, 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 25th day of January, 2024, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☐ Dimensioned Site Plan

☐ Application Fee

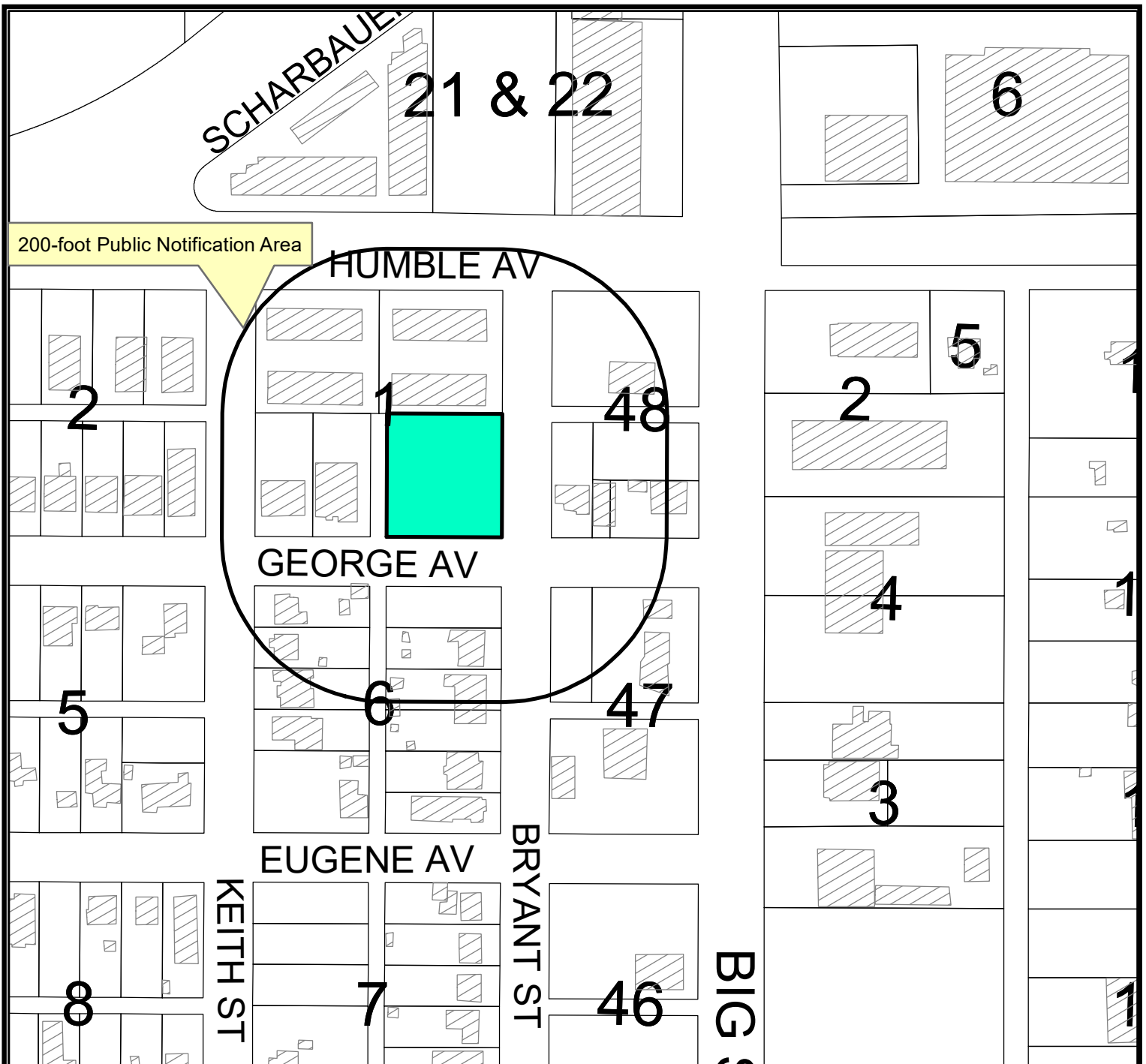
☐ Plans in Digital Format (PDF/JPEG)

Check # 1126

Received By: 

Date:

FEB 05 2024



LOCATION MAP

Z-24-0362

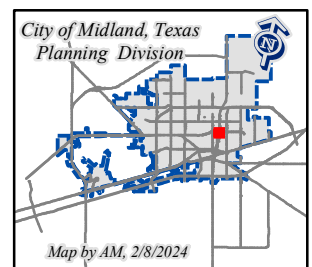
Scale: 1" = 175'

Consider a request by Schumann Surveying, for a zone change from O-1, Office District, to TH, Townhouse District, for Lots 4, 5, and 6, Block 1 Cowden Addition, City and County of Midland, Texas.

Generally located at the northwest corner of the intersection of George Avenue and Bryant Street.
(Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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MF22

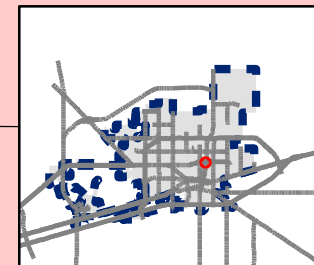
SF2

O1

RR

BRYANT ST

GEORGE AV















Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: March 04, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Hold a public hearing to consider a request by Juji's Kitchen, LLC, for a Specific Use Designation with Term for the sale of Alcoholic Beverage Sales for On-Premises Consumption in a Restaurant on a 8,076-square foot portion of Lot 1, Block 2, Claydesta Plaza Addition, City and County of Midland, Texas. (Generally located at the northwest corner of the intersection of West Wadley Avenue and North Big Spring Street.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Juji's Kitchen, LLC, is requesting Specific Use Designation with Term to allow the sales of Alcoholic Beverages for On-Premise Consumption, at 6 Desta Drive. They currently have an SUD that was renewed on July 10, 2022 and allows them to serve alcohol Monday through Friday from 11:00 a.m. to 11:00 p.m. and Saturday from 10:00 a.m. to 11:00 p.m. They are requesting to extend their service hours to Monday through Saturday 7:00 a.m. to 11:00 p.m.

Current Zoning:

PD, Planned Development District for a Mixed Use (Office and Retail) (Ordinance 8195).

Surrounding Zoning and Land Use:

This property is currently zoned PD, Planned Development District for a Mixed Use. The parcels to the north are zoned O-2, Office District, and PD, Planned Development District. The parcels to the east side is zoned RR, Regional Retail District. The parcels to the south are zoned PD. The parcels to the west are zoned PD and RR.

Analysis:

This property is zoned PD, Planned Development District for a Mixed Use (Office and Retail), with an underlying zoning of LR-2, or RR, Regional Retail District. The RR district permits the sales of Alcoholic Beverages for On-Premises Consumption in a Restaurant with the approval of an SUD, Specific Use Designation.

Juji's Kitchen is an existing restaurant located at 6 Desta Drive. The restaurant is undergoing a renovation and after the renovation the total area of the restaurant will be 8,076-square feet, with an alcohol serviceable area of 4,446-square feet, being split into 3,150-square feet inside the restaurant, and 1,296-square feet in the atrium of the Claydesta Building. The attached site plan and floor plans are illustrative of the restaurant.

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." Juji's Kitchen is a destination where Midland residents will gather and socialize.

The proposed hours of operation:

**Monday through Saturday from 7 a.m. to 11 p.m.
Closed on Sunday**

The proposed hours of alcohol service:

Monday through Saturday from 7 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, private schools, public schools, public school grounds, athletic stadium, public hospital within 300 feet measurement along the property lines of the street fronts, and from the front door in a direct line across intersection where they occur within this site.

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

Engineering: (Approved)

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

Transportation: (Approved)

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

Building Code: (Approved)

The SUD is approved based on the current occupant load pending that no changes to the occupancy, seating count, physical structure, and/or the floor layout has taken place when compared to previously approved SUDs. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Fire: (Approved)

No objections

Planning: (Approved)

No objections.

This request meets all requirements; therefore, staff recommends approval of the request of the Specific Use Designation with Term for Sales of all Alcoholic Beverages for On-Premises Use.

Conditions:

- A. That the serviceable area of the establishment shall be limited to approximately 8,076 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 Saturday from 7 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 the applicant shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on premises consumption to ensure that the conditions of this permit are satisfied.**

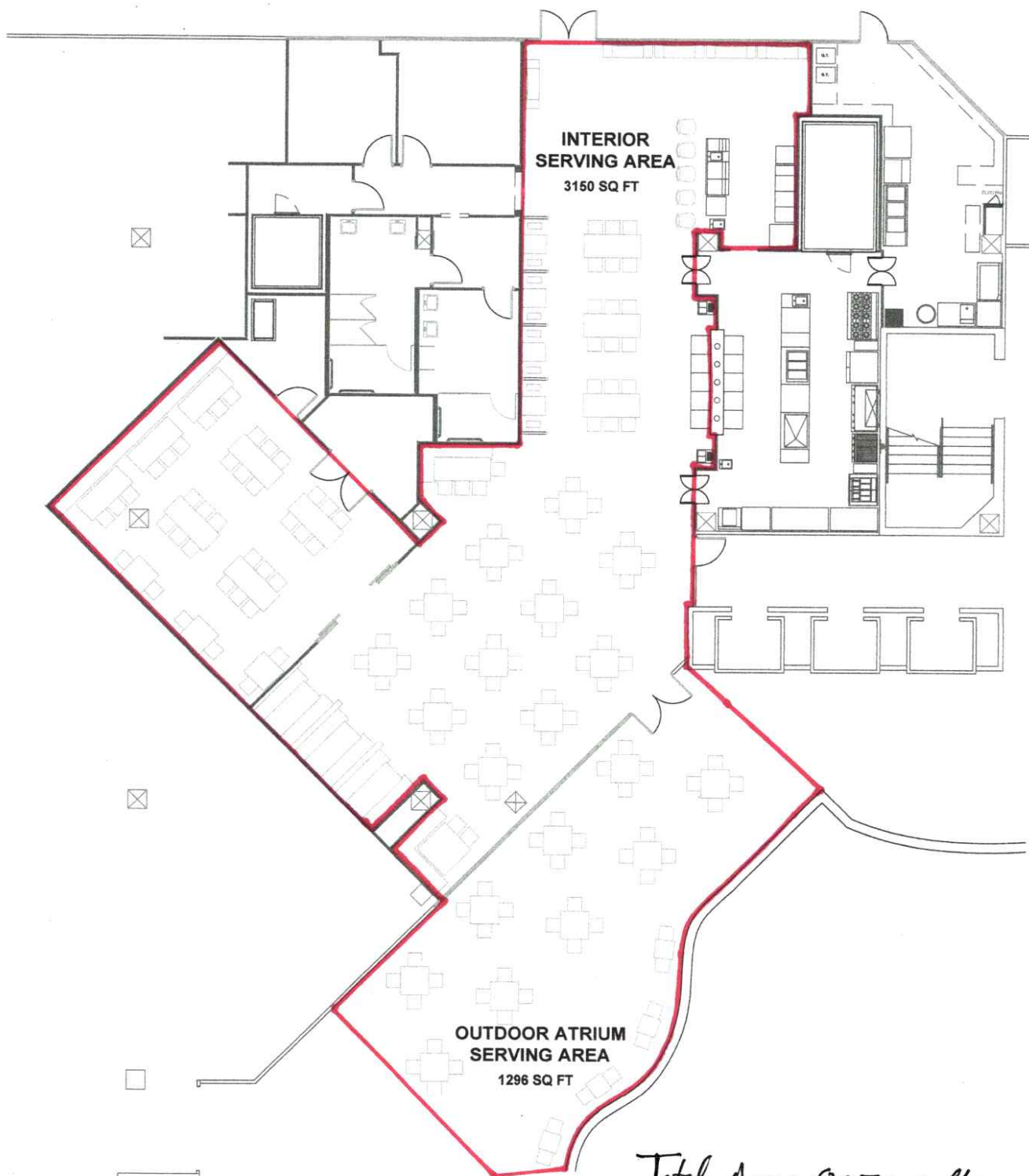
G. That in accordance with Section 9.07.E.3 of the zoning ordinance, the restaurant shall be in operation within 120 days from the final adoption date of this ordinance.

Letters of Objection:

As of February 28th, 2024, staff has not received any letters of objection.

Attachments:

Juji's Kitchen Floor Plan
Claydesta Plaza Site Plan
Application
Location Map
Zoning Map
Aerial Map
Site Photos



Total Area: 8076 sq ft
Total Serviceable Area: 4446 sq ft



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)

Printed Name: Juji's Kitchen LLC

Phone (432) 218-8145

Email jujiskitchen@gmail.com

Address

La Desta Dr. Ste 1250

City

Midland

State

TX

Zip

79705

Property Owner Clay Desta Buildings L.P.

