

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

**April 1, 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 a Final Plat of Shenandoah Ridge, Section 3 being a 17.84-acre Tract of Land out of Section 12, Block 39, T-1-S, T&P RY Co. Survey, City of Midland, Midland and Martin Counties, Texas. (Generally located on the east side of Black Butte approximately 110 feet north of Inselberg Street) (**DISTRICT 1**) (**DEVELOPMENT SERVICES**) (**DISTRICT 1**) (**DEVELOPMENT SERVICES**)
3. Motion approving with staff's recommended conditions, a proposed Final Plat of Cloverdale East, Section 3, being a replat of Lots 3-6, Block 1, Correction Plat of Cloverdale East, Section 2, Midland County, Texas. (Generally located on the north side of East Interstate 20, approximately 2,380 feet east of the intersection of East Highway 158 and East Interstate 20.) (**DISTRICT: NONE**) (**DEVELOPMENT SERVICES**)
4. Motion approving a Final Plat of Homestead Addition, Section 22, being a replat of the south 175 feet of the east half of Block 29, Homestead Addition, City and County Midland, Texas. (Generally located on the northwest corner of the intersection of West Michigan Avenue and North Colorado Street) (**DISTRICT 2**) (**DEVELOPMENT SERVICES**)
5. Consider a motion approving the following minutes:

PUBLIC HEARINGS

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

6. Consider a request by Amador Urquidi for a zone change from C, Commercial District to SF-3, Single Family Dwelling District on Lot 5, Block 25, Greenwood Addition, Section 4, City and County of Midland, Texas. (Generally located west of South Stonewall Street, approximately 60 feet north of E. New York Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
7. Motion approving with staff's recommended conditions a Preliminary Plat of Avalon Addition, Section 4, being a Residential Replat of Lot 19 less the west 14.5 feet, all of Lot 20, and the west 9 feet of Lot 21, Block 6, Avalon Addition, City and County of Midland, Texas (Generally located on the south side of Stanolind Avenue, approximately 130 feet west of North I Street) **(DISTRICT 3) (DEVELOPMENT SERVICES)**
8. Hold a public hearing and consider a request by Karen Alvarez for a Specific Use Designation with Term for the sale of Alcoholic Beverages Sales for On-Premises Consumption in a Restaurant, on a 2100-square foot portion of Lot 1A, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas. (Generally located on the south side of West Loop 250 North, approximately 1,105-feet west of North Midkiff Road. (District 1) (DEVELOPMENT SERVICES) **(DISTRICT 1) (DEVELOPMENT SERVICES)**
9. Hold a public hearing and consider a request by Musselman Family Limited Partnership for a zone change from SF-1, Single-Family Dwelling District to AE, Agricultural Estate District for a 37.542-acre tract of land, out of the southeast quarter of Section 10, Block X, H.P. Hillard Survey, City and County of Midland, Texas. (Generally located on the north side of Mockingbird Lane, approximately 840 feet west of North A Street.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**
10. Hold a public hearing and consider a request by Ivania Hernandez Morales for a Specific Use Designation with Term for the sale of all alcoholic beverages for on premises consumption in a restaurant on a 1,763 square foot portion of Lot 6A, Block 62, Belmont Addition, Section 23, City and County of Midland, Texas. (Generally located on the north side of East Interstate 20, approximately 478 feet west of South Terrell Street.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

MISCELLANEOUS

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: April 1, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

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

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

SF-3, Single Family Dwelling District.

Preliminary Plat Approval:

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

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

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

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

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

PRO RATA: None SEWER: Wastewater improvements have been installed and accepted. [For the Applicant's information only]

DRAINAGE: Drainage study has been approved.

EASEMENTS: Show existing and proposed.

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

STREET NAME AND TRAFFIC CONTROL SIGN FEE – No fee expected with this plat. [For the Applicant's information only.] 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. P&A Mabee #1 identified. 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 has received a Letter of Acceptance of Public Infrastructure notice that the improvements installed with the project are considered complete, and the City of Midland accepts the aforementioned public improvements as part of its public infrastructure system. The 12-month warranty period for the public improvements installed with this project began as of the date of the final inspection, February 21, 2024.

Staff recommends approval of the Final Plat of Shenandoah Ridge, Section 3, subject to Condition A.

Condition(s):

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

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number:

SUB-23-0587

Case Number:

P-23-1885

Proposed Subdivision Plat Name: Shenandoah Ridge, Section 3

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

Property Owner

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

Phone (806) 777-1322

Email: troygm@shenaranch.com

Address: 24 Smith Rd Suite 601

City: Midland

State: TX

Zip: 79705

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address: 1909 W Wall St Ste K

City: Midland

State: TX

Zip: 79701

Current Zoning: SF3

Reason for Platting: ownership purposes

Plat Information

Total Acreage: 17.84

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

Number of Lots: 83

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Troy G. Martin

Date: 12/11/23

Property Owner (printed):

Troy G. Martin - Sherandoan Bar M Ranch

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

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

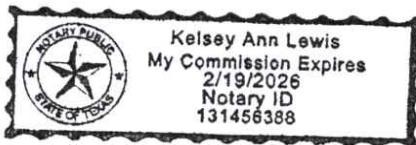
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS COUNTY OF MIDLAND

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

Andrew L. Mellen
Authorized Agent (signature)

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



Kelsey Ann Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Received By: [Signature]

Date: DEC 20 2023

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

PACKET

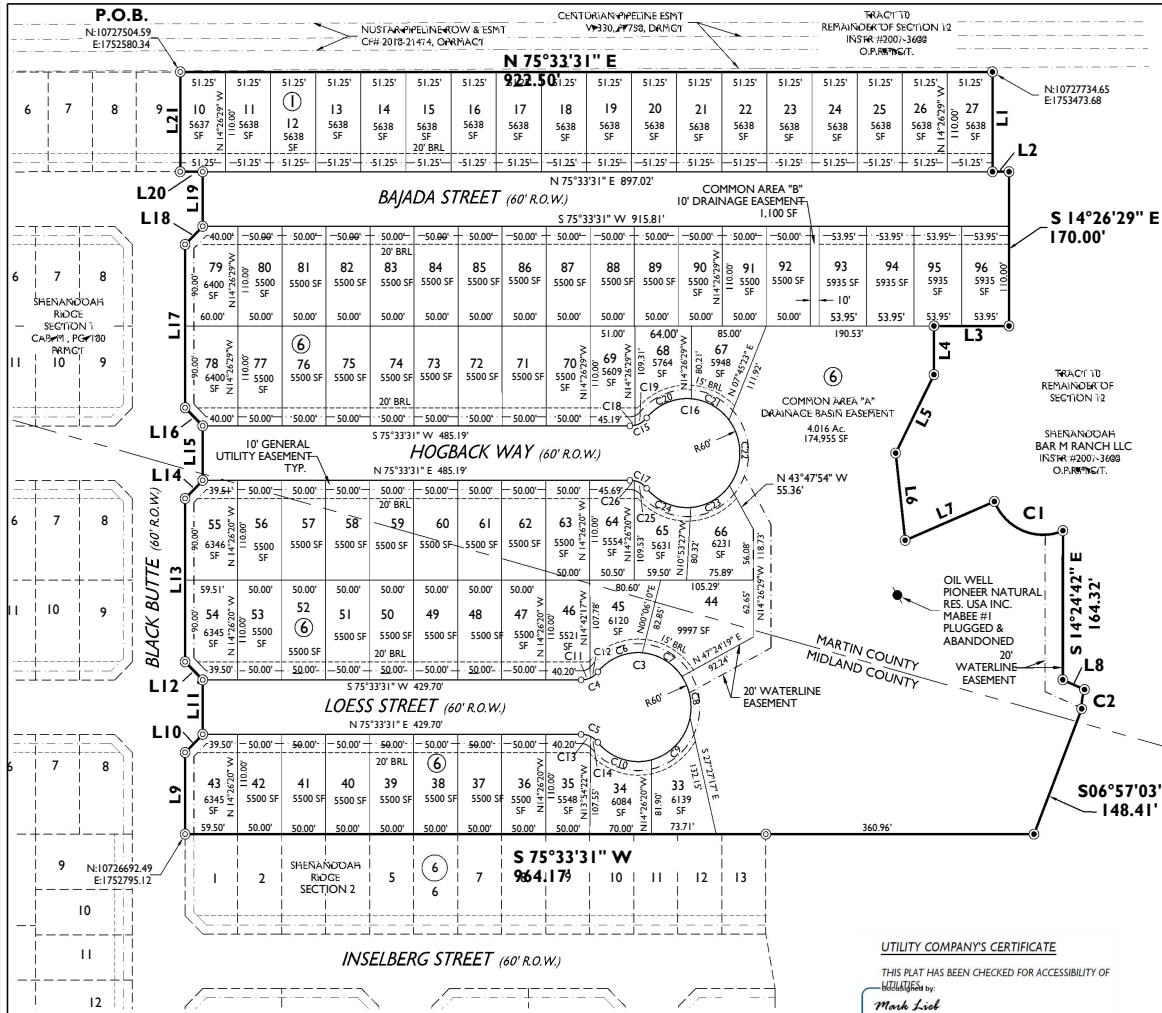
Page 2.8

April 1, 2024

Final Plat Application

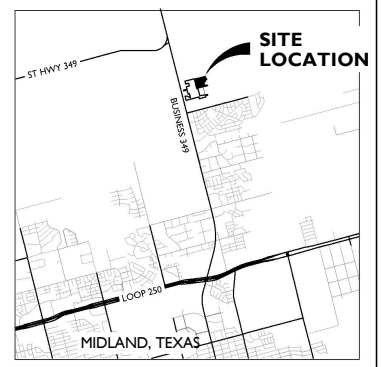
2

Revised 7/01/19



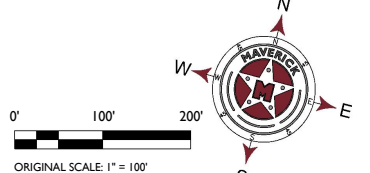
SHENANDOAH RIDGE SECTION 3

BEING A 17.84 ACRE TRACT OF LAND
IN SECTION 12, BLOCK 39, T-1-S,
T&P OF MISAWKEY,
MIDLAND AND MARTIN COUNTY,
TEXAS



VICINITY MAP

N.T.S.



LEGEND

- SET 1/2-INCH IRON ROD WIRED PLASTIC CAP MARKED "MAVERICK FIRM# 10194514"
- FOUND 1/2-INCH IRON ROD WIRED PLASTIC CAP MARKED "MAVERICK FIRM# 10194514"
- OR FOUND MONUMENT AS NOTED BOUNDARY LINE
- EXISTING PROPERTY LINES
- EXISTING EASEMENT LINE
- PROPOSED 10 FOOT GENERAL UTILITY EASEMENT LINES, UNLESS OTHERWISE SPECIFIED
- EXISTING BUILDING SETBACK LINE
- O.P.R.M.C.T. OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
- D.R.M.C.T. DEED RECORDS, MIDLAND CO., TX
- P.R.M.C.T. PLAT RECORDS, MIDLAND CO., TX
- O.P.R.M.A.C.T. OFFICIAL PUBLIC RECORDS, MARTIN CO., TX
- D.R.M.A.C.T. DEED RECORDS, MARTIN CO., TX
- P.R.M.A.C.T. PLAT RECORDS, MARTIN CO., TX

FILED FOR RECORD

THIS _____ DAY OF _____, 2024

AT _____ O' CLOCK AND _____ MINUTES

IN _____, MARTIN COUNTY PLAT RECORDS

COUNTY CLERK - MARTIN COUNTY, TEXAS

DEPUTY

PROPERTY OWNER

SHENANDOAH BAR M RANCH LLC
24 SMITH ROAD
SUITE 601
MIDLAND, TX 79705
INSTR #007-3688
O.P.R.M.C.T.

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



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

SHENANDOAH RIDGE SECTION 3

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

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



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS SHENANDOAH BAR M RANCH LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 12, BLOCK 39, T-1-S, T&P, RR. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS AND MARTIN COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE, FOREVER, THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON; AND DO HEREBY GIVE AN EASEMENT OF INGRESS AND EGRESS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY, AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THEREON; AND CONVEY SAID EASEMENT, THEN OR CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED _____ KNOWN _____ TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE WAS ACTING AS OWNER, AND THAT HE EXECUTED THE SAME _____ DAY OF _____, 2024, FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA
C1	60.00'	21.49'	21.37'	S 81°54'23" E	89°05'25"
C2	60.00'	22.54'	22.45'	S 85°54'45" E	202°11'07"
C3	25.00'	21.68'	21.00'	N 14°26'29" W	729°21'35"
C4	25.00'	21.68'	21.00'	S 50°43'08" W	49°40'47"
C5	60.00'	56.84'	54.92'	S 79°36'05" E	49°40'47"
C6	60.00'	53.51'	51.75'	N 53°00'51" E	54°15'59"
C7	60.00'	47.35'	46.04'	S 74°18'42" E	51°05'53"
C8	60.00'	47.35'	46.04'	S 26°12'11" E	45°07'08"
C9	60.00'	64.24'	62.88'	S 28°43'22" W	64°44'02"
C10	60.00'	67.17'	63.77'	N 86°50'06" W	64°08'48"
C11	25.00'	10.62'	10.54'	S 63°23'24" W	24°19'55"
C12	25.00'	11.06'	10.97'	S 38°23'11" W	59°40'47"
C13	25.00'	11.17'	11.07'	N 88°21'12" E	25°35'21"
C14	25.00'	10.51'	10.43'	S 64°48'25" E	24°05'79"
C15	25.00'	21.68'	21.00'	S 50°43'08" E	49°40'47"
C16	60.00'	29.23'	27.45'	S 14°26'29" W	729°21'34"
C17	25.00'	21.68'	21.00'	N 79°36'05" E	49°40'47"
C18	25.00'	5.87'	5.85'	N 68°50'11" E	13°26'41"
C19	60.00'	15.85'	15.81'	N 43°59'42" E	36°14'02"
C20	60.00'	57.04'	54.91'	N 53°06'41" E	54°27'54"
C21	60.00'	50.16'	48.71'	S 75°42'19" E	47°54'04"
C22	60.00'	72.04'	72.04'	S 145°14'07" E	72°47'11"
C23	60.00'	51.75'	50.00'	S 44°39'21" W	49°14'55"
C24	60.00'	56.50'	54.44'	N 81°44'26" W	53°57'30"
C25	25.00'	16.83'	16.52'	N 74°03'01" W	38°34'38"
C26	25.00'	4.84'	4.84'	S 81°06'36" W	11°06'09"

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF

- Mark Lick
AT&T ENERGY
By: _____
- Jerry Underwood
AT&T ENERGY
By: _____
- Luis Montez
OPTIMUS ENERGY
By: _____
- By: _____
ASTORIA BROADBAND
By: _____
- Martin Aguillo
ONCOR ELECTRIC DELIVERY
By: _____

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 14°26'29" E	110.00'
L2	N 75°33'31" E	18.79'
L3	S 75°33'31" W	85.28'
L4	S 12°13'33" W	53.64'
L5	S 12°13'33" W	96.73'
L6	S 70°49'56" E	96.73'
L7	N 52°38'19" E	110.00'
L8	S 80°52'25" E	26.84'
L9	N 14°26'24" W	90.00'
L10	N 30°33'33" E	28.28'
L11	N 14°26'24" W	60.00'
L12	N 59°26'27" W	28.28'
L13	N 30°33'33" E	28.28'
L14	N 14°26'24" W	60.00'
L15	N 59°26'27" W	28.28'
L16	N 14°26'24" W	180.00'
L17	N 30°33'33" E	28.28'
L18	N 14°26'27" W	28.28'
L19	N 30°33'33" E	28.28'
L20	N 14°26'27" W	60.00'
L21	N 30°33'33" E	28.28'
L22	N 14°26'27" W	60.00'

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF SHENANDOAH RIDGE SECTION 3, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS _____ DAY OF _____, 2024.

LUCY SISNIEGA, CHAIRMAN

XAVIER BAUGUASS, SECRETARY

DRAINAGE EASEMENT DEDICATED WITH THIS PLAT

1. THE CITY OF MIDLAND AND ITS EMPLOYEES, CONTRACTORS, AGENTS, SUCCESSORS, AND ASSIGNS, SHALL HAVE THE FREE AND UNINTERRUPTED RIGHT OF PASSAGE IN, ON, UPON, OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREIN FOR THE PURPOSE OF ESTABLISHING, LAYING, CONSTRUCTING, RECONSTRUCTING, INSTALLING, REALIGNING, MODIFYING, REPLACING, IMPROVING, ALTERING, MAINTAINING, ACCESSING, INSPECTING, REPAIRING, REPLACING AND REMOVING DRAINAGE INFRASTRUCTURE, BUT NOT LIMITED TO, THE RIGHT TO CUT AND TRIM BRUSHES AND TREES, TOGETHER WITH THE RIGHT TO INJURE, AND/OR UNLAWFULLY INTERFERE WITH THE CITY OF MIDLAND'S USE OF THE PROPERTY. THE CITY OF MIDLAND HEREBY AGREES TO BE REIMBURSED BY THE PROPERTY OWNER, IF THE CITY FINDS IT NECESSARY TO REPAIR OR REPLACE ANY DRAINAGE INFRASTRUCTURE, PRIOR TO INSTALLATION. THE PROPERTY OWNER AGREES TO MAINTAIN THE FACILITY IN WORKING ORDER, WITH INSPECTIONS AND CORRECTIVE ACTION MADE AT LEAST ANNUALLY. REPORTS OF SUCH INSPECTIONS AND CORRECTIVE ACTION SHALL BE KEPT FOR INSPECTION BY THE CITY OF MIDLAND. THE CITY OF MIDLAND SHALL BE KEPT FOR INSPECTION BY THE CITY OF MIDLAND. THE CITY OF MIDLAND SHALL BE KEPT FOR INSPECTION BY THE CITY OF MIDLAND.

