

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

**May 20, 2024 - 3:30 PM
Council Chambers – City Hall**



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

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. Motion approving Planning & Zoning meeting minutes from April 15, 2024.
3. Motion approving Planning & Zoning meeting minutes from May 6, 2024.
4. Motion approving a Final Plat of Hines Addition, Section 5, being a replat of the east 100 feet of Lot 1, Block 10, Hines Addition, City and County of Midland, Texas. (Generally located southwest of the intersection of Rhode Island Avenue and S. N Street) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
5. Motion approving a Final Plat of 349 Retail Addition, Being a Replat of Lot 1, Block 1, TSC Development, Section 1, and Lot 1, Block 1, Midland Country Club Estates Addition, City and County of Midland, Texas (Generally located west of North State Highway 349, approximately 400-feet south of Occidental Parkway) **(DISTRICT 1) (DEVELOPMENT SERVICES)**
6. Motion approving a Final Plat of Rieta Proctor Addition, being a 12.60-acre tract of land located in the north half of the southeast quarter of Section 15, Block 38, T-2-S, T&P, RR Co. Survey, Midland County, Texas. (Generally located on the west side of South County Road 1160, approximately 470-feet south of East County Road 130) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**

7. Motion approving a Final Plat of Warren Addition, being a plat of a 2.99-acre tract of land out of Section 18, Block 40, T-2-S, T&P RY. Co. Survey, City and County of Midland, Texas. (Generally located on the north side of West County Road 127, approximately 700-feet west of South Farm to Market Road 1788.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**
8. Motion approving a Final Plat of College Heights Addition, Section 9, being a plat of a 1.562-acre tract of land out of Section 33, Block 39, T-1-S, T&P RY. CO. Survey, in part, and a replat of the west 185 feet of Lot 5, Block E, Garrett Place Addition, the west 200 feet of the north 540 feet of Block 7, College Heights Addition, City and County of Midland, Texas. (Generally located on the south side of West Wall Street, approximately 450-feet east of Bankhead Highway.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
9. Motion approving a Final Plat of Hannah Addition, Section 6, being a Replat of a 13.84-acre tract of land out of Lot 7, Block 5, Hannah Addition, Section 5, County of Midland, Texas. (Generally located on the northwest corner of the intersection of S County Road 1230 and W County Road 130. **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**
10. Motion approving a Final Plat of West End Addition, Section 32, being a replat of Lot 10 and the west half of Lot 11, Block 7, West End Addition, City and County of Midland, Texas. (Generally located on the north side of West Texas Avenue, approximately 100 feet west of North G Street.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**
11. Motion approving a Final Plat of Oaktree Ranch, Section 4, being a 2.77-acre tract of land out of Section 8, Block 'X' H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located approximately 1,700 feet north of Mockingbird Lane, and approximately 2,000 feet west of North Midkiff Road.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**
12. Motion approving a Final Plat of Myatt Addition, Section 2 being a replat of a 2.34 acre portion of Lot 1, and all of Lot 2, Block 1, Myatt Addition, an addition to the City of Midland, and a 0.10 acre portion of a called 16 foot strip of land, all being situated in Section 15, Block 39, T&P Ry. Co. Survey, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of W. Wadley Avenue and N. Garfield Street.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**
13. Motion approving a Final plat of Permian Estates, Section 22, being a replat of Lots 11, 12, and 13, Permian Estates, City and County of Midland, Texas. (Generally located at the southwest corner of the intersection of West Illinois Avenue and North McDonald Street.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**
14. Motion approving a Final Plat of Pioneer Natural Resources USA Addition, being a plat of an 87.55- acre tract of land out of Sections 33 and 40, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located at the northwest corner of the intersection of North County Road 1140 and East State Highway 80.) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**
(DISTRICT: NONE) (DEVELOPMENT SERVICES)

15. Motion approving a Final Plat of Southern Meadows Industrial, Section 2, being a replat of Lots 1 & 2, Block 1, Southern Meadows Industrial, Midland County, Texas. (Generally located on the northwest corner of the intersection of East County Road 140 and the proposed South County Road 1180.) (DISTRICT: NONE) (DEVELOPMENT SERVICES)
(DISTRICT: NONE) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

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

16. Consider a request by Schumann Engineering for a proposed Final Plat of Crestgate Addition, Section 52, being a replat of Lot 1A, Block 3, Crestgate Addition, Section 33, City and County of Midland, Texas. Generally located northeast of the intersection of Crestfield Street and West Loop 250 North. (DISTRICT 1) (DEVELOPMENT SERVICES)
(DISTRICT 1) (DEVELOPMENT SERVICES)
17. Consider a request by Jorge Chavez for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 4 and Lot 17, Block 61, Park Avenue Heights, Section 2, City and County of Midland, Texas. (Generally located on the east side of South Lee Street and west side of South Tyler Street, approximately 165 feet south of East California Avenue.) (Council District 2)
(DISTRICT 2) (DEVELOPMENT SERVICES)
18. Consider a request by Five Figure Five for a Specific Use Designation with Term for the sale of Alcoholic Beverages Sales for On-Premises Consumption in a Restaurant, on a 15,266 square foot portion of Lot 26 & 27, Block 2, 349 Ranch Estates, Section 2, City and County of Midland, Texas. (Generally located northeast of the intersection of North State Highway 349 and Washita Court. **(DISTRICT 1) (DEVELOPMENT SERVICES)**

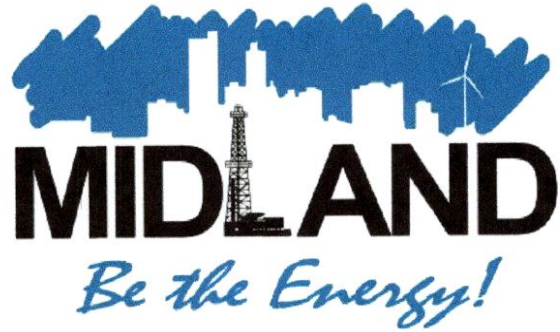
MISCELLANEOUS

19. Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of Homestead Addition, Section 20, being a Replat of Lots 7-12, Block 6, Homestead Addition, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North Fort Worth Street and East Kansas Avenue. **(DISTRICT 2) (DEVELOPMENT SERVICES)**
20. Motion to approve, with staff's recommended conditions, a proposed Preliminary Plat of Chapparral Subdivision, Section 2, being the east 100 feet of Lot 15, Block 2, Chapparral Subdivision, Midland County, Texas. (Generally located on the south side of West County Road 152, approximately 830 feet west of South County Road 1270.) (Extraterritorial Jurisdiction) (Development Services) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**

Xavier Bauguess
Planning Division Manager
Department of Development Services

The City of Midland Planning and Zoning Commission meetings are available to all persons regardless of disability. If you require special assistance, please contact the Planning Division at 432-685-7400 or write to us at P.O. Box 1152, Midland, Texas 79702, at least 48 hours in advance of the meeting.

**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION
MINUTES
April 15, 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 , April 15, 2024.

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

Commissioners absent: Sallie Vega

Staff members present: Landon Ochoa, Alexis M. Martinez, Elizabeth Triggs, Xavier Bauguess, Andrew Meyers, Daniel Humbert, Diana E. Geerts, Sarah Yeilding, Taha Sakrani, Stephen Gates, Jose Ortiz

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:

Abraham Bejil moved to approve; seconded by Adrian Carrasco.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

- 2a. REGULAR SESSION OF MARCH 18, 2024

Abraham Bejil moved to approve; seconded by Adrian Carrasco.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

2b. REGULAR SESSION OF APRIL 1, 2024

Abraham Bejil moved to approve; seconded by Adrian Carrasco.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

3. Motion approving with staff's recommended conditions, a proposed Final Plat of Greenwood Industrial Park, Section 6, being a Replat of Lots 2A, 2B, and 2C, Re-Subdivision of Lot 2, 26.450-acres, Greenwood Industrial Park, Section 5, and Lot 1, Block 2, Greenwood Industrial Park, Section 5, Midland County, Texas. Generally located on the south side of East County Road 1110, approximately 765-feet west of N. County Road 79. (DISTRICT: NONE) (DEVELOPMENT SERVICES)
(DISTRICT: NONE) (DEVELOPMENT SERVICES)

Abraham Bejil moved to approve; seconded by Adrian Carrasco.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

4. Motion approving a Final Plat of YMCA Addition, Section 1, being a plat of a 7.017-acre tract of land out of Sections 23 and 24, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south corner of the intersection of Avalon Drive and Mockingbird Lane) (DISTRICT 4) (DEVELOPMENT SERVICES) **(DISTRICT 4) (DEVELOPMENT SERVICES)**

Planning and Development Officer Elizabeth Triggs presented an overview of the project. No letters of objection were received; staff recommends approval.

Planning and Development Officer Elizabeth Triggs notes that according to Texas law if the plat meets zoning it must be approved.

1st Assistant City Attorney Stephen Gates reiterates that the only topic available to be discussed today is the one listed on the public agenda which is zoning.

City Traffic Engineer Taha Sakrani spoke on the status of Avalon Street improvements.

Assistant City Manager Jose Ortiz expounds on Avalon Street improvements, reduction of speed, and traffic signals all currently in the design phase.

City Traffic Engineer Taha Sakrani confirmed that speed reduction will be implemented.

Commissioner Abraham Bejil asked if they could discuss information brought up in the previous meetings.

1st Assistant City Attorney Stephen Gates reiterates that the only topic available to be discussed today is the one listed on the public agenda which is the plat.

Commissioner Abraham Bejil requested information to speak to the changes made since the preliminary plat.

YMCA Consultant Levi Bryant notes that financial guarantees have been made for the Avalon improvements and Mockingbird improvements are deferred until the city is ready for them.

Chair Lucy Sisneiga requested information about the timing of the project.

YMCA Consultant Levi Bryant answered that they will submit for building permit and begin in 9-12 months including the YMCA's end of Avalon Street improvements.

Public hearing was opened at 3:57p.m.

Gabriel Zertuche speaks in support of the YMCA.

Public hearing closed 3:58 p.m.

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

The motion passed by the following vote:

AYE: Berry, Sisniega, Holeva, Carrasco, Villela

NAY: None

ABSTAIN: Burkholder, Bejil

ABSENT: Vega, Sparks

5. Motion approving a Final Plat of West 191 Industrial Park, Section 15, being a plat of a 2.96-acre tract of land out of Section 31, Block 40, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of State Highway 191, approximately 1,380 feet west of Holdridge Road.) (DISTRICT 4) (DEVELOPMENT SERVICES)
(DISTRICT 4) (DEVELOPMENT SERVICES)

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

6. Motion approving a Final Plat of Mockingbird Ridge, Section 9, being a plat of an 18.99-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 immediately southeast of Waxwing Drive.) (DISTRICT 1) (DEVELOPMENT SERVICES)
(DISTRICT 1) (DEVELOPMENT SERVICES)

Senior Planner Landon Ochoa gave an overview of this project. No letters of objection were received, staff recommends approval.

Commissioner Adrian Carrasco asks for clarification on having to pull consent items when there is a commissioner abstaining.

Planning and Development Officer Elizabeth Triggs responds that it is necessary since consent items are block voted.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: Villela

ABSENT: Vega, Sparks

PUBLIC HEARINGS

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

7. Consider a request by Jesus Sanchez for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 1, Block 61, Park Avenue Heights, Section 2, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of East California Avenue and S. Tyler Street.) (DISTRICT 2) (DEVELOPMENT SERVICES) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

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

Commissioner John Burkholder confirms that there are no multifamily dwellings in the area.

Planner Daniel Humbert confirms there are only single family houses.

The public hearing was opened at 4:05p.m.

The public hearing was closed at 4:07p.m.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

8. Consider a request by Jesus Sanchez for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 2, Block 61, Park Avenue Heights, Section 2, City and County of Midland, Texas. (Generally located west of South Tyler Street, approximately 55 feet south of E. California Avenue.) **(DISTRICT 2)**
(DEVELOPMENT SERVICES)

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

Commissioner John Burkholder asked if this item and the previous are abutting.

Planner Daniel Humbert confirms they are abutting.

Commissioner Steven Villela asked if rezonings can be done administratively instead of coming to council.

Planning and Development Officer Elizabeth Triggs responds that rezonings must be public hearings. However, there are discussions on having the city rezone large areas to help reduce the number of zoning hearings or to change the ordinance in the code.

Commissioner Steven Villela shares his concern over the cost for residents to have to go through the rezoning process.

Planning and Development Officer Elizabeth Triggs mentions they are looking to council to potentially waive certain rezoning fees.

Commissioner Steven Villela asks how the P&Z Committee can help expedite the process.

Planning and Development Officer Elizabeth Triggs thanks him for the question and mentions their continued support on the matter when it's brought to City Council will help strengthen the request.

Chair Lucy Sisneiga supports the batch rezoning made by the city and to have it be its own public hearing.

Planning and Development Officer Elizabeth Triggs agreed it is an option.

The public hearing was opened at 4:11 p.m.

The public hearing was closed at 4:11 p.m.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

9. Consider a request by Jose Mendez for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lots 7 and 8, Block 15, Greenwood Addition, Section 3, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of South Tilden Street and E. Washington Avenue.)
(DISTRICT 2) (DEVELOPMENT SERVICES)

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

The public hearing was opened at 4:13 p.m.

There was no one wishing to speak on this item.

The public hearing was closed at 4:14p.m.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

10. Hold a public hearing and consider a request by Zoo Midland, on behalf of Green Acres Golf Course, LLC, for a Specific Use Designation without Term for a Wildlife Rehabilitation Center on 4.352-acre parcel of land situated in Section 42, Block 38, Township 1 South, E.C. Kneply Survey, Abstract No. 541, Midland County, Texas. (Generally located on the west side of Todd Street, approximately 420 feet south of East Golf Course Road.)
(DISTRICT 2) (DEVELOPMENT SERVICES)

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

Commissioner John Burkholder asks what animals will be at the facility.

Planner Andrew Meyers defers to Zoo Midland Project Coordinator Chuck Harrington.

Commissioner Steven Villela asks if the facility is only meant to be temporary.

Planner Andrew Meyers confirms the facility is for temporary time spans.

Zoo Midland Project Coordinator Chuck Harrington expounds on the use of the land. He states that it will be used for the temporary housing and veterinary screening of animals scheduled to be added to the zoo. This screening will help protect the animals within the zoo from the introduction of any sickness or disease. He also stated that the property has a greenhouse and another will be added once moved from Midland College. These greenhouses will serve as aquaponic growing facilities to grow produce for the feeding of the animals at the zoo. This offsite location will also help reduce the number of large vehicles going into and out of the zoo location, which was a previous concern. Those vehicles will instead be going to this offsite location then smaller transport vehicles or trailers will be dispatched to the zoo. There is also a small storage building at this location for event storage. He mentioned it is a small location that will be used when animals are onsite with 2-4 people staffing it.

Chair Lucy Sisneiga asked about fencing on the property.

Zoo Midland Project Coordinator Chuck Harrington cited the USDA requirement to have fencing in facilities such as this.

Commissioner Steven Villela asked if the facility will be used after the zoo has its animals.

Zoo Midland Project Coordinator Chuck Harrington responded that it would be used periodically as new animals are introduced or when on loan from other zoos.

Chair Lucy Sisneiga asked how long the quarantine period is.

Zoo Midland Project Coordinator Chuck Harrington responded that it depended on the animal.

Commissioner John Burkholder spoke to the size of the pens and to ensure that the holding period was as temporary as possible for the wellbeing of the animal.

Zoo Midland Project Coordinator Chuck Harrington agreed that this is a temporary holding facility and the goal is to get them to the zoo as soon as possible. There are large and small animal holding areas that include indoor and outdoor areas.

The public hearing was opened at 4:17p.m.

Freddie Arbaldo at 1605 Todd Road came to speak. His objection is due to the animals that will be present on site. The wildlife will pose a danger to the neighborhood and depreciate the value of the homes in the area. He is also concerned about the future development of the area being negatively impacted by the housing of animals. He was clear on his objection pertaining to the animals and not the growing or storage areas. He

also shared concerns on how humane it would be to have large animals on such a small piece of land.

Commissioner Adrian Carrasco repeated the question about fencing for the safety of the neighborhood.

Zoo Midland Project Coordinator Chuck Harrington stated there is an 8ft security fence as well as a screened fence on the North side of the property. Confinement areas will also have fencing.

Commissioner Steven Villela asked if the expected amount of time for an animal to be held on site would be 30 days or less.

Zoo Midland Project Coordinator Chuck Harrington said it should be 30 days or less.

Commissioner Brennan Berry asked if they would be housed inside or outside.

Zoo Midland Project Coordinator Chuck Harrington answered they have an inside area as well as an outdoor exercise pen.

Chair Lucy Sisneiga asked about fencing on the property.

Zoo Midland Project Coordinator Chuck Harrington reiterated it is a USDA requirement to have fencing in facilities such as this.

Commissioner Adrain Carrasco asked if its possible that there will be times when there are no animals on site.

Zoo Midland Project Coordinator Chuck Harrington agreed it is very possible there will be time periods where animals will not be on site.

Commissioner John Burkholder asked if there is a maximum number of animals at one time.

Zoo Midland Project Coordinator Chuck Harrington said capacity all depends on the size of the animals.

Commissioner Abraham Bejil clarified that the zoo will have more housing areas and animals than this facility.

Zoo Midland Project Coordinator Chuck Harrington confirmed the zoo will have more area and animals.

Commissioner Abraham Bejil asked if this is a short-term site.

Zoo Midland Project Coordinator Chuck Harrington confirmed this is a temporary screening site.

Commissioner Adiran Carrasco asked if they had received feedback from neighbors prior to today's meeting.

Zoo Midland Project Coordinator Chuck Harrington said they had not, other than having a lot nearby need cleaning out.

Commissioner Abraham Bejil asked if the surrounding area is also zoned AE.

Planner Andrew Meyers confirmed surrounding areas are zoned AE.

Commissioner Steven Villela confirmed that the fire code regulating occupancy is for humans only.

Zoo Midland Project Coordinator Chuck Harrington confirmed that it is for humans and that they were having similar questions with the zoo.

Chair Lucy Sisneiga inquired about zoo timeline for building.

Zoo Midland Project Coordinator Chuck Harringtons said the drawings would be 100% in May and utility and the site would begin work in June with a hopeful timeline of 18 months.

Commissioner Steven Villela asked if they will use this site before the zoo is built.

Zoo Midland Project Coordinator Chuck Harrington replied that the greenhouses are in use, and they are currently raising birds on site.

Commissioner John Burkholder asked if it would be classified as a wildlife rehabilitation.

Zoo Midland Project Coordinator Chuck Harrington confirmed.

The public hearing was closed 4:31 p.m.

A motion was made by Adrian Carrasco and seconded by Abraham Bejil. The public seating area became restless with multiple people standing and talking. A resident in the notification area of the property came up to speak, not stating his name or other information.

Resident 1 stated he has three children, one of whom is deaf, and two small grandchildren. He equated the fence to a seat belt and a car with the chance of a wreck, it's a precaution but doesn't protect from the full effects of the accident. He also stated that an 8ft fence won't keep a motivated animal inside. His primary question that he would restate was asking who would be responsible when things go bad, and someone gets hurt or worse. He stated that he didn't have an issue with the greenhouses but the animals were a danger to the area. If a domestic pet could be dangerous a wild animal would be more so.

Commissioner Adrian Carrasco encouraged him to speak at City Council. He also asked if more or higher fences would make him feel better.

Resident 1 replied the fences wouldn't fix the problem for him. He suggested they find property in the county further away from anyone since you cannot control or predict an animal's behavior. He agreed he would take it to City Council.

Commissioner Adrian Carrasco encouraged Zoo Midland to look into ways to limit risk and encouraged both parties to work together.

Resident 1 replied that fencing wouldn't be sufficient.

Chair Lucy Sisneiga encouraged him to go to City Council in May and to speak with Zoo Midland Project Coordinator Chuck Harrington and Planning and Development Officer Elizabeth Triggs. Both of whom gave their card or information to the gentleman.

Commissioner John Burkholder thanked him and everyone for speaking and being involved. He asked them to continue to do so at the City Council.

A second resident in the notification area then came forward to speak.

At this time, 4:40p.m. Chair Lucy Sisneiga reopened the public hearing.

Resident 2 then began to speak quickly in Spanish with Chair Lucy Sisneiga responding.

Chair Lucy Sisneiga encouraged her to go to City Council.

Commissioner Steven Villela said they would need a translator for the meeting to continue in Spanish.

The conversation continued off and on with Resident 2 and Chair Lucy Sisneiga.

Commissioner Adrian Carrasco called for a translator.

Chair Lucy Sisneiga briefly recapped the conversation but encouraged Resident 2 to take her concerns to City Council.

The public hearing was closed at 4:43 p.m.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

MISCELLANEOUS

11. Proposed Preliminary Plat of Westview Addition, Section 6, being a replat of Lots 13-14,

Block 2, Westview Addition, Midland County, Texas.

Generally located on the south side of West County Road 58, approximately 1,000 feet west of North County Road 1278. **(DISTRICT: NONE) (ADMINISTRATIVE SERVICES)**

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

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Vega, Sparks

12. Motion approving with staff's recommended conditions a Preliminary Plat of Hannah Addition, Section 6, being a Replat of a 13.84-acre tract of land out of Lot 7, Block 5, Hannah Addition, Section 5, County of Midland, Texas. (Generally located on the northwest corner of the intersection of S County Road 1230 and W County Road 130. (Extra Territorial Jurisdiction) (DEVELOPMENT SERVICES) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**

Planner Diana Geerts gave an overview of this project. No letters of objection were received, staff recommends approval.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: 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

4-17-2024
Date

CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION
MINUTES
May 6, 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 , May 06, 2024.

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

Commissioners absent: Emily Holeva, Adrian Carrasco

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

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 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) (**DEVELOPMENT SERVICES**)

Steven Villela moved to approve Motion No.; seconded by Abraham Bejil.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

3. Motion approving a Final Plat of Melody Acres, Section 18, being a replat of Lot 2, Block 3, Melody Acres, Section 4, City and County of Midland, Texas. (Generally located on the north

side of Tanforan Avenue, approximately 200-
feet east of Oriole Drive.) (DISTRICT 4) (DEVELOPMENT SERVICES)
(DISTRICT 4) (DEVELOPMENT SERVICES)

Planning Manager Xavier Bauguess gave an overview of this project.

Commissioner John Burkholder asked for more information on the letters of objection in the agenda packet but not in the presentation. Since there was 36.6% objection he wanted to ensure that those objections had been straightened out.

Planning Manager Xavier Bauguess explained that the objection letters were for a previous City Council meeting regarding the special exception and did not apply to the current request.

Commissioner Steven Villela asked if any notification letters had been sent out for today's project.

Planning Manager Xavier Bauguess replied that notification letters were sent out for the Final Plat.

Commissioner John Burkholder clarified that there were no letters of objection for today's consideration.

Planning Manager Xavier Bauguess confirmed that there were no letters of objection for the Final Plat being discussed today.

Chair Lucy Sisneiga asked for clarification on when the letters of objection were and why the commissioners did not receive them.

Planning Manager Xavier Bauguess clarified that the letters of objection being discussed were from a City Council meeting for a Special Exception which the Planning & Zoning committee does not hear. The City Council approved the request to reduce the minimum acreage with the Special Exception from 2 acres to 1.6.

Chair Lucy Sisneiga asked what the minimum acreage is for an AE since it is usually 2 acres.

Planning Manager Xavier Bauguess explained that the minimum acreage for an AE is 2 acres, however, the Special Exception, passed by City Council reduced the minimum acreage to 1.6 in this project. Because the plat meets the Special Exception granted by City Council the plat meets the code.

Chair Lucy Sisneiga asked if the special exception would be what would continue being allowed in the area.

Planning Manager Xavier Bauguess replied that he could not speak to future council decisions on Special Exceptions, however, for the matter at hand the minimum acreage is

1.6 because of the Special exception and thus complies with code and must be approved.

Commissioner Steven Villela asked for clarification on it not meeting the minimum for the code.

Planning Manager Xavier Bauguess restated that the Final Plat meets the code because it meets the Special Exception approved by City Council and thus the Final Plat must be granted.

Commissioner Steven Villela continued that it is not 2 acres so it does not meet the minimum for the code.

Alternate Commissioner Joshua Sparks reiterated that it does comply with code because the City Council reduced the minimum acreage to 1.6 for this project therefore the code for this one project is less than 2 acres. He then moved to make a motion of approval.

Joshua Sparks moved to approve this request; seconded by Abraham Bejil.

The motion passed by the following vote:

AYE: Berry, Burkholder, Bejil, Villela, Sparks

NAY: None

ABSTAIN: Sisniega, Richardson

ABSENT: Holeva, Carrasco

4. Motion approving a proposed Final Plat of West End Addition, Section 31, being a replat of Lot 6 and the west half of Lot 5, Block 12, West End Addition, City and County of Midland, Texas. (Generally located at the southeast corner of the intersection of West Texas Avenue and North D Street) **(DISTRICT 3) (DEVELOPMENT SERVICES)**

Steven Villela moved to approve Motion No.; seconded by Abraham Bejil.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

5. Motion approving a Final Plat of West End Addition, Section 33, being a Replat of Lots 5 & 6, Block 3, West End Addition, City and County of Midland, Texas. (Generally located at the southeast corner of the intersection of West Illinois Avenue and North D Street.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**

Steven Villela moved to approve Motion No.; seconded by Abraham Bejil.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

6. Motion approving with the condition that a revised plat with the requested access easement is submitted, a final plat of Sunset Acres, Section 10 being a 7.01-acre tract of land and a 0.25-acre portion of Sinclair Avenue right-of-way and a 0.08-acre portion of alley right-of-way, all out of Tract 2, Sunset Acres, City and County of Midland, Texas. (Generally located northeast of the intersection of Upland Street and W. Golf Course Road.) (DEVELOPMENT SERVICES) (DISTRICT 3) **(DISTRICT 3) (DEVELOPMENT SERVICES)**

Steven Villela moved to approve Motion No.; seconded by Abraham Bejil.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

7. Motion approving a Final Plat of Original Town, Section 26, being a replat of Lots 1 through 24 and a 0.138-acre portion of previously vacated alley right-of-way, Block 97, Original Town Addition, City and County of Midland, Texas. (Generally located southeast of the intersection of S. Main Street and E. Indiana Avenue.) (DISTRICT 2) (DEVELOPMENT SERVICES) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Steven Villela moved to approve Motion No.; seconded by Abraham Bejil.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

PUBLIC HEARINGS

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

8. Consider a request by Armando Sanchez for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 2, Block 60, Park Avenue Heights, Section 2, City and County of Midland, Texas. (Generally located on the west side of South Lee Street, approximately 55 feet south of East California Avenue.) (Council District 2) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Associate Planner Alexis Martinez gave an overview of this project.