Printed Name: Mitch Malouf

Phone (432) 688-3000

Email Clay Dest & Clayton Williams

Address

6 Dest Drive Suite 5725

City

Midland

State

TX

Zip

79705

Representative (if different from Applicant or Property Owner)

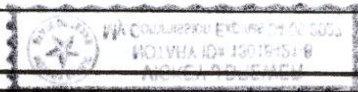
Firm: _____

Printed Name: _____

Phone ()

Email

Address



City

State

Zip

Street Address: La Desta Dr., Ste 1250 Midland, TX 79705

Business Name: Juji's Kitchen, LLC

Legal Description

Lot: 1 Block: 2 Subdivision: Claydesta Plaza

Current Zoning: PD

Reason for Request: expansion & Mixed Beverage Permit

Type of Business (restaurant, bar, lounge, nightclub, etc.): Restaurant

Proposed/Current Days and Hours of Operation: Monday - Saturday 7am - 11pm
Closed Sundays

Proposed Days and Hours of Alcohol Service: Monday - Saturday 7am - 11pm

Total Square Footage of Business: 6,780

Square Footage of Alcohol Serviceable Area: 3,030

Restroom Fixtures:

Men

Toilets/Urinals:

1 / 2

Bathroom Sinks: 2

Women

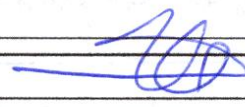
Toilets: 3

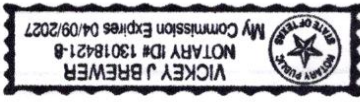
Bathroom Sinks: 2

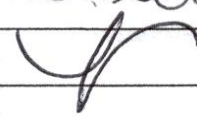
Submittal and Fees Items to be submitted with this application form:

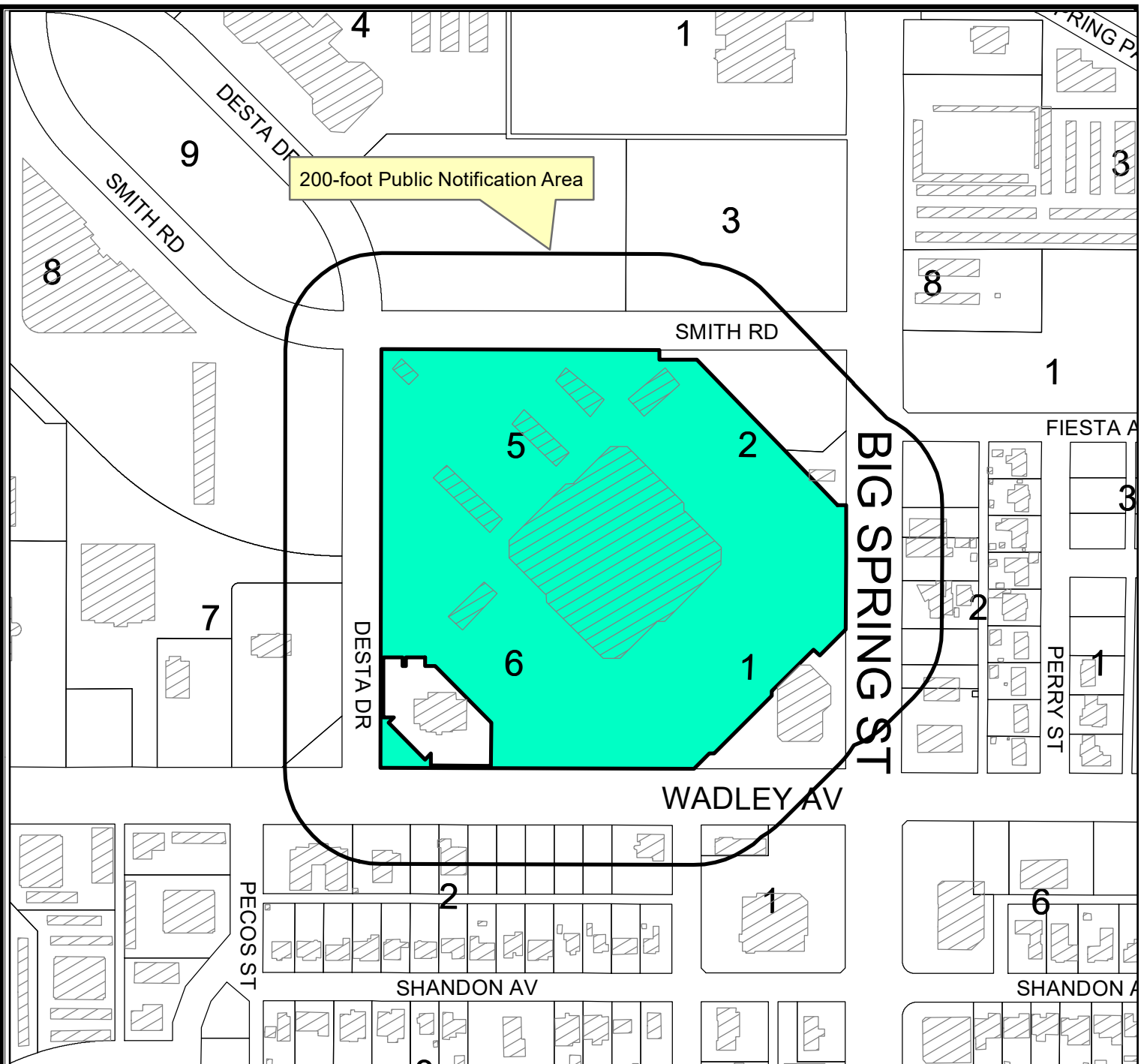
- Application Fee - Payable to the 'City of Midland'
- Dimensioned Floor Plan showing:
 - Seats
 - Exits
 - Restr
 - Kitchen (if applicable)
 - Total Square Footage
 - Serviceable Square Footage
- Dimensioned Site Plan showing:
 - Parking
 - Business Footprint

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

Received By: 	
Check # <u>1640</u>	☐ Plans in Digital Format (PDF/JPEG)
☐ Application Fee	☐ Site Plan
☐ Property Owner Authorization	☐ Dimensioned Floor Plan
FOR OFFICE USE ONLY	

STATE OF TEXAS COUNTY 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. Before me, the undersigned authority, on this day personally appeared <u>Mitch Maly</u> who, being by me duly sworn, upon oath says: That (s)he is authorized by <u>Clay Pesta Building & F.</u>, 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) <u>Mitch Maly</u> Subscribed and sworn to before me, this <u>31st</u> day of <u>January</u>, 20<u>24</u>, to certify which witness my hand and seal of office.  NOTARY PUBLIC, MIDLAND COUNTY, TEXA
--

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. 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.	
Applicant (signature): 	Applicant (printed): <u>Desire Terry</u>
Property Owner (signature): <u>Mitch Maly</u>	Property Owner (printed): <u>Clay Pesta Building & F.</u>
Date: <u>2-1-24</u>	Date: <u>1-31-24</u>



LOCATION MAP

SUD-24-0173

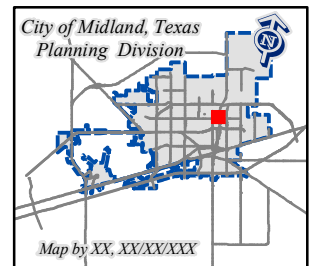
Scale: 1" = 300'

Consider a request by Juji's Kitchen, LLC, for a Specific Use Designation with Term for the Sales of all Alcoholic Beverages for on Premises Consumption in a restuarant on a 6,780 square foot portion of Lot 1, Blocks 1, 2, 5, and 6, Claydesta Plaza Addition, City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of West Wadley Avenue and North Big Spring Street (Plat 3, Council District 3)