SURVEY NOTES:

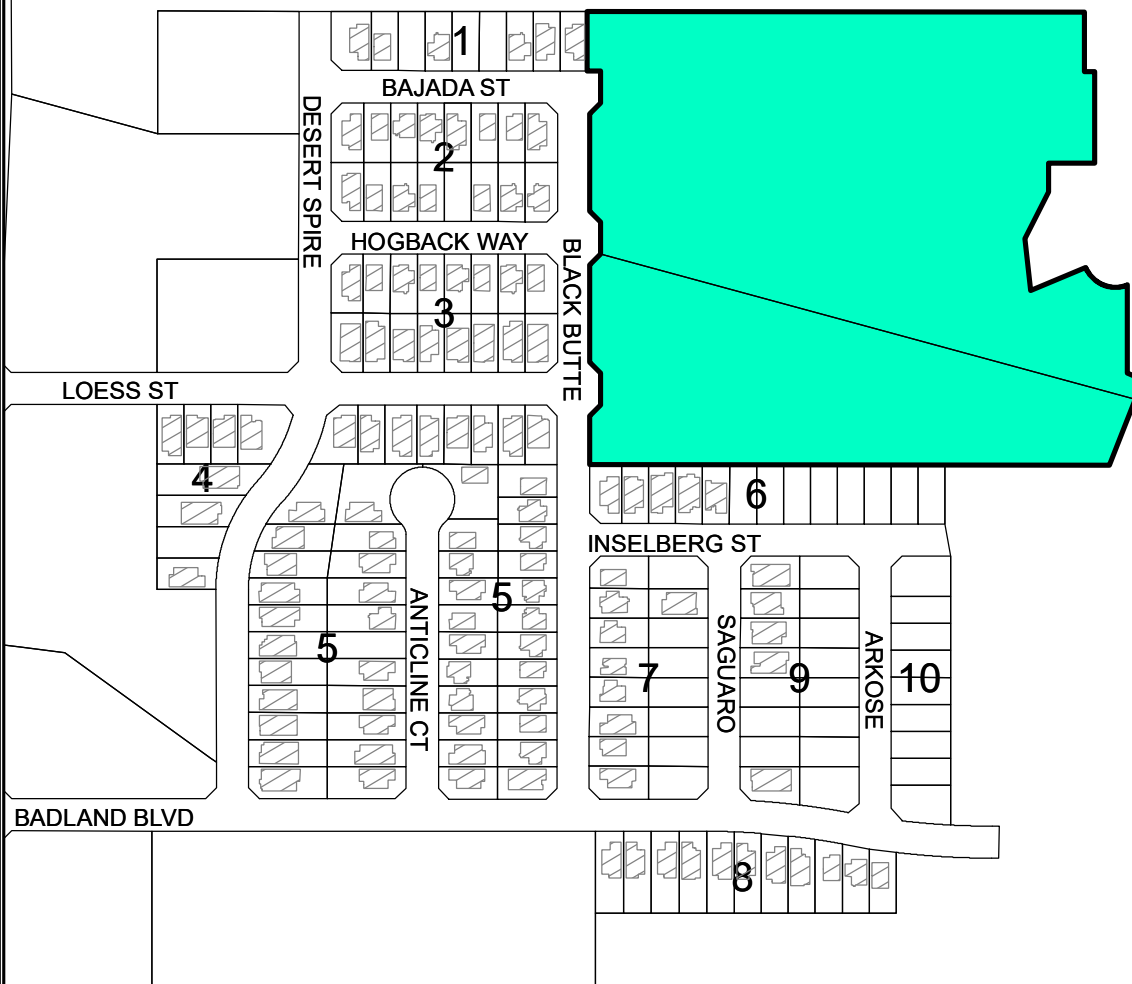
- BASIS OF BEARING, COORDINATES, DISTANCES AND ACREAGE ARE A LAMBERT CONICAL PROJECTION, NAD 83, UTM ZONE 18N, T-1-S, T&P, RR. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS AND MARTIN COUNTY, TEXAS. A COMBINED SCALE FACTOR OF 0.99992164 AT P.K. NAIL W/ WAGON. MAVERICK FIRM# 10194514.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED. THE AMENDMENT OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AT ANY TIME.
- SET CORNERS, UNLESS OTHERWISE SPECIFIED.
- SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.

DEVELOPMENT NOTES

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITH-HOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED. THE AMENDMENT OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AT ANY TIME.
- SET CORNERS, UNLESS OTHERWISE SPECIFIED.
- SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0100F, THIS PROPERTY LIES WITHIN THE UNSHADDED PORTION OF ZONE "X". THEREFORE, THIS PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA. HOWEVER, FLOODING MAY OCCUR DURING EXTREME WEATHER CONDITIONS. IN SUCH CASES, THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY FLOOD INSURANCE. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR FLOODING OR FOR THE CONSEQUENCES THEREOF. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR FLOODING OR FOR THE CONSEQUENCES THEREOF.



LOCATION MAP

SUB-23-0587

Scale: 1" = 356'

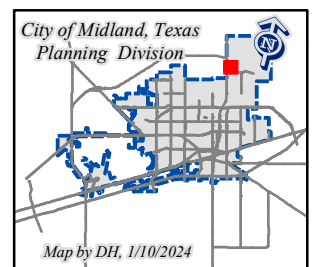
Proposed Plat of Shenandoah Ridge, Section 3 being a 17.84-acre Tract of Land out of Section 12, Block 39, T-1-S, T&P RR Co. Survey, City of Midland, Midland and Martin Counties, Texas.

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

PACKET

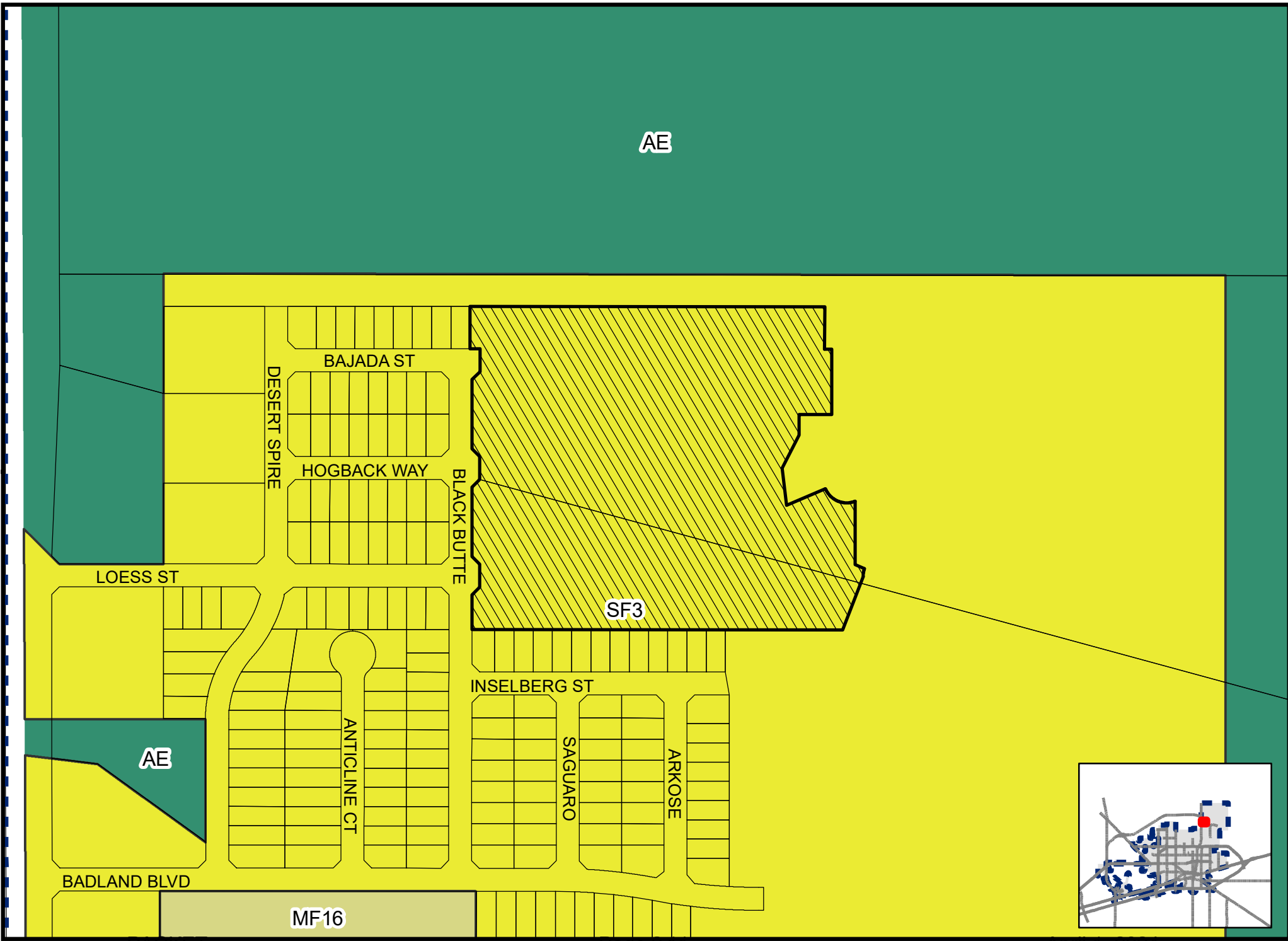
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: April 01, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Final Plat of Cloverdale East, Section 3, being a replat of Lots 3-6, Block 1, Correction Plat of Cloverdale East, Section 2, Midland County, Texas. (Generally located on the north side of East Interstate 20, approximately 2,380 feet east of the intersection of East Highway 158 and East Interstate 20.) (DISTRICT: NONE) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Preliminary Plat Approval:

The applicant, Maverick Engineering, is requesting to replat Lots 3-6, Block 11, Correction Plat of Cloverdale East, Section 2, Midland County, Texas, into one (1) Lot for ownership purposes.

The Preliminary Plat was approved at the Planning and Zoning Commission meeting on December 18, 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 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: There are no impact fees associated with this plat. Plat outside designated service areas. [For Applicant's Information Only.]

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

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

WATER: Deferral request for water improvements were administratively approved on 11/09/2023. [For Applicant's Information Only.]

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

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

SEWER: Deferral request for wastewater improvements were administratively approved on 11/09/2023. [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)

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.

CRMWD: (Approved)

We do not have any comments on this plat.

Health Department: (Approved)

Yes, the health department will review application from the 1 proposed lot of Cloverdale East, Section 3, REPLAT OF LOTS 3-6, BLOCK I, CORRECTION PLAT OF CLOVERDALE EAST, SECTION 2, MIDLAND TEXAS the lot is 24.4 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.

Midland County: (Approved)

Do you know what the plan is on this new combined lot? Did they submit a drainage analysis? No additional comments.

Planning: (Approved with Conditions)

All comments have been addressed.

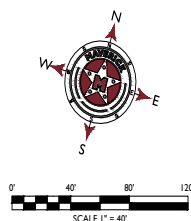
Condition:

- 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:

Proposed Final Plat
Application
Maps
Aerial Photo

BEING A REPLAT OF LOTS 3-6, BLOCK 1, CORRECTION PLAT OF
CLOVERDALE EAST, SECTION 2, MIDLAND COUNTY, TEXAS



CLOVERDALE EAST,
April 1, 2024 **SECTION 3**



Final Plat Application

Project Number: SUB-23-0680

Case Number: _____

Proposed Subdivision Plat Name: Cloverdale East, Section 3

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lots 3-6, Block 1, Correction Plat of Cloverdale East, Section 2, Midland County, Texas

Property Owner

Printed Name: Propetro Services Inc

Phone (432) 687-0781

Email: mpelletier@vandergriff-group.com

Address 303 West Wall St Ste 102

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: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email: phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Current Zoning: ETJ

Reason for Platting: ownership purposes

Plat Information

Total Acreage: 24.46

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):

Deed Signed by:

John J. Mitchell

Date: 3/6/24

Property Owner (printed):

A208D37ED10944D... John J. Mitchell

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

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

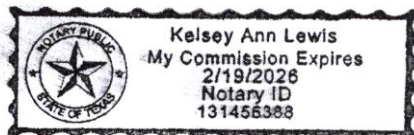
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Andrew L Mellen
Authorized Agent (signature)

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



Kelsey Ann Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☒ Application Fee

Check # 4709

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☒ Title Opinion

☒ Tax Certificates

☒ Plat in Digital Format (PDF/JPEG)

☒ CADD File

☒ Public Improvement

☒ Recording Fee

Check # 4710

Received By: *[Signature]*

Date: MAR 06 2024

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

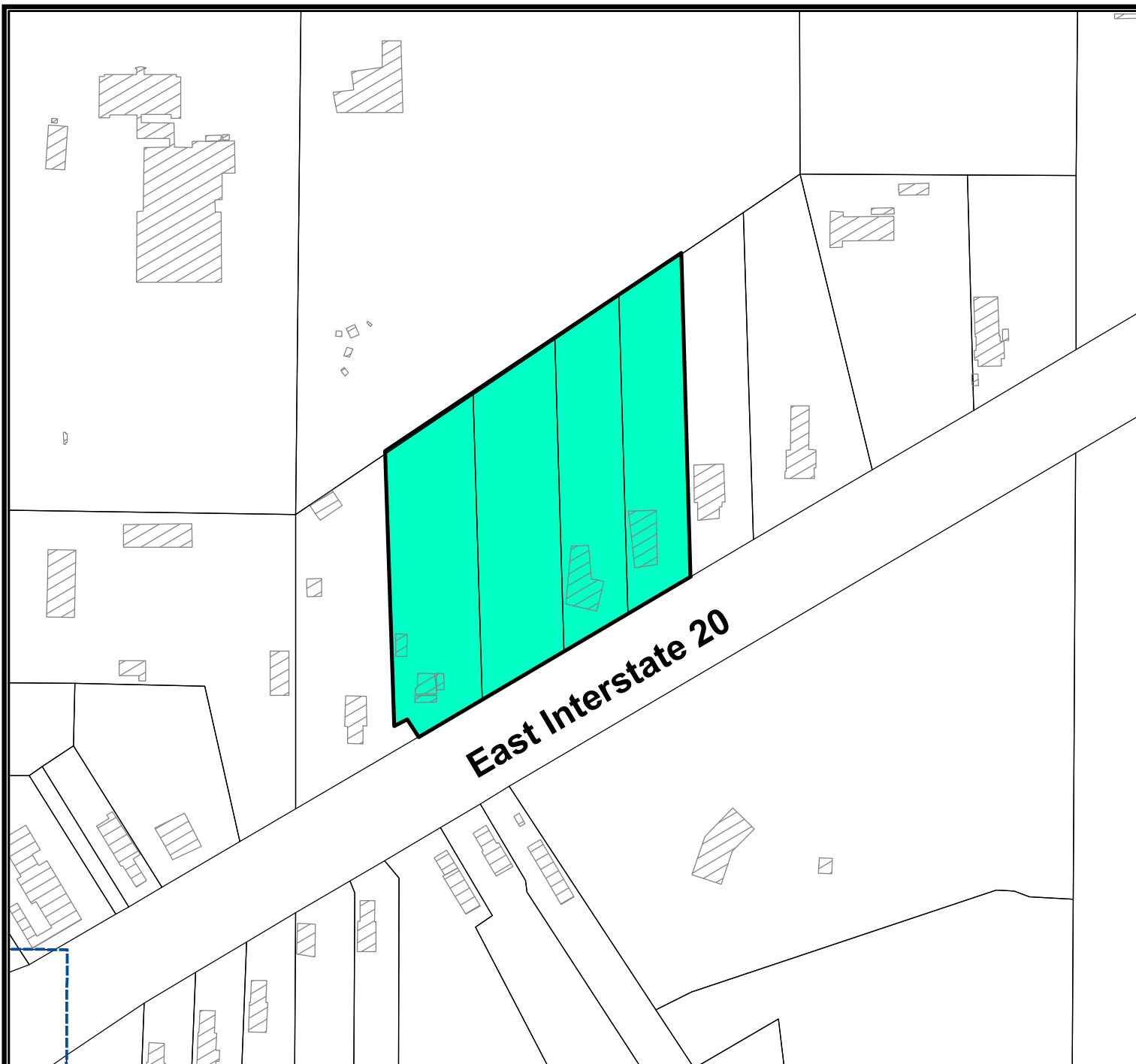
PACKET

Page 3.18

Final Plat Application

2

RECEIVED
MAR 06 2024
BY: April 1, 2024
Revised 7/01/19



LOCATION MAP

SUB-23-0680

Scale: 1" = 5,842'

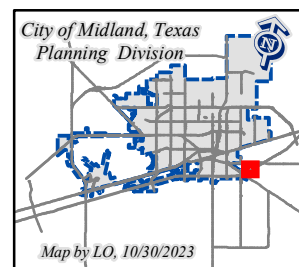
Proposed plat of Cloverdale East, Section 3, being a Replat of Lots 3-6, Block 1, Cloverdale East, Section 2 Correction Plat, Midland County, Texas.

Generally located on the north side of East Interstate 20, approximately 2,380 feet east of the intersection of East State Highway 158 and East Interstate 20.

(ETJ) PACKET

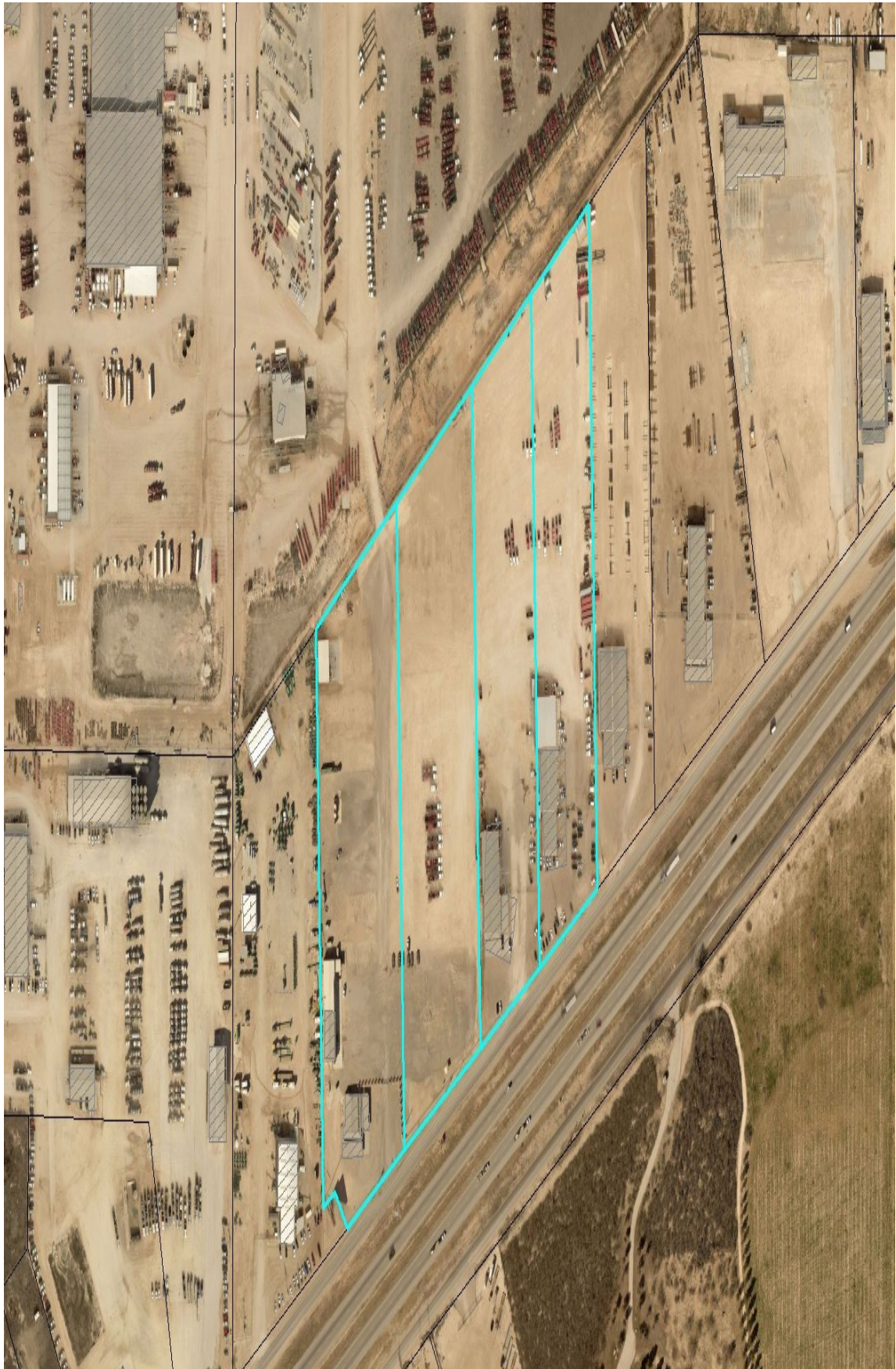
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: April 01, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving a Final Plat of Homestead Addition, Section 22, being a replat of the south 175 feet of the east half of Block 29, Homestead Addition, City and County Midland, Texas. (Generally located on the northwest corner of the intersection of West Michigan Avenue and North Colorado Street) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

CB, Central Business District.