Public hearing was opened at 3:57p.m.

Applicant was present but deferred to staff.

Public hearing closed at 3:58 p.m.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

9. Consider a request by Armando Sanchez for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 1, Block 60, Park Avenue Heights, Section 2, City and County of Midland, Texas. (Generally located southwest intersection of S. Lee Street and East California Avenue.) (Council District 2)
(DISTRICT 2) (DEVELOPMENT SERVICES)

Associate Planner Alexis Martinez gave an overview of this project.

Public hearing was opened at 4:00p.m.

Applicant was present but deferred to staff.

Public hearing closed at 4:00 p.m.

Steven Villela moved to approve; seconded by Abraham Bejil.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

10. Consider a request by Armando Sanchez for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 3, Block 60, Park Avenue Heights, Section 2, City and County of Midland, Texas. (Generally located west of S. Lee Street, approximately 110 feet south of E. California Avenue.) (DISTRICT 2)
(DEVELOPMENT SERVICES) (DISTRICT 2) (DEVELOPMENT SERVICES)

Associate Planner Alexis Martinez gave an overview of this project.

Public hearing was opened at 4:02p.m.

Applicant was present but deferred to staff.

Public hearing closed at 4:03 p.m.

Steven Villela moved to approve; seconded by Abraham Bejil.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

11. Consider a request by Darpan Bhakta for a Specific Use Designation with Term for the sale of beer and wine for On-Premises Consumption in a Hotel Lounge, on Lot 31A, Block 39, Fairmont Park Addition, Section 38, City and County of Midland, Texas. (Generally located on east side of W Loop 250 N frontage road approximately 920 feet north of Tremont Avenue. **(DISTRICT 1) (DEVELOPMENT SERVICES)**)

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

Senior Planner Diana Geerts gave an overview of this project.

Public hearing was opened at 4:05p.m.

Applicant was present but deferred to staff.

Public hearing closed at 4:06 p.m.

12. Consider a request by Twin Restaurants Midland for a Specific Use Designation with Term for the sale of Alcoholic Beverages Sales for On-Premises Consumption in a Restaurant, on Lot 24C, Block 6, Crestgate Addition, Section 27, City and County of Midland, Texas. (Generally located on the north side of West Loop 250 North approximately 350-feet east of N Midland Drive. **(DISTRICT 1) (DEVELOPMENT SERVICES)**)

Senior Planner Diana Geerts gave an overview of this project. She noted 10 letters of objection were received, however, only 2 letters were in the notification area with the other 8 objection letters were outside the 200 ft notification area.

Commissioner Abraham Bejil asked what percentage the letters of objection were.

Senior Planner Diana Geerts explained that 20% is the amount to call for super majority at city council. Today there was a 12% objection, so staff was recommending approval.

Chair Lucy Sisneiga asked if the percentage of objection received complied with the code.

Senior Planner Diana Geerts confirmed the percentage of objection was within the allowable range and met code. Because of this staff was recommending approval.

Commissioner John Burkholder asked how long the notice window was.

Senior Planner Diana Geerts replied the notice window in this project was both 10 days and 14 plus because the notices were sent out twice.

Chair Lucy Sisneiga thanked Senior Planner Diana Geerts for answering their questions.

Public hearing was opened at 4:10p.m.

Applicant was present but deferred to staff.

Jimmy McKay at 4307 Crestwood Ave spoke in objection. He is not fond of liquor being sold that close to his backdoor. He understands business but is concerned it is not good for property values or for the safety of the location. His concern is the alley opening directly behind the proposed location is in line with his driveway. He is concerned about the alley being narrow and people being hurt. He also mentioned he had spoken to his immediate neighbors on either side and they too objected for the same reason.

Commissioner John Burkholder asked if he submitted his letter of objection.

Jimmy McKay at 4307 Crestwood Ave confirmed he had mailed it the day he received it.

Commissioner Abraham Bejil encouraged the resident to speak out at City Council.

Jimmy McKay at 4307 Crestwood Ave stated he wasn't sure when the right time to speak was. He inquired about the date of City Council.

Senior Planner Diana Geerts answered the next City Council would be May 28, 2024.

Chair Lucy Sisneiga responded that the Planning & Zoning Commission only votes on what follows the code. She also reminded everyone that the previous restaurant in the same location served alcohol. She then encouraged the resident to speak about his concerns at City Council.

Public hearing closed at 4:14 p.m.

Brennan Berry moved to approve this request; seconded by Joshua Sparks.

The motion passed by the following vote:

AYE: Berry, Sisniega, Sparks, Richardson

NAY: Villela

ABSTAIN: Burkholder, Bejil

ABSENT: Holeva, Carrasco

13. Consider a request by Jose Mendez for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on all of Lot 7 and the south 48 feet of Lot 8, Block 41, Greenwood Addition, Third, Fourth, and Fifth Sections, City and

County of Midland, Texas. (Generally located on the east side of South Webster Street, approximately 65-feet south of E. Pennsylvania Avenue.) (DISTRICT 2) (DEVELOPMENT SERVICES) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Planner Daniel Humbert gave an overview of this project.

Public hearing was opened at 4:05p.m.

Applicant was not present.

Dave Jenkins at 700 S. Webster St spoke in support. He wanted to bring two points before the commission. His first was thanking the commissioners and staff for their time and service. His second matter was a concern for the safety of the children, veterans, and seniors on their block. He wanted the commission to consider finishing the sidewalks on the block to help keep the children who walk in the neighborhood safe and off the street where the construction vehicles for this project would be.

Commissioner Steven Villela encouraged the resident to speak with Developmental Service Officer Elizabeth Triggs about who would be best to talk to about the sidewalks since the P&Z Commission did not cover that subject matter.

Dave Jenkins at 700 S. Webster St asked if the commissioners could comment in favor of the sidewalks to encourage the City to take action on the sidewalks being completed.

Chair Lucy Sisneiga agreed and suggested that perhaps the contractors impact fees could be put towards the sidewalks being completed.

Developmental Service Officer Elizabeth Triggs said she would speak with Assistant City Manager Jose Ortiz about the impact fees and other options in regards with finishing the sidewalk.

Dave Jenkins at 700 S. Webster thanked the commission and staff for their time and effort.

Chair Lucy Sisneiga reiterated that solutions for the sidewalk would be discussed.

Developmental Service Officer Elizabeth Triggs committed to looking into the sidewalk concerns.

Public hearing closed at 4:24 p.m.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holvea, Carrasco

14. Hold a public hearing and consider a request by Schumann Surveying for a zone change from MF-22, Multiple-Family Dwelling District, to 2F, Two-Family Dwelling (Duplex) District for a one-acre tract of land out of Tract 1, Bizzell Kiser Addition, City and County of Midland, Texas. (Generally located on the north side of East Montgomery Avenue, approximately 135 feet east of South Fort Worth Street.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Planning Manager Xavier Bauguess gave an overview of this project.

Commissioner Steven Villela asked if a replat would be coming next for the project.

Planning Manager Xavier Bauguess replied that yes, a replat would be coming after the zone change. He specified that there were reviews for minimum requirements made for the rezoning and would be reviewed a second time for the replating.

Public hearing was opened at 4:27p.m.

Applicant was not present.

Public hearing closed 4:28 p.m.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

15. Hold a public hearing and consider a request by Antojo Pura Vida for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption in a restaurant on a 4,799-square-foot portion of the south 32 feet of Lot 2 and all of Lots 3 through 6, Block 205, Southern Addition, City and County of Midland, Texas. (Generally located northwest of the intersection of Big Spring Street and West New Jersey Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Planning Manager Xavier Bauguess gave an overview of this project.

Alternate Commissioner Joshua Sparks asked for clarification on why the extended hours for the SUD were beyond the normal operating hours of the business.

Planning Manager Xavier Bauguess replied that to his knowledge it was in case a special event such as a sporting event ran past the standard time.

Public hearing was opened at 4:32p.m.

Applicant was not present.

Public hearing closed at 4:32 p.m.

John Burkholder moved to approve this request; seconded by Brennan Berry.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

16. Hold a public hearing and consider a request by Mission Agape for a zone change from SF-2, Single-Family Dwelling District, to O-1, Office District for Lot 2, Block 92, Wilshire Park Addition, Section 25, City and County of Midland, Texas. (Generally located on the south side of Thomason Drive, approximately 240 feet west of South Midland Drive.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**

Planning Manager Xavier Bauguess gave an overview of this project.

Alternate Commissioner Dara Richardson asked if staff had considered possible traffic concerns if the project continued.

Planning Manager Xavier Bauguess replied that the Transportation Department had reviewed and approved this project and would review again at time of permit request.

Public hearing was opened at 4:37p.m.

Applicant was present but deferred to staff.

Public hearing closed at 4:37 p.m.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

MISCELLANEOUS

17. Motion approving a Preliminary Plat of Campgrounds Addition, Section 2, being a replat of a 4.55-acre tract of land out of Lot 7, Block 1, 1788 Industrial Park, County of Midland, Texas. (Generally located on the west side of South County Road 1270, approximately 540 feet north of West County Road 157. (EXTRA TERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**

Senior Planner Diana Geerts gave an overview of this project.

Commissioner Steven Villela asked if this project currently had RV's on site.

Senior Planner Diana Geerts replied that there were no RV's at this location, however, Campgrounds 1 was currently a man camp.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

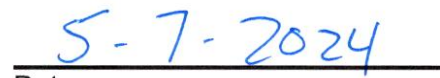
With no further items or business to come before the Commission, Chairwoman Sisniega adjourned the meeting at

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: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

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

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

C, Commercial District.

Preliminary Plat Approval:

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

The preliminary plat was approved at the March 4, 2024, Planning and Zoning Commission meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

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

WATER: 6" water exists in Rhode Island Street N of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

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

DRAINAGE: Existing site is developed; If proposing to re-develop site drainage can be reviewed with building permit.

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

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

Transportation: (Approved)

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

Fire: (Approved)

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

Oil and Gas: (Approved)

No Oil and Gas issues.

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire

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

GIS: (Approved)

No comments.

Planning: (Approved)

Staff recommends approval of the Final Plat of Hines Addition, Section 5.

Attachments:

Application
Proposed Final Plat
Maps



VICINITY MAP
(NOT TO SCALE)

NOTICE:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. COORDINATES, BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE LAMBERT GRID AND CONFORM TO THE "TEXAS COORDINATE SYSTEM", TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM 1983.
4. WITH REFERENCE TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, MAP NO. 48329C0202F, EFFECTIVE DATE: 09/16/05, THIS SURVEYOR HAS DETERMINED THAT PART OF THIS PROPERTY IS LOCATED IN ZONE "X" WITH THE 100 YEAR FLOODPLAIN. THIS DETERMINATION SHALL NOT CREATE A LIABILITY UPON SAID SURVEYOR.
5. PROPOSED WATER, SANITARY SEWER, AND STORM WATER PIPELINES WITH CULVERTS BRIDGES, AND OTHER APPURTENANCES OR STRUCTURES SHOWN (ONE-LINE PLANS), ARE REQUIRED BEFORE PRELIMINARY PLAT APPROVAL.
6. A BLANKET UTILITY EASEMENT FOR ELECTRIC SERVICE IS GRANTED HEREBY FOR HINES ADDITION, SECTION 5, TO ONCOR ELECTRIC. THIS BLANKET EASEMENT IS ONLY GRANTED FOR EXISTING ELECTRIC UTILITY LINES AND STRUCTURES AS OF THE RECORDING DATE OF THIS PLAT. NEW ELECTRIC STRUCTURES OR LINES WILL REQUIRE EASEMENT LEGAL DESCRIPTIONS BY SEPARATE INSTRUMENT OR BY REPLAT OF THIS LOT AND BLOCK.

LEGEND

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

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY Print Name:

OPTIMUM Print Name:

AT&T-TEXAS Print Name:

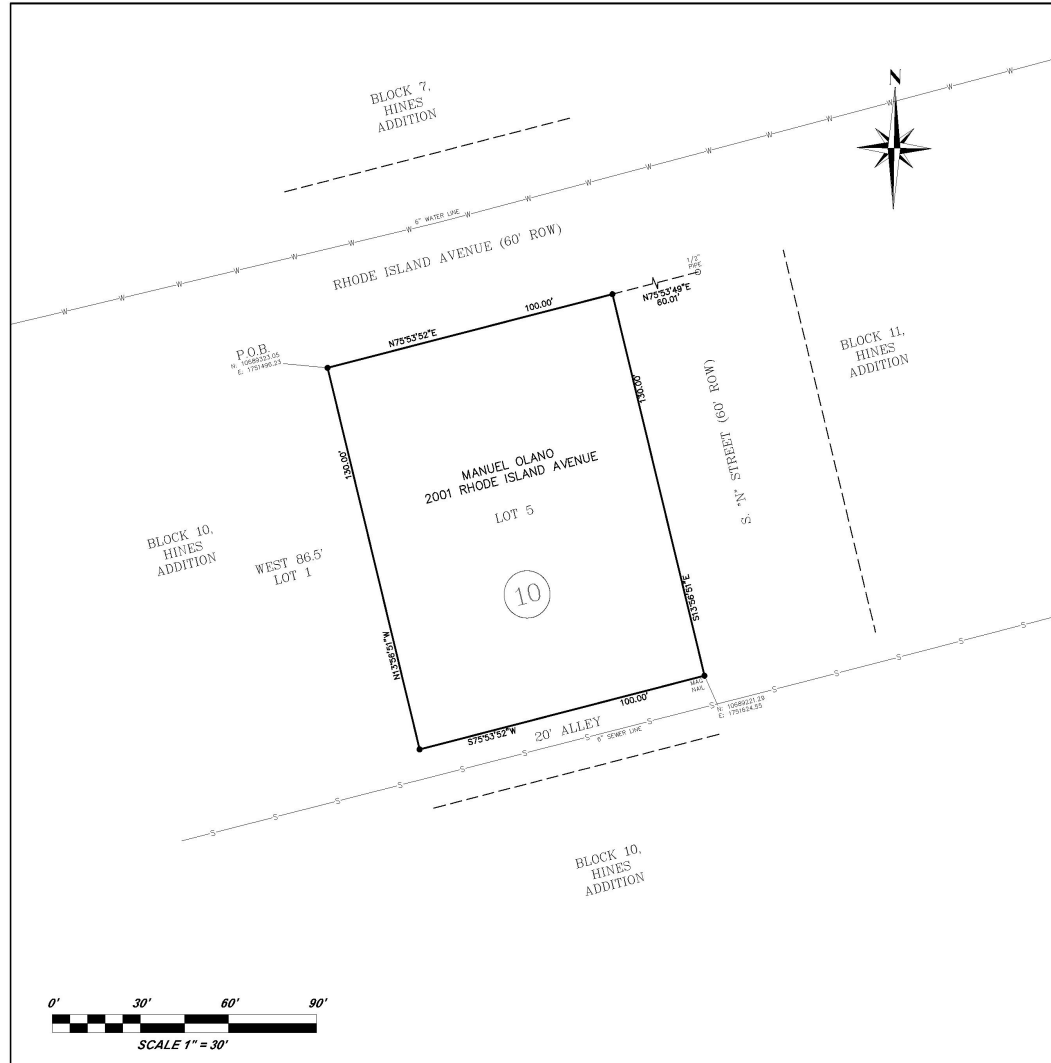
ONCOR ELECTRIC DELIVERY Print Name:

ASTOUND Print Name:

PACKET

FINAL PLAT

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



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, MANUEL L. OLANO, being the owner of the land shown on this plat designated as LOT FIVE (5), BLOCK 10 (10), HINES ADDITION, SECTION 5, an Addition to the City of Midland, Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon; and do hereby give an easement of ingress and egress to the City of Midland for garbage and trash collection, and location and maintenance of trash containers and access thereto, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.

WITNESS my hand at _____, this the _____ day of _____, 2024.

By: MANUEL L. OLANO OWNER

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

the _____ day of _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

DURYN HENNINGTON, R.P.L.S. 6832
110 W. LOUISIANA AVE., SUITE 110
MIDLAND, TX 79701
432.687.0865

CERTIFICATE OF APPROVAL

For approval by the Commission:

This is to certify that the above and foregoing plat of "HINES ADDITION, SECTION 5" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

the _____ day of _____, 2024.

LUCY SISNEGA, CHAIRMAN

XAVIER BAUGUCESS, SECRETARY

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE: _____

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

PENNELL LAND SURVEYING
PROFESSIONAL LAND SURVEYING
P.O. BOX 51602 • MIDLAND, TEXAS 79710

VOICE (432) 570-6256
brucepennell@yahoo.com

FIRM No.: 10193978

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

Page 4 of 30

APRIL 2024
May 20, 2024
HINES ADDITION,
SECTION 5



Final Plat Application

Project Number: SUB - 23 - 0697

Case Number: _____

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

Printed Name:

MANUEL L. OLANO

Phone (

432 413-1427

Email

molano12@yahoo.comAddress **103 CANYON DR.**City **MIDLAND**State **TX**Zip **79703****Developer** (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: PENNELLS LAND SURVEYING, LLCPrinted Name: **DURYN HENINGTON**

Phone (

432 570-6256

Email

dhenington.
pennellsurvey@gmail.comAddress **2030 W. CUTHBERT, STE. 4**City **MIDLAND**State **TX**Zip **79701****Current Zoning:**C Commercial**Reason for Platting:**to get building permit for new building
for construction business**Plat Information**Total Acreage: **0.298**Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 1

Number of Multi-Family Dwelling Units:

Submittal 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):

[Signature]

Date:

4/23/24

Property Owner (printed):

Manuel Olano

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.

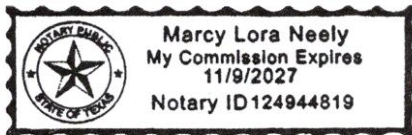
STATE OF TEXAS
COUNTY OF MIDLAND

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

[Signature]

Authorized Agent (signature)

Subscribed and sworn to before me, this 23rd day of April, 2024, to certify which witness my hand and seal of office.



[Signature]

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☐ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☐ Mylar

☐ 1 Copy of Plat (11x17)

☐ CADD File

☐ Application Fee

☐ Title Opinion

☐ Public Improvement

Check # _____

☐ Tax Certificates

☐ Recording Fee

Check # _____

Received By: _____

Date: _____

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

PACKET

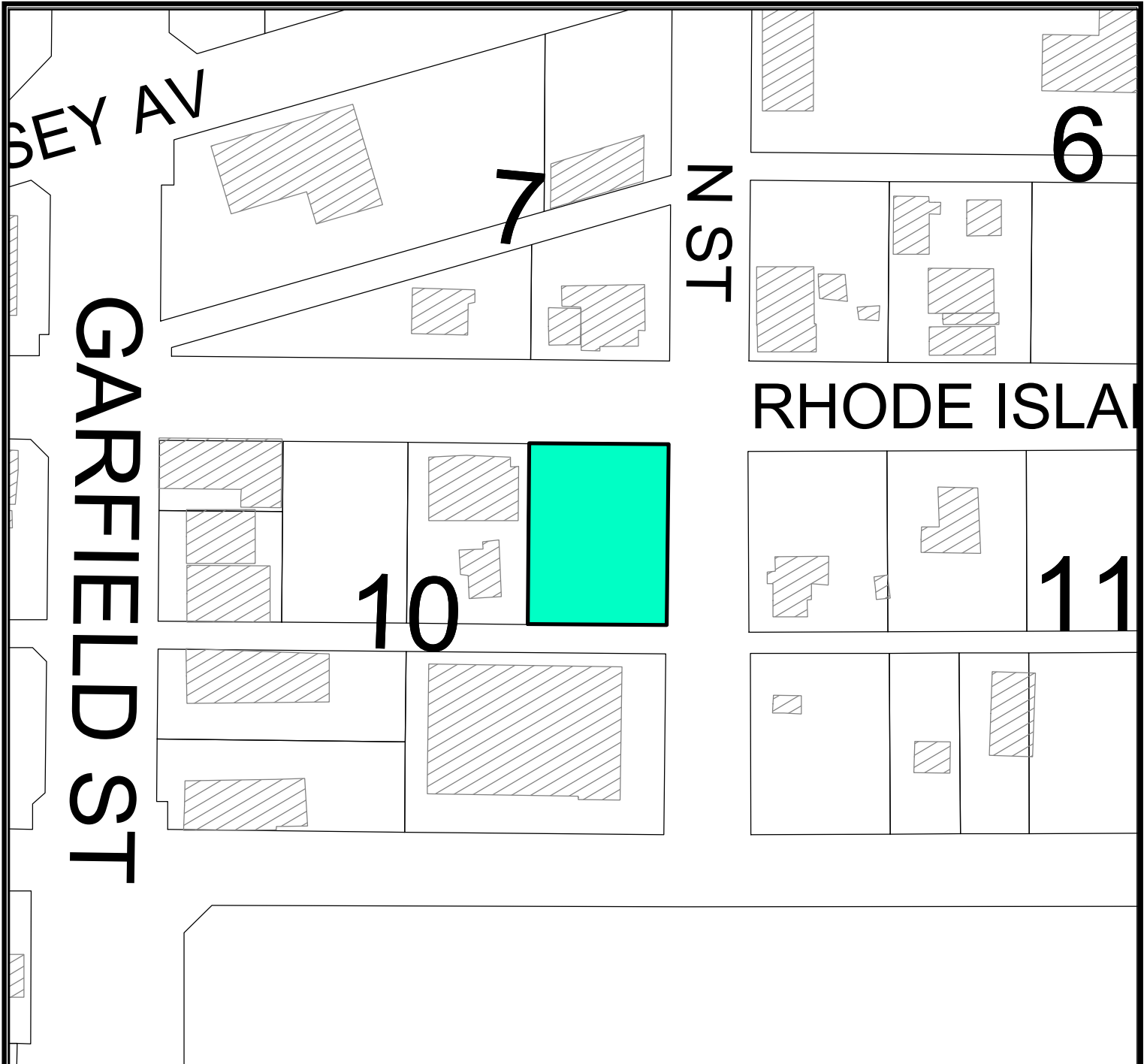
Page 4.32

BY May 20, 2024...

Final Plat Application

2

Revised 7/01/19



LOCATION MAP

SUB-23-0697

Scale: 1" = 104'

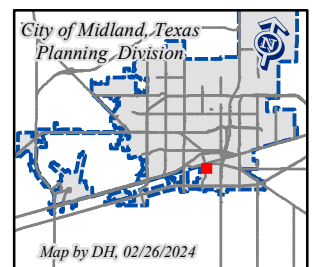
Proposed Plat of Hines Addition, Section 5, being a replat of the east 100 feet of Lot 1, Block 10, Hines Addition, City and County of Midland, Texas.