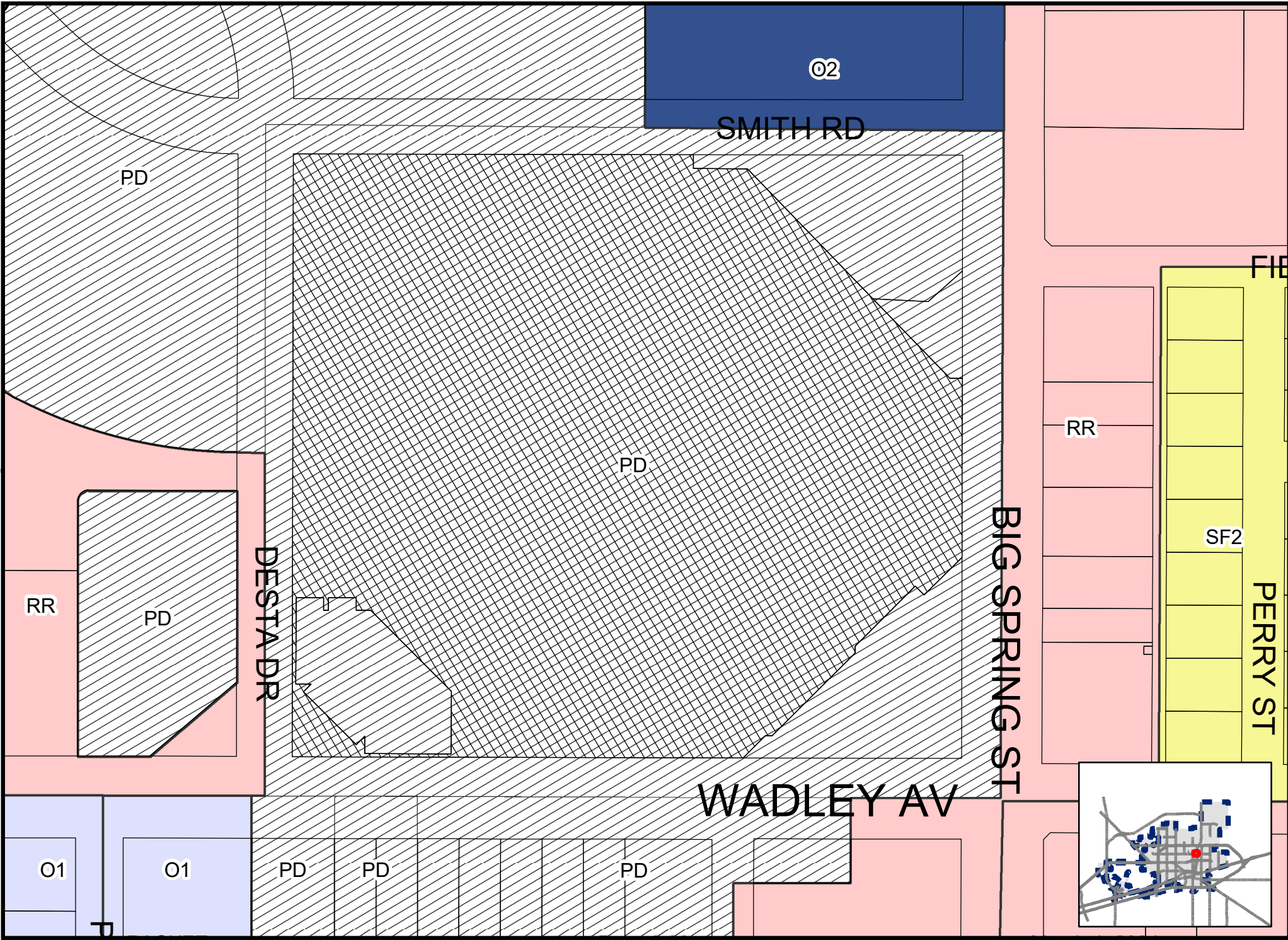
LEGEND

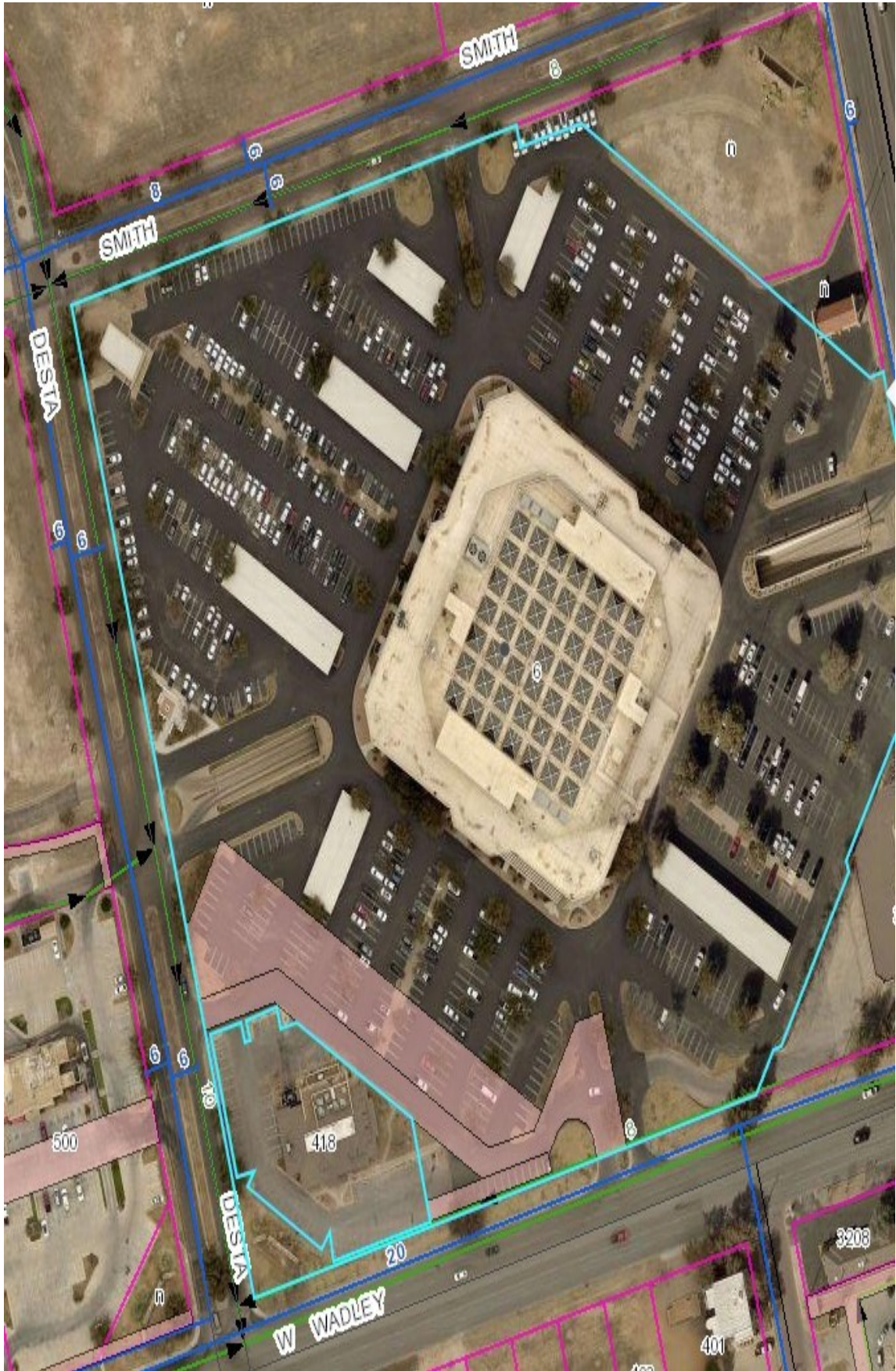
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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















Planning and Zoning Commission

Approved for
Agenda:
Xavier Bauguess

MEETING DATE: March 04, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Rieta Proctor Addition, being a 12.60-acre tract of land located in the north half of the southeast quarter of Section 15, Block 38, T-2-S, T&P, RR Co. Survey, Midland County, Texas. (Generally located on the west side of South County Road 1160, approximately 470-feet south of East County Road 130) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

Schumann Surveying Co. Inc., on behalf of Midland Farm LLC, is requesting to plat to obtain septic permits and addresses. The proposed subdivision will have three (3) lots with a total acreage of 12.60.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

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

ROW: Show all right of way widths on the plat face. [For Applicant's Information Only.]

PAVING: SCR 1160 road is sub-standard, construct to City Standards for entire platted frontage or request a deferral. [For Applicant's Information Only.]

WATER: None existing. Construct water to City standards along entire platted frontage, or request a deferral based on located in the South Midland Utility District. [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: None existing. Construct wastewater to City standards along entire platted frontage, or request a deferral. [For Applicant's Information Only.]

DRAINAGE: Drainage report is required during preliminary stage of the platting process. [For Applicant's Information Only.]

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

TRANSPORTATION: (Approved)

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

FIRE: (Approved)

No comment

OIL AND GAS: (Approved)

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

GIS: (Approved with Conditions)

Block number should be 1. Lot lines should not extend into ROW dedication. Please make ROW dedication one dedication (combine three dedications as one) and provide

total ROW acreage. Do these pipelines on this plat require an easement or is there an existing easement?

PUBLIC WORKS: (Approved with Conditions)

Fix Year from 2023 to 2024

Show road width on SCR 1160.

Will need to get a driveway permit from Public Works Department to tie into county road.
[informational]

CRMWD: (Approved)

No comments.

HEALTH DEPARTMENT: (Approved)

Yes, the health department will review application from the 3 proposed lot of Rieta Proctor Addition, PLAT OF A 12.6 ACRE TRACT OF LAND OUT OF THE NORTHEAST OF SECTION 15, BLOCK 38, T-1-S, T. & P. RR. CO. SURVEY, lots 1-3 are 3.8 acre property owner must contact the pipeline company to get the setback to their pipeline before any excavation can occur to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

PLANNING: (Approved with Conditions)

Label South County Road 1160 ROW.

Change Secretary name to Xavier Bauguess (Required at Final)

Provide bearings, width, and description of right-of-way dedication northeast of boundary line.

Change both years to 2024 under Owners Certificate.

Change year to 2024 under Certificate of Approval.

Add note: "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."

Staff recommends approval of the Preliminary Plat of Rieta Proctor 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:

Application
Preliminary Plat
Maps



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: **RIETA PROCTOR ADDITION**

Legal Description (attached sealed Metes and Bounds): **A 12.60 ACRE TRACT OF LAND, OUT OF THE NORTHEAST PART OF SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS.**

Property Owner Printed Name: **MIDLAND FARM, LLC**

Phone

Email **cshull@shull-**

lawoffice.com

Address **902 W. Wall 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: **Schumann Engineering Co., Inc.**

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:

Reason for Platting: **To obtain Address and Septic permits**

Plat Information

Total Acreage: **12.60**

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: **3**

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): Diedra Cecily Shull Date: 2-1-24

Property Owner (printed): DIEDRA CECILY SHULL

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.

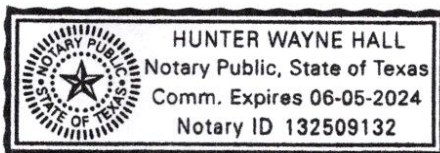
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 Diedra Cecily Shull the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Eduardo Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 2nd day of February, 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) |
| ☐ Application Fee | ☐ 1 Copy of Plat (11x17) | |

Check # _____

Received By: [Signature]

Date: FEB 05 2024

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

FOR OFFICE USE ONLY		
☐ Property Owner Authorization	☐ 1 Copy of Dimensioned Plat	☐ Plat in Digital Format (PDF/JPEG)
☐ Mylar	☐ 1 Copy of Plat (11x17)	☐ Public Improvements
☐ Application Fee	☐ Title Opinion	☐ Recording Fee
Check # _____	☐ Tax Certificates	Check # _____
Received By: _____		Date: _____

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

E. COUNTY ROAD 130

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

PRELIMINARY RIETA PROCTOR ADDITION

BEING A 12.60 ACRE TRACT OF LAND
IN THE NORTHEAST PART OF
SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY,
MIDLAND COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF MIDLAND §

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

FIELD NOTE DESCRIPTION OF A 12.60 ACRE TRACT OF LAND, OUT OF THE NORTHEAST PART OF SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS. SAID 12.60 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT MAG NAIL SET (N:10678093.06, E:1775020.03) IN THE CENTERLINE OF SOUTH COUNTY ROAD 1160 FOR THE NORTHEAST CORNER OF THIS TRACT, FROM WHICH THE NE CORNER OF SAID SECTION 15 BEARS NORTH 14°11'44" WEST 531.06 FEET;

THENCE SOUTH 14°11'44" EAST, ALONG SAID CENTERLINE OF SAID SOUTH COUNTY ROAD 1160, 835.52 FEET TO A MAG NAIL SET FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 75°40'10" WEST, AT 60.01 FEET PASS A REINF BAR SET IN THE WEST RIGHT OF WAY LINE OF SAID SOUTH COUNTY ROAD 1160, IN ALL 655.66 FEET TO A REINF BAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°19'50" WEST 835.51 FEET TO A REINF BAR SET FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 75°40'10" EAST, AT 597.64 FEET PASS A REINF BAR SET IN SAID WEST RIGHT OF WAY LINE OF SAID SOUTH COUNTY ROAD 1160, IN ALL 657.64 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 RIETA PROCTOR ADDITION, AN ADDITION OF 12.60 ACRES IN MIDLAND COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

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

MIDLAND FARM, LLC

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF ____, 2023, BY MIDLAND FARM, 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 RIETA PROCTOR ADDITION WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF ____, 2023.

SIGNED: _____

CHAIRMAN LUCY SISNEGA

ATTEST: _____

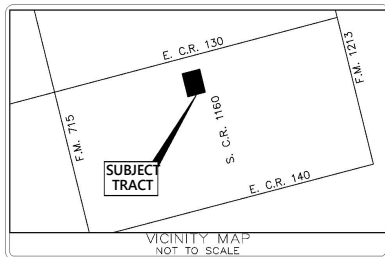
SECRETARY XAVIER BAIGUESS.

LEGEND:

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

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 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.
- 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 48329C0209F 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 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 SECTIONS 11-11-B, 11-11-C, 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.



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

OWNER(S):

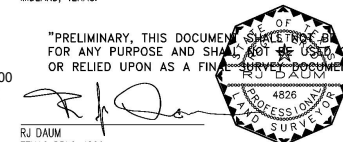
MIDLAND FARM, LLC
902 W. WALL ST.
MIDLAND, TEXAS 79701
csullivan@shull-lawoffice.com

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.

"PRELIMINARY, THIS DOCUMENT IS NOT TO BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT."

RJ DAUM
TEXAS RPLS 4826

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



PLAT FILED FOR RECORD

MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____



NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
				JG	09/12/2023
				CHECKED BY: ED/RJ	PROJECT NO.: 79241
				JOB NO.: 79,791	SHEET: 1 OF 1



OBJECTION MAP

SUB-23-0678

Scale: 1" = 518'

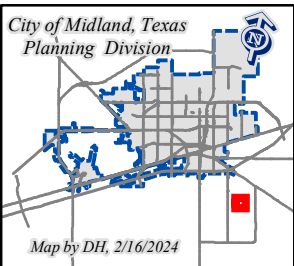
Proposed plat of Rieta Proctor Addition, being a 12.60-acre tract of land located in the north half of the southeast quarter of Section 15, Block 38, T-2-S, T&P, RR Co. Survey, Midland County, Texas.

(Generally located on the west side of South County Road 1160, approximately 470-feet south of East County Road 130) (Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

PACKET

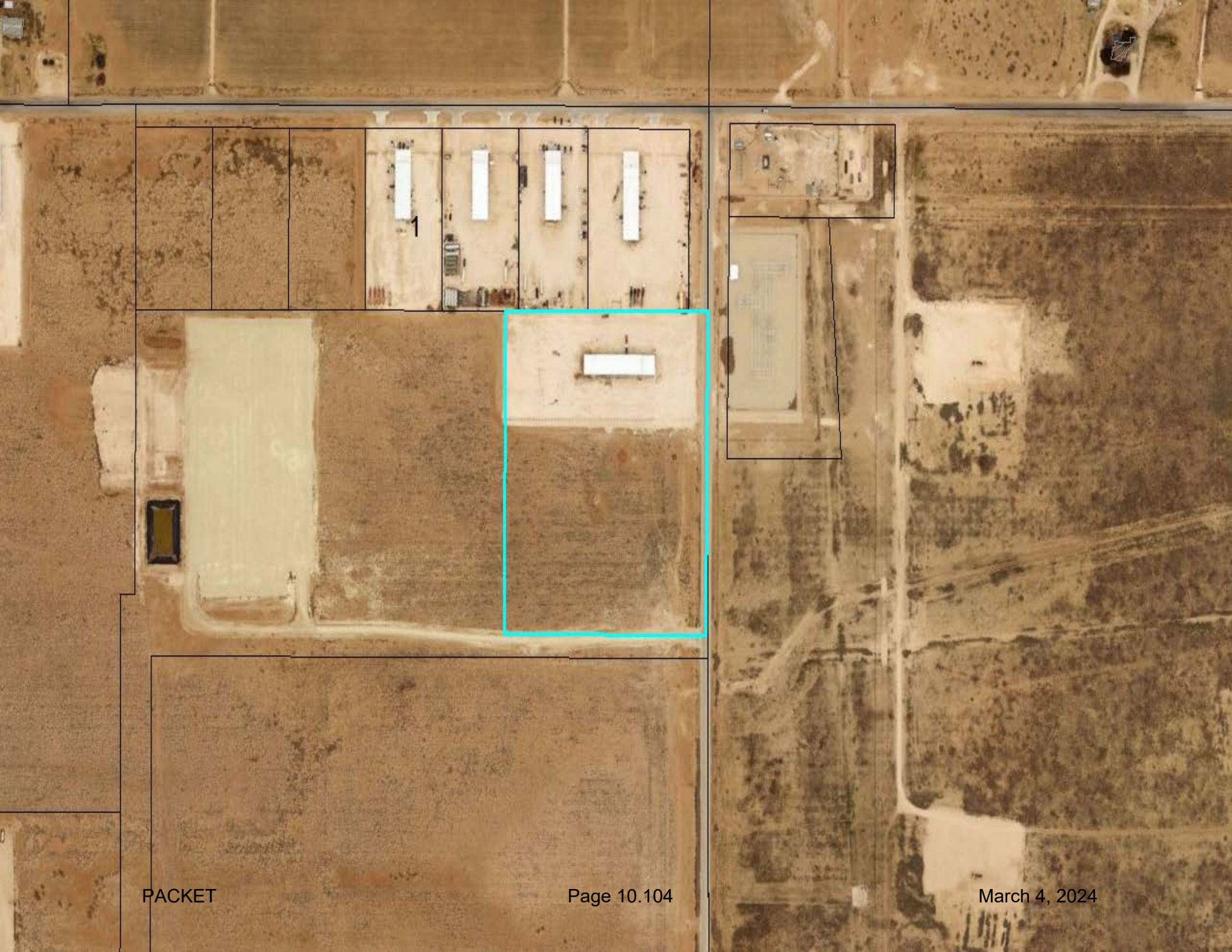
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for
Agenda:
Xavier Bauguess