Preliminary Plat Approval:

The applicant, Maverick Engineering, is requesting to replat of the south 175 feet of the east half of Block 29, Homestead Addition, City and County Midland, Texas, into one (1) lot for ownership purposes.

The Preliminary Plat was approved at the Planning and Zoning Commission meeting on December 4, 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 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: Okay as shown. [For Applicant's Information Only.]

ROW: Revert to Transportation for additional comments. [For Applicant's Information Only.]

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

WATER: "6" water exists in Michigan Street S of tract, okay as is. "6" water exists in alley W of tract, okay as is. "4" water exists in Colorado Street E 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 W of tract, okay as is. "15" sewer exists in Michigan Street 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.]

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

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

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

OIL AND GAS: (Approved)

No Oil & Gas issues.

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.

CRMWD: (Approved)

We do not have any comments on this plat.

Health Department: (Approved)

No comments.

Planning: (Approved with Conditions)

All comments have been addressed.

Condition:

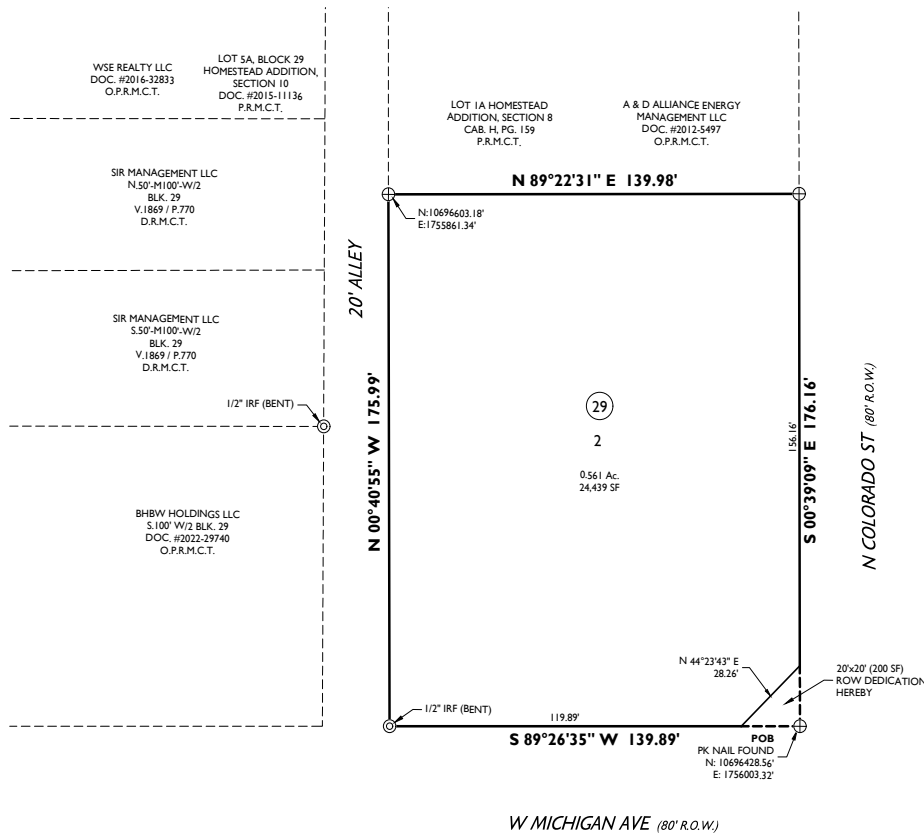
- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Final Plat
Application
Maps
Aerial photo

HOMESTEAD ADDITION, SECTION 22

BEING A REPLAT OF THE SOUTH 175 FEET OF THE EAST HALF OF BLOCK 29,
HOMESTEAD ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS



FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #48329C0089F, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

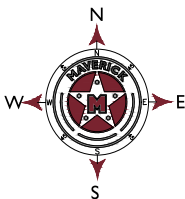
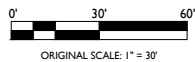
THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART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

DEVELOPMENT NOTES

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
(1) THE REPRESENTED LOT IS REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
4. IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL BE REQUIRED PRIOR TO THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEE OR REZONING FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASED.

SURVEY NOTES

1. BASIS OF BEARING, COORDINATES, DISTANCE AND ACREAGE ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NAD 83, U.S. SURVEY FOOT WITH A CONVERGENCE ANGLE (theta) OF -0°54'48.40" AND A COMBINED SCALE FACTOR OF 0.999896911 AT NGS "MIDLAND".
2. SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.



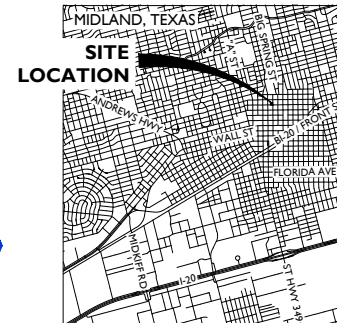
SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

Gregory W. Shoults
GREGORY W. SHOULTS RPLSH5356
MAVERICK ENGINEERING (TX FIRM #10194514)
1909 W. WALL STREET, SUITE, K
MIDLAND, TX 79701

NOVEMBER 29, 2023



VICINITY MAP

N.T.S.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS THE CITY OF MIDLAND, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 26, BLOCK 39, T-1-S, T&P. RAILWAY. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT THE CITY OF MIDLAND, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS HOMESTEAD ADDITION, SECTION 22, 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 COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, 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 THERWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

WITNESS MY HAND AT _____, M.

THE _____ DAY OF _____, 2024.

BY: TOMMY GONZALEZ, CITY MANAGER

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED TOMMY GONZALEZ, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE WAS ACTING AS OWNER, AND THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS

THE _____ DAY OF _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

ATMOS ENERGY

BY: _____

AT&T

BY: _____

OPTIMUM

BY: _____

ASTOUND BROADBAND

BY: _____

POWER ELECTRIC DELIVERY

BY: _____

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF HOMESTEAD ADDITION, SECTION 22, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

_____ DAY OF _____, 2024.

_____, CHAIRMAN

_____, SECRETARY

PROPERTY OWNER

CITY OF MIDLAND
300 N. LORAIN
MIDLAND, TX 79701
DEED INSTRUMENT #2023-18518
O.P.R.M.C.T.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE _____



MAVERICK
CIVIL ENGINEERING / LAND SURVEYING

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

HOMESTEAD ADDITION
SECTION 22



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Homestead Addition, Section 22

Legal Description (attached sealed Metes and Bounds): Being a Replat of the South 175 Feet of the East Half of Block 29, Homestead Addition, City and County of Midland, TX

Property Owner Printed Name: City of Midland		Phone (432) 685-7400 Email	
Address 300 N Loraine	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: Maverick Engineering Printed Name: Paladin Huckaba		Phone (432) 262-0999 Email phuckaba@maverick-eng.com	
Address 1909 W Wall St Ste K	City Midland	State TX	Zip 79701

Current Zoning: CB

Reason for Platting: ownership purposes

Plat Information	Total Acreage: 0.561
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.

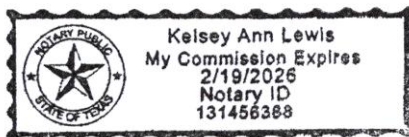
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 6th day of March^{KL}, 2024, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☒ Application Fee

Check # 4706

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☒ Title Opinion

☒ Tax Certificates

☒ Plat in Digital Format (PDF/JPEG)

☒ CADD File

☒ Public Improvement

☒ Recording Fee

Check # 4706

Received By: [Signature]

Date: March 06 2024

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

PACKET

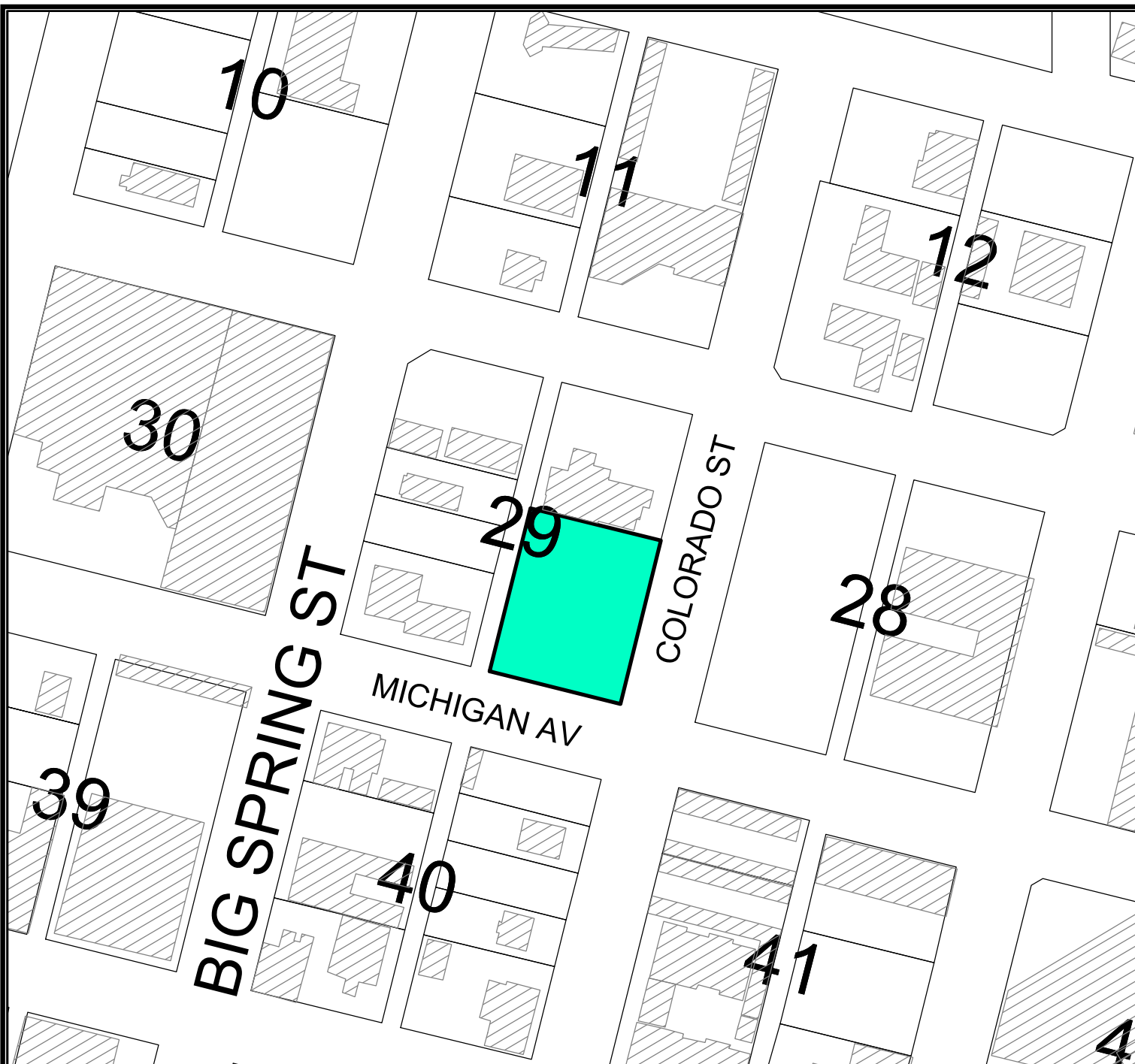
Page 4.26

April 1, 2024

Final Plat Application

2

Revised 7/01/19



LOCATION MAP

SUB-23-0689

Scale: 1" = 150'

Proposed plat of Homestead Addition, Section 22, being a replat of the south 175 feet of the east half of Block 29, Homestead Addition, City and County of Midland, Texas

Generally Located on the northwest corner of the intersection of West Michigan Avenue and North Colorado Street. - (Council District #2)

LEGEND

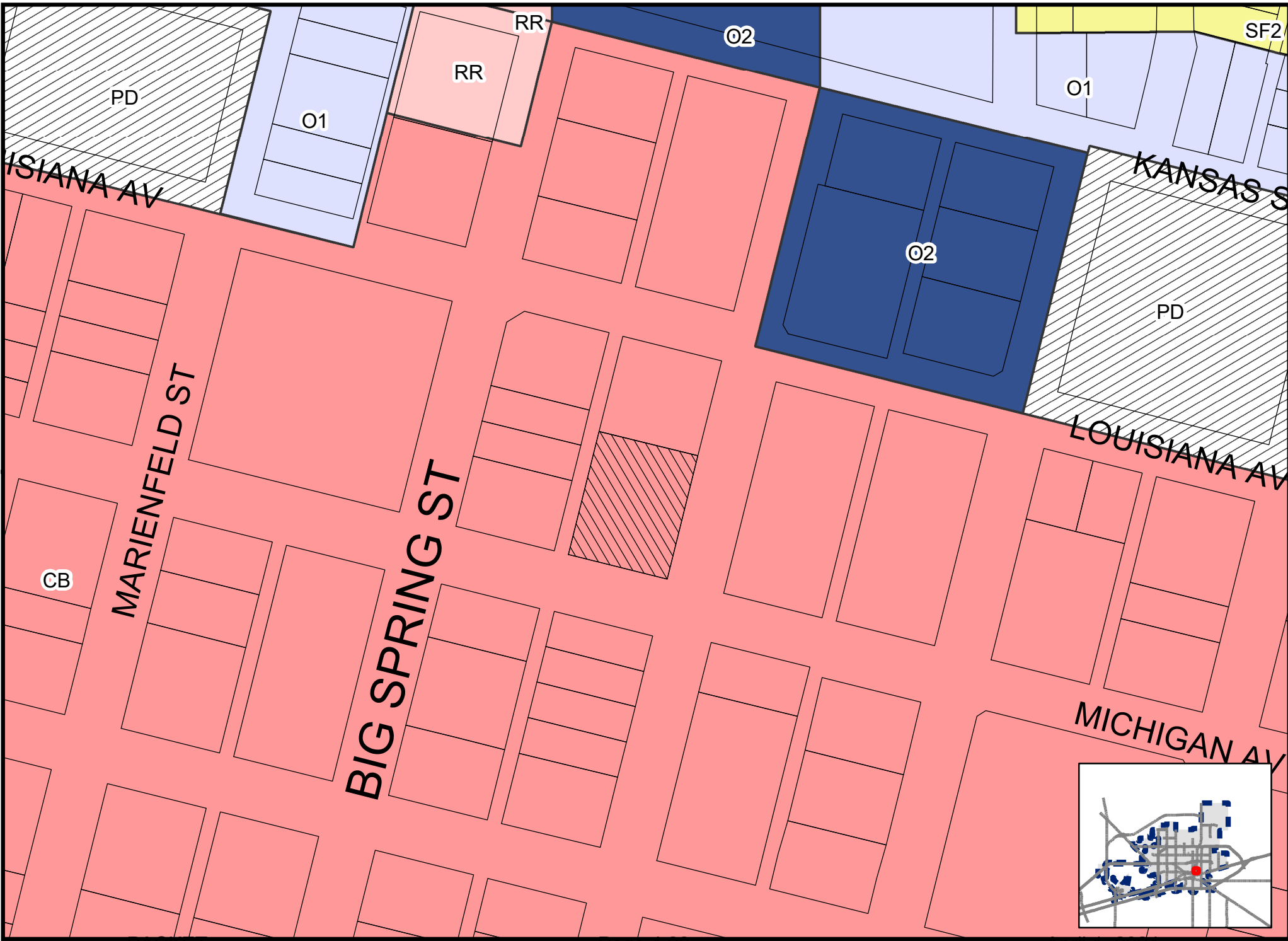
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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April 1, 2024





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

March 18, 2024

Council Chambers – City Hall



The Planning and Zoning Commission convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at , March 18, 2024.

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

Commissioners absent: Brennan Berry, Emily Holeva, Sallie Vega, Joshua Sparks

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

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. MOTION APPROVING THE FOLLOWING MINUTES:

Adrian Carrasco moved to approve; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega, Sparks

- 2a. REGULAR SESSION OF FEBRUARY 20, 2024

Adrian Carrasco moved to approve; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela
NAY: None
ABSTAIN: None
ABSENT: Berry, Holeva, Vega, Sparks

2b. REGULAR SESSION OF MARCH 4, 2024

Adrian Carrasco moved to approve; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela
NAY: None
ABSTAIN: None
ABSENT: Berry, Holeva, Vega, Sparks

3. Motion approving a Final Plat of Lindsay Acres, Section 13, being a replat of the west half of the west 608-feet of the north 134.4-feet of Tract 6, Lindsay Acres Addition, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Marlin Avenue and Moran Street.) (DISTRICT 2) (DEVELOPMENT SERVICES) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Adrian Carrasco moved to approve; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela
NAY: None
ABSTAIN: None
ABSENT: Berry, Holeva, Vega, Sparks

4. Motion approving a Final Plat of Midland Memorial Hospital, Section 3, being a replat of Lot 1A, Block 1, Midland Memorial Hospital, Section 2, Lot 16, Block 4, Highland Park Addition, Block 11, Highland Park Addition, a 0.42-acre portion of North N Street right-of way between West Illinois Avenue and West Ohio Avenue, and a 0.13-acre portion of alley right-of-way within Block 11, Highland Park Addition, City and County of Midland, Texas. (Generally located at the northeast corner of Andrews Highway and West Illinois Avenue.) (DISTRICT 3) (DEVELOPMENT SERVICES) **(DISTRICT 3) (DEVELOPMENT SERVICES)**

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

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Villela
NAY: None
ABSTAIN: Bejil
ABSENT: Berry, Holeva, Vega, Sparks

5. Motion approving a Final Plat of Mockingbird Ridge, Section 6, being a plat of a 14.43-acre tract of land situated in Section 18, Block 38, T-1-S, A-734, T&P RY. Co. Survey, City and County of Midland, Texas. (Generally located east of Firewheel Road, approximately

1,000 feet north of Blazing Saddle Boulevard.) (DISTRICT 1) (DEVELOPMENT SERVICES)

(DISTRICT 1) (DEVELOPMENT SERVICES)

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

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega, Sparks

PUBLIC HEARINGS

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

6. Consider a request by Waystone Brewing LLC, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a brewpub, on a 2,034 square foot portion of Lot 1-H, Block 5, Colony Place, Section 5, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of W Wadley Avenue and N. Garfield Street.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**

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

The public hearing was open at 4:00pm.