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

(Council District 2)
PACKET

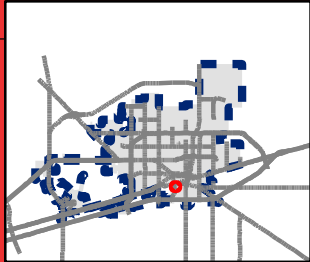
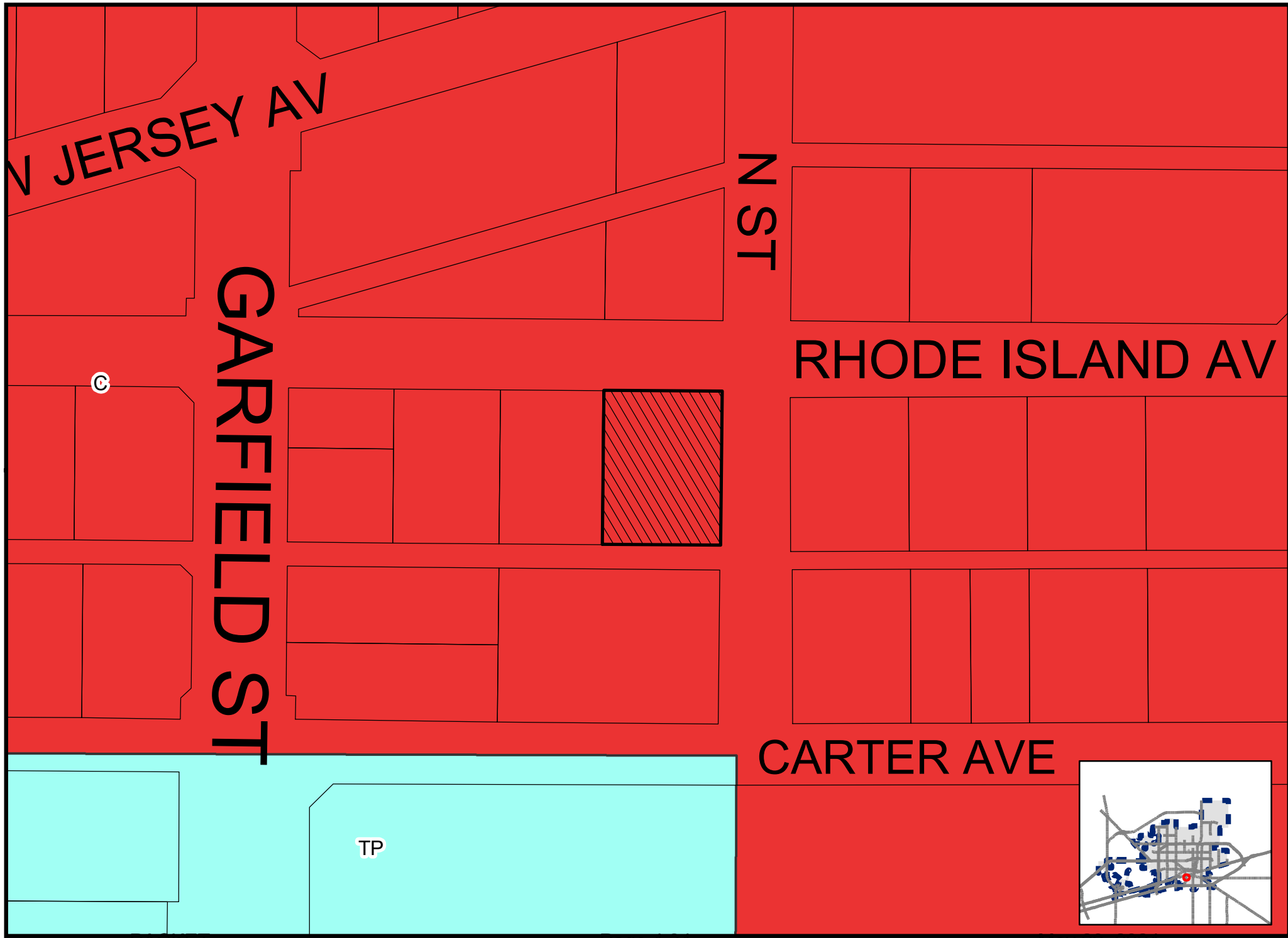
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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





RHODE IS

10

PACKET

Page 4.35

May 20, 2024



Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving a Final Plat of 349 Retail Addition, Being a Replat of Lot 1, Block 1, TSC Development, Section 1, and Lot 1, Block 1, Midland Country Club Estates Addition, City and County of Midland, Texas (Generally located west of North State Highway 349, approximately 400-feet south of Occidental Parkway) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

RR, Regional Retail District.

Preliminary Plat Approval:

Schumann Surveying, Inc., on behalf of Fierce Property Investments LLC, is requesting to plat to obtain septic permits and addresses for future retail and fast-food development on 6409 North State Highway 349. The proposed subdivision will have a total acreage of 5.824 and 3 lots.

The preliminary plat was approved at the October 16, 2023, Planning and Zoning Commission meeting.

The zone change request was approved by Council on February 27, 2024 per Ordinance 10490.

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: HWY 349 is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: 8" water exists along HWY 349, 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.

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

SEWER: 15" wastewater exists along HWY 349, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

DIMENSION: * * *

OTHER: * * *.

Transportation: (Approved)

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

Fire: (Approved)

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

Oil and Gas: (Approved)

No Oil & Gas well concerns. Informational: No Oil or Gas wells identified within 500 ft. radius of city permitted well 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)

No comments.

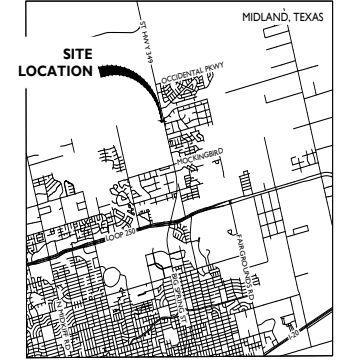
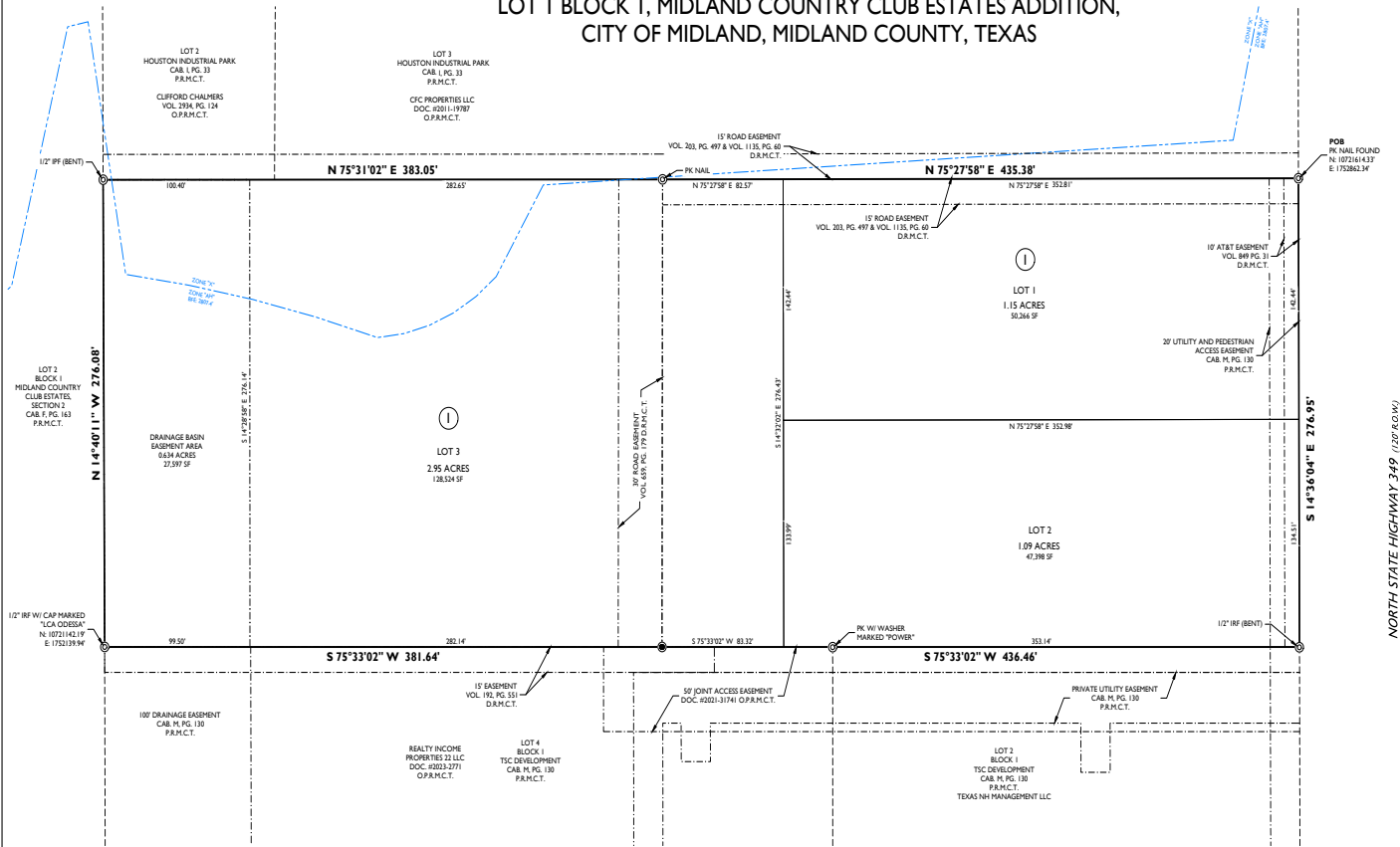
Staff recommends approval of the Final Plat of 349 Retail Addition.

Attachments:

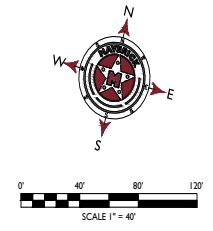
Application
Proposed Final Plat
Maps

349 RETAIL ADDITION

BEING A REPLAT OF LOT 1, BLOCK 1, TSC DEVELOPMENT, SECTION 1 AND
LOT 1 BLOCK 1, MIDLAND COUNTRY CLUB ESTATES ADDITION,
CITY OF MIDLAND, MIDLAND COUNTY, TEXAS



VICINITY MAP
N.T.S.



LEGEND

- DENOTES SET 1/2-INCH IRON ROD W/ PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
- DENOTES FOUND MONUMENT AS NOTED
- DENOTES BOUNDARY LINE
- - - DENOTES EXISTING PROPERTY LINES
- - - DENOTES EXISTING EASEMENT LINE
- - - DENOTES PROPOSED EASEMENT LINE
- - - DENOTES EXISTING FLOODPLAIN
- P.R.M.C.T.
- P.R.M.C.T.
- D.M.C.T.

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 WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
(1) THE REPRESENTED LOTS ARE REAPPORTIONED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASED.
- LOTS 1, 2, AND 3, BLOCK 1, THIS PLAT HEREBY ADOPT A BLANKET MUTUAL ACCESS, CROSS ACCESS, UTILITY, AND PARKING EASEMENT VIA ALL IMPAVED DRIVES WITHIN THE DEVELOPMENT.
- NO DRIVEWAY WILL BE PERMITTED WITH THIS PLAT UTILIZING THE EXISTING 15' ROAD EASEMENT ALONG THE NORTH LINE OF LOTS 1 AND 3 AS SHOWN HEREON.

FIRM NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #4832C01001, DATED SEPTEMBER 18, 2005, THIS PROPERTY IS PARTIALLY WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN AND PARTIALLY WITHIN THE SHADED PORTION OF ZONE "X", DESIGNATED AS "CRITICAL FLOOD HAZARD AREA (CFHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD" WITH A BASE FLOOD ELEVATION OF 2807.4'.

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

SURVEY NOTES

- BASE OF BEARING, COORDINATES, DISTANCE AND ACRES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, AND 83 U.S. SURVEY FOOT WITH A CONVERSION FACTOR (1000 of 0.314464) AND A COMBINED SCALE FACTOR OF 0.9999999141 NEG. "MIDLAND".
- 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
- SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE PUBLIC RECORDS FOR THE COMPLETE RECONSTRUCTION OF THIS SURVEY.

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, MAINTAINING, IMPROVING, REPAIRING, ALTERING, OPERATING, MAINTAINING, ACCESSING, INSPECTING, REMOVING, RELOCATING AND REMOVING DRAINAGE IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO THE RIGHT TO CUT AND TRIM BUSHES AND TREES, TOGETHER WITH THE RIGHT OF INGRESS, EGRESS AND REGRESS FOR SUCH PURPOSES IN, ON, UPON, OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREIN.

2. DEVELOPER MAY NOT USE ANY PART OF THE PROPERTY DESCRIBED HEREIN IF SUCH USE WILL DAMAGE, DESTROY, INJURE, AND/OR UNLAWFULLY INTERFERE WITH THE CITY OF MIDLAND'S USE OF THE PROPERTY. DEVELOPER EXPRESSLY COVENANTS AND AGREES FOR TITLE ITS LEGAL REPRESENTATIVES, SUCCESSORS AND/OR ASSIGNS, THAT NO BUILDING, ROADWAY, OR CURB AND GUTTER OF ANY KIND WILL BE PLACED ON THE PROPERTY DESCRIBED HEREIN. WRITTEN PERMISSION FOR ABOVE-GROUND APPURTENANCES MUST BE OBTAINED FROM THE CITY OF MIDLAND, PRIOR TO INSTALLATION.

3. THE CITY OF MIDLAND SHALL HAVE THE RIGHT TO INVESTIGATE DEFICIENCIES IN THE FUNCTION OF THE STORMWATER FACILITY, AND TO BE REIMBURSED BY THE PROPERTY OWNER, IF THE CITY FINDS IT NECESSARY FOR PUBLIC HEALTH AND SAFETY.

4. THE MAINTENANCE OF ANY STORMWATER FACILITY IN THIS EASEMENT IS THE RESPONSIBILITY OF THE PROPERTY OWNER. PROPERTY OWNER AGREES TO MAINTAIN THE FACILITY IN WORKING ORDER, WITH REPAIRS AND CORRECTIVE ACTION MADE AT LEAST ANNUALLY. REPORTS OF SUCH INSPECTIONS AND MAINTENANCE SHALL BE KEPT FOR INSPECTION BY THE CITY OF MIDLAND STORMWATER ADMINISTRATOR ON REQUEST, OR MAY BE FORWARDED TO THE CITY ENGINEER'S OFFICE.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, GREGORY W. SHULTS, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ORIGINAL 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.



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, FENCE PROPERTY INVESTMENTS, LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 11, BLOCK X, H.P. HILLARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT FENCE PROPERTY INVESTMENTS, LLC, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS 349 RETAIL ADDITION, IN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, AND WHSE 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 THEREIN, AND CONDITION SAID EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

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

BY: CHRIS BUTLER, FENCE PROPERTY INVESTMENTS, LLC

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

AT&T ENERGY
BY: _____

AT&T
BY: _____

OPTIMUM
BY: _____

24/7 FOUNDRY & IRONWORK
BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF 349 RETAIL ADDITION, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

_____ DAY OF _____, 2024.

LUCY DOMEGA, CHAIRMAN

JANIS MAUGES, SECRETARY



MAVERICK
CIVIL ENGINEERING / LAND SURVEYING

1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FIRM # F-15089
SURVEY FIRM # F-194514
Tel: (432) 262-0999 Fax: (432) 262-0999
www.maverick-eng.com

349 RETAIL ADDITION



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: 349 Retail Addition**Legal Description (attached sealed Metes and Bounds):** Being a Replat of Lot 1, Block 1, TSC Development, Section 1 and Lot 1, Block 1, Midland Country Club Estates Addition, City of Midland, Midland County, Texas**Property Owner**

Printed Name: Fierce Property Investments

Phone (432) 262-0999

Email
chris@cmbcllc.com

Address 4416 Briarwood Ste 110 box 23

City Midland

State TX

Zip 79707

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Printed Name: Paladin 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: RR & PD**Reason for Platting:** ownership purposes**Plat Information**

Total Acreage: 5.824

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

Number of Lots: 3

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')For plats 18" to 24" \$61.00For plats that exceed 24" \$81.00For 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): Chris ButlerDate: 4/9/24Property Owner (printed): 8850D3C9528640B... Chris Butler

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.

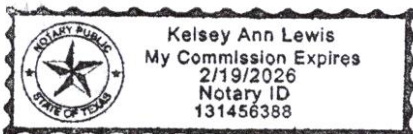
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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

Andrew L Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 9th day of April, 2024, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

- | | | |
|---|---|--|
| ☐ Property Owner Authorization | ☐ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☐ Mylar | ☐ 1 Copy of Plat (11x17) | ☐ CADD File |
| ☐ Application Fee | ☐ Title Opinion | ☐ Public Improvement |
| Check # <u>4725</u> | ☐ Tax Certificates | ☐ Recording Fee |

Received By: [Signature]Date: APR 24 2024

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

PACKET

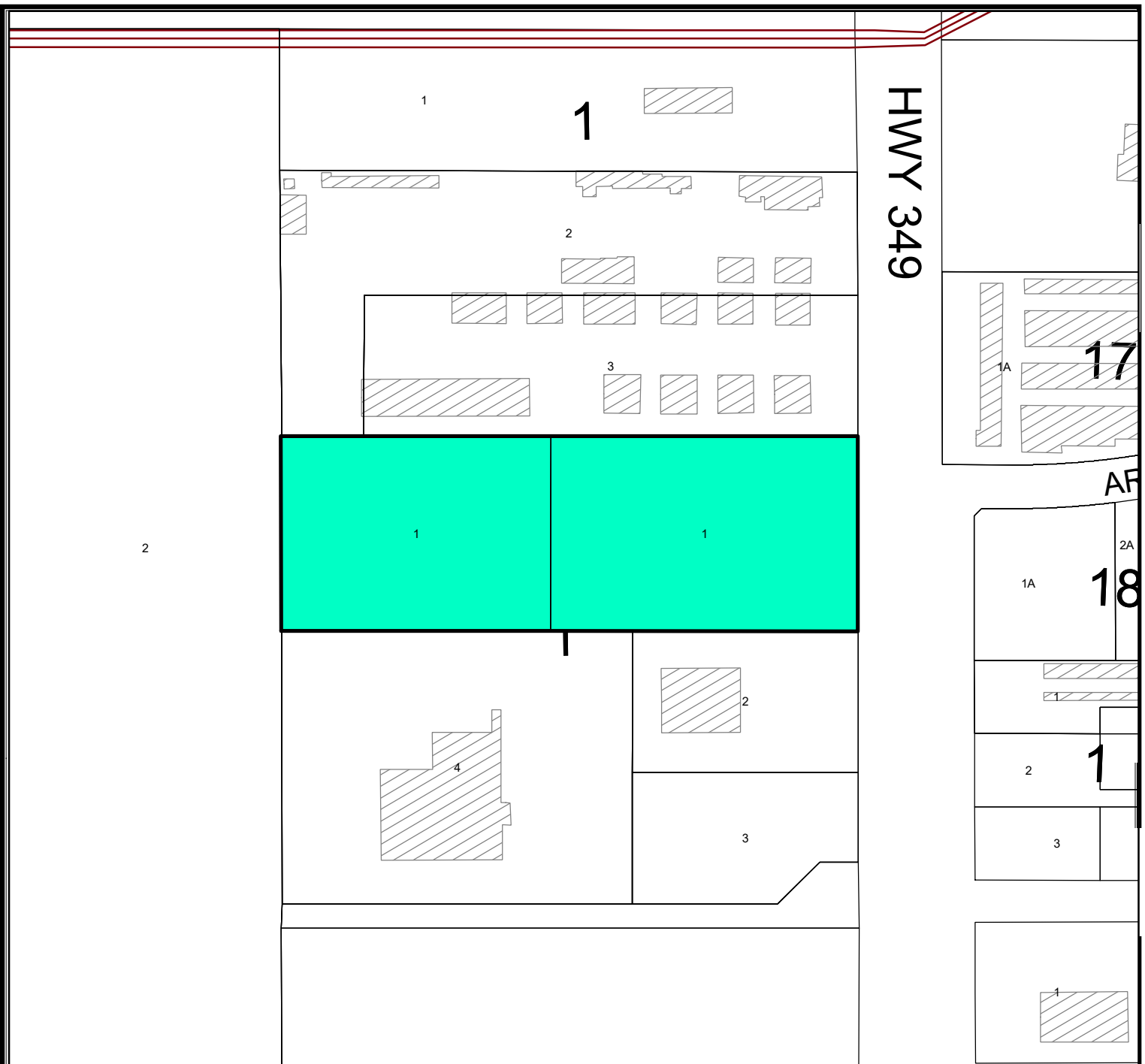
Page 5.41

May 20, 2024

Final Plat Application

2

BY: Revised 7/01/19



LOCATION MAP

SUB-23-0656

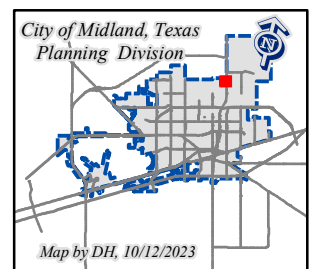
Scale: 1" = 2,456'

Proposed plat of 349 Retail Addition, being a Replat of Lot 1, Block 1, TSC Development, Section 1, and Lot 1, Block 1, Midland Country Club Estates Addition, City and County of Midland, Texas.

Generally located west of North State Highway 349, approximately 400 feet south of Occidental Parkway (District)

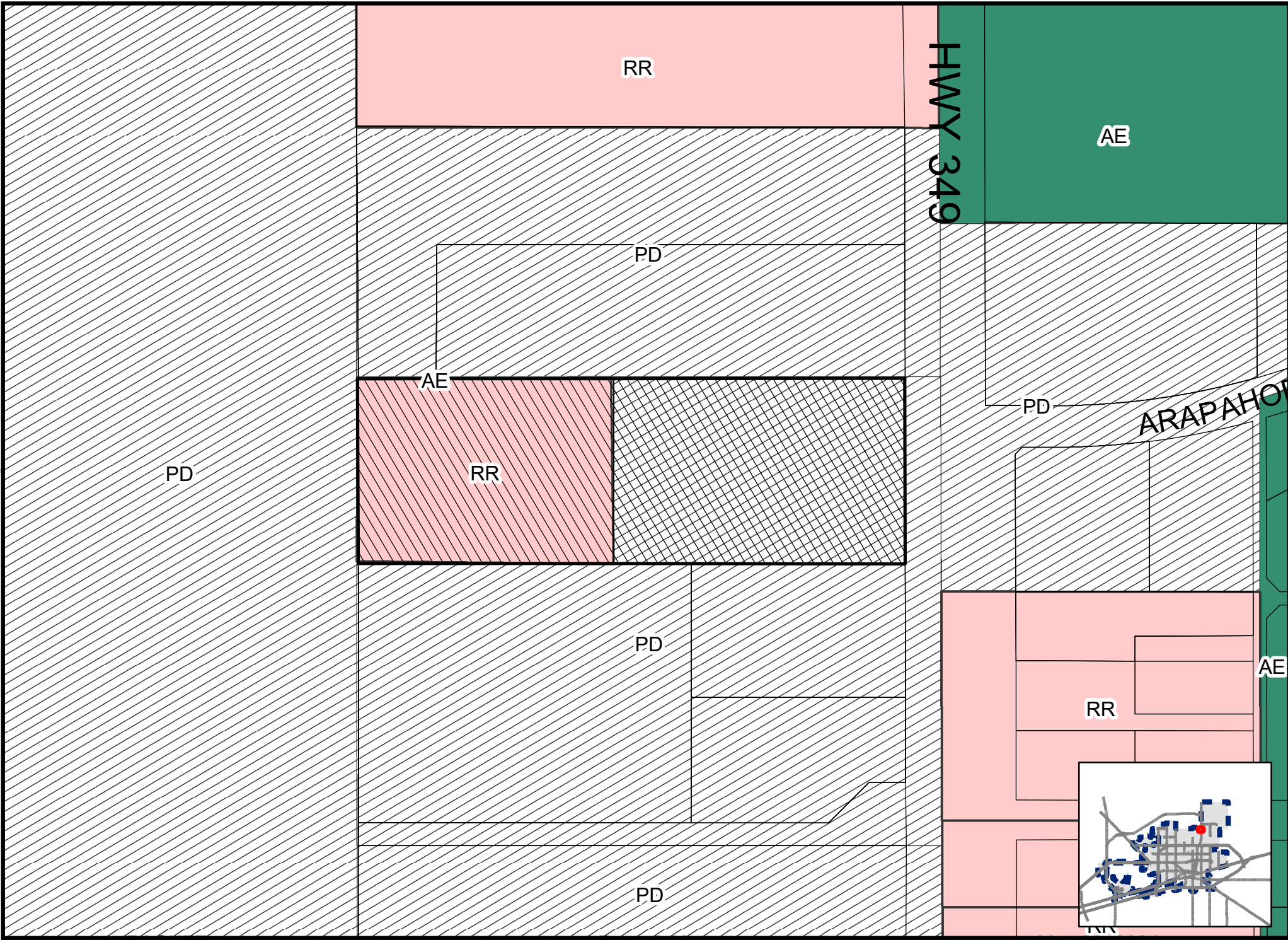
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving a Final Plat of Rieta Proctor Addition, being a 12.60-acre tract of land located in the north half of the southeast quarter of Section 15, Block 38, T-2-S, T&P, RR Co. Survey, Midland County, Texas. (Generally located on the west side of South County Road 1160, approximately 470-feet south of East County Road 130) (DISTRICT: NONE) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

Schumann Surveying Co., Inc. on behalf of Midland Farm, LLC is requesting to plat to obtain septic permits and addresses located on South County Road 1160. The proposed subdivision will have three (3) lots with a total acreage of 12.60.

The preliminary plat was approved at the March 4, 2024, Planning and Zoning Commission meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

PAVING: Deferral request for paving improvements were administratively approved on 05/10/2024. [For Applicant's Information Only.]

WATER: Deferral request for water improvement were administratively approved on 05/10/2024. [For Applicant's Information Only.]

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

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

SEWER: Deferral request for sewer improvements were administratively approved on 05/10/2024. [For Applicant's Information Only.]

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

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

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. All septic systems are permitted and regulated by the City of Midland Health Department.

GIS: (Approved)

No comments.

MIDLAND COUNTY PUBLIC WORKS: (Approved)

No comments.

HEALTH DEPARTMENT: (Approved)

Yes, the health department will review application from the 3 proposed lot of Rieta Proctor Addition, PLAT OF A 12.6 ACRE TRACT OF LAND OUT OF THE NORTHEAST OF SECTION 15, BLOCK 38, T-2-S, T. & P. RR. CO. SURVEY, lots 1-3 are 3.8 acre property owner must contact the pipeline company to get the setback to their pipeline before any excavation can occur to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

CRMWD: (Approved)

No comments.

Planning: (Approved)

Staff recommends approval of the Final Plat of Rieta Proctor Addition.

Attachments:

Application
Proposed Final Plat
Maps

RIETA PROCTOR ADDITION

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

STATE OF TEXAS §
COUNTY OF MIDLAND §

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

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

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

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

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

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

THENCE NORTH 75°40'10" EAST, AT 597.64 FEET PASS A REINF BAR SET IN SAID WEST RIGHT OF WAY LINE OF SAID SOUTH COUNTY ROAD 1160, IN ALL 657.64 FEET TO THE PLACE OF BEGINNING.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS RIETA PROCTOR ADDITION, AN ADDITION OF 12.60 ACRES IN MIDLAND COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

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

MIDLAND FARM, LLC

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2024, BY MIDLAND FARM, LLC.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE THE CITY PLANNING AND ZONING COMMISSION:

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

SIGNED: _____

CHAIRMAN LUCY SISNEGA

ATTEST: _____

SECRETARY XAVIER BAIGUENS.