MEETING DATE: March 04, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert

SUBJECT: Motion approving a Preliminary Plat of Hines Addition, Section 5, being a replat of the east 100 feet of Lot 1, Block 10, Hines Addition, City and County of Midland, Texas. (Generally located southwest of the intersection of Rhode Island Avenue and S. N Street) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Pennell Land Surveying, LLC on behalf of Manuel L. Olano is requesting to plat to obtain a building permit for an additional structure on 2001 Rhode Island Avenue. The proposed subdivision will have one (1) lot with a total acreage of 0.298.

Current Zoning:

C, Commercial District.

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

BUILDING CODE: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

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

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

PAVING: Rhode Island roadway okay as is. S "N" roadway okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 6" water exists in Rhode Island Street N 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: Existing site is developed; If proposing to re-develop site drainage can be reviewed with building permit.

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

SIDEWALKS: Okay as is. [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)

No comments.

OIL AND GAS: (Approved)

No Oil and Gas issues.

GIS: (Approved)

No comments.

PLANNING: (Approved)

Provide title block on the lower right-hand corner of the page. [Midland City Code 11-2-3(A)1(a)].

Change Secretary to Xavier Bauguess.

Staff recommends approval of the Preliminary Plat of Hines Addition, Section 5, 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
Location Map
Zoning Map
Aerial Map



Preliminary Plat Application

Project Number:

SUB-23-0097

Case Number:

Proposed Subdivision Plat Name: HINES ADDITION, SECTION 5

Legal Description (attached sealed Metes and Bounds): REPLAT OF THE EAST 100 FEET OF
LOT 1, BLOCK 10, HINES ADDITION**Property Owner**

Printed Name:

MANUEL L. OLANO

Phone ()

Email

Address 103 CANYON DR.

City MIDLAND

State TX

Zip 79703

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 ()

Email

Address 2030 W. CUTHBERT, STE. 4

City MIDLAND

State TX

Zip 79701

Current Zoning:

Reason for Platting:

Plat Information

Total Acreage:

0.298

Type:

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

Number of Lots: 1

Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

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

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

Provisions

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

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

Property Owner (signature):

Date: 2-7-24

Property Owner (printed): Manuel Olano

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 Manuel Olano who, being by me duly sworn, upon oath says: That (s)he is the owner of 2001 Rhode Island 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.

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 7th day of February, 2024, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # Paid Online

Received By: [Signature]

Date: FEB 07 2024

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

Preliminary Plat Application

2

Revised 07/01/19

PACKET

Page 11.109

March 4, 2024



VICINITY MAP (NOT TO SCALE)

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. 48329C0202F, 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.
5. PROPOSED WATER, SANITARY SEWER, AND STORM WATER PIPELINES WITH CULVERTS, BRIDGES, AND OTHER APPURTENANCES OR STRUCTURES SHOWN (ONE-LINE PLANS), ARE REQUIRED BEFORE PRELIMINARY PLAT APPROVAL.

LEGEND

- Set 1/2" L.R.
- W/Cap "RPLS 4170"
- End 1/2" L.R.
- Power Pole
- Overhead Electric Line
- Sheet Metal Fence Line
- Existing Sewer Line
- Existing Water Line

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY Print Name:

OPTIMUM Print Name:

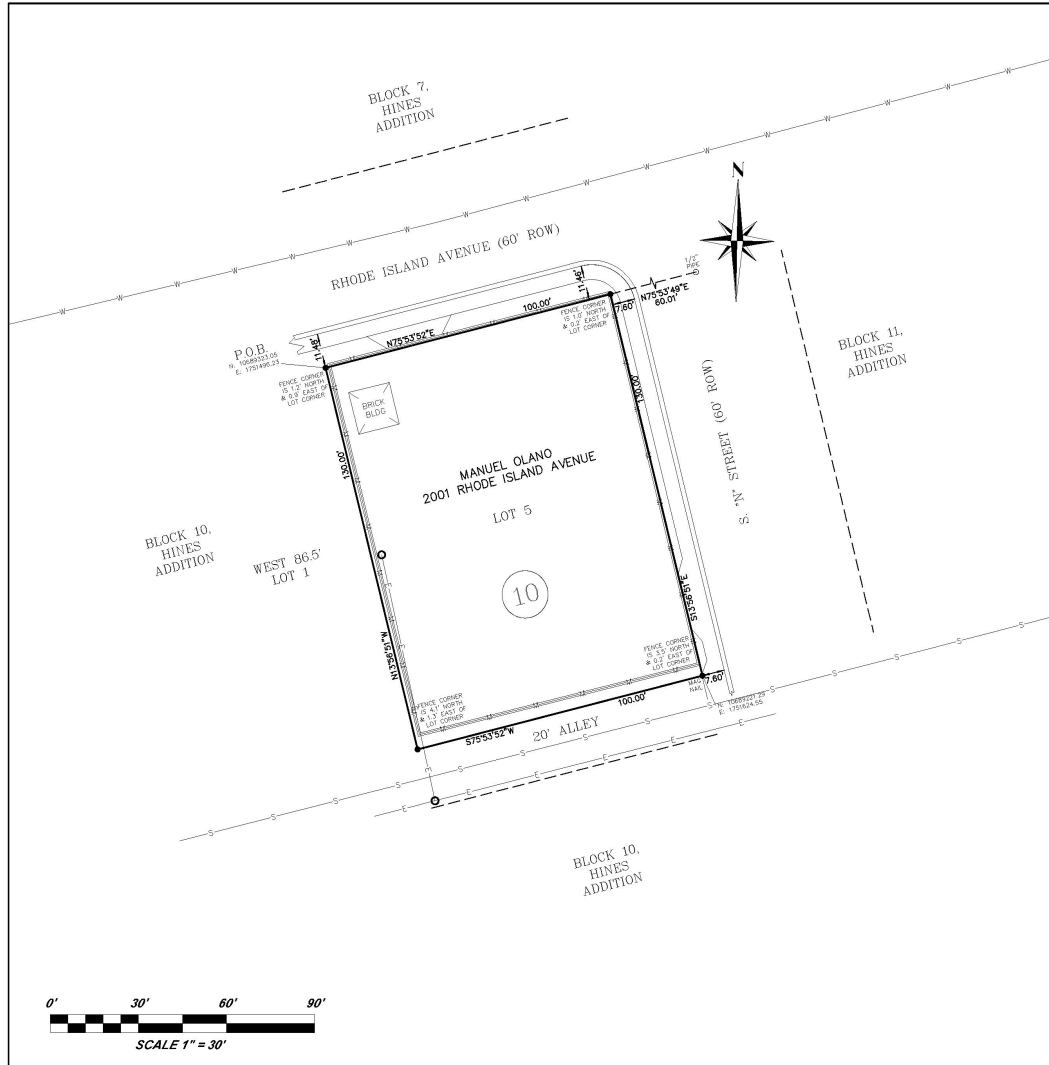
AT&T-TEXAS Print Name:

ONCOR ELECTRIC DELIVERY Print Name:

ASTOUND Print Name:

PACKET

PRELIMINARY PLAT HINES ADDITION, SECTION 5 RE-PLAT OF THE EAST 100' OF LOT 1, BLOCK 10 HINES ADDITION, AN ADDITION TO THE CITY AND COUNTY OF MIDLAND, TEXAS,



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, MANUEL L. OLANO, is the record owner of THE EAST 100 FEET OF LOT ONE (1), BLOCK TEN (10), HINES ADDITION, an addition to the City of Midland, Midland County, Texas, according to the plat recorded in Plat Cabinet C, Page 19, of the Plat Records of Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, MANUEL L. OLANO, being the owner of the land shown on this plat designated as LOT FIVE (5), HINES ADDITION, SECTION 5, 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: MANUEL L. OLANO 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, MANUEL L. OLANO, 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
110 W. LOUISIANA AVE., SUITE 110
MIDLAND, TX 79701
432.687.0865

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "HINES ADDITION, SECTION 5" 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 SISNEGA, CHAIRMAN

ELIZABETH TRIGGS, SECRETARY

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE: _____ PAGE _____

OWNER:
MANUEL L. OLANO
103 CANYON DRIVE,
MIDLAND, TEXAS 79703
432-413-1427

PENNELL LAND SURVEYING
PROFESSIONAL LAND SURVEYING
P.O. BOX 51662 - MIDLAND, TEXAS 79710

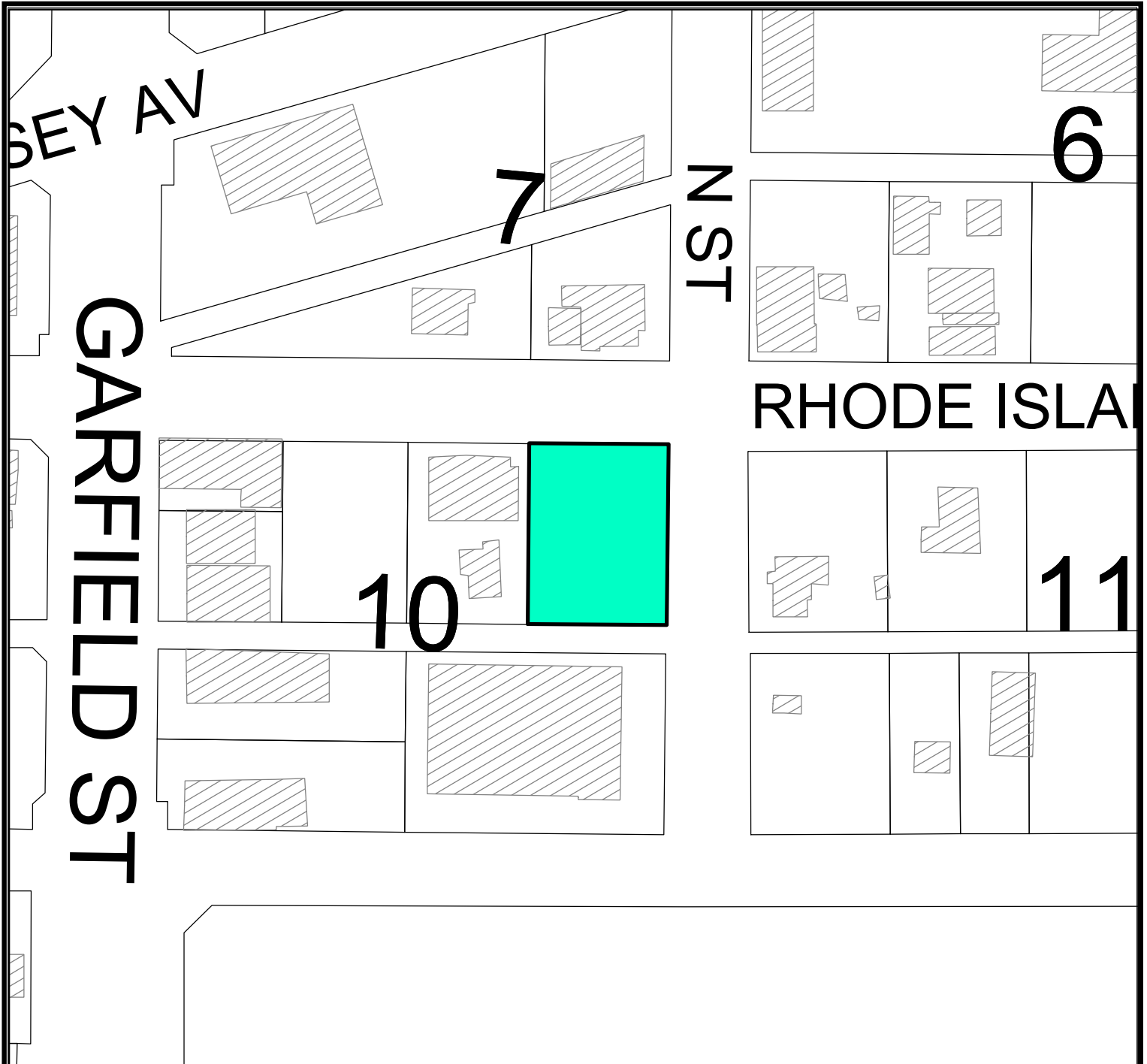
VOICE (432)570-6256
MOBILE (432)528-1027

FIRM No.: 10193978

FEBRUARY 2024

March 4, 2024
HINES ADDITION,
SECTION 5

INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE PLATING PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOW BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.