There was no one wishing to speak on this item.

The public hearing was closed at 4:00pm.

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

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega, Sparks

7. Hold a public hearing and consider a motion approving with staff's recommended conditions, a proposed Preliminary Plat of Haley Heights Addition, being a Replat of a 0.42-acre portion of Lot 2, Block 30, Haley Heights Addition, City and County of Midland, Texas. (Generally located northeast of the intersection of South McKenzie Street and West Francis Avenue.) (DISTRICT 2) (DEVELOPMENT SERVICES) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Planner Daniel Humbert gave an overview of this project. No letters of objection were received; staff recommend approval.

The public hearing was open at 4:10pm.

There was no one wishing to speak on this item.

The public hearing was closed at 4:10pm.

Steven Villela moved to approve this request; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega, Sparks

8. Hold a public hearing to consider a request by Providencia Restaurant, for a Specific Use Designation with Term for the sale of Alcoholic Beverage Sales for On-Premises Consumption in a Restaurant on a 6,261 square foot portion of Lot 3A, Block 3, Mayfield Place, 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)**

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

The public hearing was open 4:12pm.

There was no one wishing to speak on this item.

The public hearing was closed at 4:13pm.

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

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega, Sparks

MISCELLANEOUS

9. Motion approving with staff's recommended conditions a Preliminary Plat of Parkway South Addition, Section 4, being a replat of Lot 1, Block 2, Parkway South Addition, Section 2, an 8.0-acre tract of land and a 0.429-acre tract of land out of Section 2, Block 39, T-2-S, T&P RR Co. Survey, in part, and a replat of Lot 1, Block 2, Parkway South Addition, Section 2, City and County of Midland, Texas. (Generally located at the southwest corner of the intersection of South Lamesa Road and East Gist Avenue.) (District 2) (DEVELOPMENT SERVICES) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

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

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega, Sparks

10. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of West Terminal Addition, Section 11 being a 5.42-acre tract of land out of southwest/4 of located in Section 1, Block 41, T-2-S, RR Co. Survey, Midland County, Texas. (Generally located on the south side of West County Road 100, approximately 1,360 feet east of South County Road 1295.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**

Adrian Carrasco moved to approve this request; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega, Sparks

11. Motion approving, with staff's recommended conditions, a Preliminary Plat of Westridge Park Addition, Section 55, being a plat of a 28.97-acre tract of land out of the northwest quarter of Section 48, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Tradewinds Boulevard and Leisure Drive.)
(DISTRICT 1) (DEVELOPMENT SERVICES) (DISTRICT 1) (DEVELOPMENT SERVICES)

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

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega, Sparks

With no further items or business to come before the Commission, Chairwoman Sisniega adjourned the meeting at

Lucy Sisniega, Chairwoman

Date

Xavier Bauguess, Planning Division Manager
Department of Development Services

Date



Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: April 01, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Consider a request by Amador Urquidi for a zone change from C, Commercial District to SF-3, Single Family Dwelling District on Lot 5, Block 25, Greenwood Addition, Section 4, City and County of Midland, Texas. (Generally located west of South Stonewall Street, approximately 60 feet north of E. New York Avenue.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Amador Urquidi, is requesting a Zone Change from C, Commercial District to SF-3, Single Family Dwelling District to build a new residential structure.

Current Zoning:

C, Commercial District

Surrounding Zoning and Land Use:

The surrounding lots to the north, east and south are zoned C, Commercial District and are the location of residential homes. The lot to the west is zoned MF-22, Multiple-Family Dwelling District and is the location of a vacant lot.

Analysis:

The subject property is zoned C, Commercial District. Amador Urquidi is seeking this zone change in in order to construct a home. This vacant lot is located in a residential neighborhood. Changing this zoning would help the future residential development of this area have more uniform zoning. Although the lot dimensions do not meet the minimum requirements of the adjacent MF-22, Multiple-Family Dwelling District zoning, it does meet

the requirements for the SF-3, Single-Family Dwelling District zoning which is 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 U-M NC, Urban-Medium Neighborhood Center. 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 comments or objections.

Oil and Gas: (Approved)

No Oil and Gas issues.

Engineering: (Approved with Conditions)

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

Code: (Approved)

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

Transportation: (Approved)

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.]

Planning:

Therefore, staff recommends approval of this zone change from C, Commercial District to SF-3, Single Family Dwelling District.

Conditions:

- A. That the use and development of the property shall conform to the regulations of the SF-3, Single Family Dwelling District.**

Letters of Objection:

Staff has not received any letters of objection as of March 25, 2024.

Attachments:

Application
Site Plan (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)		Phone (432) 770-1398	
Printed Name: <u>Amador Urquidi</u>		Email <u>amadorurquidi@yahoo.com</u>	
Address <u>7118 ECR 112</u>	City <u>Midland</u>	State <u>Tx</u>	Zip <u>79706</u>

Property Owner		Phone (432) 770-1398	
Printed Name: <u>Amador Urquidi</u>		Email <u>amadorurquidi@yahoo.com</u>	
Address <u>7118 ECR 112</u>	City <u>Midland</u>	State <u>Tx</u>	Zip <u>79706</u>

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

Street Address: <u>508 S. Stonewall Midland Tx</u>	
Legal Description	
Lot: <u>5</u>	Block: <u>25</u> Subdivision: <u>Greenwood Addition</u>

Current Zoning: <u>C Commercial District</u>	Proposed Zone: <u>SF3 Single Family Dwelling District</u> (List by tracts if more than one district is requested)
--	---

Reason for Zone Change Request: Want to build a new house

Present Use of Property: Vacant Lot

Proposed Use of Property: To build New Home

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

Describe how conditions affecting the property have changed since present zoning designation: It's All Homes around but Zoned Commercial

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):

Amador Urquidí

Date: 2-26-2024

Applicant (printed):

Amador Urquidí

Property Owner (signature):

Amador Urquidí

Date: 2-26-2024

Property Owner (printed):

Amador Urquidí

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☐ Dimensioned Site Plan

☐ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

Check # 5034

Received By:

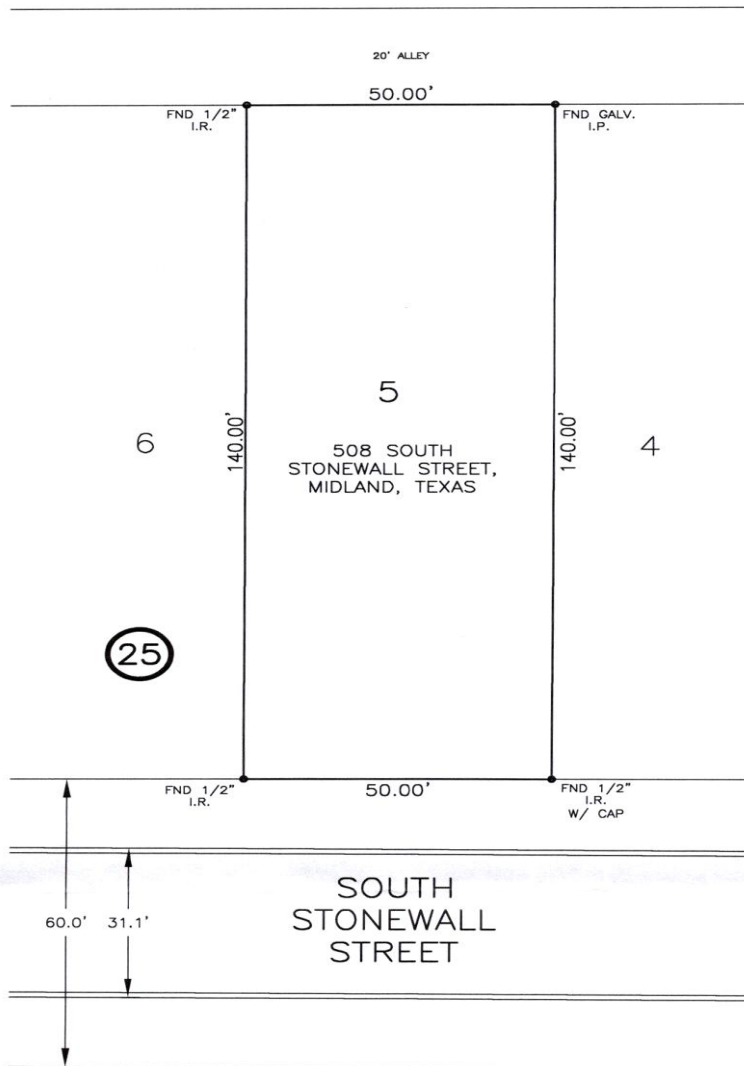
[Signature]

Date:

MAR 06 2024

DH

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



PLAT OF LOT 5, BLOCK 25, GREENWOOD ADDITION, THIRD FOURTH AND FIFTH SECTION AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

30 0 30 60 90 Feet

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT NOR WAS THIS PARCEL ABSTRACTED FOR EASEMENTS OF RECORD AND/OR RIGHTS OF WAY. BRADSHAW AND ASSOCIATES, INC. (FIRM # 10122900/10122901) AND THE UNDERSIGNED REGISTERED PROFESSIONAL LAND SURVEYOR, MAKE NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREIN PERTAINING TO EASEMENTS, RESERVATIONS, SET-BACK LINES, AGREEMENTS, RIGHTS-OF-WAY OR OTHER SIMILAR MATTERS OTHER THAN THOSE SHOWN UPON THIS SURVEY. THE UNDERSIGNED SURVEYOR HAS NOT MADE A SEARCH OF THE PUBLIC RECORDS FOR ANY TITLES, DEEDS, RESERVATIONS, EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS OR OTHER SIMILAR MATTERS, OTHER THAN WHAT IS READILY IDENTIFIABLE THROUGH THE COUNTY GIS MAPS, RAILROAD COMMISSION GIS MAPS, AND GENERAL LAND OFFICE GIS MAPS. THE USE OF THESE GIS MAPS IS BY NO MEANS TO BE CONSTRUED AS A PROPER OR THOROUGH INVESTIGATION OF THE PUBLIC RECORDS, AS WOULD BE ACCOMPLISHED BY AN ABSTRACT OF TITLE, AND/OR OPINION OF TITLE BY AN ATTORNEY AT LAW.

BRADSHAW AND ASSOCIATES, INC (FIRM # 10122900/10122901) AND THE UNDERSIGNED REGISTERED PROFESSIONAL LAND SURVEYOR ALSO MAKE NO REPRESENTATION AS TO THE STATUS OF TITLE TO THE PROPERTY DESCRIBED HEREIN..

SURVEY PLAT FOR: AMADOR URGUIDI

THIS SURVEY PLAT IS PROVIDED SOLELY FOR THIS TRANSACTION

PLAT IS COPYRIGHTED AND SHALL NOT BE USED FOR ANY OTHER TRANSACTION.

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE EASEMENTS OR RIGHTS OF WAY, EXCEPT AS SHOWN HEREON, AND THIS SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY AS SHOWN.

Robert D. Bradshaw

REGISTERED PROFESSIONAL LAND SURVEYOR

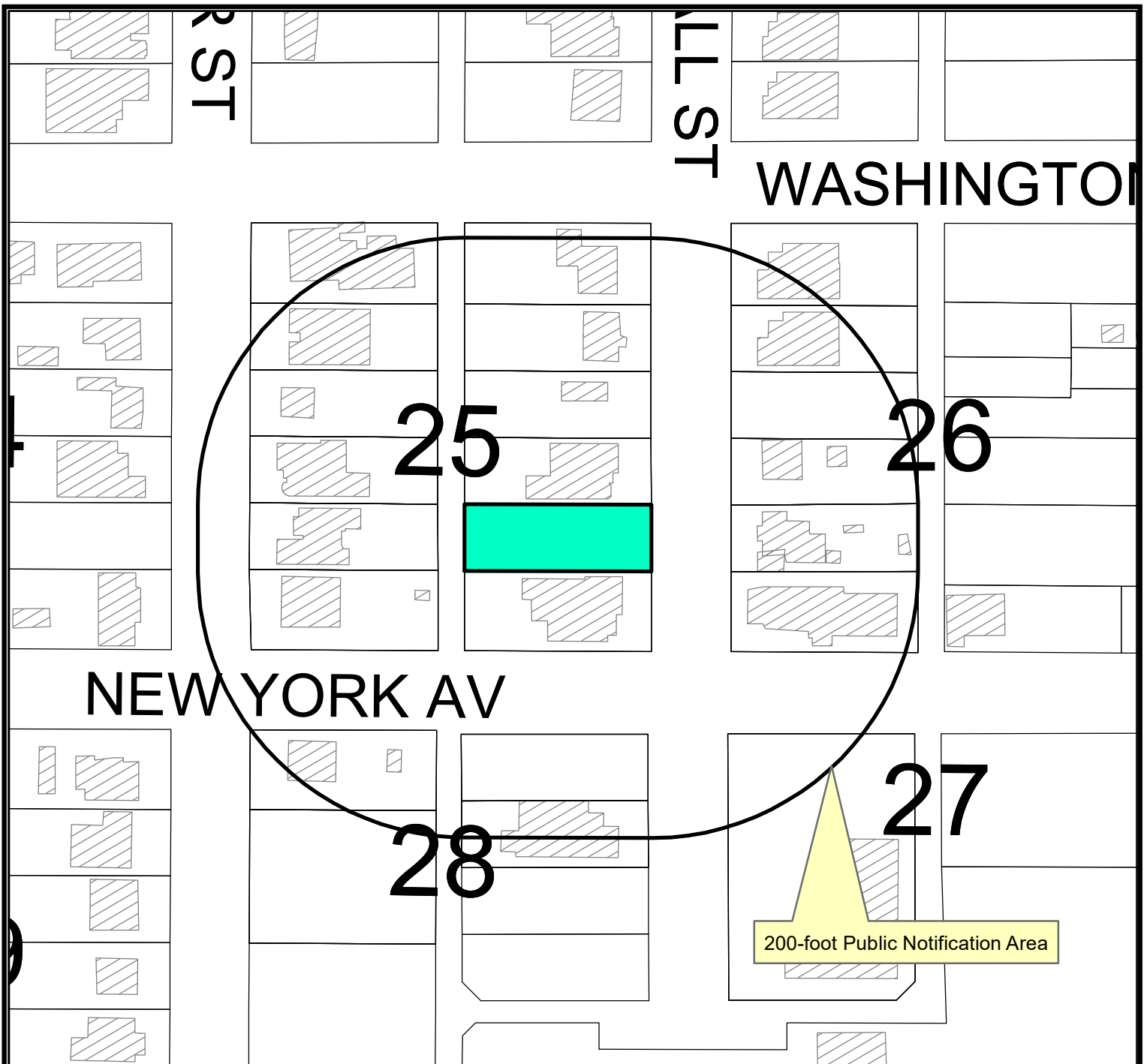


FILED IN CABINET B, PAGE 56, PLAT RECORDS, MIDLAND COUNTY, TEXAS.

THIS PROPERTY LIES WITHIN ZONE "X" AS SHOWN BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE ADMINISTRATION MAP COMMUNITY PANEL 48329C0206 F. DATED SEPTEMBER 16, 2005. THE SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THIS INFORMATION; THE LOCAL FEMA FLOOD PLAIN ADMINISTRATOR SHOULD BE CONTACTED FOR VERIFICATION

Stored: 24011096

BRADSHAW AND ASSOCIATES, INC.			
CONSULTING ENGINEERS			
REGISTERED PROFESSIONAL LAND SURVEYORS			
FIRM # 10122900/10122901			
4400 N. BIG SPRING SUITE A-8			
MIDLAND, TEXAS 79705			
(432) 682-4400 FAX (432)682-7997			
By	Drawn	Chkd	Surveyed
	WET	RDB	DP/AD
Date	01-24-2024	01-25-2024	01-23-2024



Location Map

Z-24-0363

Scale: 1" = 108'

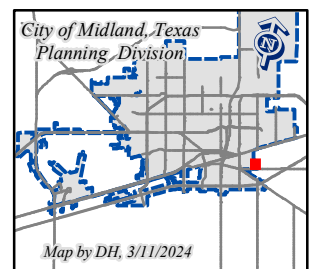
Consider a request by Amador Urquidi for a zone change from C, Commercial District to SF-3, Single Family Dwelling District on Lot 5, Block 25, Greenwood Addition, Section 4, City and County of Midland, Texas.

Generally located west of South Stonewall Street, approximately 60 feet north of E. New York Avenue.

(Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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SF3

SF3

SF3

SF3

MF22

C

SF3

NEW YORK AV

SF3

SF3

PACKET

Page 6.43

April 1, 2024

Map By DH, 3/11/2024

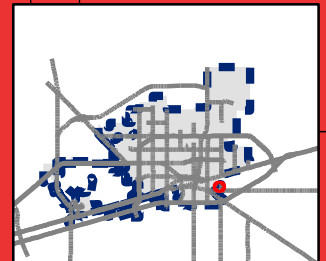
Z-24-0363

Scale: 1" = 79.64'

ZONING MAP



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25



YORK AV



Planning and Zoning Commission

Approved for
Agenda:
Xavier Bauguess

MEETING DATE: April 01, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving with staff's recommended conditions a Preliminary Plat of Avalon Addition, Section 4, being a Residential Replat of Lot 19 less the west 14.5 feet, all of Lot 20, and the west 9 feet of Lot 21, Block 6, Avalon Addition, City and County of Midland, Texas (Generally located on the south side of Stanolind Avenue, approximately 130 feet west of North I Street)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Schumann Surveying, on behalf of Frank and Kassidie Barela, is requesting to replat three (3) Lots into 1 for future home development.

Current Zoning:

SF-1, Single Family Dwelling 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)

plat shows the same street name on both the north and south side?

ENGINEERING: (Approved with conditions)

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

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

PAVING: Stanolind roadway okay as is. No public paving improvements required. [For the Applicant's information only.]

WATER: 6" water exists in Stanolind, okay as is. No public water improvements required. [For the Applicant's information only.]

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

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

SEWER: 6" sewer exists in alley, okay as is. No public wastewater improvements required. [For the Applicant's information only.]

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved with Conditions)

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 with Conditions)

Section number can be 4. Lot can be 20A. Legal description should say "...City and County of Midland, Texas." Please provide another set of x-y coordinates.