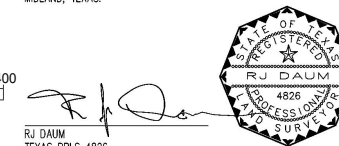
LEGEND:

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

OWNER(S):

MIDLAND FARM, LLC
(432) 218-7274
902 W. WALL ST.
MIDLAND, TEXAS 79701
csullivan@shull-lawoffice.com

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



RJ DAUM
TEXAS RPLS 4826

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

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

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____
DATE _____ PAGE _____





Final Plat Application

Project Number: SUB-23-0678

Case Number: _____

Proposed Subdivision Plat Name: RIETA PROCTOR ADDITION**Legal Description (attached sealed Metes and Bounds):** BEING A 12.60 ACRE TRACT OF LAND
IN THE NORTHEAST PART OF SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS

Property Owner Printed Name: <u>MIDLAND FARM, LLC</u>		Phone (<u>432</u>) <u>791-7329</u>	
Address <u>902 W. WALL ST.</u>		Email <u>CSHULL@shull-lawoffice.com</u>	
City <u>MIDLAND</u>	State <u>TX</u>	Zip <u>79701</u>	

Developer (if different than Owner) Printed Name: _____		Phone () _____	
Address _____		Email _____	
City _____	State _____	Zip _____	

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>SCHUMANN SURVEYING, INC.</u>		Phone (<u>432</u>) <u>684-5548</u>	
Printed Name: <u>EDUARDO ALEMAN</u>		Email <u>edaleman@schumannonline.net</u>	
Address <u>800 N. MARIENFELD SUITE 100</u>	City <u>MIDLAND</u>	State <u>TX</u>	Zip <u>79701</u>

Current Zoning: _____**Reason for Platting:** TO OBTAIN SEPTIC PERMITS AND ADDRESS

Plat Information	Total Acreage: <u>12.60</u>
Type: ☐ Single-Family Residential ☐ Multi-Family Residential	
☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: <u>3</u>	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: 4-22-24

Property Owner (printed):

D. CECILY SHULL

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

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

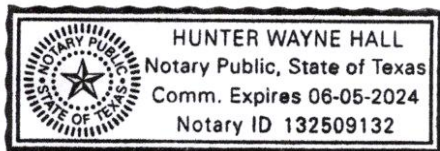
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

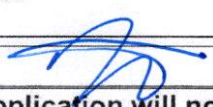
Subscribed and sworn to before me, this 24th day of April, 20 24, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Received By: 

Date: APR 24 2024

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



OBJECTION MAP

SUB-23-0678

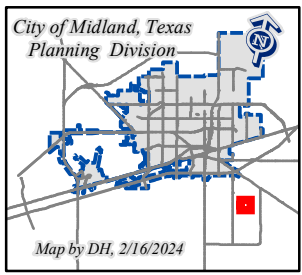
Scale: 1" = 518'

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

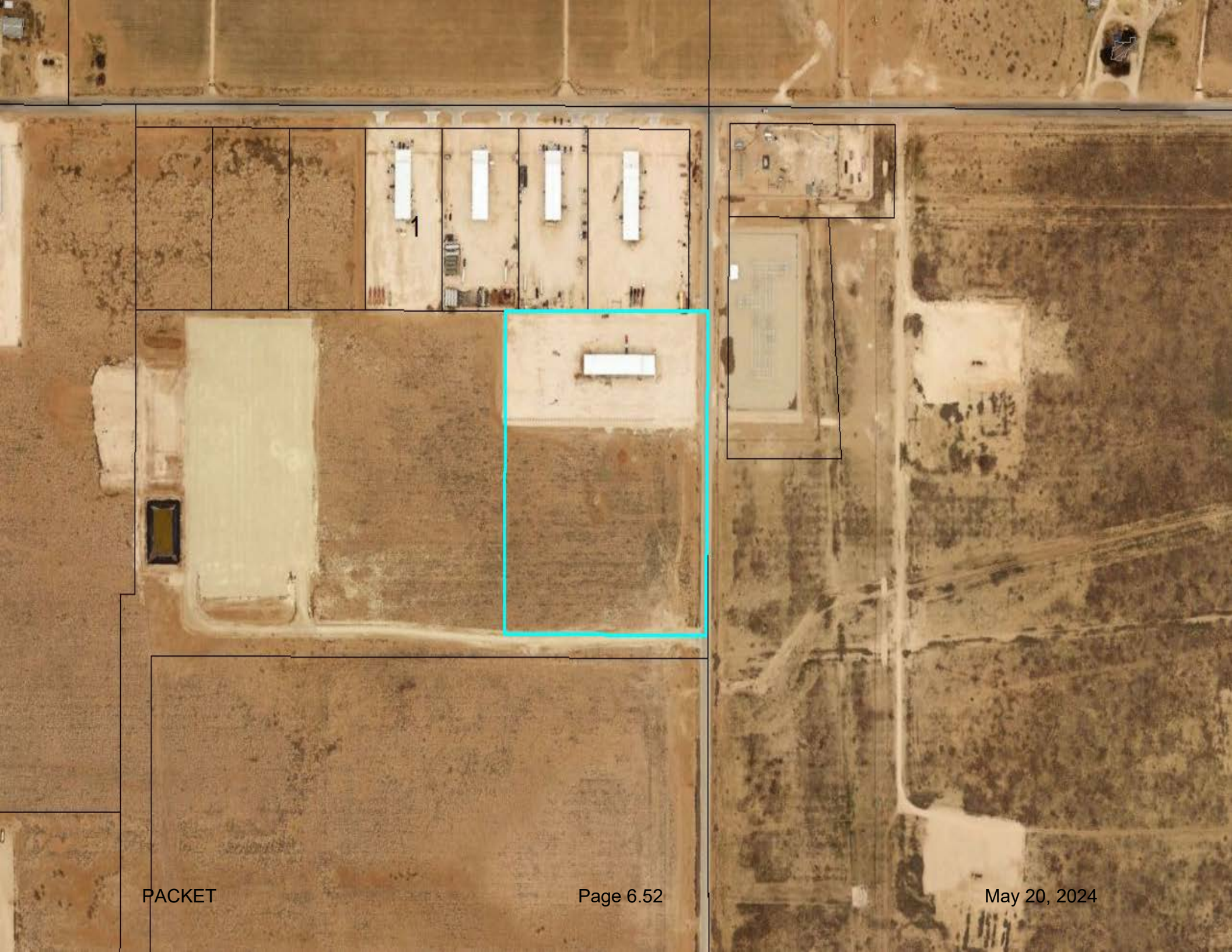
(Generally located on the west side of South County Road 1160, approximately 470-feet south of East County Road 130) (Extraterritorial Jurisdiction)
(DEVELOPMENT SERVICES)
PACKET

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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





Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Motion approving a Final Plat of Warren Addition, being a plat of a 2.99-acre tract of land out of Section 18, Block 40, T-2-S, T&P RY. Co. Survey, City and County of Midland, Texas. (Generally located on the north side of West County Road 127, approximately 700-feet west of South Farm to Market Road 1788.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

TP, Technology Park District

Preliminary Plat Approval:

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

The Planning & Zoning Commission approved the preliminary plat on February 20, 2024.

Final Plat Requirements:

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

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

Below are the departments' comments.

BUILDING CODE: (Approved)

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

ENGINEERING: (Approved with Conditions)

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

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

PAVING: Deferral request for paving improvements were administratively approved on 2/2/2024. [For Applicant's Information Only.]

WATER: 8" water exists in W CR 127, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

SEWER: Deferral request for wastewater improvements were administratively approved on 2/2/2024. [For Applicant's Information Only.]

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

FIRE: (Approved)

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

OIL AND GAS: (Approved)

No Oil & Gas well concerns. Informational: No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures. Any plugged and abandoned (P&A) well would need to be identified. No structure shall be built over an abandoned well.

GIS: (Approved)

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

Health Department: (Approved)

Yes, the health department will review applications from the 1 proposed lots of Warren Addition, PLAT OF A 2.9 ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 40, T-2-S, T. & P. RR. CO. SURVEY lot 1 is 2.9 acre, to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

Midland County: (Approved)

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

CRMWD: (Approved)

No comments.

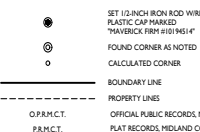
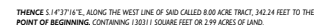
PLANNING: (Approved)

Staff recommends approval of the Final Plat of Warren Addition.

Attachments:

Proposed Preliminary Plat
Application
Maps

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



WEST TEXAS EQUIPMENT LP
PO BOX 60662
MIDLAND, TEXAS - 79711
DEED INSTRUMENT # VOL. 1832, PG. 692
OPRMCT



5. THIS PROPERTY IS IN THE MIDLAND INTERNATIONAL AIR AND SPACE PORT AOZ-4 ZONE. SEE NOTE ON THIS SHEET.

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



Final Plat Application

Project Number: SUB-23-D702

Case Number: _____

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

Phone: (432) 684-8005

Email
luis@cdgmidland.comAddress POBox 60662City MidlandState TXZip 79711Developer (if different than Owner)
Printed Name: _____Phone: ()
Email

Address

City

State

Zip

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

Firm: Maverick EngineeringPrinted Name: Paladin Huckaba

Phone: (432) 262-0999

Email
phuckaba@maverick-eng.comAddress 1909 W Wall St Ste KCity MidlandState TXZip 79701Current Zoning: TPReason for Platting: ownership purposes**Plat Information**Total Acreage: 2.99Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 1

Number of Multi-Family Dwelling Units:

Submittal 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) Fabian Hinojos

Date: 4/22/24

Property Owner (printed): Fabian Hinojos

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.

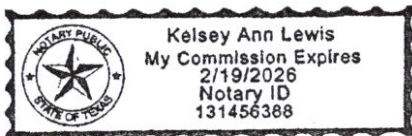
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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

Andrew L Mellen
 Authorized Agent (signature)

Subscribed and sworn to before me, this 22nd day of April, 2024, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
 NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

- | | | |
|--|--|---|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☒ Plat in Digital Format (PDF/JPEG) |
| ☐ Mylar | ☒ 1 Copy of Plat (11x17) | ☒ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☒ Public Improvement |
| Check # <u>4758</u> | ☒ Tax Certificates | ☒ Recording Fee <u>4759</u> |

Received By: DA

Date: APR 24 2024

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

PACKET

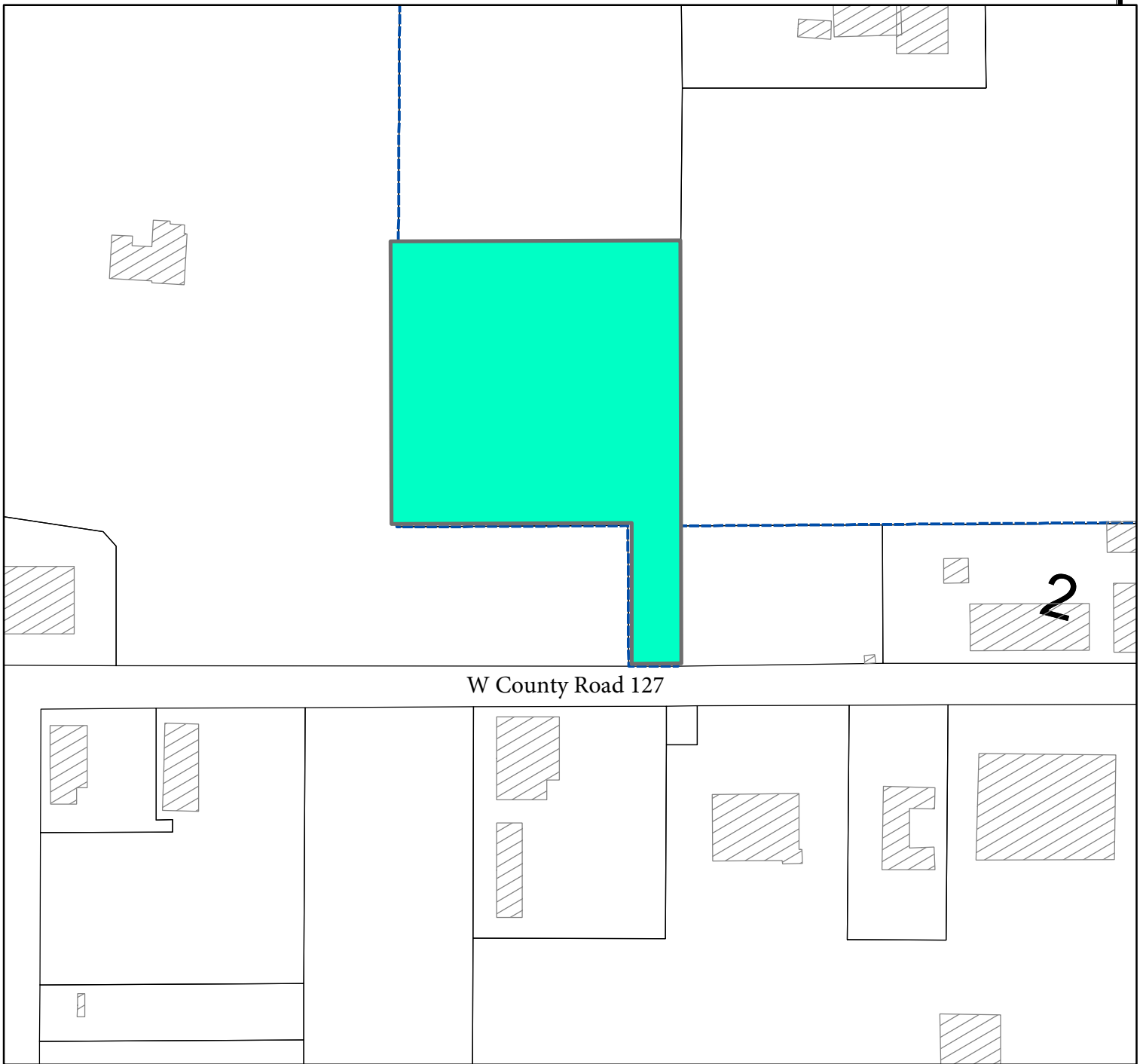
Page 7.58

May 20, 2024

Final Plat Application

2

BY: Revised 7/01/19



W County Road 127

LOCATION MAP

SUB-23-0702

Scale: 1" = 200'

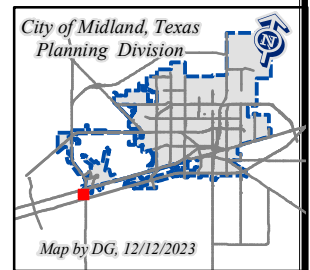
Proposed Plat of Warren Addition, being a Plat of a 2.99-acres tract of land out of Section 18, Block 40, T-2-S, T&P RY. Co. Survey, City and County of Midland, Texas.

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

PACKET

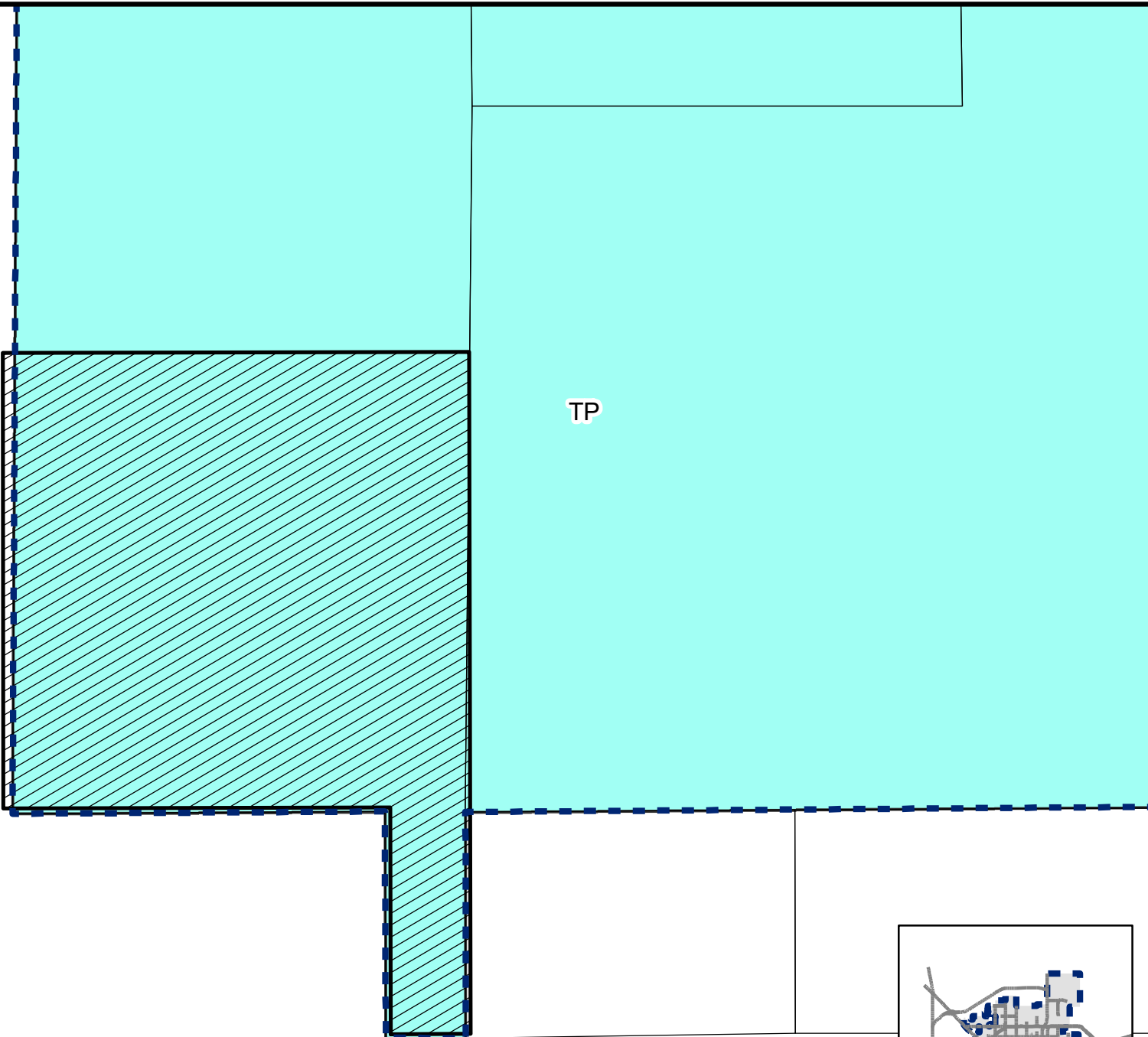
LEGEND

-  CITY LIMITS
-  PARCEL
-  PRIVATE BLDGS



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



W County Road 127







Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Motion approving a Final Plat of College Heights Addition, Section 9, being a plat of a 1.562-acre tract of land out of Section 33, Block 39, T-1-S, T&P RY. CO. Survey, in part, and a replat of the west 185 feet of Lot 5, Block E, Garrett Place Addition, the west 200 feet of the north 540 feet of Block 7, College Heights Addition, City and County of Midland, Texas. (Generally located on the south side of West Wall Street, approximately 450-feet east of Bankhead Highway.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

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

Preliminary Plat Approval:

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

The Preliminary Plat for College Heights, Section 9, was approved on March 4, 2024.

Final Plat Requirements:

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

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

Below are the departments' comments.

BUILDING CODE: (Approved)

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

ENGINEERING: (Approved with Conditions)

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

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

PAVING: Wall st is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: 6" water exists in Wall Street N of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

SEWER: 8" sewer exists in Wall Street N of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

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

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

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

OIL AND GAS: (Approved)

No Oil and Gas issues.

GIS: (Approved)

No comments.

CRMWD: (Approved)

No comments.

PLANNING: (Approved)

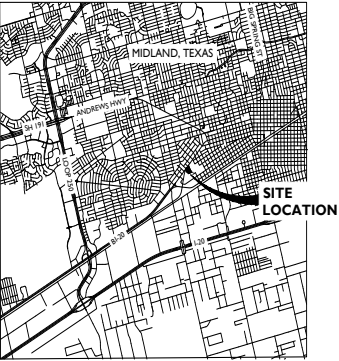
Staff recommends approval of the Final Plat of College Heights Addition, Section 9.

Attachments:

Proposed Preliminary Plat
Application
Maps

COLLEGE HEIGHTS ADDITION, SECTION 9

BEING A PLAT OF A 1.562 ACRE TRACT OF LAND OUT OF SECTION 33, BLOCK 39, T-I-S, T&P RAILWAY CO. SURVEY, IN PART,
AND A REPLAT OF THE WEST 185 FEET OF LOT 5, BLOCK E, GARRETT PLACE ADDITION, AND THE WEST 200 FEET OF THE
NORTH 540 FEET OF BLOCK 7, COLLEGE HEIGHTS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS



VICINITY MAP

N.T.S.



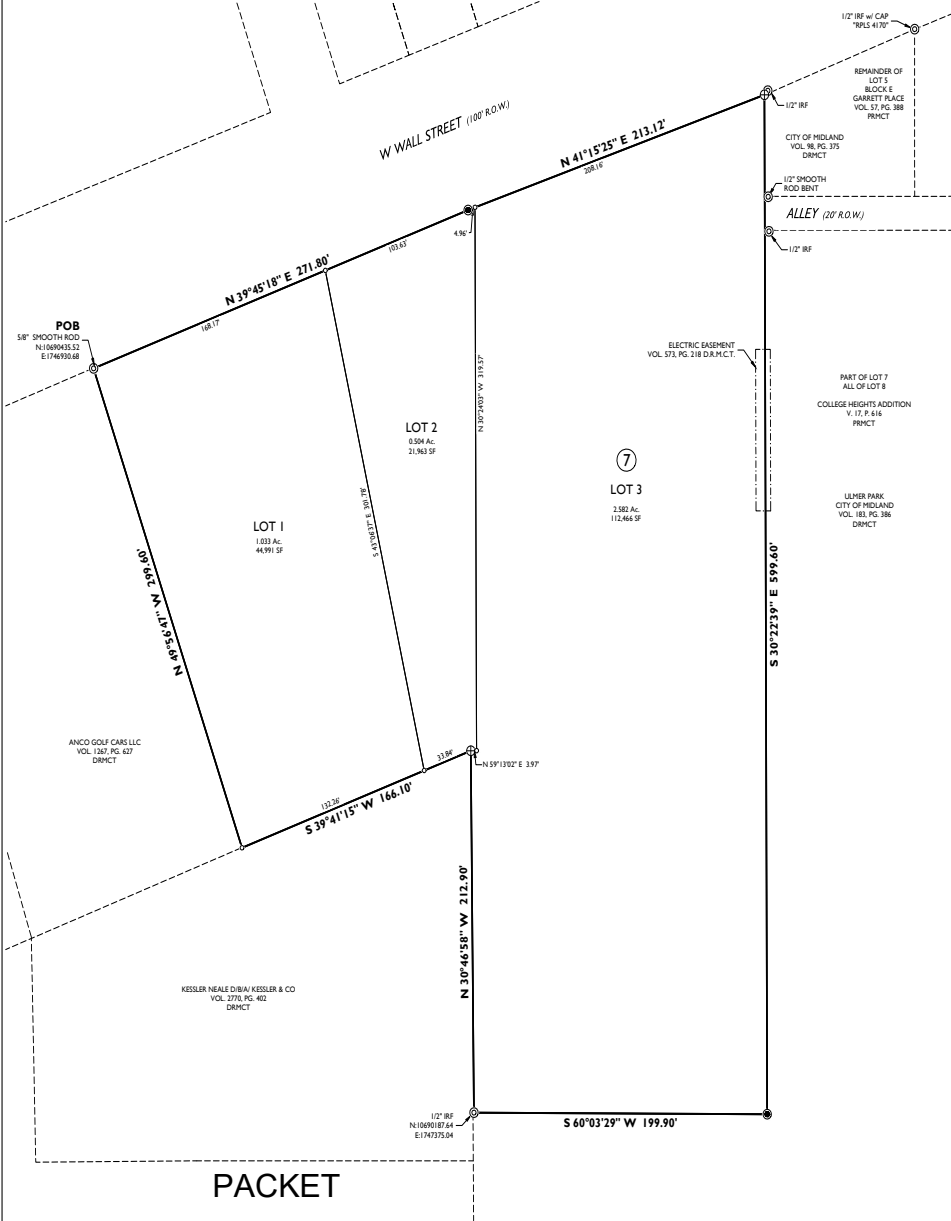
LEGEND

- SET "x" IN CONCRETE
- SET 12-INCH IRON ROD W/RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
- FOUND MONUMENT AS NOTED
- BOUNDARY LINE
- PROPERTY LINES
- O.P.M.C.T. OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
- P.A.M.C.T. PLAT RECORDS, MIDLAND CO., TX
- D.A.M.C.T. DEED RECORDS, MIDLAND CO., TX



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

COLLEGE HEIGHTS ADDITION
SECTION 9
May 2024



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS G F ELITE REAL ESTATE HOLDINGS LTD, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 33, BLOCK 39, T-I-S, T&P RR. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT G F ELITE REAL ESTATE HOLDINGS LTD, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS COLLEGE HEIGHTS ADDITION, SECTION 9, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HEREIN, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY GIVE AN EASEMENT OF INGRESS AND EGRESS TO THE CITY OF MIDLAND FOR CARBON COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THEREIN, AND CONSENT THAT SAID EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

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

BY: _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

THE _____ DAY OF _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF COLLEGE HEIGHTS ADDITION, SECTION 9, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THE _____ DAY OF _____, 2024.