LOCATION MAP

SUB-23-0697

Scale: 1" = 104'

Proposed Plat of Hines Addition, Section 5, being a replat of the east 100 feet of Lot 1, Block 10, Hines Addition, City and County of Midland, Texas.

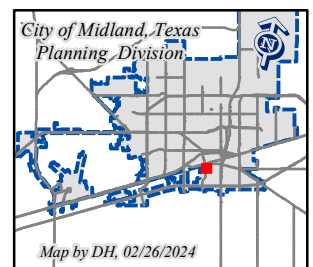
Generally located southwest of the intersection of Rhode Island Avenue and S. N Street.

(Council District 2)

PACKET

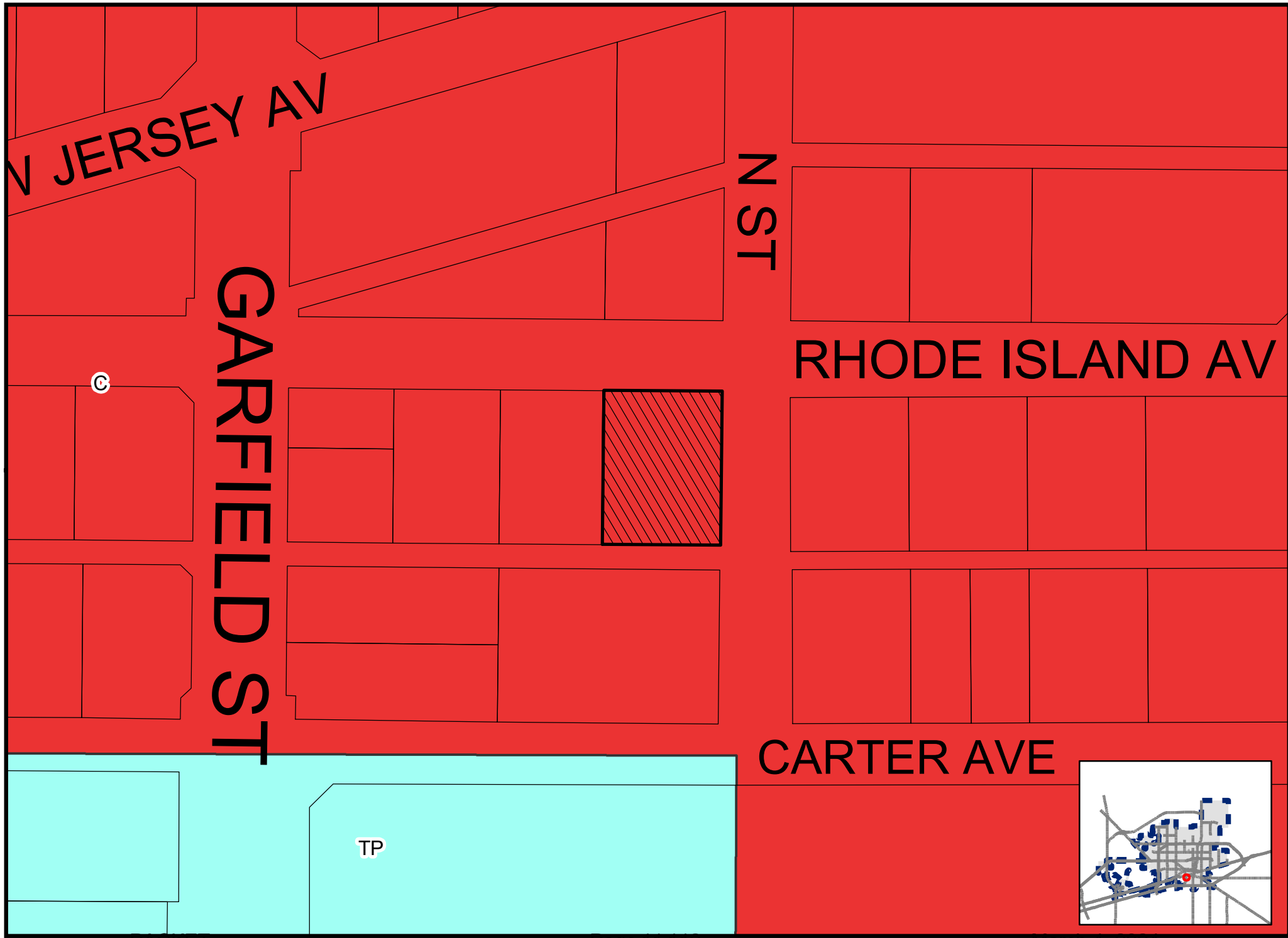
LEGEND

- 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

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March 4, 2024

Map By DH, 02/26/2024

SUB-23-0697

Scale: 1" = 102'

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.



RHODE IS

10

PACKET

Page 11.113

March 4, 2024



Planning and Zoning Commission

Approved for
Agenda:
Xavier Bauguess

MEETING DATE: March 04, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Proposed Preliminary Plat of Melody Acres, Section 19, being a replat of the north/2 of Lot 7, Block 1, Melody Acres Addition, and Lots 8A, 9A, and 10B, Block 1, Melody Acres, Section 13, and the East 340 feet of Lot 5A, Block 1, Melody Acres, Section 10, City and County of Midland, Texas. (Generally located at the southwest corner of North Midland Drive and Mockingbird Lane.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

Schumann Surveying Co., Inc. on behalf of Jim Whatley is requesting to replat to combine five lots into an 11.83 acre tract of land.

Current Zoning:

AE, Agricultural Estate 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 the Applicant's information only.]

ROW: Refer to transportation's comments, if any [For the Applicant's information only.]

PAVING: Midland Dr, okay as is. Mockingbird roadway and Meadowlark Ln are not built to City Standards, construct to City standards for entire platted frontage frontage or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

WATER: 24" water exists in Mockingbird, okay as is. 6" water exists in Meadowlark, okay as is. 12" water exists in Midland Dr., okay as is. 30" water exists in Midland Dr., 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: 10" sewer exists in Midland Dr., 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.]

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.

GIS: (Approved)

Section number is already in use. Next available section number is 19. Legal description should say "Being a replat of the north/2 of Lot 7, Block 1, Melody Acres Addition, and Lots 8A, 9A, and 10B, Block 1, Melody Acres, Section 13, and the East 340 feet of Lot 5A, Block 1, Melody Acres, Section 10, City and County of Midland, Texas." Please depict Atmos utility easements and provide recording information and TU Energy utility easement along with recording information.

PLANNING: (Approved)

Under Owners Certificate and Certificate of Approval change year to 2024.

Label the right-of-way widths for North Midland Drive and Meadowlark Lane.

Label sewer main southeast of lot lines.

Use 11-2-3 Platting Procedures- verify every box (like certificate of approval should be Approval by the Commission or close to it)

Staff recommends approval of the Preliminary Plat of Melody Acres, Section 17, 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:

Application
Preliminary Plat
Location Map
Zoning Map
Aerial Map



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: **MELODY ACRES**

Legal Description (attached sealed Metes and Bounds): **A 11.83 ACRE TRACT OF LAND, THE NORTH/2 OF TRACT 7, ALL OF LOT 8, 2.20 ACRES OUT OF THE NORTH PART OF LOT 9, AND 2.34 ACRES OUT OF THE NORTH PART OF LOT 10, MELODY ACRES, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT RECORDED IN CABINET B, PAGE 98, PLAT RECORDS OF MIDLAND COUNTY, TEXAS..**

Property Owner Printed Name: **JIM BOB WHATLEY**

Phone **432-559-4315**
Email

Address **4409 MOCKINGBIRD LANE**

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: **Schumann Engineering Co., Inc.**

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: **AE**

Reason for Platting: **TO COMBINE INTO 1 LOT. 7A**

Plat Information

Total Acreage: **11.83**

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) JB Whatley Date: 2-3-24

Property Owner (printed): Jim Bob Whatley

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.

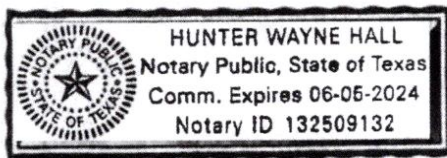
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is the owner of ES or is authorized by JB Whatley 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 16th day of February, 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)

☒ Application Fee ☒ 1 Copy of Plat (11x17)

Check # online

Received By: DH

Date:

RECEIVED
FEB 07 2024

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

Preliminary Plat Application

2

Revised 07/01/19

PRELIMINARY PLAN
MELODY ACRES
SECTION 18

PROPOSED PLAT OF MELODY ACRES, SECTION 17, BEING A REPLAT OF THE NORTH HALF OF LOT 7, MELODY ACRES, THE EAST 340 FEET OF LOT 5A, MELODY ACRES, AND SECTION 10, LOTS 8A, 9A, AND 10B, MELODY ACRES, SECTION 13, CITY AND COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, WE ARE THE RECORD OWNER(S) OF A 11.83 ACRE TRACT OF LAND, THE NORTH/2 OF TRACT 7, ALL OF LOT 8, 2.20 ACRES OUT OF THE NORTH PART OF LOT 9, AND 2.34 ACRES OUT OF THE NORTH PART OF LOT 10, MELODY ACRES, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT RECORDED IN CABINET B, PAGE 98, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREIN.

FIELD NOTE DESCRIPTION OF A 11.83 ACRE TRACT OF LAND, THE NORTH/2 OF TRACT 7, ALL OF LOT 8, 2.20 ACRES OUT OF THE NORTH PART OF LOT 9, AND 2.34 ACRES OUT OF THE NORTH PART OF LOT 10, MELODY ACRES, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT RECORDED IN CABINET B, PAGE 98, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, SAID 11.83 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINFORCING BAR SET (N:10711356.04, E:1732145.01) IN THE SOUTH RIGHT OF WAY OF MOCKINGBIRD LANE FOR THE NORTHWEST CORNER OF THIS TRACT, ALSO BEING THE ORIGINAL NORTHWEST CORNER OF SAID LOT 7, OF SAID MELODY ACRES;

THENCE NORTH 75°43'47" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE OF SAID MOCKINGBIRD LANE, 1330.11 FEET TO A REINFORCING BAR SET FOR THE MOST NORTHERLY NORTHEAST CORNER OF THIS TRACT AND THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE 47.25' ALONG A CURVE WITH A RADIUS OF 35.08' AND A DELTA ANGLE OF 77°11'10", AND A CHORD BEARING OF SOUTH 57°01'40" EAST 43.76 FEET TO A REINFORCING BAR SET IN THE WEST RIGHT OF WAY LINE OF NORTH MIDLAND DRIVE FOR THE MOST SOUTHERLY NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°16'23" EAST, ALONG SAID WEST RIGHT OF WAY LINE OF NORTH MIDLAND DRIVE, 265.52 FEET TO A REINFORCING BAR SET IN SAID SOUTH RIGHT OF WAY FOR THE MOST NORTHERLY SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 75°52'41" WEST 37.68 FEET TO A REINFORCING BAR SET FOR AN INTERIOR CORNER OF THIS TRACT;

THENCE SOUTH 14°07'57" EAST 7.23 FEET TO A REINFORCING BAR SET FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE SOUTH 75°52'41" WEST 301.56 FEET TO A REINFORCING BAR SET FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE NORTH 14°07'19" WEST 21.29 FEET TO A REINFORCING BAR SET FOR AN INTERIOR CORNER OF THIS TRACT;

THENCE SOUTH 75°47'32" WEST 340.09 FEET TO A REINFORCING BAR SET FOR AN INTERIOR CORNER OF THIS TRACT;

THENCE SOUTH 14°22'48" EAST 338.01 FEET TO A REINFORCING BAR SET IN THE NORTH RIGHT OF WAY LINE OF MEADOWLARK LANE FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 75°42'28" WEST, ALONG SAID NORTH RIGHT OF WAY LINE OF MEADOWLARK LANE, 340.00 FEET TO A REINFORCING BAR SET FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°22'48" WEST 309.98 FEET TO A REINFORCING BAR SET FOR AN INTERIOR CORNER OF THIS TRACT;

THENCE SOUTH 75°43'47" WEST 340.00 FEET TO A REINFORCING BAR SET FOR THE MOST NORTHERLY SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°22'48" WEST 310.50 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 HEREABOVE DESCRIBED PROPERTY AS THE NORTH/2 OF TRACT 7, ALL OF LOT 8, 2.20 ACRES OUT OF THE NORTH PART OF LOT 9, AND 2.34 ACRES OUT OF THE NORTH PART OF LOT 10, MELODY ACRES, AN ADDITION TO 11.83 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.