PLANNING (Approved with Conditions):

At the final plat stage:

Please update Owner Certificate to reflect the 'City and County of Midland, Texas' [Informational]

Please update the Legal Description to reflect 'City and County of Midland, Texas' [Informational]

The Owners do not match what is on MCAD, please furnish documentation that matches MCAD. [Informational]

If the current home is being retained, please provide setbacks for the side setbacks. There may need to be a Special Exception that needs to be approved as well. [Informational]

Stanolind Avenue is labelled as both the north and south streets on the map. Please change the southern one to Gulf. [Informational]

Please add one more northing and easting, there seems to only be one on the plat face. [Informational]

There are a few grammatical errors, such as a missing comma and 'section' not being capitalized. Please look over the plat and correct these. [Informational]

Update section to 4. [Informational]

Staff recommends approval of the Preliminary Plat Avalon Addition, Section 6, 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:

Proposed Preliminary Plat
Application
Maps
Aerial Photo

PRELIMINARY
AVALON ADDITION,
SECTION 6

BEING A RE-PLAT OF LOT 19 LESS THE WEST 14.5 FEET, ALL
OF LOT 20, AND THE WEST 9 FEET OF LOT 21, BLOCK 6,
AVALON ADDITION,
MIDLAND COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, THAT I, FRANK AND KASSADIE BARELA, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND BEING LOT 19 LESS THE WEST 14.5 FEET, ALL OF LOT 20, AND THE WEST 9 FEET OF LOT 21, BLOCK 6, AVALON ADDITION, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 0.32 ACRE TRACT OF LAND, BEING LOT 19 LESS THE WEST 14.5 FEET, ALL OF LOT 20, AND THE WEST 9 FEET OF LOT 21, BLOCK 6, AVALON ADDITION, MIDLAND COUNTY, TEXAS. SAID 0.32 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINFORCED BAR FOUND (N:10701571, E:1749359.78) IN THE SOUTH RIGHT-OF-WAY LINE OF STANOLIND AVENUE FOR THE NORTHEAST CORNER OF THIS TRACT;
THENCE SOUTH 14°31'19" EAST 134.70 FEET TO A REINFORCED BAR FOUND/SET FOR THE SOUTHEAST CORNER OF THIS TRACT;
THENCE SOUTH 75°21'44" WEST 103.50 FEET TO A REINFORCED BAR FOUND/SET FOR THE SOUTHWEST CORNER OF THIS TRACT;
THENCE NORTH 14°31'19" WEST 134.70 FEET TO A REINFORCED BAR FOUND/SET IN SAID SOUTH RIGHT-OF-WAY LINE OF SAID STANOLIND AVENUE FOR THE NORTHWEST CORNER OF THIS TRACT;
THENCE NORTH 75°21'44" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF SAID STANOLIND AVENUE, 103.50 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, FRANK AND KASSADIE BARELA DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS AVALON ADDITION, SECTION 6, AN ADDITION OF 0.32 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.

FRANK BARELA

KASSADIE BARELA

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS PLAT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2024, BY FRANK AND KASSADIE BARELA .

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

OWNER(S):

LEGEND:

FRANK & KASSADIE BARELA
4317 GREENVILLE DR.
MIDLAND, TX 79707
(432) 260-8778
(432)260-0948
Barela@blazeoilco.com
KassadieBarela@yahoo.com

MONUMENT AS DESCRIBED
PROPERTY LINE
ADJOINING PROPERTIES
SECTION LINE
UTILITY EASEMENT
WATER LINE
SEWER LINE

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE CITY PLANNING AND ZONING COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF AVALON ADDITION, section 6, 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 SINEGA

ATTEST: _____
SECRETARY XAVIER BAUGNESS

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".

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

GRAPHIC SCALE
0 50 100
(1 INCH = 50' FEET)

RJ DAUM
TEXAS RPLS 4826

NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
1	01/30/2024	SKETCH PLAT	JG	JG	01/30/2024
		CHECKED BY:	ED/RJ	PROJECT NO.:	80027
		JOB NO.:	80,027	SHEET:	1 OF 1



PACKET

Page 7.48



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: **AVALON ADDITION, SECTION 6**

Legal Description (attached sealed Metes and Bounds) **BEING A RE-PLAT OF LOT 19 LESS THE WEST 14.5 FEET, ALL OF LOT 20, AND THE WEST 9 FEET OF LOT 21, BLOCK 6, AVALON ADDITION, MIDLAND COUNTY, TEXAS**

Property Owner Printed Name: **FRANK & KASSADIE BARELA**

Kassadie Barela@yahoo.com

Address **4317 GREENVILLE DR.**

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:

Reason for Platting: **TO COMBINE PORTIONS OF 3 LOTS INTO 1 LOT**

Plat Information

Total Acreage: **.32**

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: **1**

Number of Multi-Family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature):

Date: 3/5/2024

Property Owner (printed): Kassadie Barela

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.

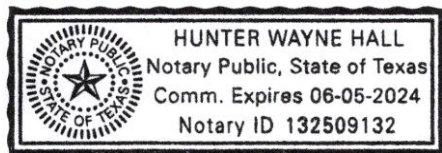
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Eduardo L. Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Kassadie Barela, 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 5th day of March, 20 24, to certify which witness my hand and seal of office.



Attn
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

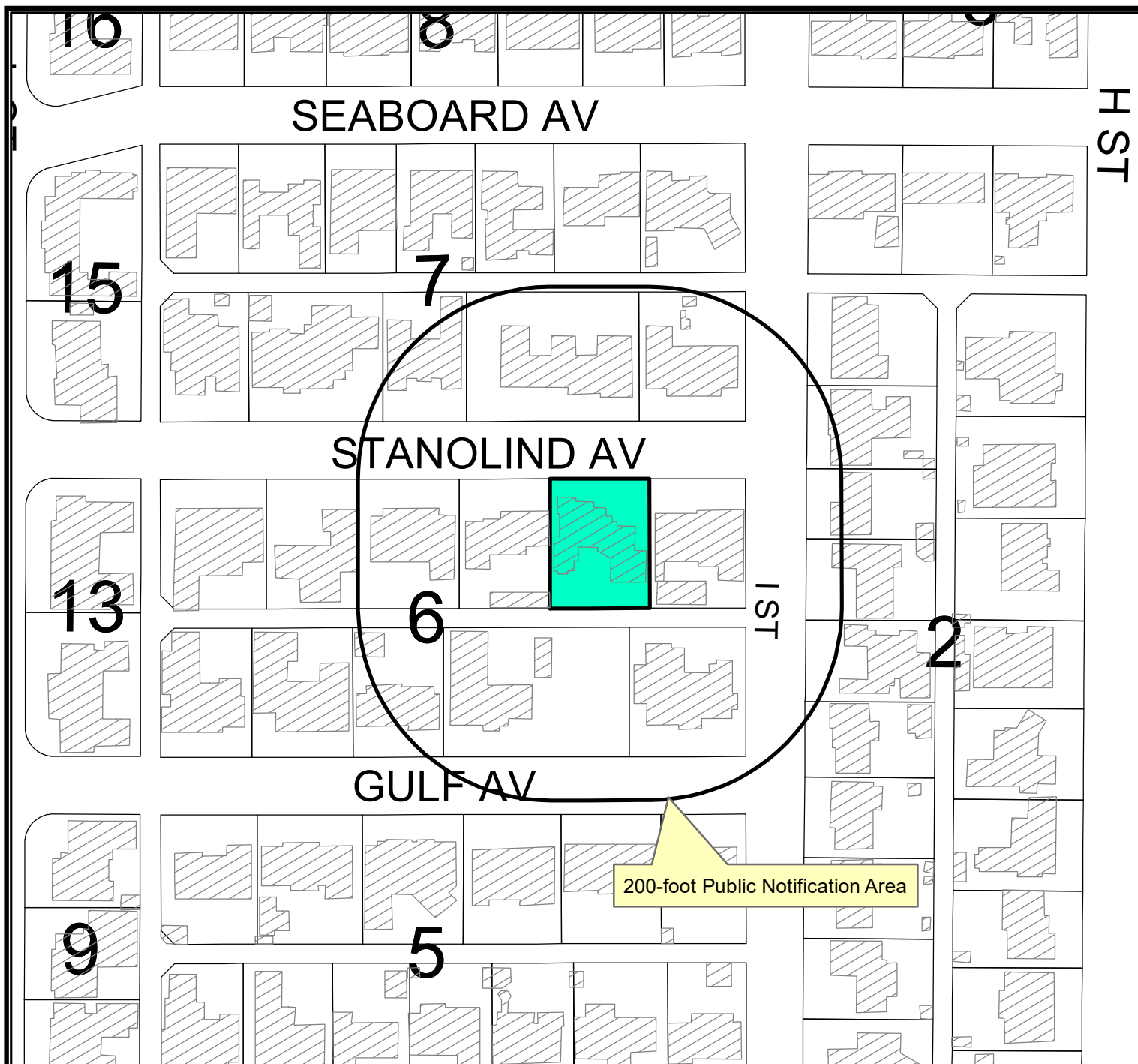
☐ 1 Copy of Plat (11x17)

Check # Paid online

Received By: [Signature]

Date: MAR 05 2024

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



LOCATION MAP

SUB-24-0719

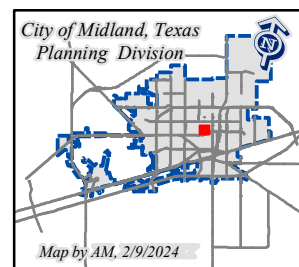
Scale: 1" = 175'

Proposed Plat of Avalon Addition, Section 6, being a replat of Lot 19 less the west 14.5 feet, all of Lot 20, and the west 9 feet of Lot 21, Block 6, Avalon Addition, City and County of Midland, Texas.

Generally located on the south side of Stanolind Avenue, approximately 130 feet west of North I Street. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

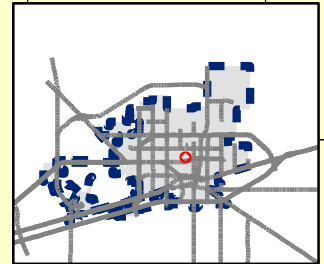
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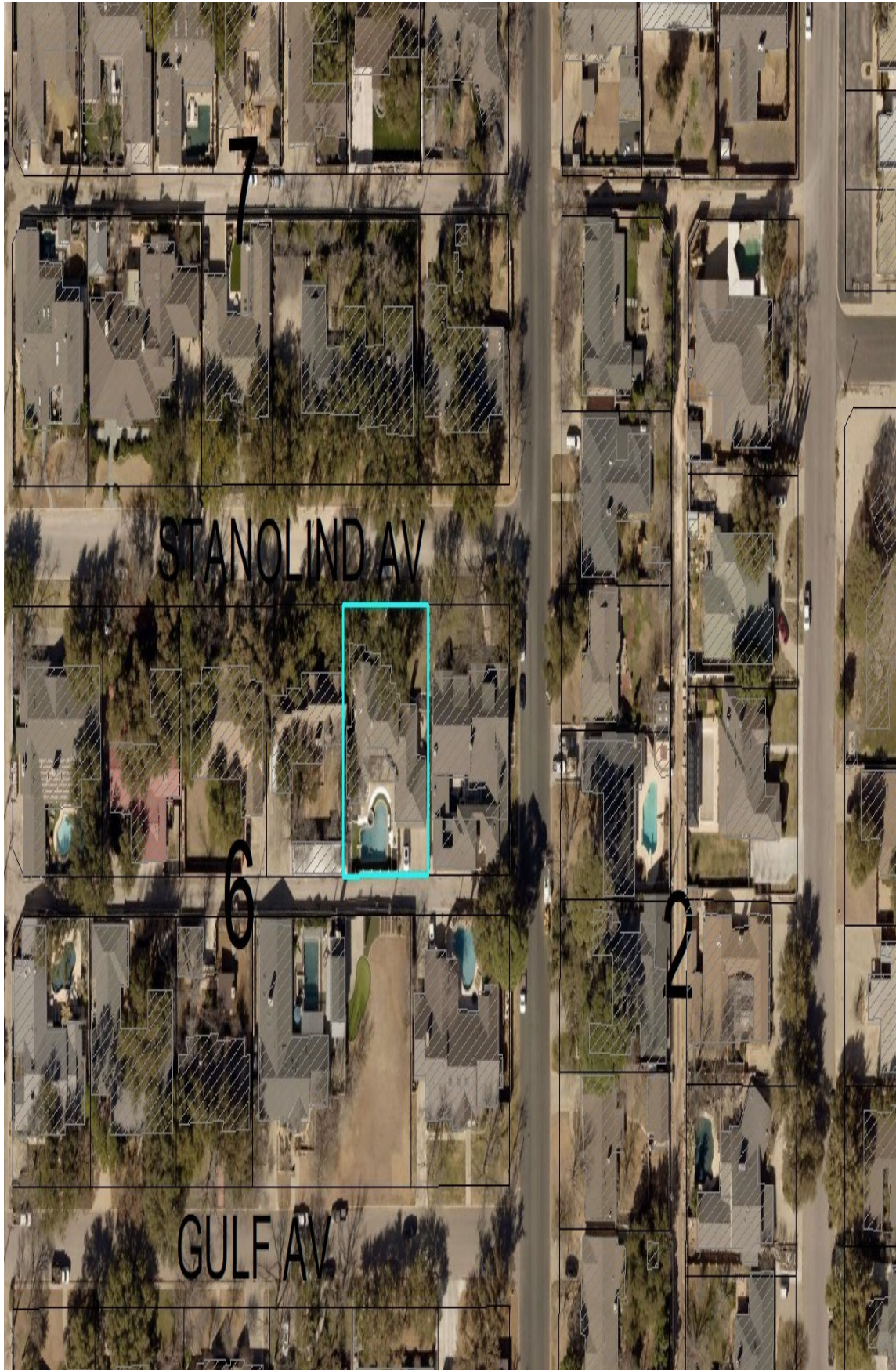
April 1, 2024

STANOLIND AV

SF1

1ST







Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: April 01, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Hold a public hearing and consider a request by Karen Alvarez for a Specific Use Designation with Term for the sale of Alcoholic Beverages Sales for On-Premises Consumption in a Restaurant, on a 2100-square foot portion of Lot 1A, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas. (Generally located on the south side of West Loop 250 North, approximately 1,105-feet west of North Midkiff Road. (District 1) (DEVELOPMENT SERVICES) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Karen Alvarez, is requesting a Specific Use Designation (SUD) with Term for Alcoholic Beverages Sales for On-Premises Consumption in a restaurant. The restaurant, Marisco's El Chaka is located at 4511 N Midkiff Road.

Current Zoning:

PD, Planned Development District for a Shopping Center. (Ordinance No. 6905)

Surrounding Zoning and Land Use:

The properties to the north are zoned RR, Regional Retail District, and the location of stores or shop buildings. The properties to the east, south, and west are zoned PD, Planned District for Housing Development, and the location of single-family homes.

Analysis:

The property is zoned PD, Planned District for a Shopping Center. The PD zoning allows for Alcoholic Beverages Sales for On-Premises Consumption in a Restaurant with the approval of an SUD. The total area of the restaurant, Marisco's El Chaka, is 2,100-square feet and the proposed alcohol serviceable area is 1,230-square feet.

The proposed hours of operation:

Tuesday through Sunday from 11 a.m. to 11p.m.

The proposed hours of alcohol service:

Tuesday through Sunday from 11 a.m. to 11p.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.

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." Marisco's El Chaka 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 the Applicant's information only.]

Transportation: (Approved)

No objection to zone change. [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.

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 bar, subject to Condition A through G.

Conditions:

A. That the serviceable area of the establishment shall be limited to approximately 1,230 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:

Tuesday through Sunday from 11 a.m. to 11p.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 March 27, 2024, staff has not received any letters of objection.

Attachments:

Application
Floor Plan (Exhibit A)
Site Plan (Exhibit B)
Maps
Ordinance (No. 6905)



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: <u>Karen Borbon Alvarez</u>		Phone (505) <u>435-0731</u>	
Address <u>3505 Princeton Ave</u>		Email <u>Karenborbon5@gmail.com</u>	
City <u>Midland</u>	State <u>TX</u>	Zip <u>79703</u>	

Property Owner Printed Name: <u>Natalie Jett</u>		Phone (432) <u>517 5042</u>	
Address <u>4511 N Midkiff</u>		Email <u>natalie.jett@simon.com</u>	
City <u>Midland</u>	State <u>TX</u>	Zip <u>79705</u>	

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

Street Address: <u>4511 N Midkiff Rd Suite C21 Midland TX 79705</u>			
Business Name: <u>Mariscos El Chaka Seafood & Mexican Grill</u>			
Legal Description Lot: _____ Block: _____ Subdivision: _____			
Current Zoning: <u>PD</u>			
Reason for Request: <u>Sale of Alcoholic Beverages</u>			

Type of Business (restaurant, bar, lounge, nightclub, etc.): <u>Restaurant</u>			
Proposed/Current Days and Hours of Operation: <u>Tuesday-Sunday 11:00 am - 11:00 PM</u>			
Proposed Days and Hours of Alcohol Service: <u>Tuesday-Sunday 11:00 AM - 11:00 PM</u>			
Total Square Footage of Business: <u>2100 SQ FT</u>			
Square Footage of Alcohol Serviceable Area: <u>1230 SQ FT</u>			
Restroom Fixtures:	Men	Toilets/Urinals: <u>1/1</u>	Bathroom Sinks: <u>1</u>
	Women	Toilets: <u>1</u>	Bathroom Sinks: <u>1</u>

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: 02/20/2024

Applicant (printed):

Property Owner (signature):

Date: 2/20/2024

Property Owner (printed):

Natalie Jett (Midland Park Mall)

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.