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

ATMOS ENERGY
BY: _____

AT&T
BY: _____

OPTUM
BY: _____

ASTOUND BROADBAND
BY: _____

ON/OF ELECTRIC DELIVERY
BY: _____

DEVELOPMENT NOTES

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE IN 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 REPARCELED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
4. IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS, IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

SURVEY NOTES

1. BASE OF BEARING, COORDINATES, DISTANCE AND ACRES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, AND 83 U.S. SURVEY FOOT WITH A CONVERGENCE ANGLE (30m) OF -0°54'48.40" AND A COMBINED SCALE FACTOR OF 0.999999811 AT MGS "MIDLAND".
2. 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
3. SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
4. LOCATION OF BURIED UTILITIES AND PRELINES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING CHANGES, CITY OF MIDLAND GIS AND VISUAL EVIDENCE, OR BY ONE CALL 811 SITE MARKINGS. AT THE TIME OF THIS SURVEY, NO CASE IS RECOMMENDED; CALL 1-800-DIG-4US FOR LOCATES PRIOR TO ANY CONSTRUCTION.

PROPERTY OWNER

G F ELITE REAL ESTATE HOLDINGS LTD
6819 N FM RD 1788
MIDLAND, TX 79706
DEED INSTRUMENT # 201733303 &
2018112
OPRMCCT

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE _____



Final Plat Application

Project Number: SUB-23-0706

Case Number: _____

Proposed Subdivision Plat Name: College Heights Addition, Section 9

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

Property Owner

Printed Name:

GF Elite Real Estate Holdings Ltd

Phone: (432) 563-0663

Email:

filyjr@gf-elite.com

Address: 6819 N FM Rd 1788

City: Midland

State: TX

Zip: 79706

Developer (if different than Owner)

Printed Name:

Phone: ()

Email:

Address:

City:

State:

Zip:

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

Phone: (432) 262-0999

Email:

phuckaba@maverick-eng.com

Address: 1909 W Wall St Ste K

City: Midland

State: TX

Zip: 79701

Current Zoning: SF2, RR**Reason for Platting:** ownership purposes**Plat Information**

Total Acreage: 4.119

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

Number of Lots: 3

Number of Multi-Family Dwelling Units:

Submittal 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) Filiberto Lozoya Date: 4/22/24
 Property Owner (printed) Filiberto Lozoya

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.

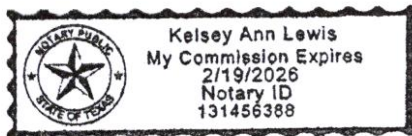
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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

Andrew L. Mellen
 Authorized Agent (signature)

Subscribed and sworn to before me, this 22nd day of April, 20 24, 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>4762</u>	☒ Tax Certificates	☒ Recording Fee

Received By: DB

Date: APR 24 2024

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

PACKET

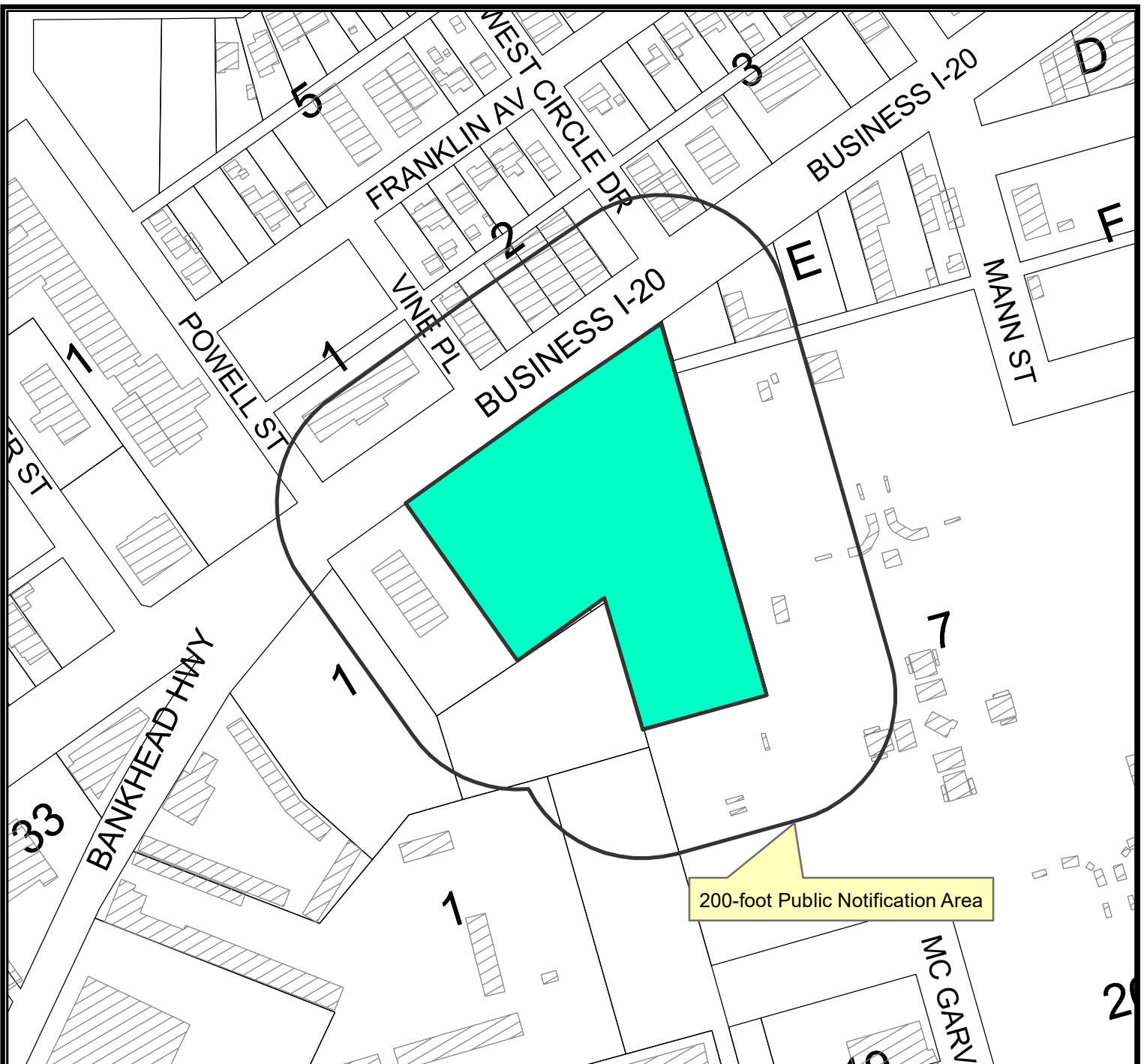
Page 8.67

Final Plat Application

2

May 20, 2024

Revised 7/01/19



LOCATION MAP

SUB-23-0706

Scale: 1" = 224'

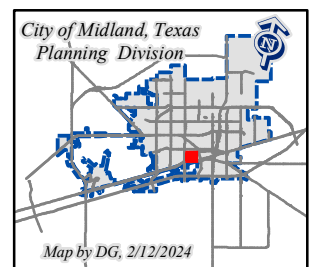
Proposed Plat of College Heights Addition, Section 9, being a plat of a 1.562-acre tract of land out of Section 33, Block 39, T-1-S, T&P RY. CO. Survey, in part, and a replat of the west 185 feet of Lot 5, Block E, Garrett Place Addition, the west 200 feet of the north 540 feet of Block 7, College Heights Addition, City and County of Midland, Texas.

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

PACKET

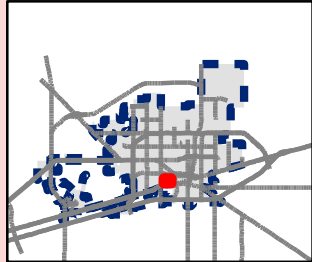
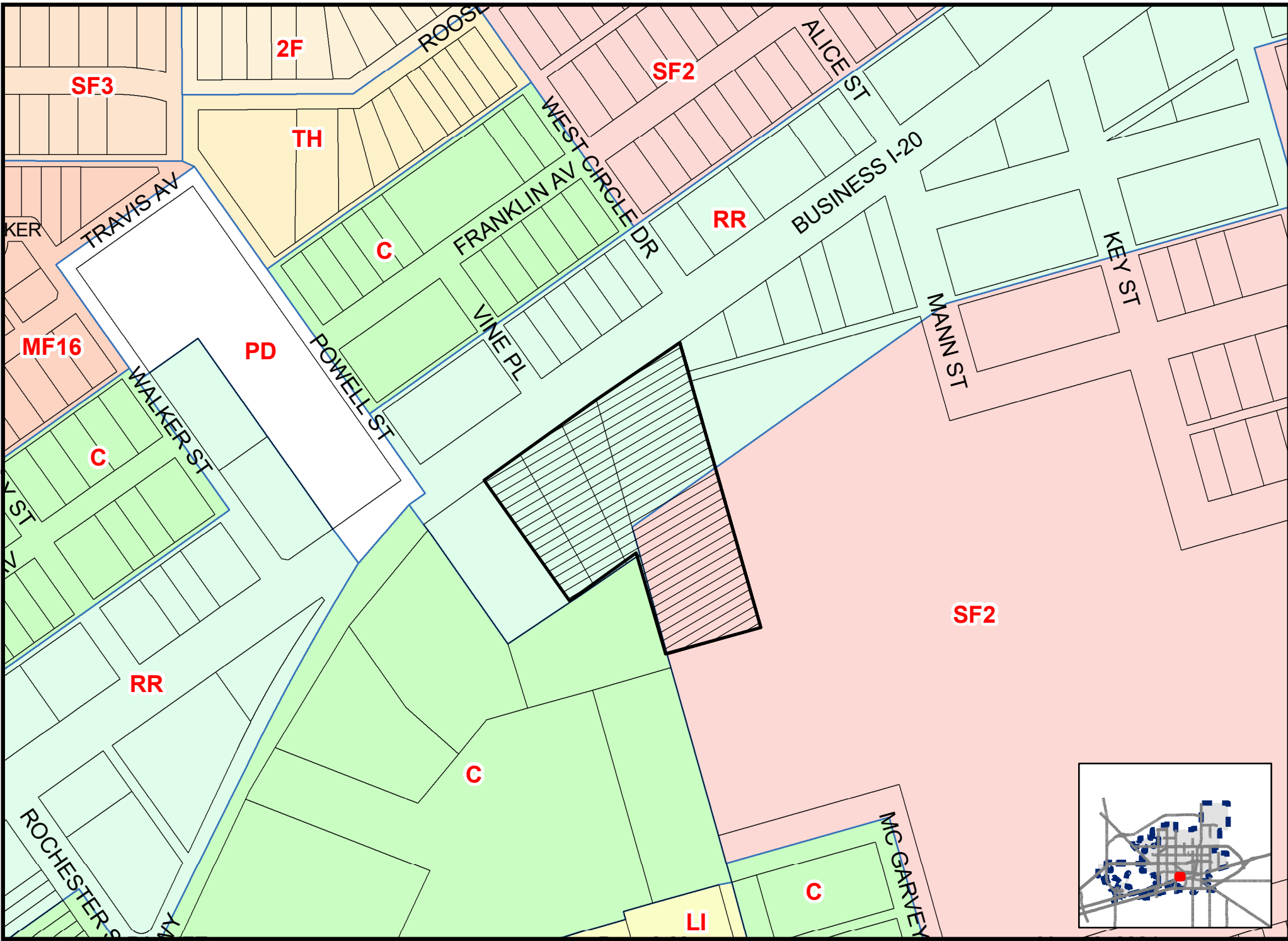
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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







Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Motion approving a Final Plat of Hannah Addition, Section 6, being a Replat of a 13.84-acre tract of land out of Lot 7, Block 5, Hannah Addition, Section 5, County of Midland, Texas. (Generally located on the northwest corner of the intersection of S County Road 1230 and W County Road 130. (DISTRICT: NONE) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Schumann Engineering, on behalf of Adams Development Group is requesting to replat a 13.84-acre tract of land out of Lot 7, Block 5, Hannah Addition, Section 6, County of Midland, Texas. The property is proposed to be replated into two lots for the future development of commercial buildings.

Current Zoning:

ETJ, Extra Territorial Jurisdiction

Departmental Review:

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Property is outside of the designated service areas. [For the Applicant's information only.]

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

PAVING: Deferral request for paving improvements were administratively approved on 4/11/2024. [For the Applicant's information only.]

Water: Deferral request for water improvements were administratively approved on 4/11/2024. [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: Deferral request for wastewater improvements were administratively approved on 4/11/2024. [For the Applicant's information only.]

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

FIRE: (Approved)

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

OIL AND GAS: (Approved)

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

GIS: (Approved)

No comments

Midland County: (Approved)

They will need to get a permit to tie into SCR 1232 from Public Works.

The county recommends a drainage analysis and a certification of water availability. If the lots are for commercial use and certification of water availability is cost prohibitive to obtain, a letter guaranteeing future owners must sign an acknowledgment and waiver that no water availability study has been done would be acceptable.

CRMWD: (Approved)

We do not have any comments on this plat.

Midland Health Dept.: (Approved)

Yes, the health department will review applications from the 2 proposed lots of Hannah Addition, Section 6, REPLAT OF LOT 7 BLOCK 5 HANNAH ADDITION SECTION 5, lot 7A is 8 acres and lot 8 is 5.7 acres to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

PLANNING: (Approved)

Staff recommends approval of the Final Plat of Hannah Addition, Section 6.

Attachments:

Proposed Preliminary Plat
Application
Maps

BEING A REPLAT OF LOT 7, BLOCK 5,
HANNAH ADDITION, SECTION 5,
MIDLAND COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND SITUATED IN THE SOUTHEAST PART OF SECTION 13, BLOCK 40, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 13.84 ACRE TRACT OF LAND, BEING LOT 7, BLOCK 5 OF HANNAH ADDITION, SECTION 5, ACCORDING TO THE PLAT RECORDED IN CABINET K, PAGE 289, PLAT RECORDS OF MIDLAND COUNTY, TEXAS. SAID 13.84 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REIN BAR SET (N:10669438.39, E:1738852.02) IN THE WEST RIGHT OF WAY OF SOUTH COUNTY ROAD 1230 AND THE NORTH RIGHT OF WAY OF WEST COUNTY ROAD 130 FOR THE SOUTHEAST CORNER OF THIS TRACT, FROM WHICH THE SOUTHEAST CORNER OF SECTION 13 BEARS SOUTH 14°17'50" EAST 100 FEET;

THENCE SOUTH 75°12'38" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, 800.03 FEET TO A REINF BAR SET IN THE EAST RIGHT OF WAY OF SOUTH COUNTY ROAD 1232 (ANTELOPE TRAIL) FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°17'51" WEST, ALONG SAID EAST RIGHT OF WAY, 756.90 FEET TO A REINF BAR SET FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 75°42'08" EAST 799.98 FEET TO A REINF BAR SET IN SAID WEST RIGHT OF WAY OF SOUTH COUNTY ROAD 1230 FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°17'57" EAST, ALONG SAID EAST RIGHT OF WAY, 750.03 FEET TO THE PLACE OF BEGINNING.

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS HANNAH ADDITION, SECTION 6, AN ADDITION OF 13.84 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.

ADAMS DEVELOPMENT GROUP, LLC

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2024, BY ADAMS DEVELOPMENT GROUP, LLC

CERTIFICATE OF APPROVAL

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

FOR APPROVAL BY THE COMMISSION:

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

SIGNED: _____
CHAIRMAN LUCY SISNIEGA

ATTEST: _____
SECRETARY XAVIER BAUGUCESS

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.

OWNER(S):

ADAMS DEVELOPMENT GROUP, LLC
3203 S COUNTY ROAD 1200
MIDLAND, TX
432-238-2101
brandonadams@a-jconstruction.net



RJ DAUM
TEXAS RPLS 4826

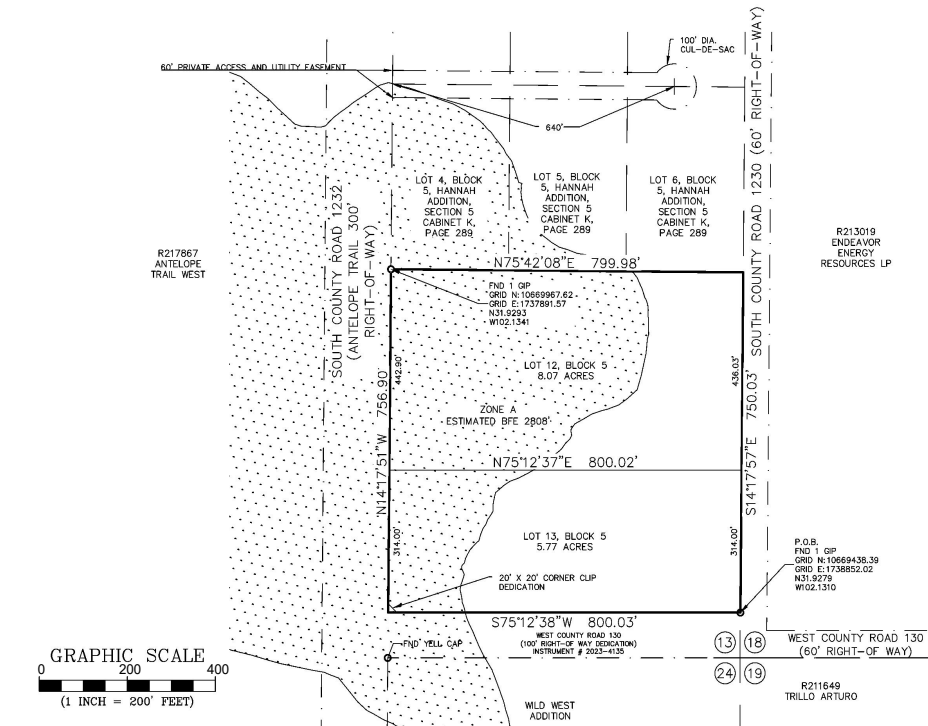
PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO. _____ CABINET _____
DATE _____ PAGE _____

SCHUMANN
A LATERAL LAND COMPANY



May 20, 2024

Office (432) 684-55



LEGEND:

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

NOTES:

1. BEARINGS, DISTANCES AND ACRESAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATE OF 1983.
2. MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
3. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHDRAWING OF UTILITIES AND BUILDING PERMITS.
4. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
5. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) ANY LOT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
6. REPRESENTATION OF FLOODPLAIN BOUNDARIES ARE APPROXIMATE AND FOR ILLUSTRATIVE PURPOSES ONLY. ANY DEVELOPMENT WITHIN FLOODPLAIN AREAS WILL REQUIRE A FLOODPLAIN DEVELOPMENT PERMIT FROM THE CITY OF MIDLAND FLOODPLAIN ADMINISTRATOR.
7. ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE OR ENLARGE AN EXISTING STRUCTURE, ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE A02-4 MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTIONS 11-11-8, 11-11-9, AND TABLE 1 OF THIS ORDINANCE OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.
8. MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE, MIDLAND COUNTY SHALL NOT BE MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE. MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES; AND, THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH.

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM COMMUNICATIONS

SIGNED: _____
ASTOUND COMMUNICATIONS

PACKET

Page 9.74

NO.	DATE	DESCRIPTION	BY		
1	01/24/24	SKETCH PLAN	JG	DRAWN BY: JG	DATE: 01/24/24
				CHECKED BY: ED/RJ	PROJECT NO.: 79266
				ISS. NO.: 80 018	SHEET: 1 OF 1



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: HANNAH ADDITION, SECTION 6**Legal Description (attached sealed Metes and Bounds):** BEING A REPLAT OF LOT 7, BLOCK 5, HANNAH ADDITION, SECTION 5, MIDLAND COUNTY, TEXAS**Property Owner**

Printed Name: ADAMS DEVELOPMENT GROUP, LLC

Phone (432) 238-2101

Email
brandonadams@a-jconstruction.net

Address

S COUNTY ROAD 1200

City

Midland

State

TX

Zip

79701

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

Midland

State

TX

Zip

79701

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

Firm: Schumann Surveying

Printed Name: Ed Aleman

Phone (432) 254-0327

Email

ealeman@schumannonline.net

Address

800 N. Marienfeld, Suite 100

City

Midland

State

TX

Zip

79705

Current Zoning: NA**Reason for Platting:** O SPLIT LOT 7 INTO 2 LOTS 7A, AND LOT 8**Plat Information**

Total Acreage: 13.84

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

Number of Lots: 2

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
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- Recording Fee – Payable to 'Midland County Clerk'

Mylar Reproductions

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): [Signature]

4/24/2024

Property Owner (printed): Brandon Adams

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

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

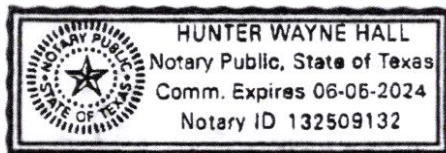
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

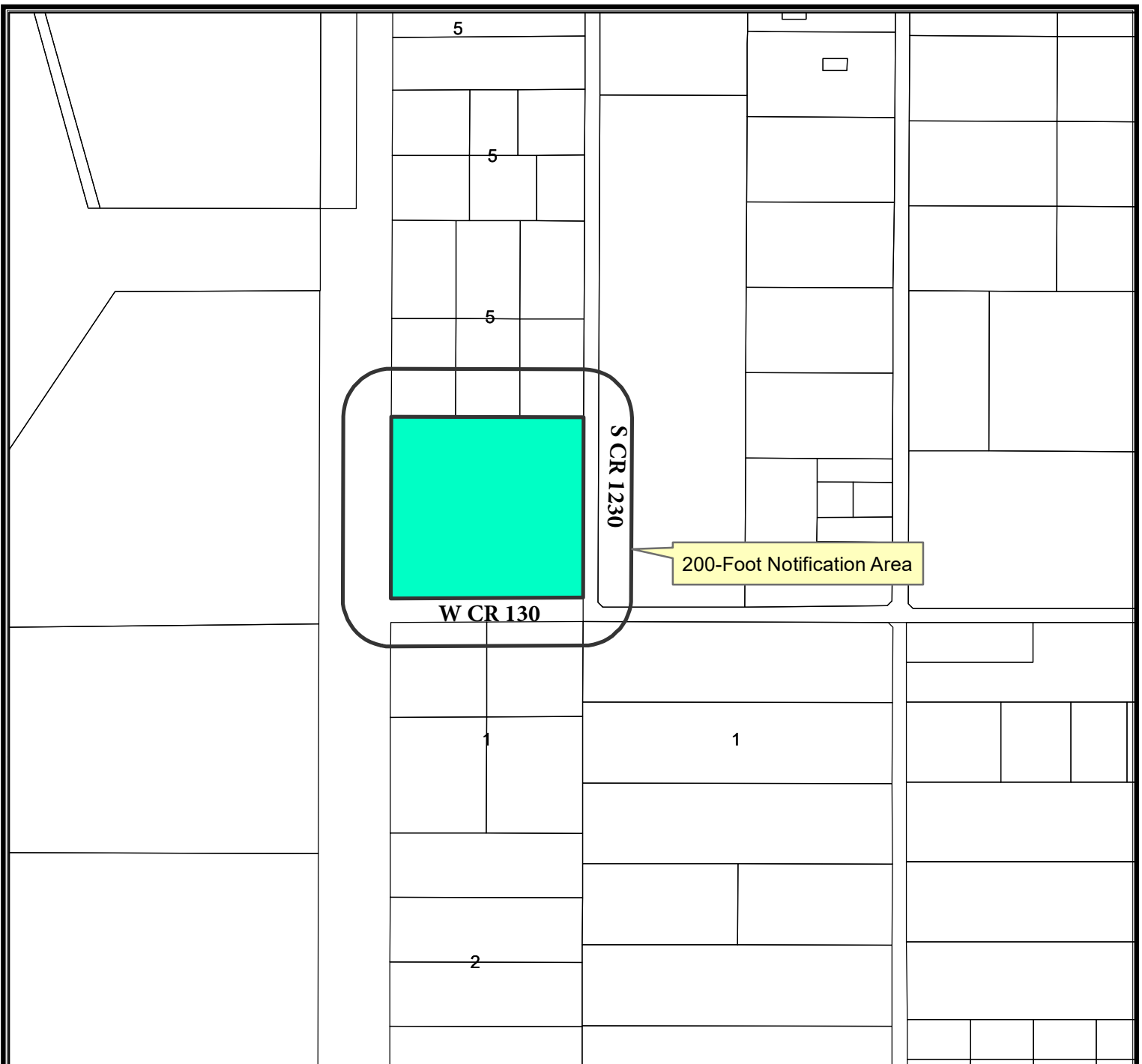
FOR OFFICE USE ONLY

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

Received By: _____

Date: _____

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



OBJECTION MAP

SUB-24-0716

Scale: 1" = 600'

Proposed plat of Hannah Addition, Section 6, being a Replat of a 13.84-acre tract of land out of Lot 7, Block 5, Hannah Addition, Section 5, County of Midland, Texas.