JIM BOB WHATLEY
STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF ____, 2023, BY JIM BOB WHATLEY

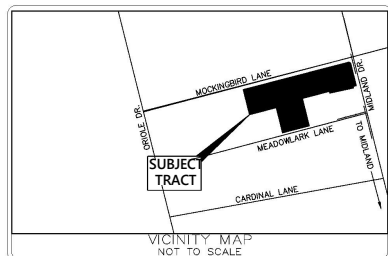
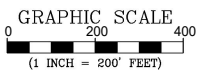
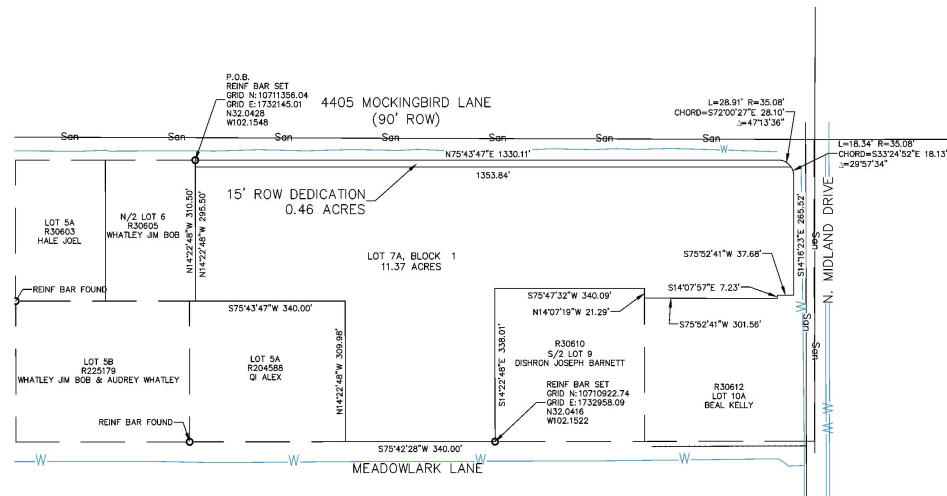
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

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 ____



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 ____, 2023.

SIGNED: CHAIRMAN LUCY SISNEGA

ATTEST: SECRETARY XAVIER BAUGUCESS

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.
- REPRESENTATION OF FLOODPLAIN BOUNDARIES ARE APPROXIMATE AND FOR ILLUSTRATIVE PURPOSES ONLY. ANY DEVELOPMENT WITHIN FLOODPLAIN AREAS WILL REQUIRE A FLOODPLAIN DEVELOPMENT PERMIT FROM THE CITY OF MIDLAND FLOODPLAIN ADMINISTRATOR. PROPERTY IS IN PANEL 48329C0067F, EFFECTIVE DATE OF SEPTEMBER 16, 2005. PROPERTY IN IN ZONE "X", ACCORDING TO FEMA FLOOD MAP AND ACCORDING TO MIDLAND GIS MAP.
- 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 A02-A 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.

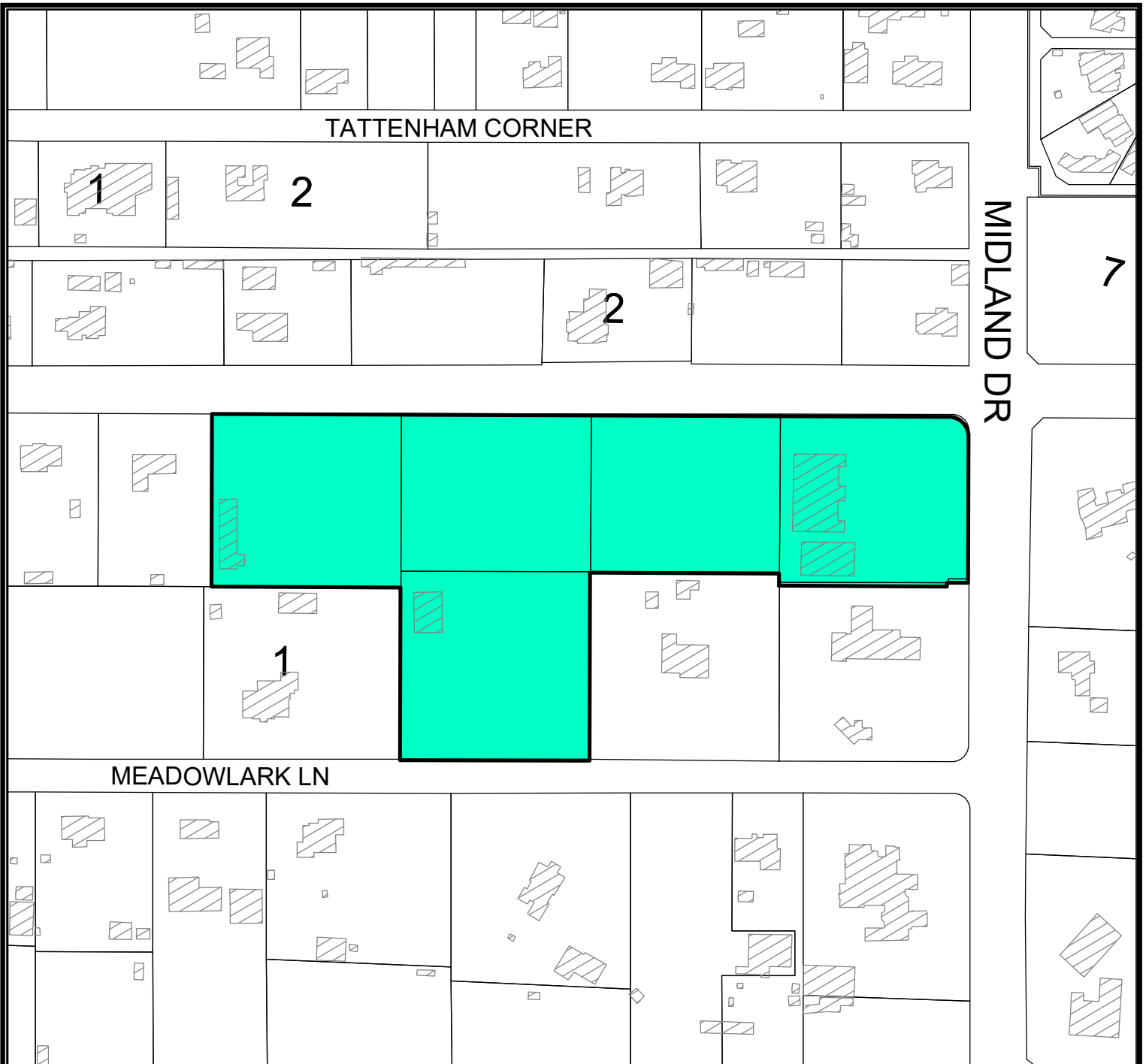
Page 12.119

NO.	DATE	DESCRIPTION	BY
1	06/12/2023	SKETCH PLAN	JG
DRAWN BY: JG DATE: 06/12/2023			
CHECKED BY: ED/RJ PROJECT NO.: 79103			
JOB NO.: 79,103 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-23-0646

Scale: 1" = 259'

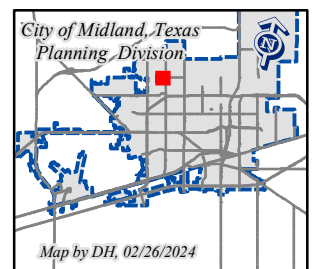
Proposed Plat of Melody Acres, Section 19, being a replat of the north/2 of Lot 7, Block 1, Melody cres Addition, and Lots 8A, 9A, and 10B, Block 1, Melody Acres, Section 13, and the East 340 feet of Lot 5A, Block 1, Melody Acres, Section 10, City and County of Midland, Texas.

Generally located at the southwest corner of North Midland Drive and Mockingbird Lane.

(Council District 12)