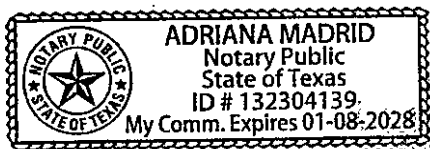
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Karen Borbon Alvarez who, being by me duly sworn, upon oath says: That (s)he is authorized by Natalie Jett, 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 21 day of February, 20 24 to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Floor Plan

☒ Application Fee

☒ Site Plan

Check #

1127

☒ Plans in Digital Format (PDF/JPEG)

Received By:

[Signature]

Date:

MAR 05 2024

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

DATE
4/28/2022

REVISION

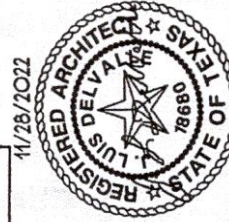
DRAWN BY
ANDY

CORNERSTONE
DESIGN GROUP
PHONE (432) 644-8008

REFLECTED
CEILING PLAN
SHEET TITLE

TENANT WORK AT C21
MIDLAND PARK MALL
4514 N. MIDKIFF RD.
PROJECT NUMBER: 22016

SHEET NUMBER
A-5.1
SHEET 00 OF 09

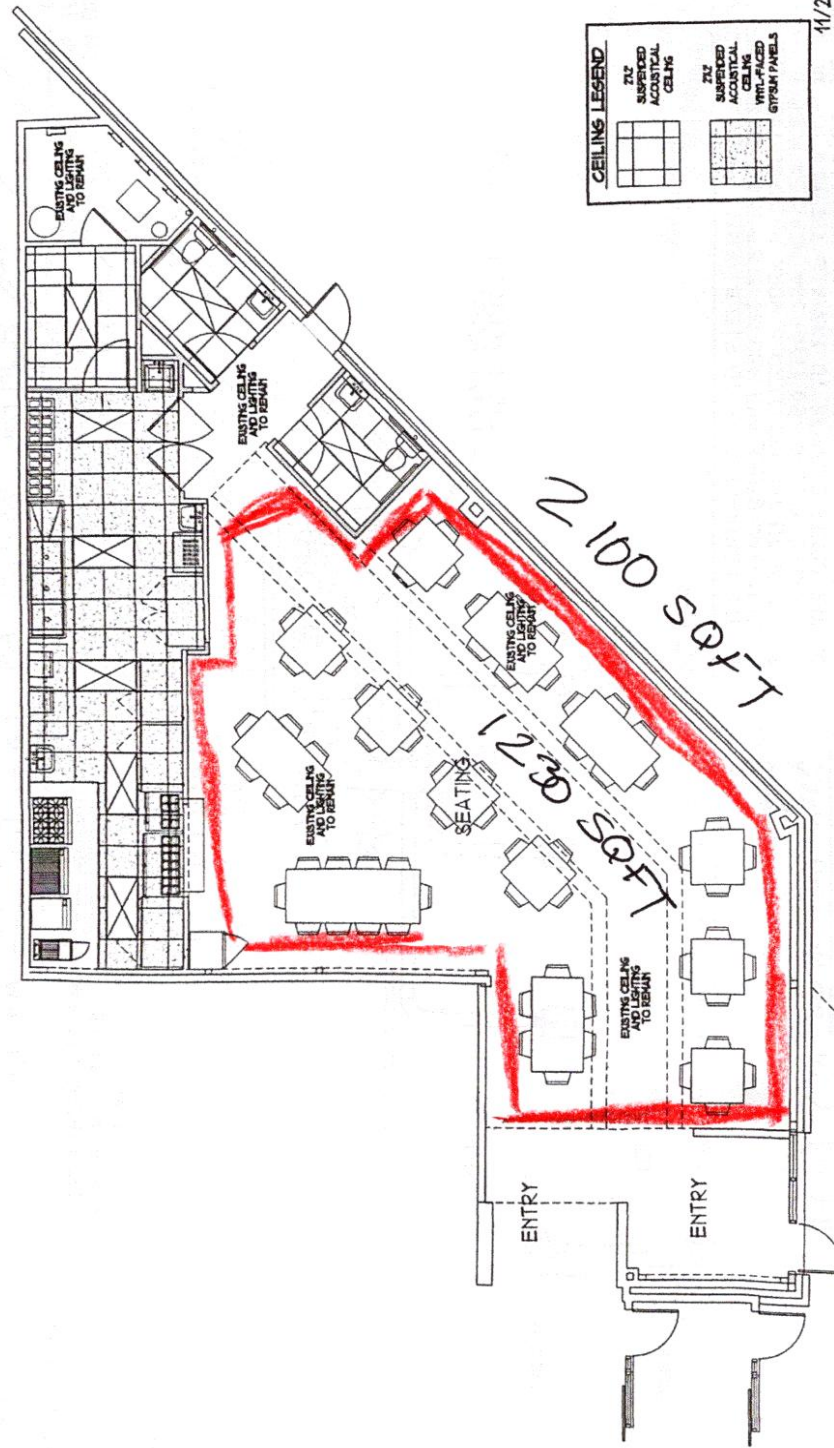


(432) 644-8008
4904 NORTH MIDKIFF ROAD
MIDLAND, TEXAS 79708

4/28/2022

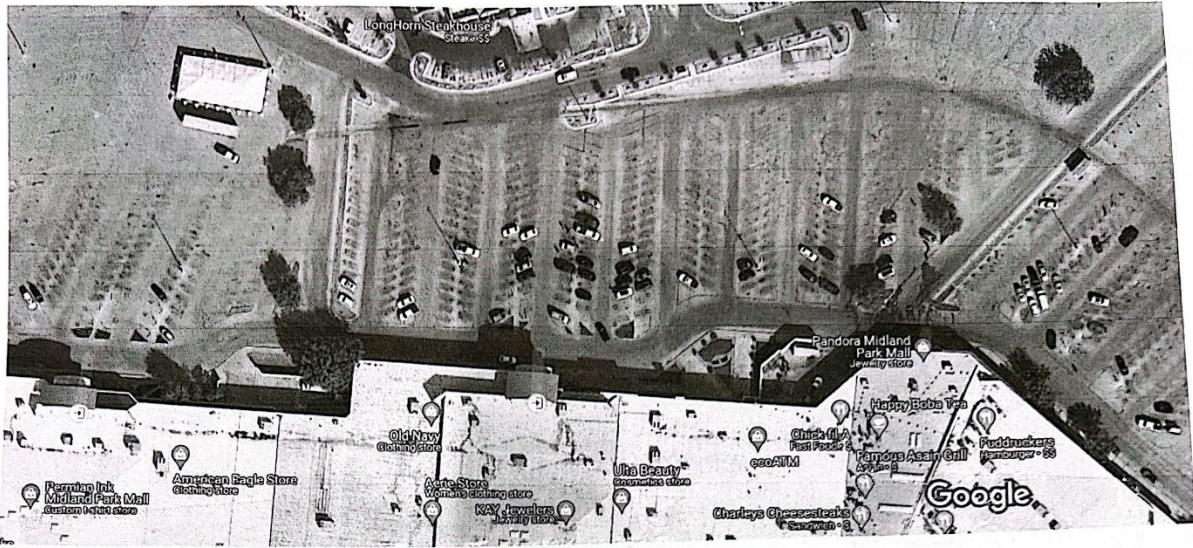
CEILING LEGEND

	EXISTING ACoustICAL CEILING
	EXISTING ACoustICAL CEILING WITH PLACED GYPSUM PANELS

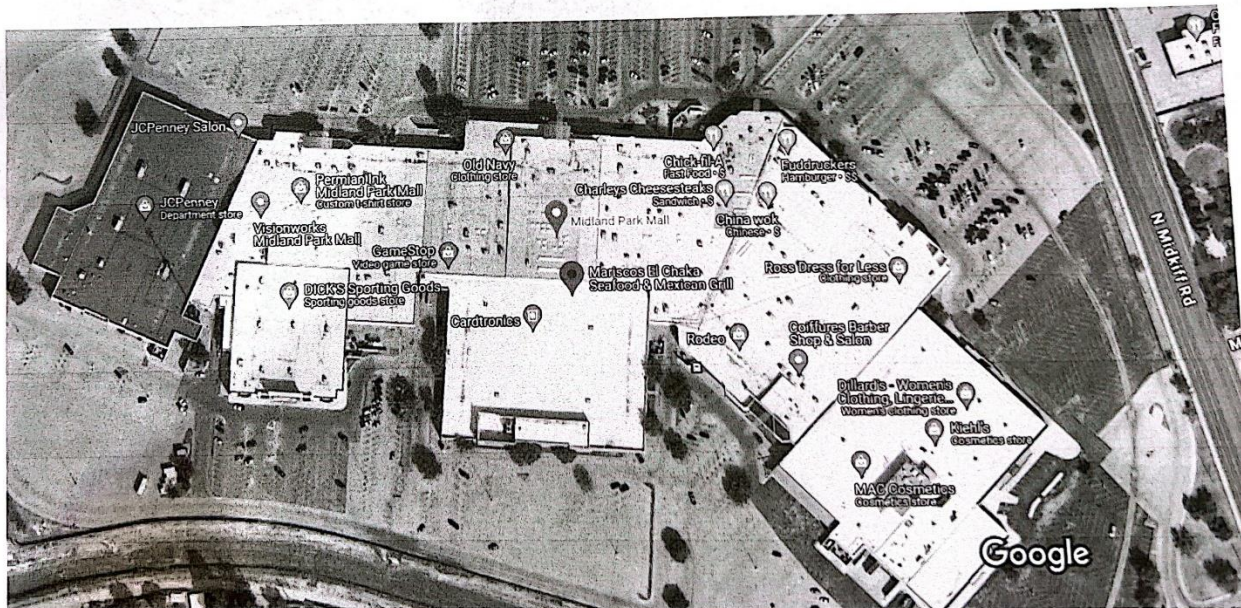


01 REFLECTED CEILING PLAN
SCALE 1/8" = 1'-0"

Mariscos El Chaka Seafood & Mexican Grill Restaurant

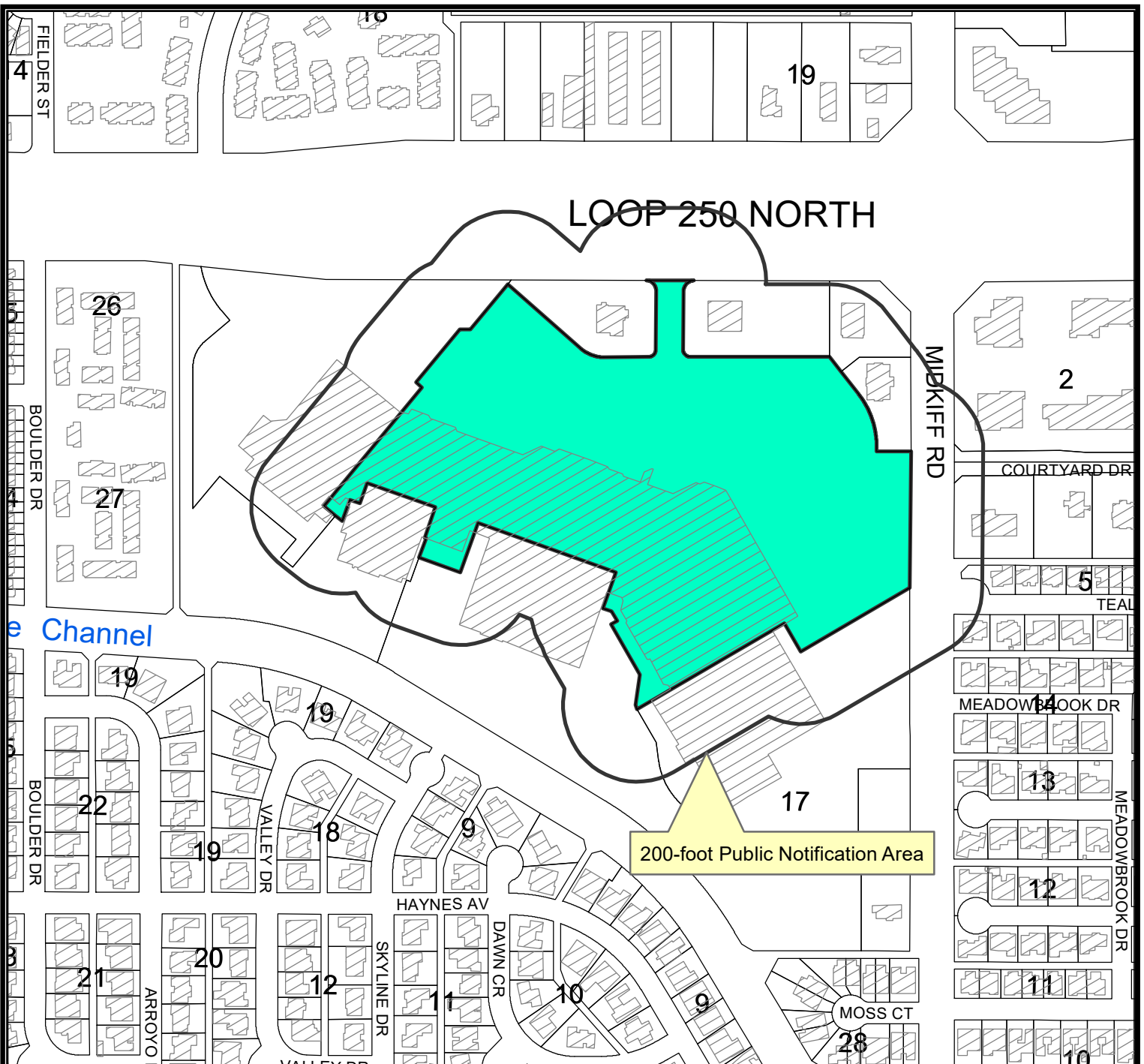


Mariscos El Chaka Seafood & Mexican Grill Restaurant



Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, Map data ©2024 100 ft





Location Map

SUD-24-0177

Scale: 1" = 400'

Consider a request by Karen Alvarez for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages for on premises consumption in a Restaurant on a 2,100 square foot portion of Lot 1A, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas.

Generally located on the south side of West Loop 250 North, approximately 1,105-feet west of North Midkiff Road. (District 1)

LEGEND

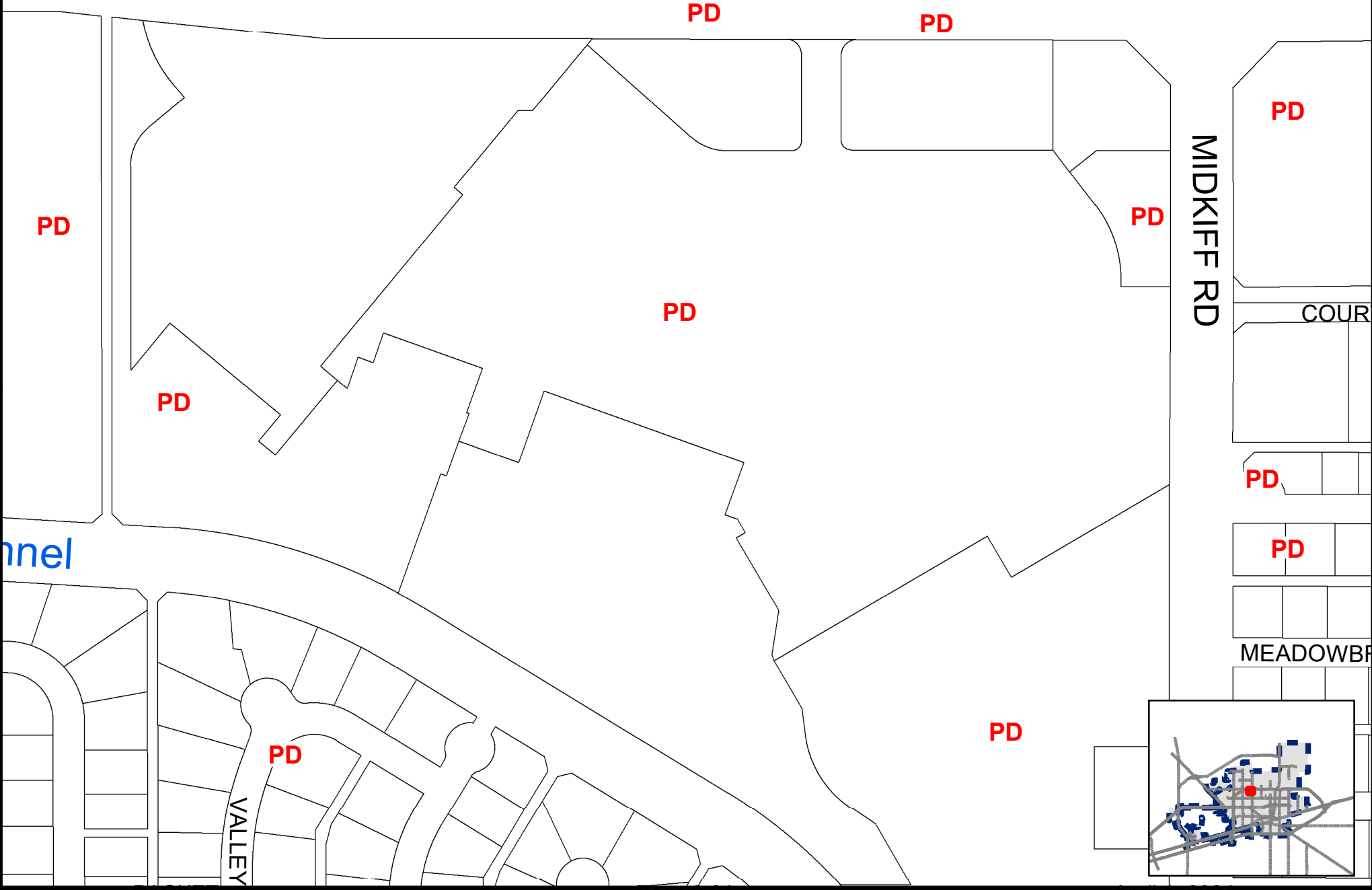
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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LOOP 250 NORTH

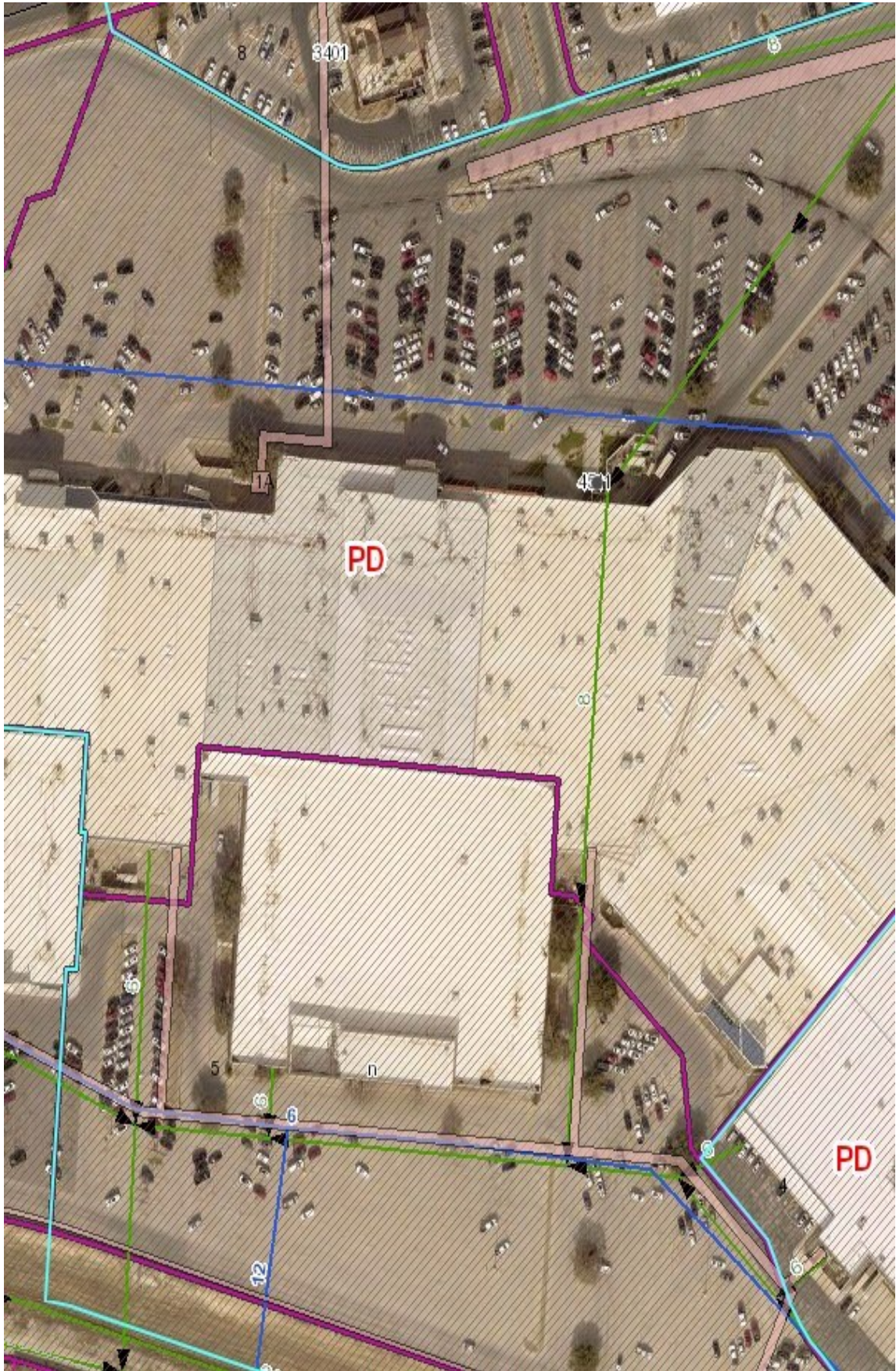


PACKET

Page 8.64

April 1, 2024





ORDINANCE NO. 6905

AN ORDINANCE AMENDING ORDINANCE NO. 5090A, WHICH APPROVED THE SITE PLAN FOR TRACT V OF THE "PLANNED DISTRICT" FOR A HOUSING DEVELOPMENT AND A COMMUNITY OR REGIONAL SHOPPING CENTER CREATED BY ORDINANCE NO. 5090, BY ADOPTING A NEW SITE PLAN; CONTAINING A CUMULATIVE CLAUSE; AND CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