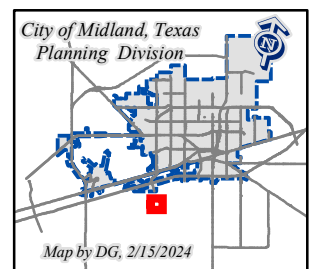
Generally located on the northeast corner of the intersection of S County Road 1230 and W County Road 130. (Extra Territorial Jurisdiction)

PACKET

Page 9.77

LEGEND

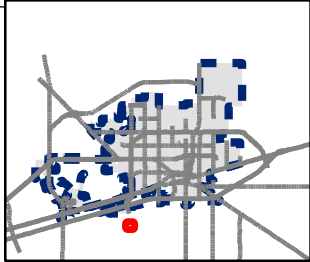
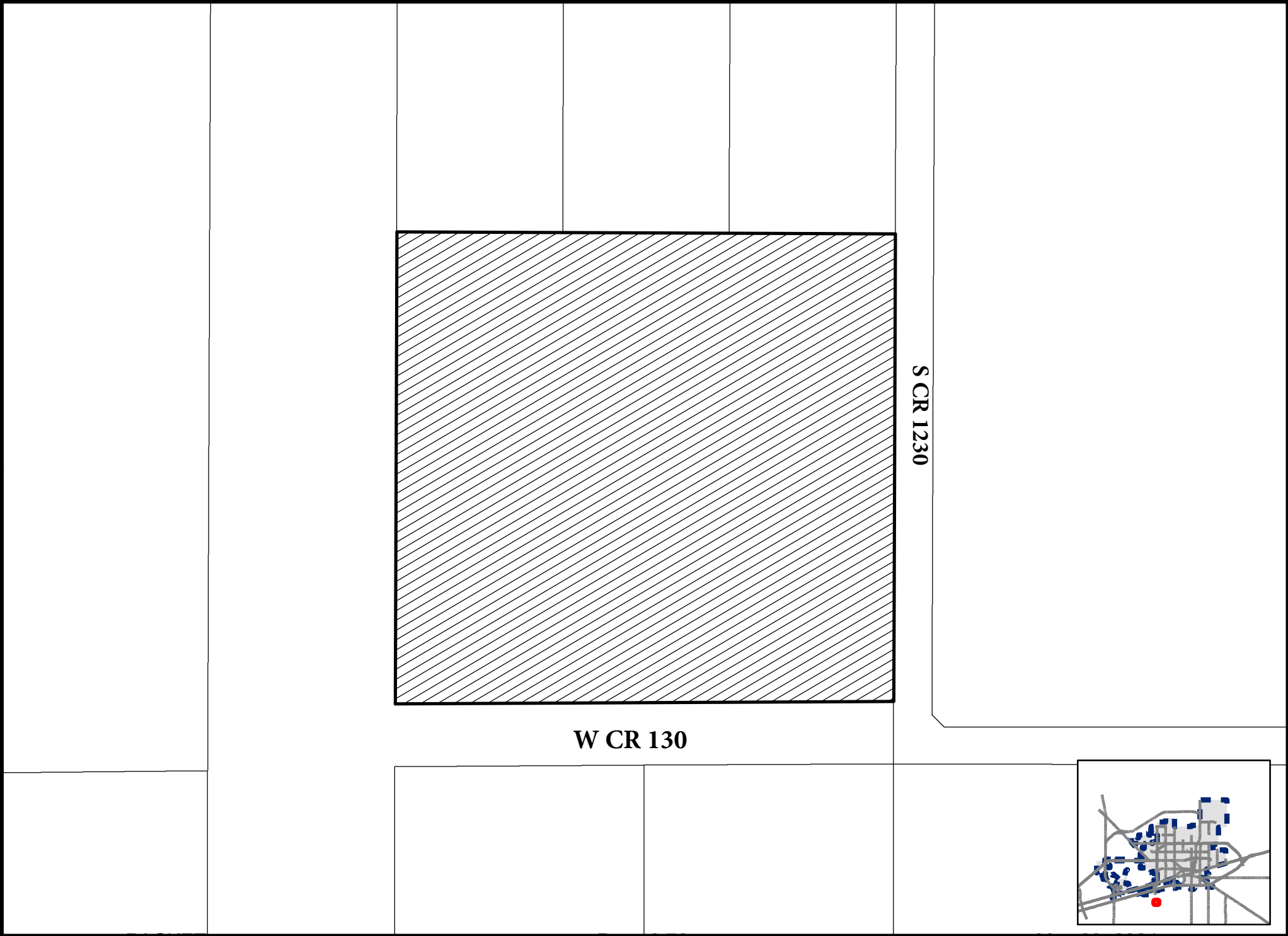
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

May 20, 2024







Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving a Final Plat of West End Addition, Section 32, being a replat of Lot 10 and the west half of Lot 11, Block 7, West End Addition, City and County of Midland, Texas. (Generally located on the north side of West Texas Avenue, approximately 100 feet west of North G Street.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

O-1, Office District.

Preliminary Plat Approval:

The applicant, Pennell Land Surveying, LLC, on behalf of Chloe Chloe, Inc, Lot 11, Block 7, West End Addition, City and County of Midland, Texas to combine the lots into one lot building permit approval.

This Plat was approved through the short form procedure.

Final Plat Requirements:

The official signed Mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District and a title opinion have 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: Okay as shown. [For Applicant's Information Only.]

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

WATER: 6" water exists in alley north of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

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

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

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

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

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

OIL AND GAS: (Approved)

No Oil and Gas issues.

BUILDING CODE: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and

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

GIS: (Approved)

No comments.

CRMWD: (Approved)

We do not have any comments on this plat.

Planning: (Approved)

All comments have been addressed.

Attachments:

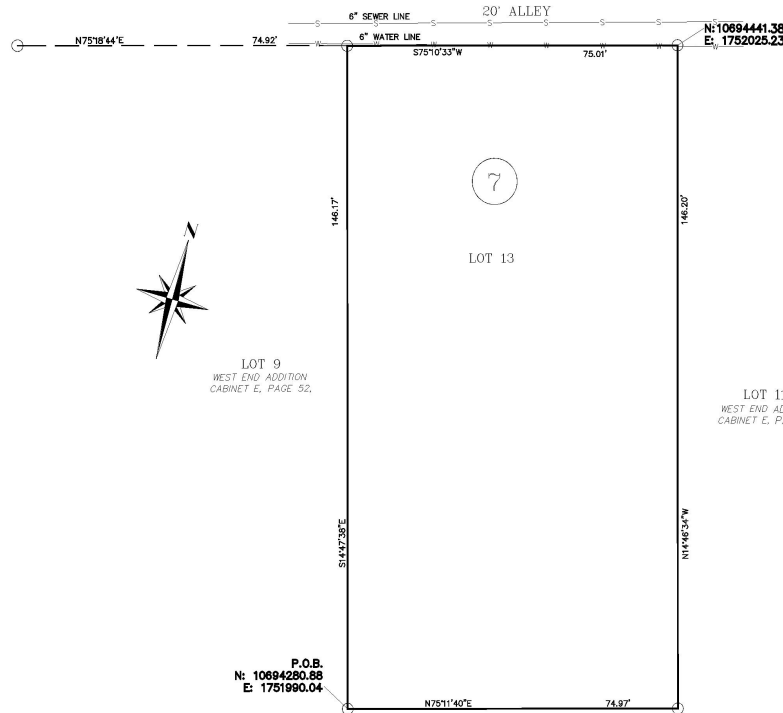
Proposed Final Plat
Application
Maps
Aerial Photo



VICINITY MAP
(NOT TO SCALE)

FINAL PLAT
WEST END ADDITION, SECTION 32
RE-PLAT OF LOT 10 AND THE
WEST HALF OF LOT 11, BLOCK 7, WEST END ADDITION,
ADDITION TO THE CITY OF MIDLAND,
CITY AND COUNTY OF MIDLAND, TEXAS,

- LEGEND
- Set 1/2" I.R.
W/Cap "RPLS 4170"
 - Fnd. 1/2" I.R.
 - Existing Sewer Line
 - Existing Water Line



- NOTICE:
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
 - APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
 - COORDINATES, BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE LAMBERT GRID AND CONFORM TO THE "TEXAS COORDINATE SYSTEM", TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM 1983.
 - WITH REFERENCE TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, MAP NO. 48329C0202 F, EFFECTIVE DATE: 09/16/05, THIS SURVEYOR HAS DETERMINED THAT PART OF THIS PROPERTY IS LOCATED IN ZONE "X" WITH THE 100 YEAR FLOODPLAIN. THIS DETERMINATION SHALL NOT CREATE A LIABILITY UPON SAID SURVEYOR.



UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY Print Name:

OPTIMUM Print Name:

AT&T-TEXAS Print Name:

QNGOR ELECTRIC DELIVERY Print Name:

ASTOUND Print Name:

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

PENNELL LAND SURVEYING
PROFESSIONAL LAND SURVEYING
P.O. BOX 50622 - MIDLAND, TEXAS 79710

VOICE (432) 570-6256
brucepennell@yahoo.com

FIRM No.: 10193978

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, CHLOE CHLOE, INC., is the record owner of LOT 10 AND THE WEST HALF LOT 11, BLOCK 7, WEST END ADDITION, an Addition to the City of Midland, Midland County, Texas, according to the plat recorded in Plat Cabinet E, Page 52, of the Plat Records of Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, CHLOE CHLOE, INC., being the owner of the land shown on this plat designated as LOT 13, BLOCK 7, WEST END ADDITION, SECTION 32, an Addition to the City of Midland, Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon; and do hereby give an easement of ingress and egress to the City of Midland for garbage and trash collection, and location and maintenance of trash containers and access thereto, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.

WITNESS my hand at _____ this the _____ day of _____, 2024.

By: CAROLYN HOBBY SIGNOR

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, CAROLYN HOBBY, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as the authorized agent, and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this

the _____ day of _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

DURYN HENNINGTON, R.P.L.S. 6832
2030 W. CUTHBERT, STE. 4,
MIDLAND, TX 79701
432.570.6256

CERTIFICATE OF APPROVAL

For approval by the Commission:

This is to certify that the above and foregoing plat of "WEST END ADDITION, SECTION 32" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

the _____ day of _____, 2024.

LUCY SISNEGA, CHAIRMAN

XAVIER BAUGUCESS, SECRETARY

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE: _____

OWNER:
CHLOE CHLOE, INC.
P.O. BOX 5594
MIDLAND, TX 79704

APRIL 2024

May 20, 2024
WEST END ADDITION
SECTION 32



Final Plat Application

Project Number: SUB-23-0696

Case Number: _____

Proposed Subdivision Plat Name: **WEST END ADDITION, SECTION 32**Legal Description (attached sealed Metes and Bounds): REPLAT OF LOT 10 AND THE WEST HALF OF LOT 11, BLOCK 7, WEST END ADDITION**Property Owner**Printed Name: **CHLOE CHLOE, INC.**Phone (434) 559-1215Email Cahobby@aol.comAddress **P.O. BOX 5594**City **MIDLAND**State **TX**Zip **79704****Developer (if different than Owner)**

Printed Name: _____

Phone () _____

Email _____

Address _____

City _____

State _____

Zip _____

Representative (if acting as Agent, see affidavit on page 2)Firm: PENNELL LAND SURVEYING, LLCPrinted Name: **DURYN HENINGTON**Phone (432) 770-0600Email dhenington.pennell
survey@gmail.comAddress **2030 W. CUTHBERT, STE. 4**City **MIDLAND**State **TX**Zip **79701****Current Zoning:** _____Reason for Platting: ELIMINATE LOT SPLIT FOR BUILDING PERMIT**Plat Information**Total Acreage: **0.25**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): Carolyn A. Hobby

Date: 4-11-24

Property Owner (printed): Carolyn A. Hobby

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 Carolyn Hobby who, being by me duly sworn, upon oath says: That (s)he is authorized by _____, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Carolyn A. Hobby
Authorized Agent (signature)

Subscribed and sworn to before me, this 11th day of April, 20 24, to certify which witness my hand and seal of office.



Marcy Neely
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☒ Application Fee

Check # Paid Online

☒ 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 # 2080

Received By: [Signature]

Date:

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

PACKET

Page 10.85

May 20, 2024

Final Plat Application

2

Revised 7/01/19



LOCATION MAP

SUB-23-0696

Scale: 1" = 150'

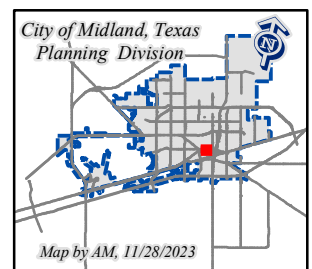
Proposed replat of West End Addition, Section 32 being a replat of Lot 10 and the west half of Lot 11, Block 7, West End Addition, City and County of Midland, Texas.

Generally located on the north side of West Texas Avenue, approximately 100 feet west of North G Street. (District 3)

PACKET

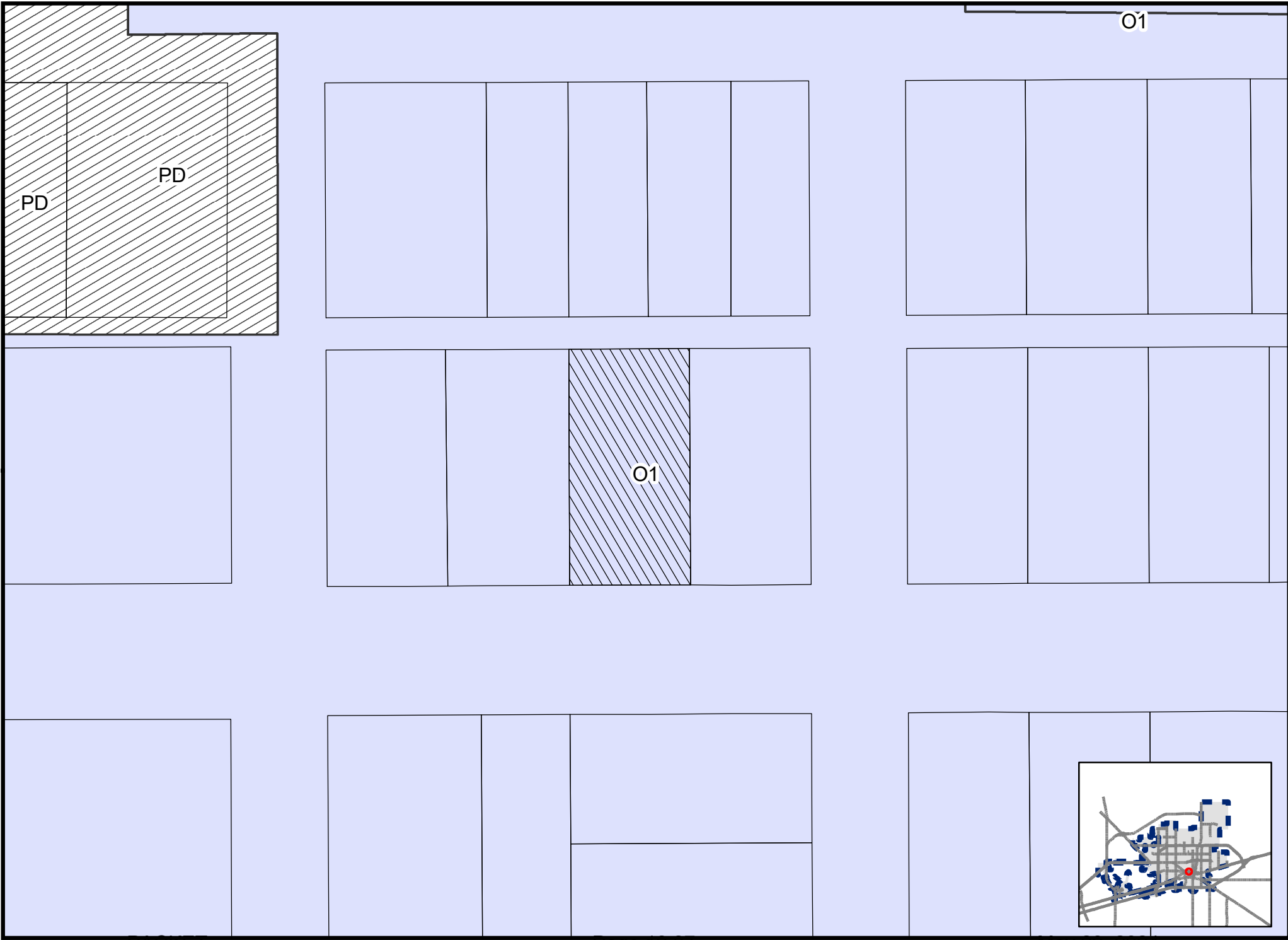
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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O1

PD

PD

O1

PACKET

Page 10.87

May 20, 2024

Map By AM, 11/28/2023

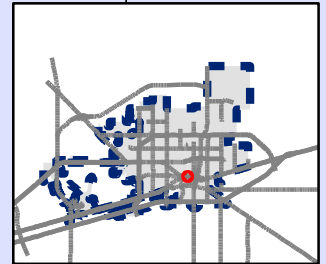
SUB-23-0696

Scale: 1" = 75'

ZONING MAP



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







Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving a Final Plat of Oaktree Ranch, Section 4, being a 2.77-acre tract of land out of Section 8, Block 'X' H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located approximately 1,700 feet north of Mockingbird Lane, and approximately 2,000 feet west of North Midkiff Road.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

AE, Agricultural Estate District.

Preliminary Plat Approval:

The applicant, Newton Engineering, on behalf of Evans 1 LTD, is requesting to replat a 2.77-acre tract of land out of Section 8, Block 'X' H.P. Hilliard Survey, City and County of Midland, Texas to create a single lot for development purposes.

This Plat was approved through the short form procedure.

Final Plat Requirements:

The official signed Mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District and a title opinion have 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: Ok as shown. [For Applicant's Information Only.]

ROW: ROW ok as is. [For Applicant's Information Only.]

PAVING: No frontage along Public ROW. [For the Applicant's information only.]

WATER: No frontage along Public ROW. [For the Applicant's information only.]

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

PRO RATA: Section 395.081 of the Texas Local Government Code applies only to a city that has not adopted impact fees; the impact fee ordinance superseded this ordinance thus pro-rata is null for this area. [For Applicant's Information Only.]

SEWER: No frontage along Public ROW. [For the Applicant's information only.]

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

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

SIDEWALKS: No frontage along Public ROW. [For the Applicant's information only.]

DIMENSION: * * *

OTHER:

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

No comments.

OIL AND GAS: (Approved)

No Oil & Gas Issues. The Evans J #1 permitted 12-13-11 and operated by Diamondback E & P is identified with a 500 ft. radius and 135 ft. radius. Informational: Residential/commercial building

permits inside the 500 ft. radius will require a variance to the permitted well from the City Council. The variance request would need to be made through the Building Official- Jeff Pinkstaff. 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.

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)

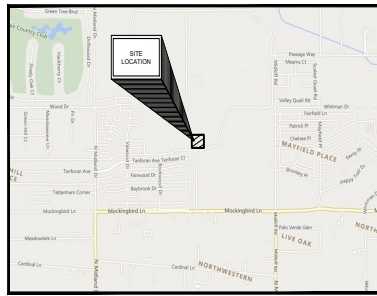
We do not have any comments on this plat.

Planning: (Approved)

All comments have been addressed.

Attachments:

Proposed Final Plat
Application
Maps
Aerial Photo



LOCATION MAP
N.T.S.

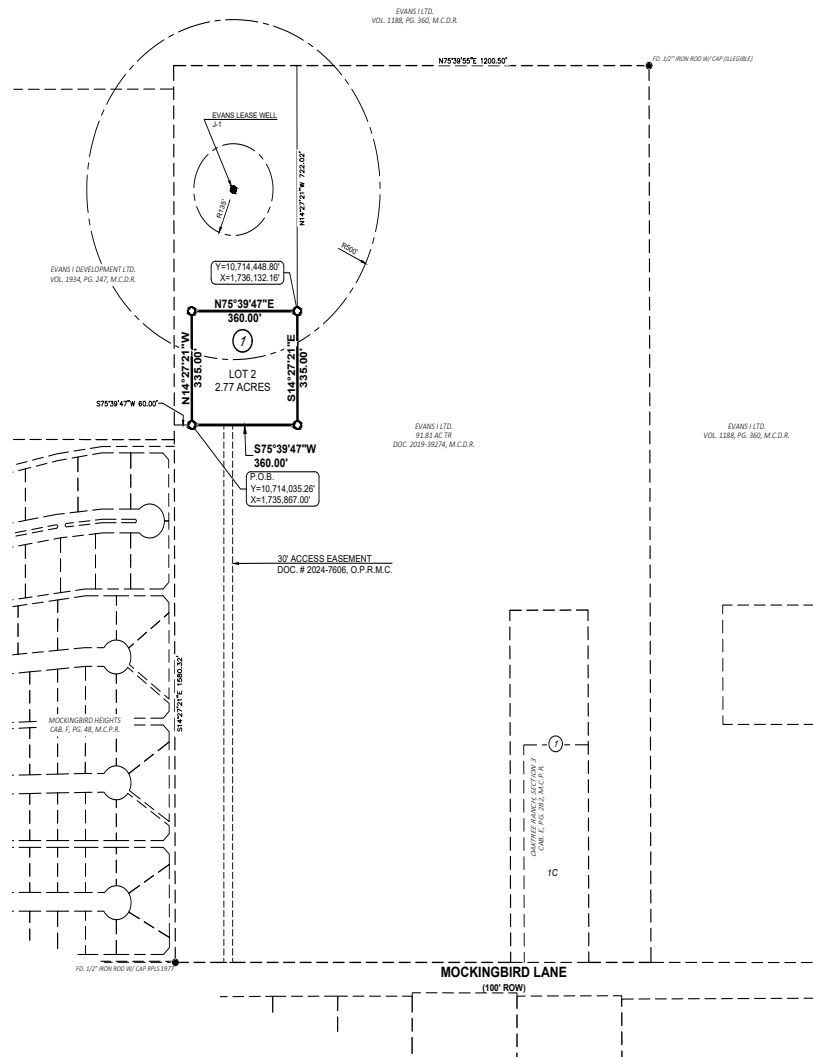
OAKTREE RANCH, SECTION 4

BEING A 2.77 ACRE TRACT,
LOCATED IN SECTION 8, BLOCK 'X', H.P. HILLIARD SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS

LEGEND

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

GRAPHIC SCALE
0 200' 400'
(IN FEET)
1 inch = 200 ft.



OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, EVANS I LTD IS THE RECORD OWNERS OF ALL OF THAT CERTAIN LAND SHOWN ON THIS PLAT AND DESIGNATED AS OAKTREE RANCH, SECTION 4, BEING A 2.77 ACRE TRACT, LOCATED IN SECTION 8, BLOCK 'X', H.P. HILLIARD SURVEY, MIDLAND COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, PAUL EVANS, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS OAKTREE RANCH, SECTION 4 AND HEREBY DEDICATE TO THE PUBLIC USE FOREVER OF THE STREETS AND EASEMENTS SHOWN HEREON.

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

EVANS I LTD
PAUL EVANS

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF MIDLAND

THIS PLAT WAS ACKNOWLEDGED BEFORE ME ON ____, 2024 BY PAUL EVANS.

NOTARY PUBLIC, STATE OF TEXAS

NOTES

1. SETTING 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. BEARINGS/DISTANCES/COORDINATES REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, WITH A COMBINED GRID FACTOR OF 0.99997441 AND THE TA ANGLE OF -40'55.9".
4. THE AREA SHOWN ON THIS PLAT IS IN FLOOD ZONE X ACCORDING TO FIRM MAP NUMBER 48202C007 DATED SEPTEMBER 16, 2005.
5. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

OWNER:
EVANS I LTD
P.O. BOX 7962
MIDLAND, TEXAS 79701

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

OAKTREE RANCH, SECTION 4

CERTIFICATE OF APPROVAL:
FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF OAKTREE RANCH, SECTION 4, WAS APPROVED BY PROPER ACTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS, ON THIS

____ DAY OF ____, 2024.

Lucy Stanlego, Chairman

Xavier Bauguess, Secretary

SURVEYOR'S CERTIFICATE:

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

REGISTERED PROFESSIONAL SURVEYOR



Page 11.92 20

UTILITY COMPANY CERTIFICATE:
This plot has been checked for accessibility of utilities.

Signed: Martin Arguello
MARTIN ARGUELLO, Onco Electric Delivery Company
Signed: Luis Montez
LUIS MONTEZ, Optimum
Signed: Vincent Gonzalez
VINCENT GONZALEZ, A. T. & T.
Signed: Mark Lieb
MARK LIEB, Atmos Energy

PACKET



NEWTON ENGINEERING, PC
4501A Santa Rosa Dr. P-13855 2481 E. 2nd St.
Midland, Texas 79707 F-10194509 Odessa, Texas 79761
(409) 775-0000 (409) 933-0707

May 20, 2024
DATE: APRIL 2024

FINAL PLAT

PROJECT NUMBER
22-ME02251



Final Plat Application

Project Number: SUB-24-0713
Case Number: _____

Proposed Subdivision Plat Name: Oaktree Ranch, Section 4

Legal Description (attached sealed Metes and Bounds): Oaktree Ranch, Section 4 being a 2.77 acre tract located in Section 8, Block 'X', H.P. Hilliard Survey, City and County of Midland, Tx

Property Owner

Printed Name: Evans I LTD

Phone (432) 425-1194

Email spike1ltd@yahoo.com

Address P.O. Box 7962

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: Newton Engineering, PC

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

Phone (432) 935-0707

Email kyle@newtoncivil.com

Address 4501A Santa Rosa Drive

City Midland

State TX

Zip 79707

Current Zoning:

Reason for Platting: Create a single lot for development purposes.