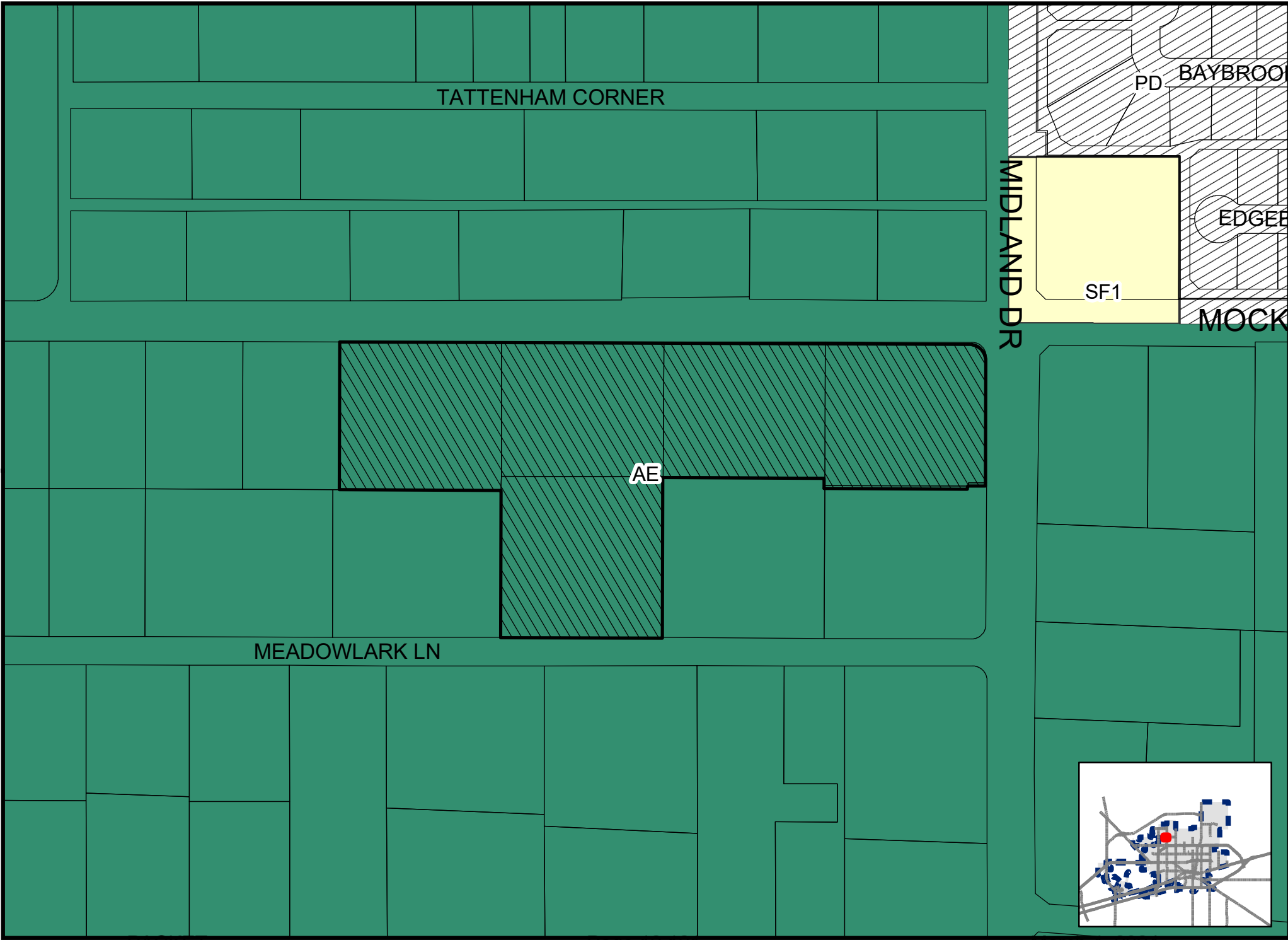
LEGEND

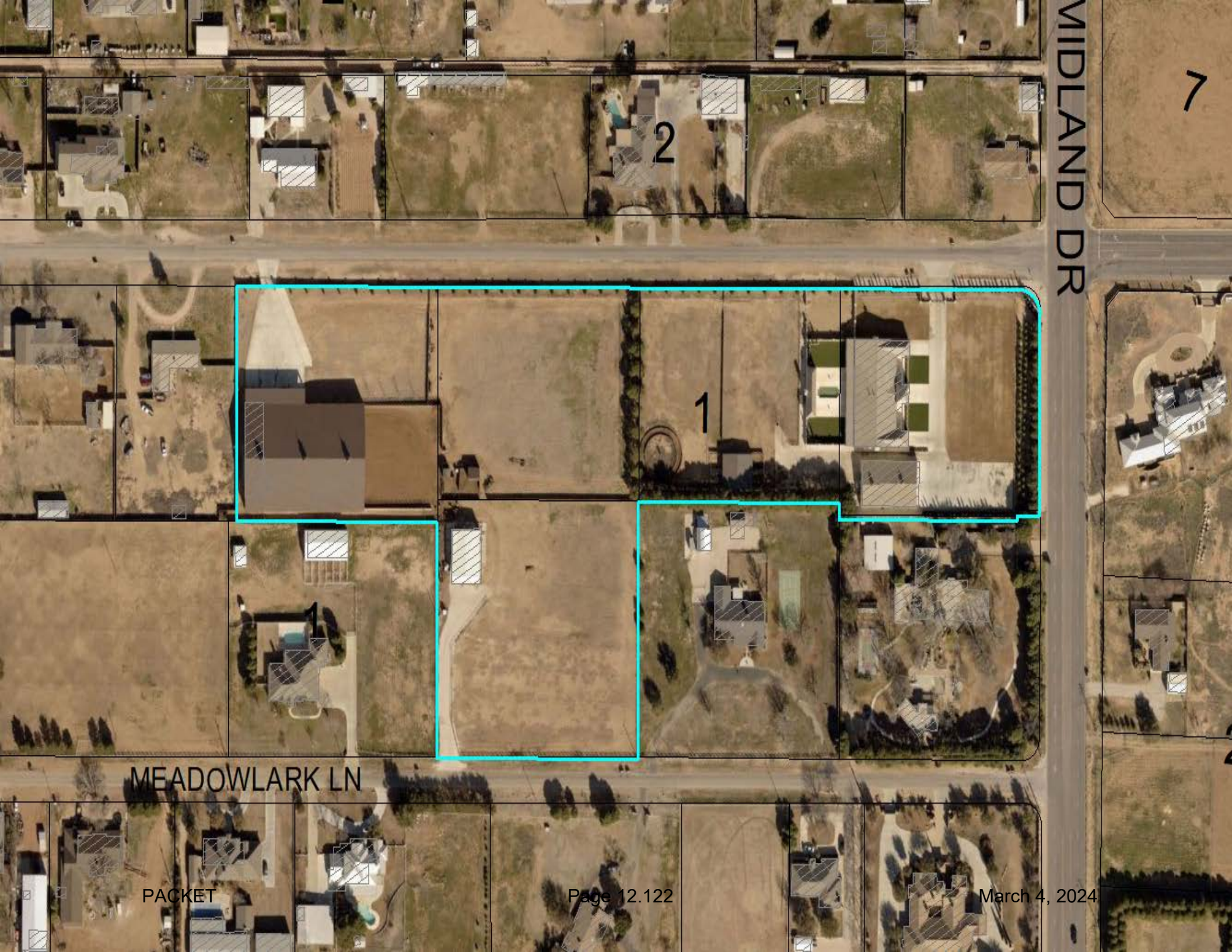
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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2

1

7

MIDLAND DR

MEADOWLARK LN



Planning and Zoning Commission

Approved for
Agenda:
Xavier Bauguess

MEETING DATE: March 04, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Proposed Preliminary Plat of East Midland Addition, Section 23, being a Replat of the east 129 feet of the west 279 feet of Block 93, East Midland Addition, Section, City and County of Midland, Texas. (Generally located on the south side of Orchard Lane, approximately 150 feet west of N. Benton Street.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Pennell Land Surveying LLC, on behalf of Dominic Nick Salas, is requesting to replat to obtain a building permit for an addition to an existing structure. The proposed subdivision will have one (1) lot with a total acreage of 0.63.

Current Zoning:

LI, Light Industrial District.

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

BUILDING CODE: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

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

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

PAVING: Orchard roadway is not built to City Standards, construct to City standards for entire platted frontage, or request a deferral. Front Frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: 6" water exists in Orchard 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: 18" sewer exists North of tract, okay as is. 15" sewer exists North 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.]

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.

GIS: (Approved)

No comments.

PLANNING: (Approved)

Change Secretary to Xavier Bauguess.

Provide title block on the lower right-hand corner of the page. [Midland City Code 11-2-3(A)1(a)].

Provide subdivision name east of lot line.

Staff recommends approval of the Preliminary Plat of East Midland Addition, Section 23, 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:

Application
Preliminary Plat
Location Map
Zoning Map
Aerial Map



Preliminary Plat Application

Project Number: SUB-23-0690
Case Number: _____

Proposed Subdivision Plat Name: EAST MIDLAND ADDITION, SECTION 23

Legal Description (attached sealed Metes and Bounds): 0.63

Property Owner Printed Name: DOMINIC NICK SALINAS		Phone () Email	
Address 1933 E. FRONT STREET	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: <u>PENNELL LAND SURVEYING, LLC</u> Printed Name: DURYN HENINGTON		Phone () Email	
Address 2030 W. CUTHBERT, STE. 4	City MIDLAND	State TX	Zip 79701

Current Zoning: _____

Reason for Platting: _____

Plat Information	Total Acreage: 0.63
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots:	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): [Signature]

Date: 2-7-24

Property Owner (printed): Nick Salinas

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.

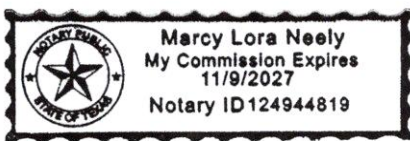
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Nick Salinas who, being by me duly sworn, upon oath says: That (s)he is the owner of 1933 E. Front 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.

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 7th day of February, 2024, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # Paid online

Received By: [Signature]

Date:

RECEIVED
FEB 07 2024

BY: _____

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



VICINITY MAP
(NOT TO SCALE)

PRELIMINARY PLAT EAST MIDLAND ADDITION, SECTION 23

BEING A REPLAT OF A 0.63 ACRE TRACT
OUT OF BLOCK 93, EAST MIDLAND ADDITION,
AN ADDITION TO THE CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS,

LEGEND
● Set 1/2" I.R.
W/Cop "RPLS 6832"
○ Fnd. 1/2" I.R.
--- Existing Water Line

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. 4832900093 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.
5. PROPOSED WATER, SANITARY SEWER, AND STORM WATER PIPELINES WITH CULVERTS, BRIDGES, AND OTHER APPURTENANCES OR STRUCTURES SHOWN (ONE-LINE PLANS), ARE REQUIRED BEFORE PRELIMINARY PLAT APPROVAL.

LOT 1 BLOCK 95
EAST MIDLAND
ADDITION,
SECTION 6
Vol. 1989, Pg. 13504

ADRIANA MADRID
2022-14781
O.P.R.M.C.T.

LOT 1
BLOCK 93

DOMINIC NICK SALINAS
2016-24857
O.P.R.M.C.T.

0.63 ACRES

0.43 ACRES

EFREN BRUNDA
2022-21363
O.P.R.M.C.T.

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

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, DOMINIC NICK SALINAS, is the record owner of 0.63 ACRE TRACT OF LAND OUT OF BLOCK 93, EAST MIDLAND ADDITION, Midland County, Texas, according to the plat recorded in Volume 1, Page 52, of the Deed Records of Midland County, Texas, and described in Instrument # 2016-24857, Official Public Records, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, DOMINIC NICK SALINAS, being the owner of the land shown on this plat designated as EAST MIDLAND ADDITION, SECTION 23, or 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: DOMINIC NICK SALINAS 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, DOMINIC NICK SALINAS, 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
432.570.6256

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "EAST MIDLAND ADDITION, SECTION 23" 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

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE: _____ PAGE _____

OWNER:
DOMINIC NICK SALINAS
1933 E. FRONT STREET
MIDLAND, TX 79701
432-570-7923

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

VOICE: (432)570-6256
MOBILE: (432)528-1027

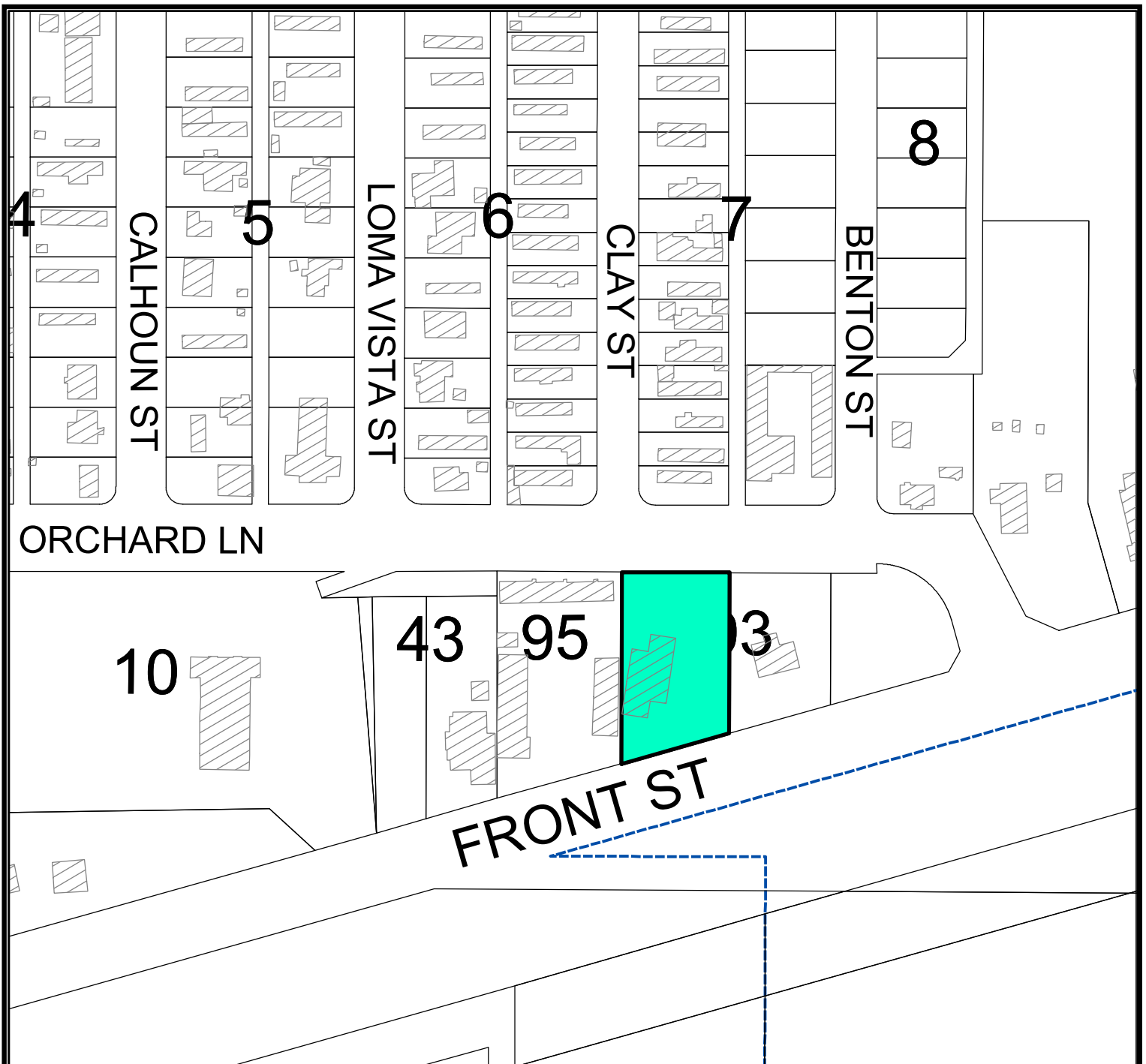
FIRM No: 10193978

FEBRUARY 2024

March 4, 2024
EAST MIDLAND ADDITION,
SECTION 23

PACKET

Page 3 of 3



LOCATION MAP

SUB-23-0699

Scale: 1" = 173'

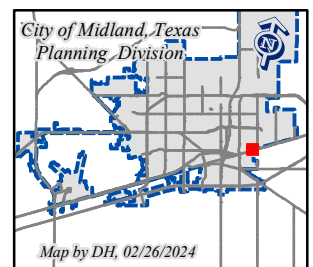
Proposed plat of East Midland Addition, Section 23, being a Replat of the east 129 feet of the west 279 feet of Block 93, East Midland Addition, Section, City and County of Midland, Texas.