WHEREAS, Section Two, Subsection D-2 of Ordinance No. 5090 which created a "Planned District" for a Housing Development and a Community or Regional Shopping Center, provided that no development should be undertaken and no building permit issued on Tract V, as set out in said ordinance, without a site plan having been submitted to and approved by the Planning and Zoning Commission and the City Council; and

WHEREAS, Ordinance No. 5090A amended Ordinance No. 5090 so as to adopt a site plan in accordance with the provisions of Subsection D-2 of Section Two of said Ordinance 5090, said site plan being identified as Exhibit "A" to Ordinance 5090A and being on file in the office of the City Secretary; and

WHEREAS, the Council finds it to be in the public interest to adopt a new site plan for said "Planned District" which was created by Ordinance No. 5090, said new site plan being attached hereto as Exhibit "A" and made a part hereof for all legal purposes. The new site plan affects only that portion of the existing site plan that is currently occupied by the outdoor garden center of the Sears, Roebuck and Company retail store at Midland Park Mall;

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

SECTION ONE. That the City Council hereby amends Ordinance No. 5090A which approved a site plan for the "Planned District" for a Housing Development and a Community or Regional Shopping Center created by Ordinance No. 5090 by adopting a new site plan for said "Planned District", attached hereto as Exhibit "A" and made a part hereof for all legal purposes. Said site plan

affects only that portion of the existing site plan that is currently occupied by the outdoor garden center of the Sears, Roebuck and Company retail store at Midland Park Mall, and all other aspects of the site plan adopted under Ordinance No. 5090A shall remain in effect.

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

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

SECTION FOUR. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars (\$2,000.00).

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 24th day of January, A.D., 1989; and passed to second reading on motion of Council member Heck, seconded by Council member Corrales, by the following vote:

Council members voting "AYE": Heck, Corrales, Williams,
Rendall, Thomas, and Marcum

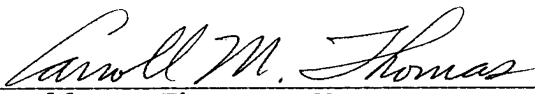
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Corrales, seconded by Council member Marcum, on the 14th day of February, A.D., 1989, at a regular meeting of the City Council:

Council members voting "AYE": Corrales, Marcum, Thomas, Williams, Heck, Rendall, and Monaghan

Council members voting "NAY": None

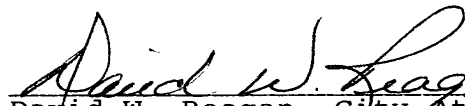
PASSED AND APPROVED THIS 14th day of February, A.D., 1989.


Carroll M. Thomas, Mayor

ATTEST:


B. C. Clanton, City Secretary

APPROVED AS TO FORM:


David W. Reagan, City Attorney

ENTRANCE

1" = 60'

EXHIBIT A

SEARS
FIN. FLOOR EL. 17.2

RECEIVED

APR 1 1982

PLANNING & DEVELOPMENT
CITY OF MIDLAND

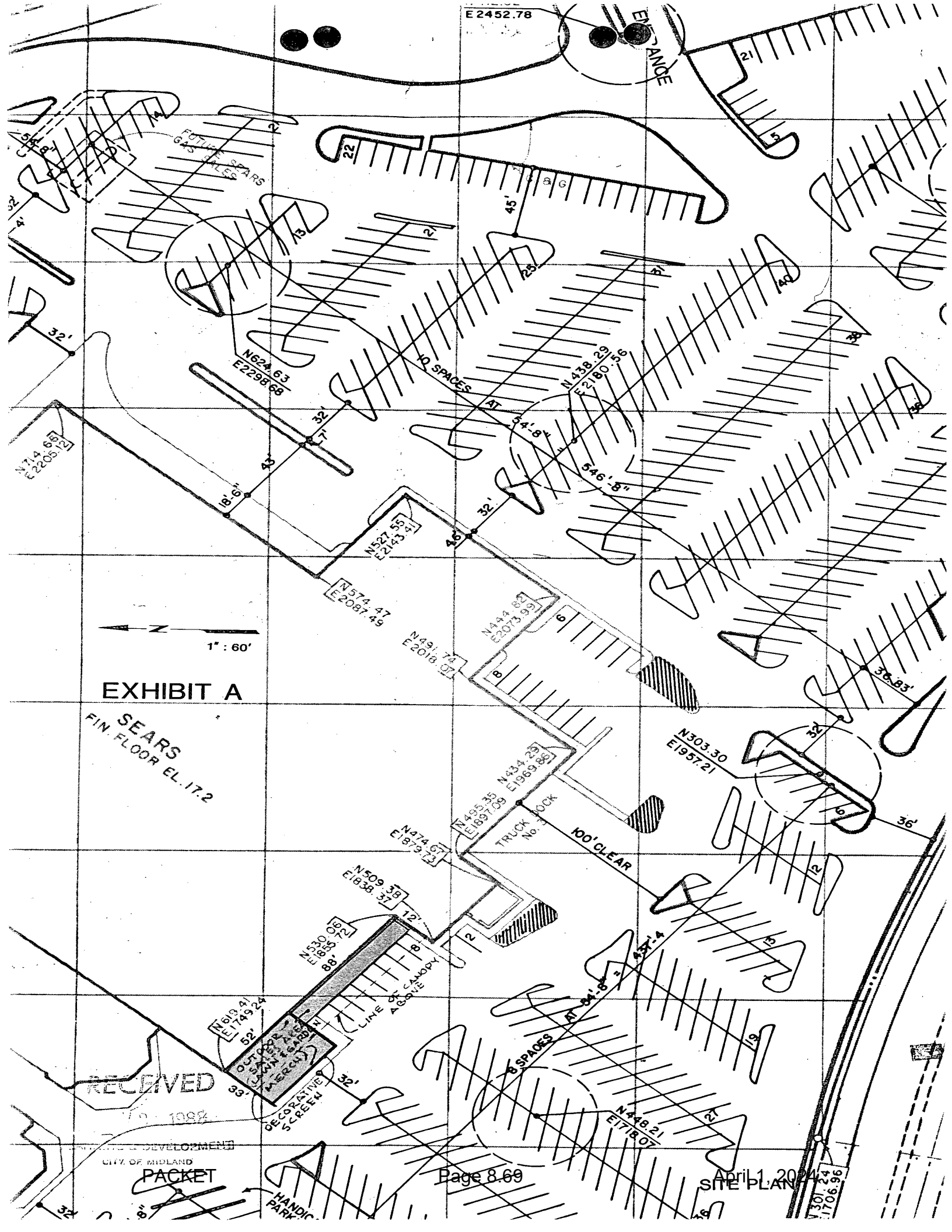
PACKET

DECORATIVE
SCREEN

LINE OF CANOPY
ABOVE

HANDICAPED

1706.96





Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: April 1, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Hold a public hearing and consider a request by Musselman Family Limited Partnership for a zone change from SF-1, Single-Family Dwelling District to AE, Agricultural Estate District for a 37.542-acre tract of land, out of the southeast quarter of Section 10, Block X, H.P. Hillard Survey, City and County of Midland, Texas. (Generally located on the north side of Mockingbird Lane, approximately 840 feet west of North A Street.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

Dunaway Associates, on behalf of Musselman Family Limited Partnership, is requesting a zone change for the future development of the property on Mockingbird Lane.

Current Zoning:

SF-1, Single-Family Dwelling District

Surrounding Zoning and Land Use:

The property to the north is zoned SF-1, in part, and PD, Planned District for Housing Development, in part and is currently undeveloped. The property to the east is zoned PD, Planned District for Housing Development and is undeveloped. The properties to the south are zoned PD, Planned District for Housing Development, in part, SF-1, in part, PD, Planned District for a Transitional District, in part, and AE, in part, and are the locations of residences. The properties to the west are zoned AE and are the locations of vacant land and a residence.

Analysis:

The applicant is requesting a zone change from SF-1 to AE for agricultural use. While The Future Land Use Map Chapter 3 of the *Tall City Tomorrow Comprehensive Plan* designates this area as Urban Residential-Low (UR-L), it also designates portions of the property for Park/Open Space. An agricultural use would help maintain the open space as called for by the Comprehensive Plan and is consistent with the surrounding development.

The property owner wants to construct a barn and storage. The property is currently not platted and will be required to be platted before any development takes place. The plat has not been submitted. However, the applicant is aware that a plat is required and they are in the process of submitting it.

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

Fire: (Approved)

No objections.

Building Code: (Approved)

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

Engineering: (Approved)

No objection to zone change.

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

Our staff has examined the FEMA flood map and it appears that this property lies partial within Zone AE and the regulatory floodway, which is a Special Flood Hazard Area subject to inundation by the 1% annual chance flood.

An elevation certificate based off of construction drawings will be required to get a building permit to show compliance to the 1 foot of freeboard above the base flood elevation for residential structures and an elevation certificate based off of finish construction will be required for the Certificate of Occupancy if the structure is located within the 100-year floodplain.

No construction may be allowed with the floodway without an hydraulic and hydrology study and FEMA approval demonstrating that there will be no adverse effect down or upstream and no rise within the floodway.

Any modifications to the floodway will require similar documentation and approval from FEMA.

Code Compliance: (Approved)

No Oil and Gas issues.

Transportation: (Approved)

Additional right-of-way dedication and corner clip may be required with the plating process.

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.]

Planning:

Staff recommends approval of this request for a zone change subject to condition A.

Conditions:

- A. That the use and development of the property shall conform to the regulations of the AE, Agricultural Estate District**

Letters of Objection:

As of March 25, 2024, Staff has not received any letters of objection.

Attachments:

Survey & Metes & Bounds (Exhibit A)
Application
Location Map
Zoning Map
Location Map
Aerial
Photo



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

Project Number: _____

Case Number: _____

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

Printed Name: Henry Musselman

Phone (432) 528-9115

Email
henrym@compassoperating.com

Address
400 W. Illinois, Suite 1000

City
Midland

State
TX

Zip
79701

Property Owner

Printed Name: Musselman Family Limited Partnership

Phone (432) 528-9115

Email
henrym@compassoperating.com

Address
400 W. Illinois, Suite 1000

City
Midland

State
TX

Zip
79701

Representative (if different from Applicant or Property Owner)

Firm: Dunaway Associates

Printed Name: Tim Hair

Phone (432) 848-4403

Email
thair@dunaway.com

Address
4000 N Big Spring, Suite 101

City
Midland

State
TX

Zip
79705

Street Address: 5503 Polo Club Road

Legal Description

Lot: Block: X Subdivision: Polo Club Addition

Current Zoning:

SF1, Single-Family Dwelling District

Proposed Zone: AE, Agricultural Estate District

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

Reason for Zone Change Request: To enable agricultural development - horse barn, storage, paddocks (not yet designed)

Present Use of Property: Vacant

Proposed Use of Property: Agricultural - Construction of a barn, driveway, storage, and paddocks (not yet designed)

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

This change will have no affect on public health, safety and welfare.

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

Ownership and development plan for the property has changed

Submittal and Fees

Items to be submitted with this application form:

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

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature):	Date:
Applicant (printed):	
Property Owner (signature): 	Date: 3/5/24
Property Owner (printed): Henry Musselman	

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

EXHIBIT 'A'

METES AND BOUNDS

Being a 37.542-acre tract of land situated in the southeast quarter of Section 10, Block X, H.P. Hilliard Survey, City and County of Midland, Texas, being all of a called 37.542 acre tract of land described in deed to Musselman Family Limited Partnership, as recorded in Instrument No. 2016-33993, Official Public Records of Midland County, Texas (O.P.R.M.C.T.), said 37.542-acre tract of land being more particularly described as follows:

BEGINNING at a found 1/2-inch iron rod with yellow cap (illegible) for the southwest corner of said Musselman tract, being the southeast corner of a called 10.12 acre tract of land described in deed to Douglas Scharbauer, as recorded in Volume 866, Page 69, Deed Records of Midland County, Texas (D.R.M.C.T.) and being on the north line of a 50' right-of-way dedication of Mockingbird Lane by plat for Saddle Club Estates, as recorded in Cabinet C, Page 44, Plat Records of Midland County, Texas, said POINT OF BEGINNING being locatable by NAD83 Grid Coordinates N=10,715,056.80, E=1,746,378.93;

THENCE North 14 degrees 37 minutes 09 seconds West, departing the north line of said 50-foot right-of-way dedication of Mockingbird Lane, along the west line of said Musselman tract and the east line of said Scharbauer tract, a distance of 1,325.60 feet to a found 5/8-inch iron rod with yellow cap stamped "DUNAWAY ASSOC" for the northwest corner of said Musselman tract, said corner being on the east line of a called 5.06 acre tract of land described in deed to Barnwell Farms LLC, as recorded in Instrument No. 2012-2110, D.R.M.C.T., and from which a found 1/2-inch iron rod (leaning) bears North 83 degrees 30 minutes 59 seconds West, a distance of 0.62 feet;

THENCE North 75 degrees 32 minutes 31 seconds East, departing the east line of said Barnwell Farms tract, along the common north line of said Musselman tract and the southerly line of a called 34.62 acre tract of land described as "Tract 2" in deed to Gary Kahler, Mark A. Payne, and Tommy J. Woodruff, as recorded in Volume 3041, Page 425, D.R.M.C.T., a distance of 150.42 feet to a found 1/2-inch iron rod with yellow cap stamped "RPLS 1974" for the beginning of a curve to the right, having a radius of 734.25 feet and a chord bearing of South 86 degrees 21 minutes 26 seconds East, a distance of 456.25 feet;

THENCE Southeasterly, along said curve to the right and along said common line, through a central angle of 36 degrees 12 minutes 06 seconds and an arc length of 463.93 feet to a found 1/2-inch iron rod with yellow cap (damaged cap) for the end of said curve;

THENCE South 68 degrees 15 minutes 24 seconds East, continuing along said common line, a distance of 1,103.35 feet to a found 1/2-inch iron rod with red cap stamped "WEST COMPANY MIDLAND" for the beginning of a curve to the right, having a radius of 878.17 feet and a chord bearing South 55 degrees 25 minutes 35 seconds East, a distance of 390.01 feet;

THENCE Southeasterly, along said curve to the right and continuing along said common line, through a central angle of 25 degrees 39 minutes 36 seconds and an arc length of 393.29 feet to a found 1/2-inch iron rod with red cap stamped "WEST COMPANY MIDLAND" for the end of said curve;

THENCE South 42 degrees 35 minutes 47 seconds East, continuing along said common line, a distance of 269.55 feet to a found 1/2-inch iron rod with red cap stamped "WEST COMPANY MIDLAND" for the southeast corner of said Musselman tract, said corner being on the north line of said 50-foot right-of-way dedication of Mockingbird Lane;

THENCE South 75 degrees 32 minutes 31 seconds West, along the south line of said Musselman tract and the north line of said 50-foot right-of-way dedication of Mockingbird Lane, a distance of 1,853.53 feet to the POINT OF BEGINNING and containing 37.542 acres (or 1,635,346 square feet) of land, more or less.

The basis of bearings for this survey is the Texas State Coordinate System (NAD83), Central Zone, based upon GPS measurements. Distances and areas hereon are surface values. A combined scale factor of 0.9999209 was used for this project.

A plat of even date accompanies this metes and bounds description.



550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121
TEXAS REGISTERED SURVEYING FIRM NO. 10098100

SURVEYOR'S CERTIFICATE:

I hereby certify that this map is based on an accurate survey of the property made on the ground under my

Registered Professional Land Surveyor
State of Texas, No. 5975

3/22/2024
Date

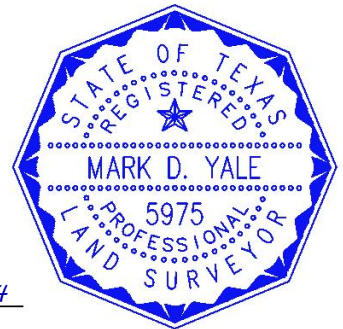


EXHIBIT 'A'

SECTION 10, BLOCK X
H.P. HILLIARD SURVEY
ABSTRACT NO. 1276

WOODLAND PARK ADDITION SECTION 7
CABINET I, PAGE 124
P.R.M.C.T.

LOT 1, BLOCK 1
STALEY ADDITION
CABINET D, PAGE 114
P.R.M.C.T.

FOUND 5/8-INCH IRON ROD WITH
YELLOW CAP STAMPED "DUNAWAY
ASSOC" FROM WHICH A FOUND
1/2-INCH IRON ROD (LEANING)
BEARS N83°30'59"W - 0.62'

FOUND 1/2-INCH IRON ROD
WITH YELLOW CAP STAMPED
"RPLS 1974"

37.542 ACRES
1,635,346 SQUARE FEET

CALLED 37.542 ACRES
 MUSSELMAN FAMILY LIMITED
 PARTNERSHIP
 INSTRUMENT NO. 2016-33993
 O.P.R.M.C.T.

MOCKINGBIRD
LANE
(50' RIGHT-OF-WAY)
CABINET C, PAGE 44
P.R.M.C.T.

50' ROADWAY DEDICATION
CITY OF MIDLAND
VOLUME 851, PAGE 224
D.R.M.C.T.

SADDLE CLUB ESTATES
CABINET C, PAGE 44
P.R.M.C.T.

SECTION 3, BLOCK X
H.P. HILLIARD SURVEY
ABSTRACT NO. 12

SADDLE CLUB ESTATES
SECTION 2
CABINET F, PAGE 14
P.R.M.C.T.