Plat Information

Total Acreage: 2.77 ac

Type: ☒ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-Family Dwelling Units: 1

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: 4.22.24

Property Owner (printed):

Paul Evans

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

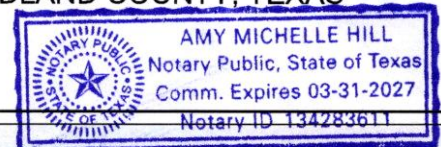
Before me, the undersigned authority, on this day personally appeared Paul Evans who, being by me duly sworn, upon oath says: That (s)he is authorized by Evans LTD, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and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

Authorized Agent (signature)

Subscribed and sworn to before me, this 22 day of April, 2024, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

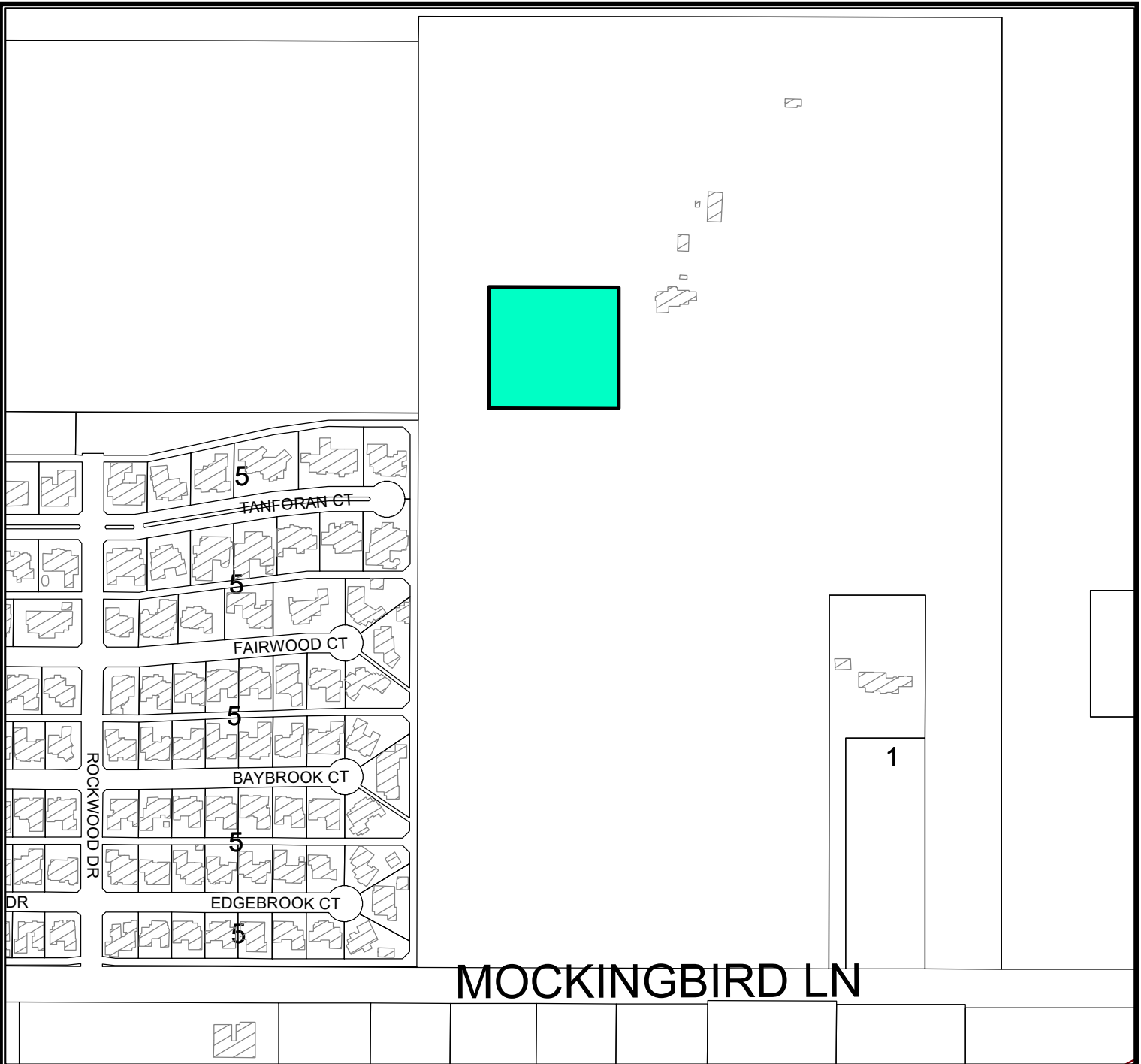


FOR OFFICE USE ONLY

- | | | |
|--|--|--|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☒ Mylar | ☐ 1 Copy of Plat (11x17) | ☐ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☒ Public Improvement |
| Check # <u>1589</u> | ☐ Tax Certificates | ☒ Recording Fee |
| Received By: <u>[Signature]</u> | | Check # <u>1590</u> |

Date:

Application will not be considered for scheduling until reviewed by May 20, 2024



MOCKINGBIRD LN

LOCATION MAP

SUB-24-0713

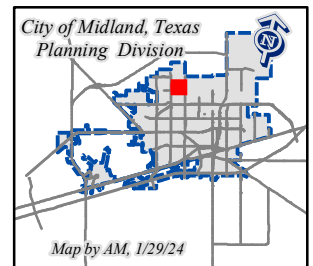
Scale: 1" = 400'

Proposed Plat of Oaktree Ranch, Section 4, being a 2.77-acre tract of land out of Section 8, Block 'X' H.P. Hilliard Survey, City and County of Midland, Texas.

Generally located approximately 1,700 feet north of Mockingbird Lane, and approximately 2,000 feet west of North Midkiff Road. (Council District 1)

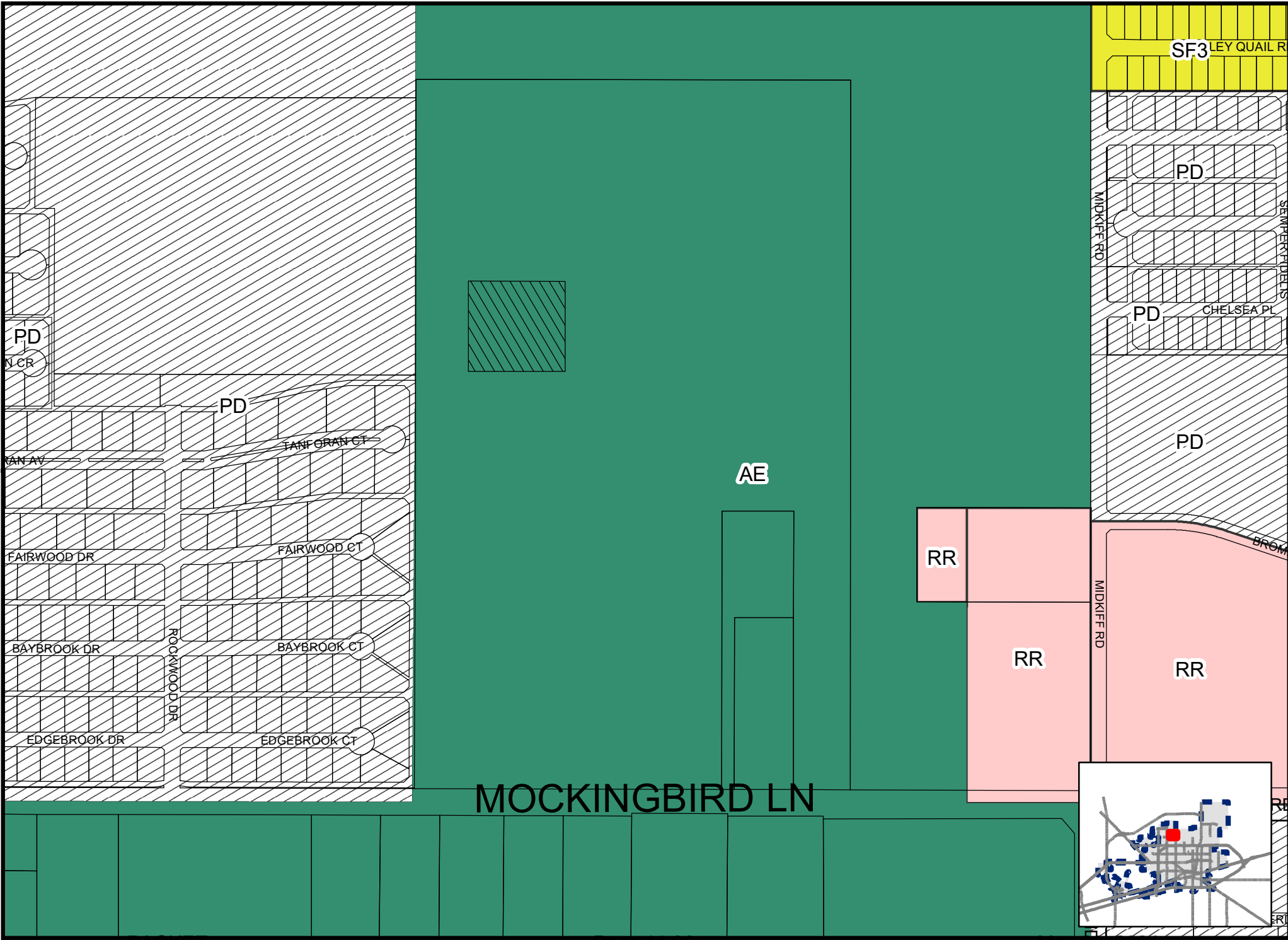
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving a Final Plat of Myatt Addition, Section 2 being a replat of a 2.34 acre portion of Lot 1, and all of Lot 2, Block 1, Myatt Addition, an addition to the City of Midland, and a 0.10 acre portion of a called 16 foot strip of land, all being situated in Section 15, Block 39, T&P Ry. Co. Survey, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of W. Wadley Avenue and N. Garfield Street.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

RR, Regional Retail District.

Preliminary Plat Approval:

The applicant, Maverick Engineering, on behalf of ORSRP LTD, is requesting a 2.34 acre portion of Lot 1, and all of Lot 2, Block 1, Myatt Addition, an addition to the City of Midland, and a 0.10 acre portion of a called 16 foot strip of land, all being situated in Section 15, Block 39, T&P Ry. Co. Survey, into one (1) Lot for ownership purposes.

This Plat was approved through the short form procedure.

Final Plat Requirements:

The official signed Mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District and a title opinion have 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: Okay as shown. [For Applicant's Information Only.]

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

WATER: 10" water exists in W Wadley Street S of tract, okay as is. 20" water transmission main exists in W Wadley Street S of tract, okay as is. 12" water exists in N Garfield Street W 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: 18" sewer exists in W Wadley Street S of tract, okay as is. 33" sewer exists in W Wadley Street S of tract, okay as is. 12" sewer exists in N Garfield Street W of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: Existing site is developed; If proposing to re-develop site drainage can be reviewed with building permit.

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 and Gas issues.

BUILDING CODE: (Approved)

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

GIS: (Approved)

No comments.

CRMWD: (Approved)

We do not have any comments on this plat.

Planning: (Approved)

All comments have been addressed.

Attachments:

Proposed Final Plat
Application
Maps
Aerial Photo

BEING A REPLAT OF A 2.34 ACRE PORTION OF LOT 1, AND ALL OF LOT 2, BLOCK 1, MYATT ADDITION, AN ADDITION TO THE CITY OF MIDLAND, AND A 0.10 ACRE PORTION OF A CALLED 16 FOOT STRIP OF LAND, ALL BEING SITUATED IN SECTION 15, BLOCK 39, T-1-S, T&P RY. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS





Final Plat Application

Project Number:

SUB 13-0692

Case Number:

Proposed Subdivision Plat Name: Myatt Addition, Section 2**Legal Description (attached sealed Metes and Bounds):** Being a Replat of a 2.34 Acre Portion of Lot 1, and all of Lot 2, Block 1, Myatt Addition, an Addition to the City of Midland, and a 0.10 Acre Portion of a Called 16 Foot Strip of Land, all being Situated in Section 15, Block 39, T-1-S, T&P RY. Co. Survey, City and County of Midland, Texas**Property Owner**
Printed Name: ORSRP Ltd

Phone (432) 262-0999

Email
wstrain@gastonstrain.com

Address PO Box 2492

City Midland

State TX

Zip 79702

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: RR**Reason for Platting:** ownership purposes**Plat Information**

Total Acreage: 2.95

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" \$61.00For plats that exceed 24" \$81.00For 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): Thomas M. BeallDate: 4/22/24Property Owner (printed): 973E6C135812485... Thomas M. Beall

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

Andrew L Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 22nd day of April, 2024, to certify which witness my hand and seal of office.



Kelsey Ann Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Received By: _____

Date: _____

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

PACKET

Page 12.103

May 20, 2024

Final Plat Application

2

Revised 7/01/19

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):**

DocuSigned by:

J.M. GahrDate: 4/22/24**Property Owner (printed):**

EA6427B134494AD...

J.M. Gahr

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.

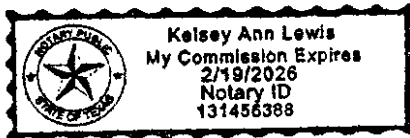
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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

Andrew L. Mellen
 Authorized Agent (signature)

Subscribed and sworn to before me, this 22nd day of April, 2024, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
 NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Received By: _____

Date: _____

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

PACKET

Page 12.104

May 20, 2024

Final Plat Application

2

Revised 7/01/19

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): Christy Motycka Date: 4/22/24
DocuSigned by: F04FB2036A0142A...
 Property Owner (printed): Christy Motycka

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.

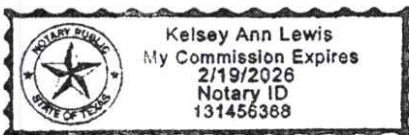
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 Kilikina Ltd, 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 12th day of April, 2024, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
 NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

- | | | |
|--|--|---|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☒ Plat in Digital Format (PDF/JPEG) |
| ☒ Mylar | ☒ 1 Copy of Plat (11x17) | ☒ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☒ Public Improvement |
| Check # <u>4754</u> | ☒ Tax Certificates | ☒ Recording Fee |

Received By: [Signature]

Date: APR 24 2024

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

PACKET

Page 12.105

Final Plat Application

2

May 20, 2024

Revised 7/01/19

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): Christy Motycka

Date: 4/22/24

Property Owner (printed): Christy Motycka

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.

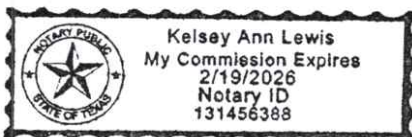
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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

Andrew L Mellen
 Authorized Agent (signature)

Subscribed and sworn to before me, this 22nd day of April, 2024, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
 NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

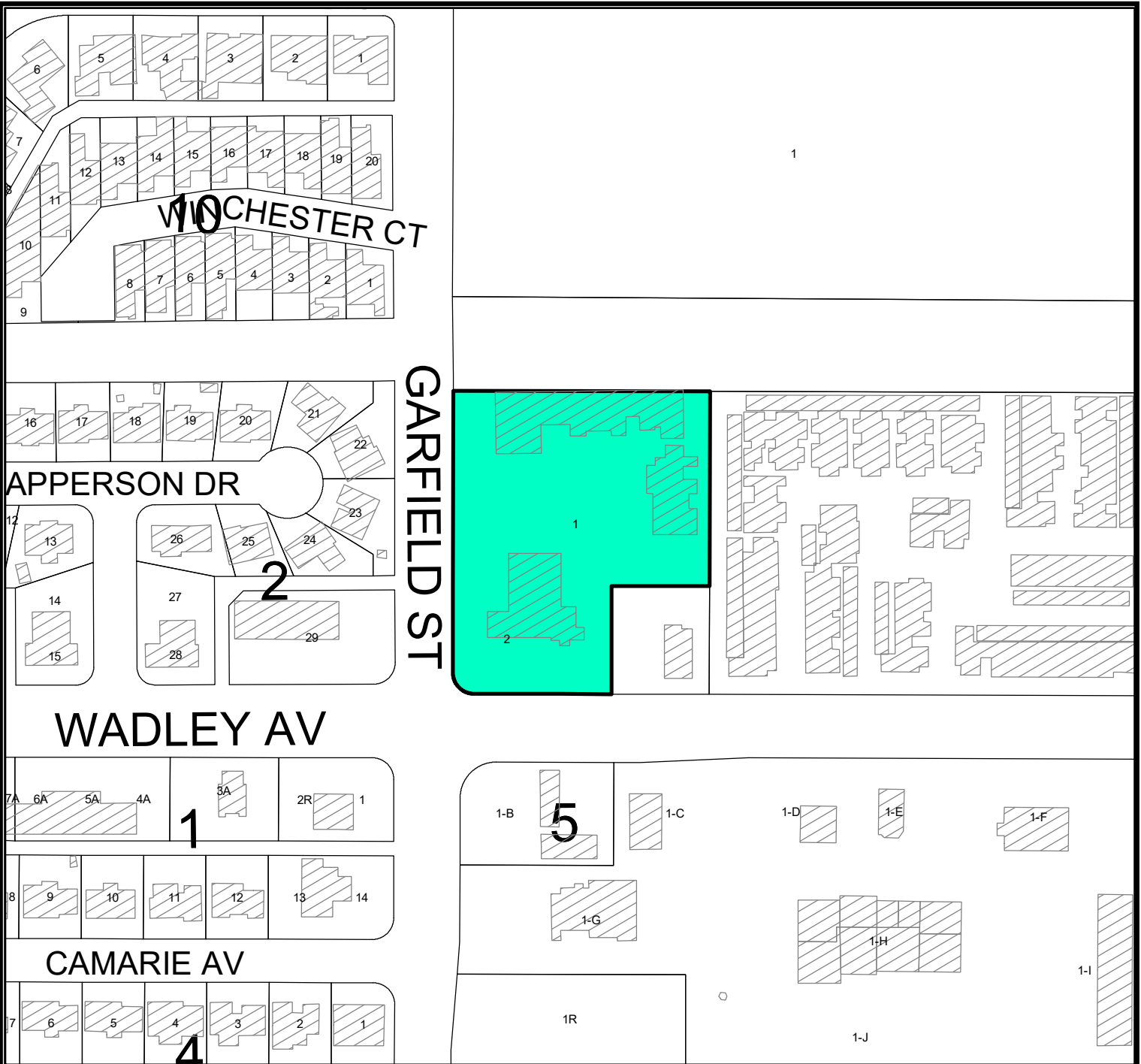
FOR OFFICE USE ONLY

- | | | |
|--|--|---|
| ☒ Property Owner Authorization | ☒ Copy of Dimensioned Plat | ☒ Plat in Digital Format (PDF/JPEG) |
| ☒ Mylar | ☒ Copy of Plat (11x17) | ☒ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☒ Public Improvement |
| Check # <u>4754</u> | ☒ Tax Certificates | ☒ Recording Fee |
| | | Check # <u>4755</u> |

Received By: [Signature]

Date: APR 24 2024

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



Location Map

SUB-23-0692

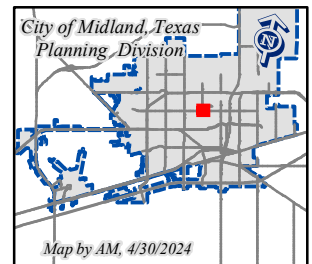
Scale: 1" = 200'

Proposed Plat of Myatt Addition, Section 2 being a replat of a 2.34 acre portion of Lot 1, all of Lot 2, Block 1, Myatt Addition, and addition to the City of Midland and a 0.10 acre portion of a called 16 foot strip of land, all being situated in Section 15, Block 39, T-1-S T&P Ry. Co. Survey, City and County of Midland, Texas.

Generally located northeast of the corner of the intersection of West Wadley Avenue and North Garfield Street. (Council District 3)

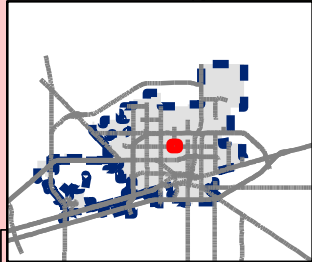
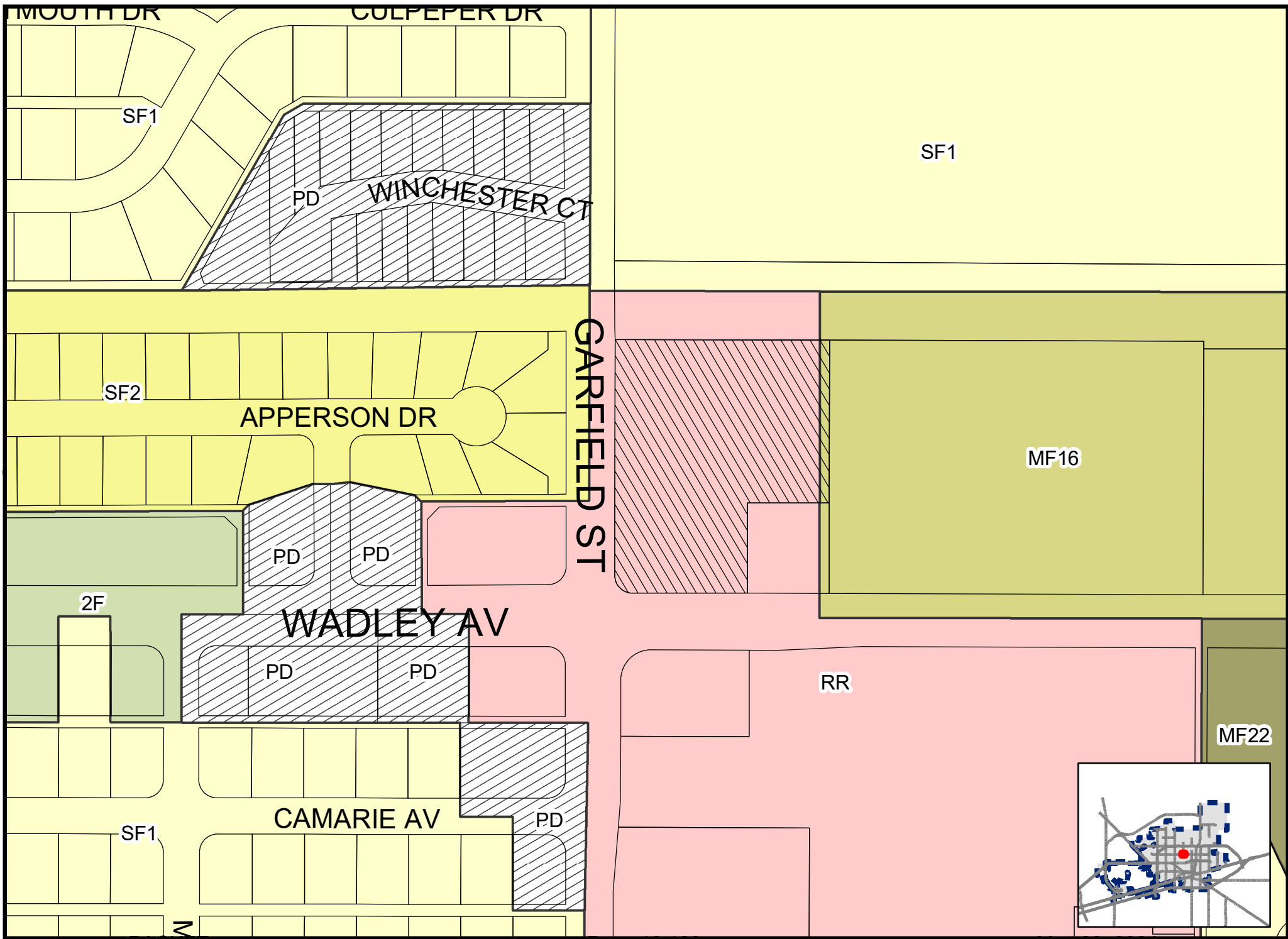
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving a Final plat of Permian Estates, Section 22, being a replat of Lots 11, 12, and 13, Permian Estates, City and County of Midland, Texas. (Generally located at the southwest corner of the intersection of West Illinois Avenue and North McDonald Street.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

O-1, Office District.

Preliminary Plat Approval:

The applicant, Maverick Engineering, on behalf of Drop in Commercial Properties MTX LTD, is requesting to replat Lots 11, 12, and 13, Permian Estates, City and County of Midland, Texas for ownership purposes.

This Plat was approved through the short form procedure.

Final Plat Requirements:

The official signed Mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District and a title opinion have 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: Okay as Shown [For Applicant's Information Only.]

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

WATER: 8" water exists in Illinois Street N of tract, okay as is. 6" water exists in McDonald 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 McDonald Street E of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

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

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

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

OIL AND GAS: (Approved)

No Oil and Gas issues.

BUILDING CODE: (Approved)

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

GIS: (Approved)

Add direction to McDonald St (N McDonald St)

CRMWD: (Approved)

We do not have any comments on this plat.

Planning: (Approved)

All comments have been addressed.

Attachments:

Proposed Final Plat
Application
Maps
Aerial Photo

PERMIAN ESTATES, SECTION 22

BEING A REPLAT OF LOTS 11, 12, AND 13, BLOCK 55, PERMIAN ESTATES, AN ADDITION TO THE CITY AND COUNTY OF MIDLAND, TEXAS

WILLINOIS AVE. (80 R.O.W.)

N 75°43'35" E 245.22'

POB
E2 887
N: 1069445.63
E: 170492.37

SS
PERMIAN ESTATES
ADDITION
C&A, PG. 63
P.R.M.C.T.

LOT 10
BOBBY WALKER
VOL. 139, PG. 256
O.P.R.M.C.T.

N: 10691523.00
E: 170522.21

SS
11A
0.70 ACRES
35.517 9'

MCDONALD ST. (40 R.O.W.)

S 14°11'38" E 124.54'

S 75°44'00" W 244.90'

20' ALLEY

LOT 17
LAURELES MANUEL
BARRIEZ II
DOC. 43200-1048
O.P.R.M.C.T.

LOT 16
GUADALUPE LEYVA &
DANNY VASQUEZ
DOC. 43096-1411
O.P.R.M.C.T.

SS
PERMIAN ESTATES
ADDITION
C&A, PG. 63
P.R.M.C.T.
LOT 15
ROBERT CLETO
DOC. 43223-3744
O.P.R.M.C.T.

LOT 14
BELVA B. LUCAS
VOL. 2732, PG. 128
O.P.R.M.C.T.