Generally located on the south side of Orchard Lane, approximately 150 feet west of N. Benton Street. (Council District 2)

PACKET

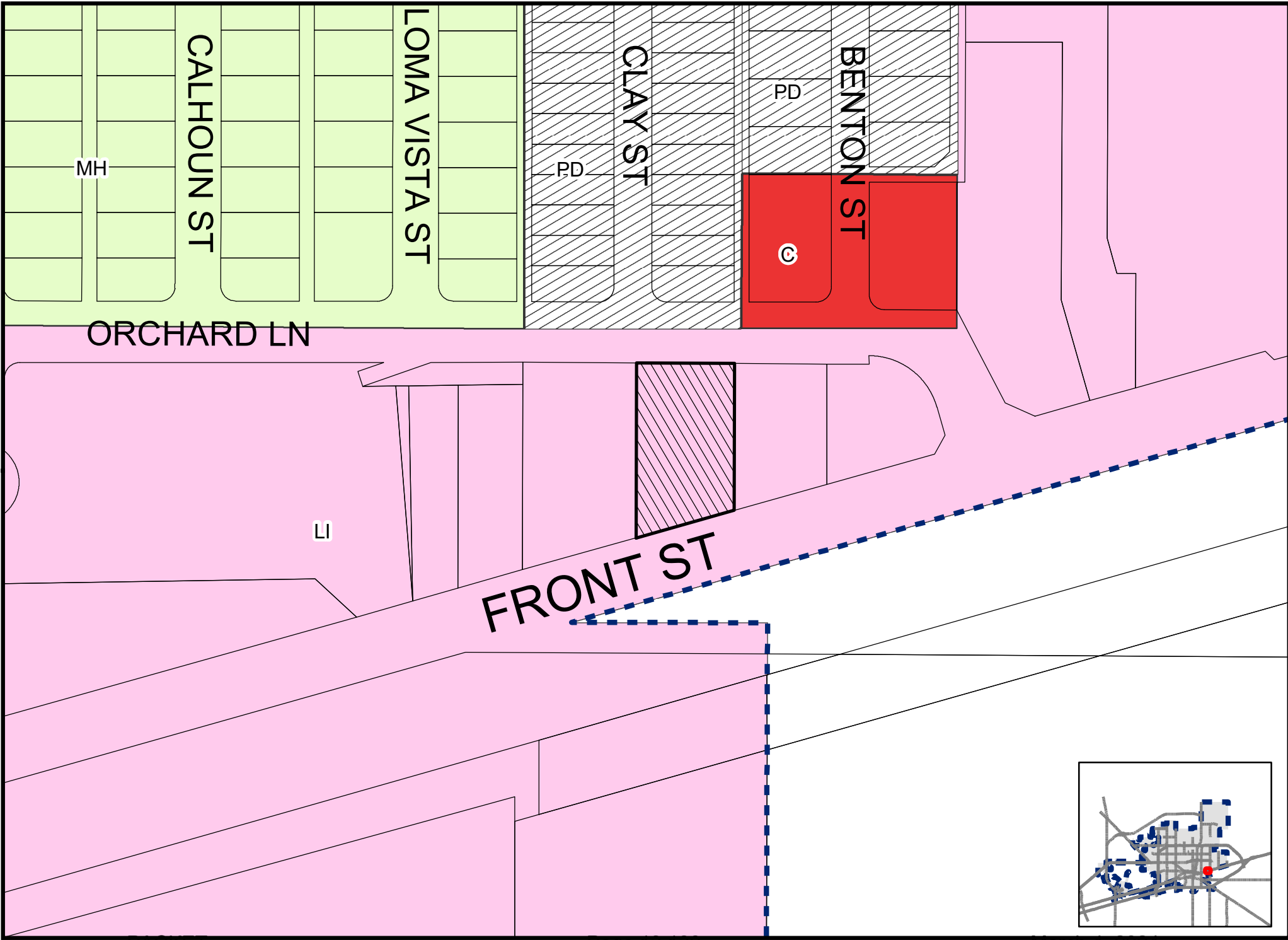
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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43 95 93

FRONT ST



Planning and Zoning Commission

Approved for
Agenda:
Xavier Bauguess

MEETING DATE: March 04, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions a Preliminary Plat of College Heights Addition, Section 9, being a plat of a 1.562-acre tract of land out of Section 33, Block 39, T-1-S, T&P RY. CO. Survey, in part, and a replat of the west 185 feet of Lot 5, Block E, Garrett Place Addition, the west 200 feet of the north 540 feet of Block 7, College Heights Addition, City and County of Midland, Texas. (Generally located on the south side of West Wall Street, approximately 450-feet east of Bankhead Highway.) (District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Maverick Engineering, on behalf of GF Elite Real Estate Holdings, is requesting to plat a 1.562-acre tract of land out of Section 33, Block 39, T-1-S, T&P RY. CO. Survey, in part, and a replat of the west 185 feet of Lot 5, Block E, Garrett Place Addition, the west 200 feet of the north 540 feet of Block 7, College Heights Addition, City and County of Midland, Texas, for ownership purposes.

Current Zoning:

RR, Regional Retail District in part and SF2- Single-Family Dwelling District in part.

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: WATER: 6" water exists in Wall Street N 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 Wall Street N 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: Okay as shown. [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 and Gas issues.

GIS: (Approved)

No comments.

CRMWD: (Approved)

No comments.

PLANNING: (Approved with Conditions)

Please change the Secretary's name to Xavier Bauguess. [Informational]

A zone change application for Lot 3 needs to be submitted before Final.

Staff recommends approval of the Preliminary Plat of College Heights Addition, Section 9, subject to condition A.

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.**

Attachments:

Application
Proposed Preliminary Plat
Location Map
Zoning Map



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: College Heights Addition, Section 9**Legal Description (attached sealed Metes and Bounds):** Being a Plat of a 1.562 Acre Tract of Land out of Section 33, Block 39, T-1-S, T&P Railway Co. Survey, in part, and a Replat of the West 185 Feet of Lot 5, Block E, Garrett Place Addition, and the West 200 Feet of the North 540 Feet of Block 7, College Heights Addition, City and County of Midland, Texas**Property Owner**Printed Name: **GF Elite Real Estate Holdings**

Phone (432) 262-0999

Email **fily@gf-elite.com**Address **6819 N FM Rd 1788**City **Midland**State **TX**Zip **79706****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.com**Address **1909 W Wall St Ste K**City **Midland**State **TX**Zip **79701****Current Zoning:** SF2, RR**Reason for Platting:** ownership purposes**Plat Information**Total Acreage: **4.119**Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: **3**

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): *[Signature]* Date: 2/6/2024
DocuSigned by: A993CF2322A3451 Filiberto Lozoya

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.

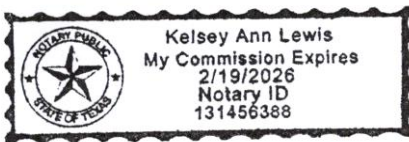
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
 COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L. Mellen who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by GF Elite Real Estate Holdings 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 6th day of February, 2024, to certify which witness my hand and seal of office.



[Signature]

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

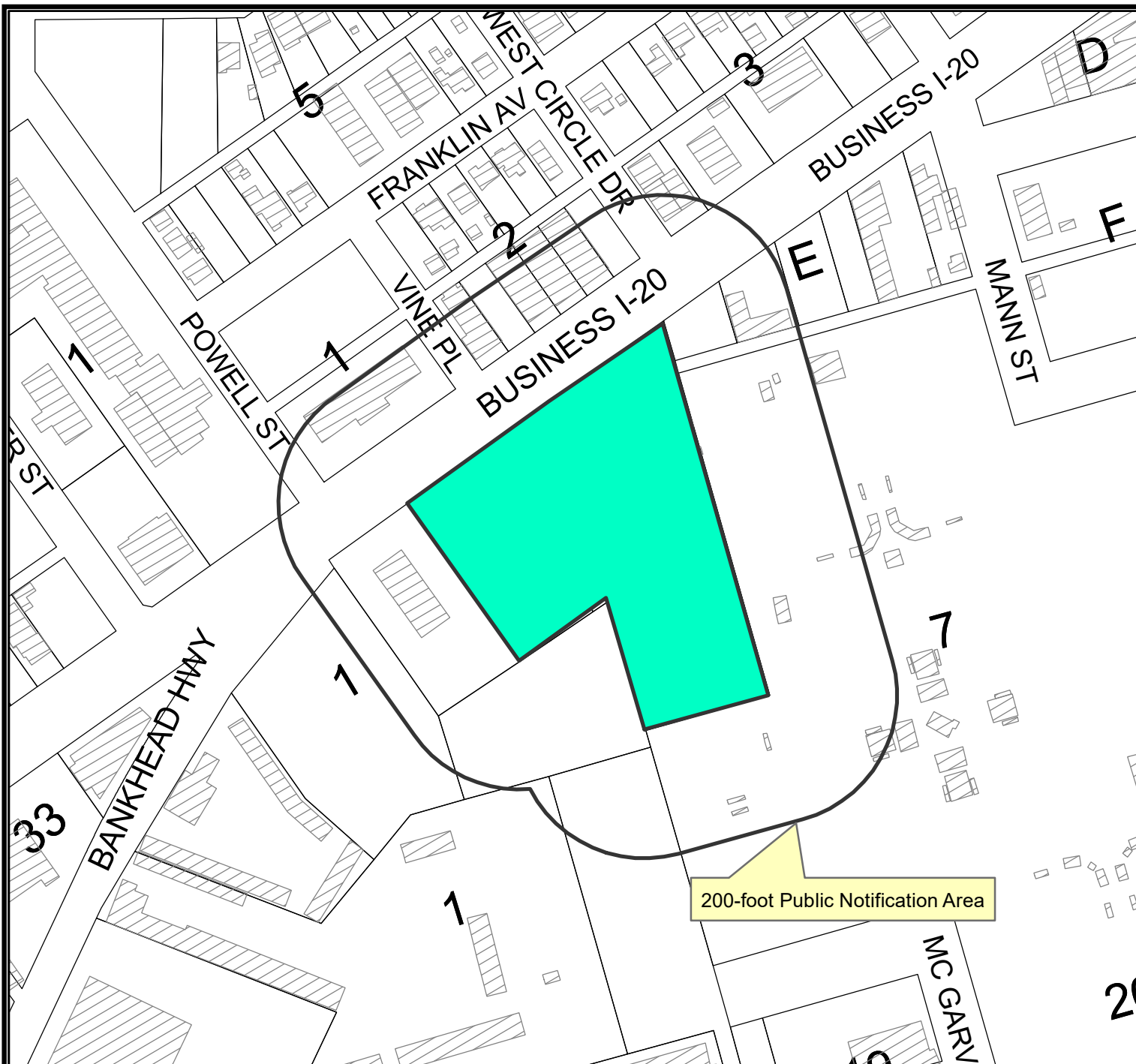
☐ Property Owner Authorization ☐ 1 Copy of Dimensioned Plat ☐ Plat in Digital Format (PDF/JPEG)
☐ Application Fee ☐ 1 Copy of Plat (11x17)
 Check # 4698

RECEIVED
FEB 08 2024

Received By: *[Signature]*

Date: 2/6/2024
 BY: DY

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



LOCATION MAP

SUB-23-0706

Scale: 1" = 224'

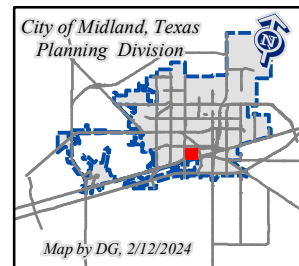
Proposed Plat of College Heights Addition, Section 9, being a plat of a 1.562-acre tract of land out of Section 39, T-1-S, T&P RY. CO. Survey, in part, and a replat of the west 185 feet of Lot 5, Block E, Garrett Place Addition, the west 200 feet of the north 540 feet of Block 7, College Heights Addition, City and County of Midland, Texas.

Generally located on the south side of West Wall Street, approximately 450-feet east of Bankhead Highway.(District 2)

PACKET

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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