0 1 300



SCALE FEET

1" = 300'

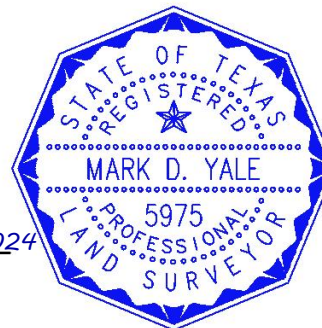
D.R.M.C.T. = Deed Records, Midland County, Texas
O.P.R.M.C.T. = Official Public Records, Midland County, Tx.
P.R.M.C.T. = Plat Records, Midland County, Texas
A metes and bounds description of even date
accompanies this plat.

SURVEYOR'S CERTIFICATE:
I hereby certify that this map is based on an accurate survey of the property made on the ground under my supervision.

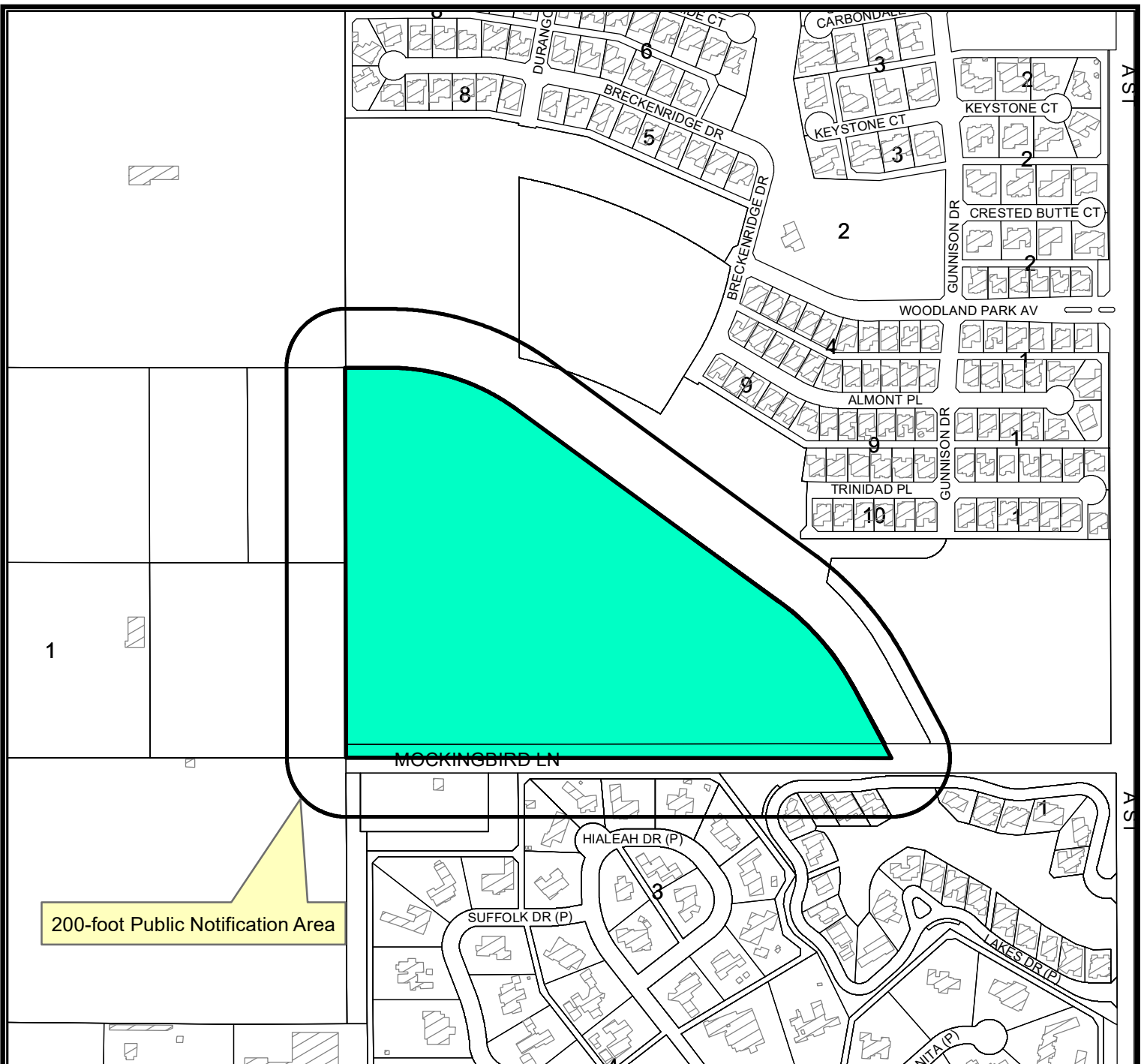
The basis of bearings for this survey is the Texas State Coordinate System (NAD83), Central Zone, based upon GPS measurements. Distances and areas hereon are surface values. A combined scale factor of 0.9999209 was used for this project.

Restred Pro es o lla u veyo
State of Texas, No. 5975

3/22/2024
Date



550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121
TEXAS REGISTERED SURVEYING FIRM NO. 10098100



Location Map

Z-24-0364

Scale: 1" = 490'

A request by Musselman Family Limited Partnership for a zone change from, SF-1, Single-Family Dwelling District, to AE, Agricultural Estate District for a 37.542-acre tract of land, out of the southeast quarter of Section 10, Block X, H.P. Hillard Survey, City and County of Midland, Texas.

Generally located on the north side of Mockingbird Lane, approximately 840 feet west of North A Street.

(Council District 1)

Page 9.77

LEGEND

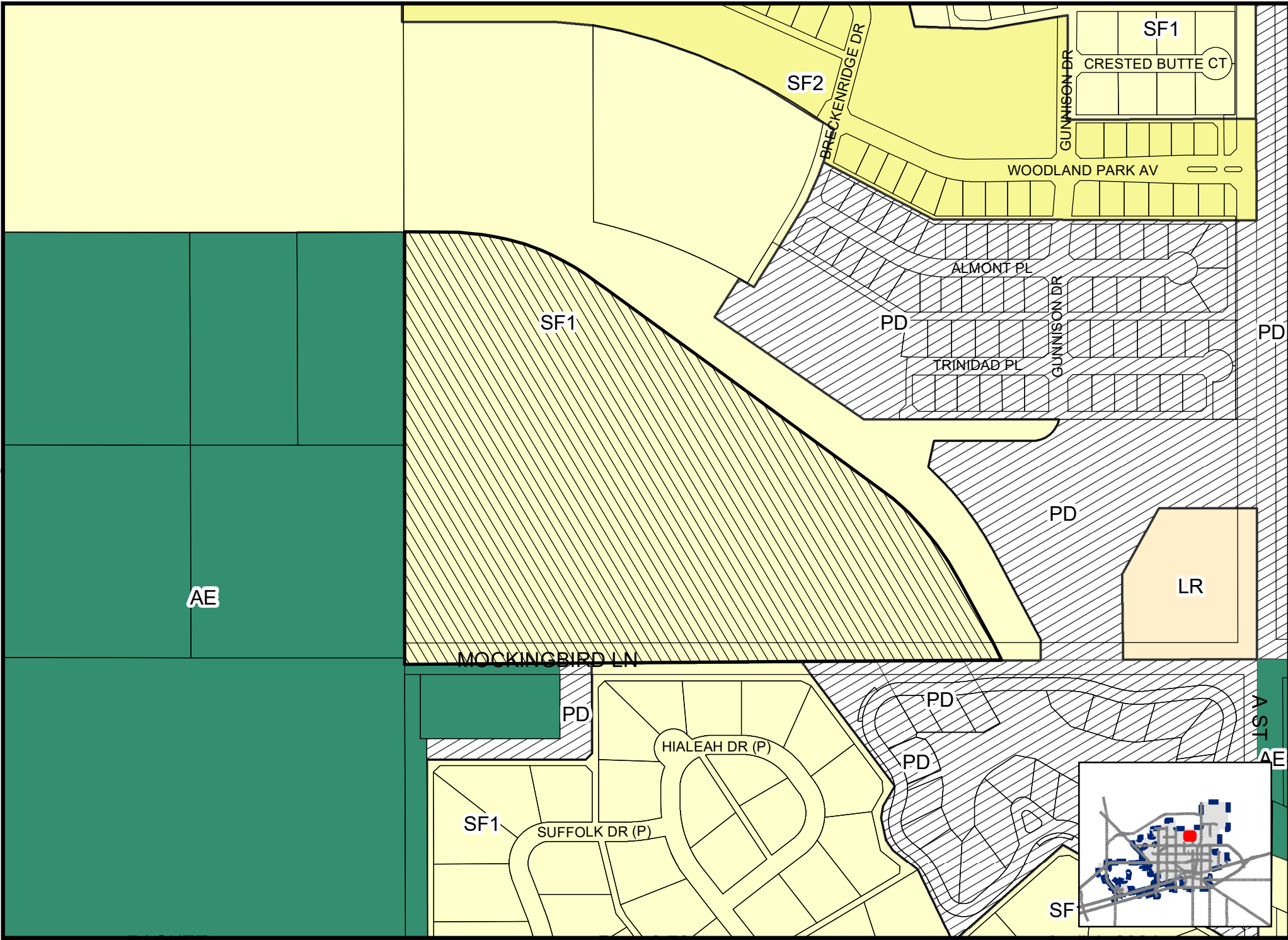
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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April 1, 2024









Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: April 1, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Hold a public hearing and consider a request by Ivania Hernandez Morales for a Specific Use Designation with Term for the sale of all alcoholic beverages for on premises consumption in a restaurant on a 1,763 square foot portion of Lot 6A, Block 62, Belmont Addition, Section 23, City and County of Midland, Texas. (Generally located on the north side of East Interstate 20, approximately 478 feet west of South Terrell Street.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Ivania Hernandez Morales, is requesting a Specific Use Designation (SUD) with Term for Alcoholic Beverages Sales for On-Premises Consumption in a restaurant called Texas Lodge Bar & Grill located at 503 E Interstate 20.

Current Zoning:

BP, I-20 Business Park District

Surrounding Zoning and Land Use:

The properties to the north are zoned PD, Planned District for a Shopping Center and are the location of houses. The properties to the east, south, and west are zoned BP, I-20 Business Park District and is the location of hotels, restaurants, a church, and other various businesses.

Analysis:

The applicant is requesting a Specific Use Designation for Texas Lodge Bar & Grill located at 503 East Interstate 20, Suite 130, to be able to sell all alcoholic beverages for on premises consumption, within a restaurant. The property is zoned BP, I-20 Business Park District, which permits the sale of all alcoholic beverages for on-premises consumption, in a restaurant with the approval of a Specific Use Designation with Term.

The restaurant is currently in operation and has a specific use designation for the sale of all alcoholic beverages under Ordinance 10366 which was approved by Council on January 24, 2023. The floor plan attached hereto as "Exhibit A" illustrates that the establishment has a total square footage of 1,763 square feet, with an alcohol serviceable area of 957 square feet. The site currently has adequate parking, access, and internal circulation.

The restaurant has the following hours of operation:

Monday through Sunday from 3 p.m. to 11 p.m.

The restaurant is proposing the following hours of alcohol service:

Monday through Sunday from 3 p.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.

When this request was originally brought before the P&Z Commission, there was a school named Richard Milburn Academy within 300 feet of Texas Lodge Bar & Grill. Although the school is still visible on Google Maps, the school has since moved out of that location and is no longer located within 300 feet 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." (Tall City Tomorrow page 137) Texas Lodge Bar and Grill is an establishment that will provide Midland residents with a unique social gathering experience.

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 Texas Lodge Bar and Grill is acceptable. The property must adhere to the maximum occupant load of 63 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)

The Planning & Zoning Commission deferred the request for the currently active SUD on November 21, 2022. The Commission recommended approval of the currently active SUD on December 5, 2022. City Council approved the request on January 24, 2023.

Therefore, staff recommend approval of this request subject to conditions A through G.

Conditions:

- A. That the serviceable area of the restaurant shall be limited to approximately 957 square feet as shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes.**
- B. That the sale and on-premises consumption of alcoholic beverages shall conform to all applicable state and local laws.**
- C. That the days and hours of alcoholic beverages sales and consumption shall be limited to Monday through Sunday from 3 p.m. to 11 p.m.**
- D. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**
- 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 11-1-9.07.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 March 25, staff has not received any letters of objection.

Attachments:

Application
Floor Plan (Exhibit A)
Location Map
Zoning Map
Photo



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: Ivania Hernandez Morales

Address
207 W 61st Ave

City
Midland

Phone (432) 257-5719

Email
hernandezfamily@gmail.com

State
TX

Zip
79701

Property Owner

Printed Name: Belmont Realty LLC

Address

City

Phone ()

Email

State

Zip

Representative (if different from Applicant or Property Owner)

Firm: Belmont Realty

Printed Name: Bob Weidner

Address
503 East I-20 P.O. Box 2932

City
MIDLAND

Phone (432) 570-9206

Email
bobweidner@sbcglobal.net

State
TX

Zip
79702

Street Address: 503 E Interstate 20, Ste 130, Midland, TX 79701

Business Name: Hernandez Family, LLC DBA Texas Lodge Bar & Grill

Legal Description

Lot: 06A Block: 062 Subdivision: Belmont, Sec 23

Current Zoning: Business Park

Reason for Request: Franchising location and need to obtain TABC license.

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

Proposed/Current Days and Hours of Operation: Monday - Sunday 3-10 pm

Proposed Days and Hours of Alcohol Service: Monday - Sunday 3-10 pm

Total Square Footage of Business: 1763

Square Footage of Alcohol Serviceable Area: 957

Restroom Fixtures:

Men

Toilets/Urinals: 1 /

Bathroom Sinks: 1

Women

Toilets: 1

Bathroom Sinks: 1

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

Signatures	
Applicant (signature): <u>[Signature]</u>	Date: <u>2/26/24</u>
Applicant (printed): <u>Ivania Hernandez Morales</u>	
Property Owner (signature): <u>[Signature]</u>	Date: <u>2/26/24</u>
Property Owner (printed): <u>Bob Weidner</u>	
The Specific Use Designation with Term for the sale of all alcoholic beverages 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.	

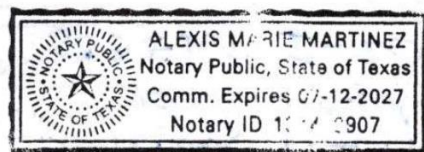
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ivania Hernandez Morales who, being by me duly sworn, upon oath says: That (s)he is authorized by Bob Weidner, 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.

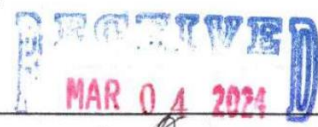
[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 4th day of March, 2024, to certify which witness my hand and seal of office.



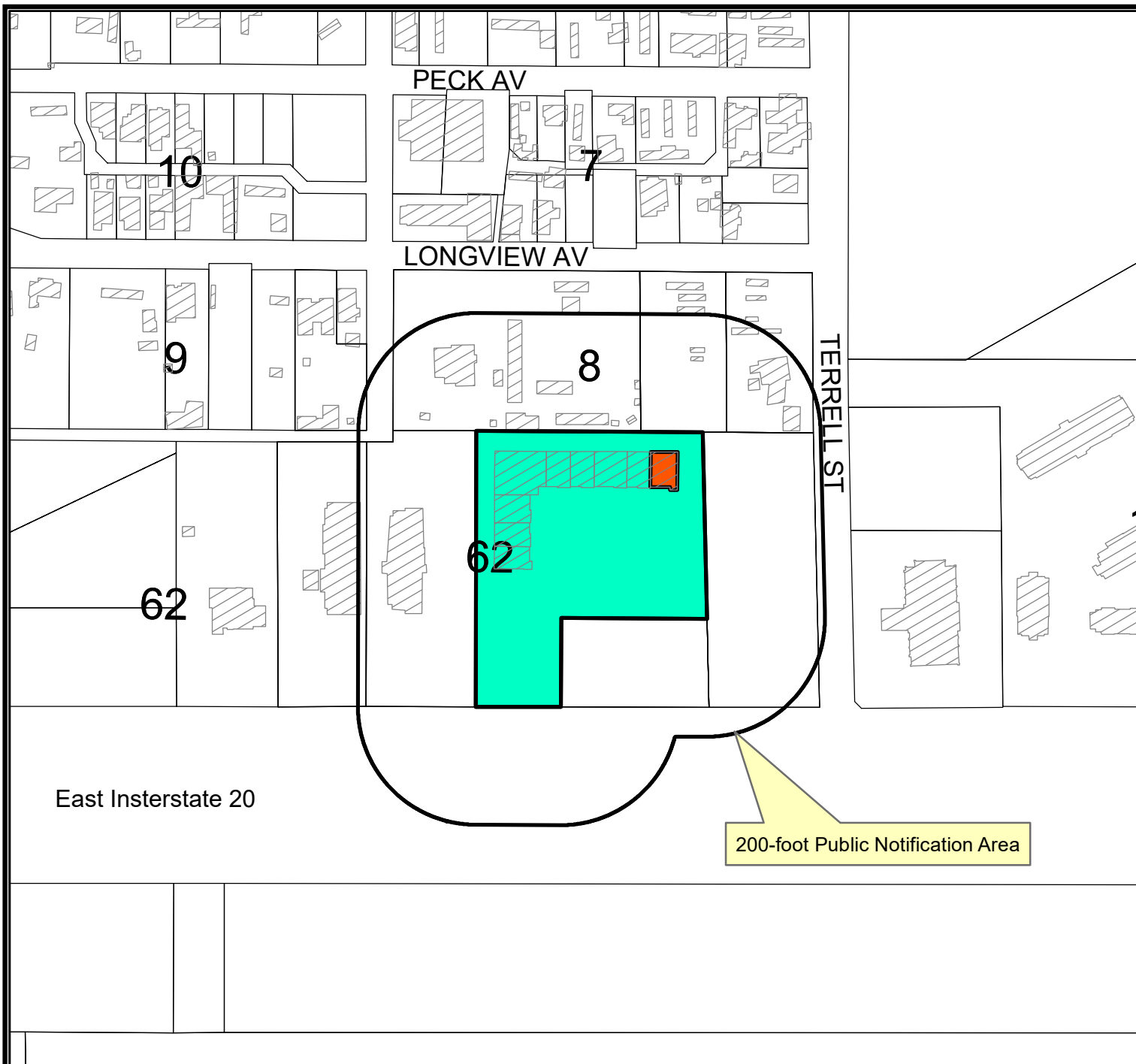
[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXA

FOR OFFICE USE ONLY	
☒ Property Owner Authorization ☒ Application Fee Check # <u>1300 C956</u>	☒ Dimensioned Floor Plan ☒ Site Plan ☒ Plans in Digital Format (PDF/JPEG)
Received By: <u>[Signature]</u>	Date: <u>2/26/24</u>





GROSS INTERNAL AREA
FLOOR 1: 1,763 sq. ft.
TOTAL: 1,763 sq. ft.



Location Map

SUB-24-0716

Scale: 1" = 245'

A request by Ivania Hernandez Morales for a Specific Use Designation with Term for the sale of all alcoholic beverages for on premises consumption in a restaurant on a 1,763 square foot portion of Lot 6A, Block 62, Belmont Addition, Section 23, City and County of Midland, Texas.

Generally located on the north side of East Interstate 20, approximately 478 feet west of South Terrell Street (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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April 1, 2024