SURVEY NOTES

1. BASIS OF BEARING, COORDINATES, DISTANCE AND ACRAGE 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 (9999) OF -4°54'48"47" AND A CONVERSION SCALE FACTOR OF 0.999999911 AT NGS "MIDLAND".
2. 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
3. SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
4. LOCATION OF BURNED UTILITIES AND PRESENCE, IF ANY, IS APPROXIMATE, BASED UPON OBSERVED EXISTING SIGNAGE, CITY OF MIDLAND GIS AND VISUAL EVIDENCE, OR BY ONE-CALL 811. SITE MARKINGS AT THE TIME OF THIS SURVEY DUE CARE IS RECOMMENDED; CALL 1-800-ONE-TESS FOR LOCATES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.

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 REPARATED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
4. IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASED.
5. THE SUBJECT PROPERTY HAS UNDERGONE A ZONE CHANGE FROM SF-2, SINGLE FAMILY DWELLING, UNITS, TO D-1, OFFICE DISTRICT, AS APPROVED BY COUNCIL ACTION, ON JANUARY 9, 2024, AS ORDINANCE 10194514.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP 44822C021032, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNDESIGNED PORTION OF ZONE "X" DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

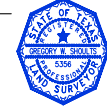
THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART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

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
MAVERICK ENGINEERING (TX FIRM #10194514)
1709 W. WALL STREET, SUITE K
MIDLAND, TX 79701



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS DROP IN COMMERCIAL PROPERTIES MTX LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 22, BLOCK 35, T-1-S, T&P, HAWLEY CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT DROP IN COMMERCIAL PROPERTIES MTX LLC, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS PERMIAN ESTATES, SECTION 22, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBMITTED 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 CONSENT AND EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT ON LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

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

BY _____ FOR DROP IN COMMERCIAL PROPERTIES MTX LLC.

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

THE _____ DAY OF _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF PERMIAN ESTATES, 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

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

ATTEST: ENERGY

BY _____

ATTEST: UTILITY

BY _____

OPTIONAL

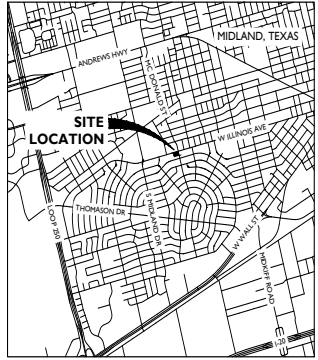
BY _____

ASTOUND BROADBAND

BY _____

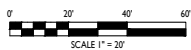
ONCOR ELECTRIC DELIVERY

BY _____



VICINITY MAP

N.T.S.



SCALE 1" = 20'

LEGEND

① DENOTES 1/2" IRON ROD FOUND WITH CAP MARKED "SCHLARMAN ENGINEERING" UNLESS OTHERWISE NOTED

----- BOUNDARY LINE

----- PROPERTY LINES

O.P.R.M.C.T. OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX

P.R.M.C.T. PLAT RECORDS, MIDLAND CO., TX



MAVERICK
CIVIL ENGINEERING / LAND SURVEYING

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

PROPERTY OWNER

DROP IN COMMERCIAL PROPERTIES MTX LLC
6130 E. 816 STREET
TULSA, OK 74137
DOC. 43244-89 OPRMCT

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE _____

PERMIAN ESTATES
May 20, 2024
SECTION 22

PACKET

Page 13.113



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Permian Estates, Section 22

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lots 11, 12, and 13, Block 55, Permian Estates, an Addition to the City and County of Midland, Texas

Property Owner Printed Name: Drop in Commercial Properties MTX Ltd		Phone: (432) 684-8005 Email: luis@cdgmidland.com	
Address: 6130 E 81st St	City: Tulsa	State: OK	Zip: 74137

Developer (if different than Owner) Printed Name:		Phone () Email:	
Address:	City:	State:	Zip:

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>Maverick Engineering</u> 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: O1
Reason for Platting: ownership purposes

Plat Information	Total Acreage: 0.70
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 <u>20 days</u> and a Residential Replat must be submitted at least <u>25 days</u> 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)

DocuSigned by:

Clinton Baird

Date: 4/22/24

Property Owner (printed):

C91319496409467...

Clinton Baird

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.

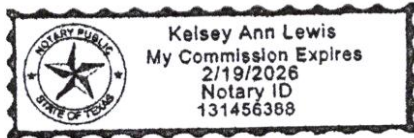
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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

Andrew L Mellen
 Authorized Agent (signature)

Subscribed and sworn to before me, this 22nd day of April, 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 FeeCheck # 4736☒ 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 FeeCheck # 4736Received By: [Signature]Date: APR 24 2024

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

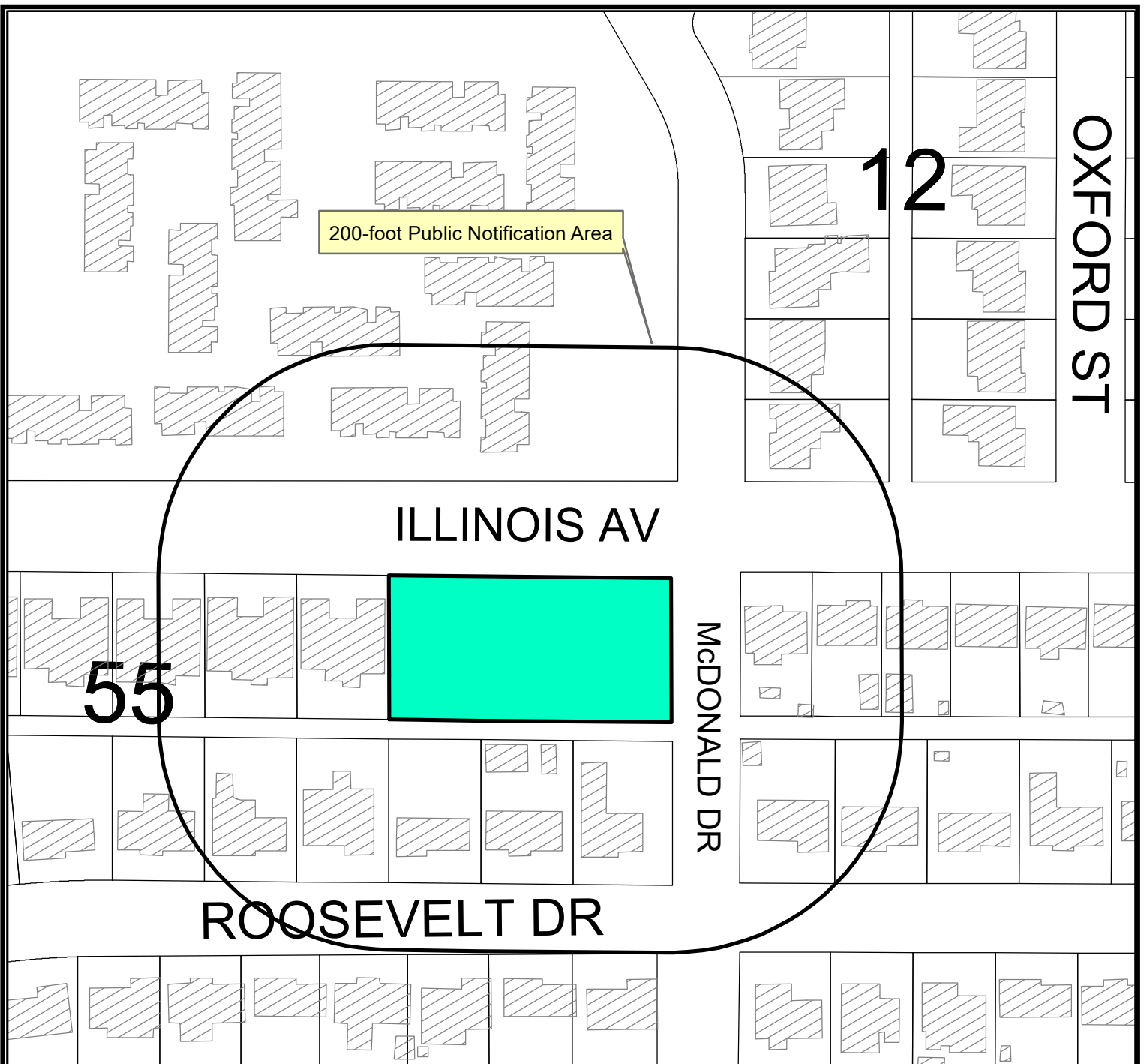
Page 13.115

May 20, 2024.....

Final Plat Application

2

Revised 7/01/19



LOCATION MAP

SUB-23-0707

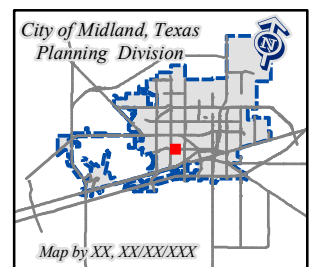
Scale: 1" = 125'

Proposed Plat of Permian Estates, Section 22, being a Replat of Lots 11, 12, and 13, Block 55, Permian Estates, City and County of Midland, Texas.

Generally located at the southwest corner of the intersection of West Illinois Avenue and North McDonald Street. (Council District 4)

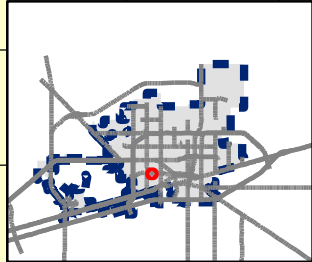
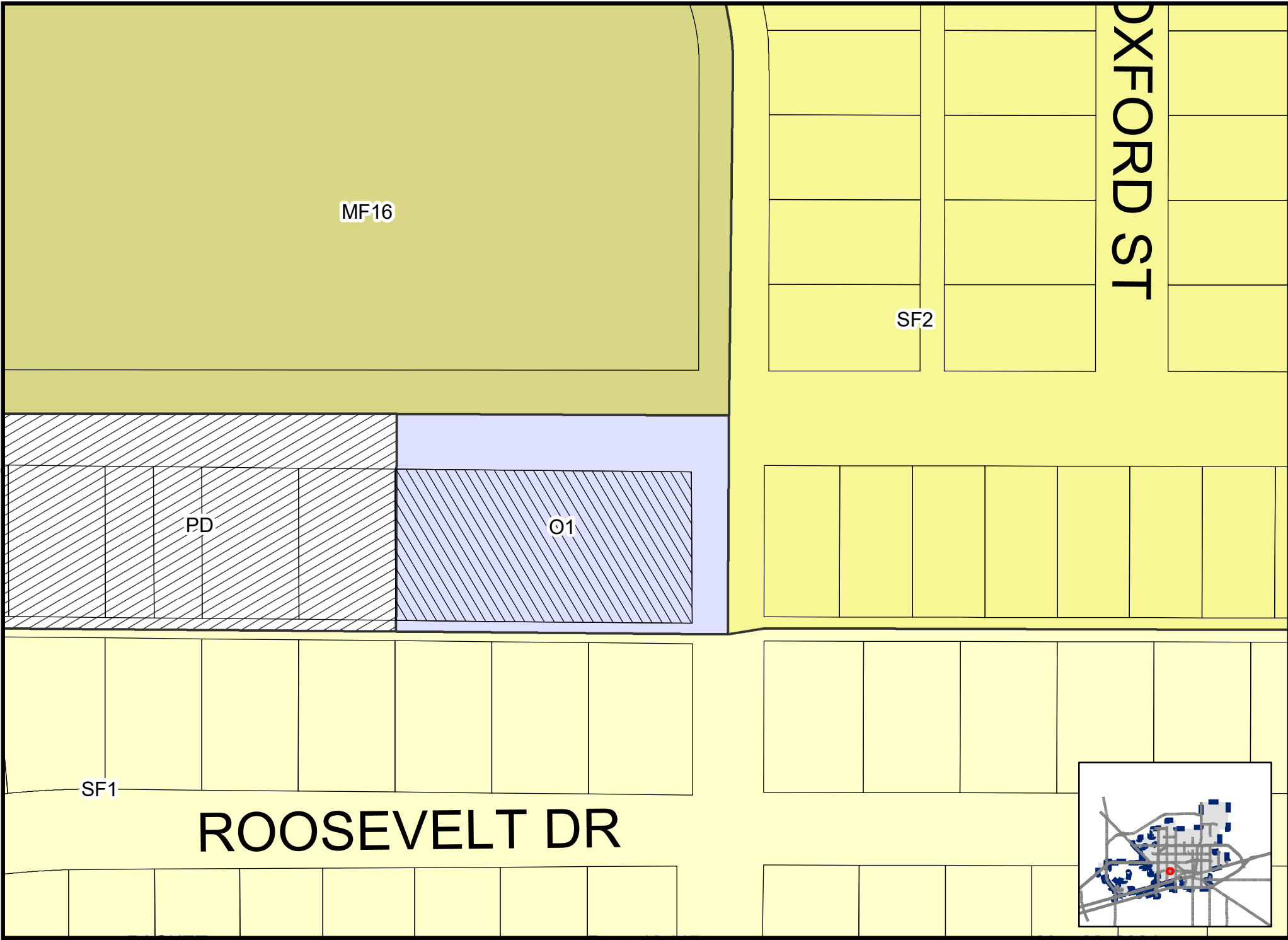
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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







Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving a Final Plat of Pioneer Natural Resources USA Addition, being a plat of an 87.55- acre tract of land out of Sections 33 and 40, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located at the northwest corner of the intersection of North County Road 1140 and East State Highway 80.) (DISTRICT: NONE) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Preliminary Plat Approval:

Dunaway, on behalf of Pioneer Natural Resources USA, is requesting to plat an 87.55-acre tract for future development.

The Planning & Zoning Commission recommended approval of the preliminary plat on October 2, 2023. [Informational]

City Council approved the preliminary plat on October 24, 2023. [Informational]

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

PAVING: HWY 80 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 3/6/2024. [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 3/6/2024. [For Applicant's Information Only.]

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

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

Fire: (Approved)

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

Oil and Gas: (Approved)

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

Building Code: (Approved)

ETJ, no jurisdiction

GIS: (Approved)

No comments.

Health Department:

Yes, the health department will review application from the 1 proposed lot of Pioneer Natural Resources USA, PLAT OF A 87.5 ACRE TRACT OF LAND OUT OF SECTION 33 AND 40, BLOCK 38, T-1-S, T. & P. RR. CO. the lot is 87.5 acre to ensure the proposed plans on the application for future septic system will meet the setbacks from existing structures and existing septic systems and the water wells on the property and the water wells on the adjacent properties.

Midland County Public Works:

If they are tying into NCR 1140 they will need a permit from Public Works.

The county will typically recommend requiring a Drainage Study and Water availability certificate.

Since this is a final plat the sketch and/or preliminary communications happened before I got here. Also, this appears to be for commercial use by the owner. That being the case I'm good with it as is.

Planning: (Approved)

Staff recommends approval of the Final Plat of Pioneer Natural Resources USA Addition.

Attachments:

Proposed Final Plat
Application
Location Map
Zoning Map
Aerial



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: PIONEER NATURAL RESOURCES USA, INC**Legal Description (attached sealed Metes and Bounds):** BEING A PLAT OF AN 87.55 ACRE TRACT OF LAND OUT OF SECTIONS

33 AND 40, BLOCK 38, TOWNSHIP 1 SOUTH, T.&P. R.R. CO SURVEY, MIDLAND COUNTY, TEXAS

Property Owner

Printed Name:

Pioneer Natural Resources USA, Inc.

Phone (972) 969-3915
Email

Address 4815 E Highway 80

City Midland

State TX

Zip 79706

Developer (if different than Owner)

Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: Dunaway Associates, LLC

Printed Name: Tim Hair

Phone (210) 241-6939
Email

Address 4000 N. Big Spring Street, Suite 101

City Midland

State TX

Zip 79706

Current Zoning:**Reason for Platting:** Drainage: relocation of existing drainage pond to accommodate site improvements; to combine lots with same owner that directly abut one another**Plat Information**

Total Acreage: 87.55

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

Number of Lots: 1

Number of Multi-Family Dwelling Units: 0

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

- 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):

By: 

Date:

3/18/24

Property Owner (printed):

PIONEER NATURAL RESOURCES, E.V.P.

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☒ Application Fee

Check # 1733

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☒ Title Opinion

☒ Tax Certificates

☒ Plat in Digital Format (PDF/JPEG)

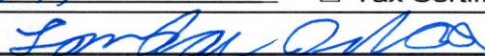
☒ CADD File

☒ Public Improvement

☒ Recording Fee

Check # 1732

Received By:



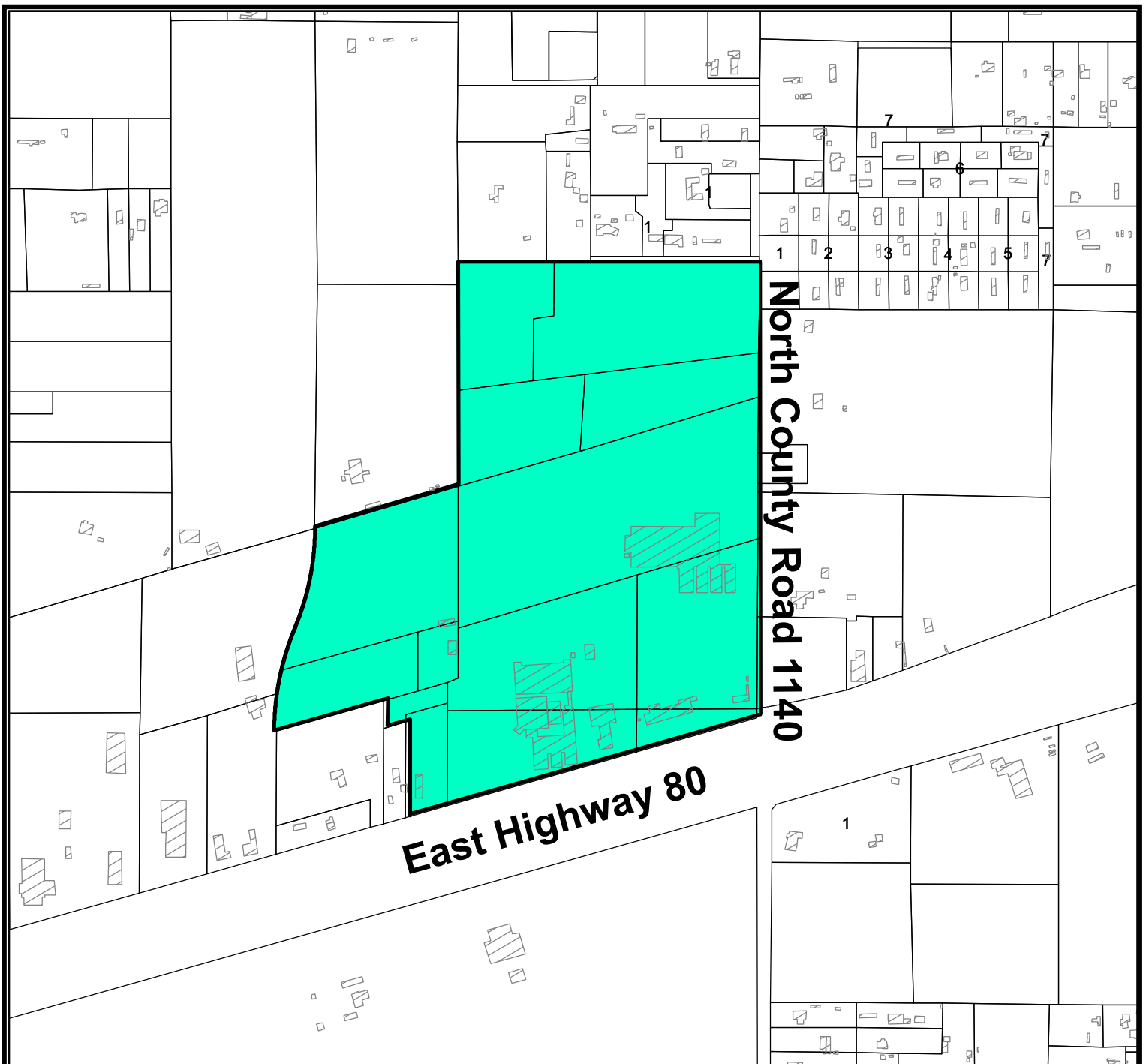
Date:

****Application will not be considered for scheduling until reviewed by a planner**** 3/20/24

PACKET
Final Plat Application

Page 14.123
2

May 20, 2024
Revised 7/01/19



LOCATION MAP

SUB-23-0644

Scale: 1" = 7,790'

Proposed Plat of Pioneer Natural Resources USA Addition, being a pat of an 87.55- acre tract of land out of Sections 33 and 40, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas.

Generally located at the northwest corner of the intersection of North County Road 1140 and East State Highway 80. (ETJ)

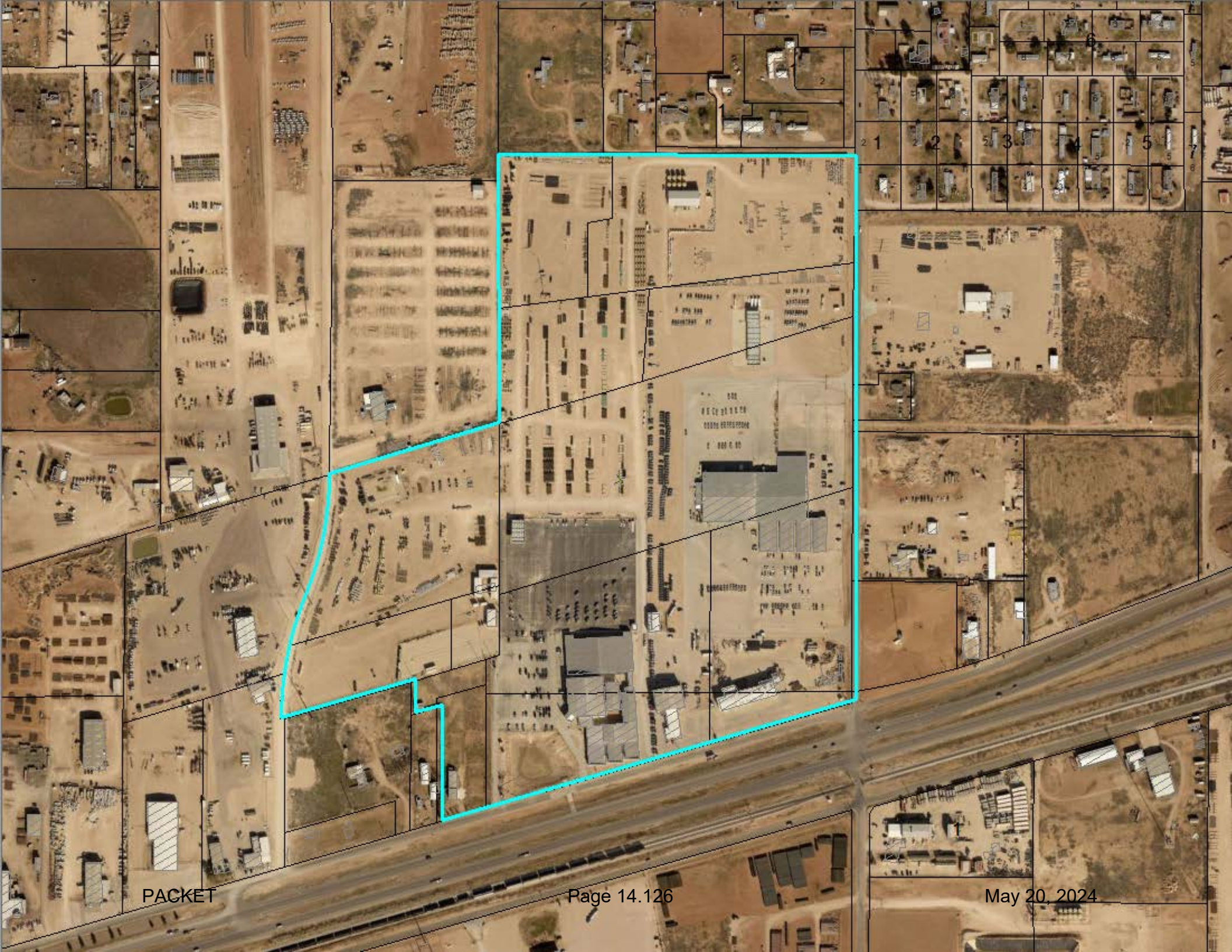
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving a Final Plat of Southern Meadows Industrial, Section 2, being a replat of Lots 1 & 2, Block 1, Southern Meadows Industrial, Midland County, Texas. (Generally located on the northwest corner of the intersection of East County Road 140 and the proposed South County Road 1180.) (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 1 & 2, Block 1, Southern Meadows Industrial, Midland County, Texas for ownership purposes. The property is proposed to be replatted into seven lots at a minimum of one acre.

The Planning & Zoning Commission approved the preliminary plat on October 16, 2023. [Informational]

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: Property is outside of the designated service areas. [For the Applicant's information only.]

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

PAVING: Previous deferral request that was administratively approved on May 14, 2019 is still valid for the proposed re-plat. [For the Applicant's information only.]

WATER: Previous deferral request that was administratively approved on May 14, 2019 is still valid for the proposed re-plat. [For the Applicant's information only.]

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

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

SEWER: Previous deferral request that was administratively approved on May 14, 2019 is still valid for the proposed re-plat. [For the Applicant's information only.]

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

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

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

Fire: (Approved)

No objections.

Oil and Gas: (Approved)

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

Building Code: (Approved)

ETJ, no jurisdiction

GIS: (Approved)

No comments.

Health Department:

Yes, the health department will review applications from the 7 proposed lots of Southern Meadows Industrial, Section 2, REPLAT OF LOTS 1 & 2, BLOCK 1, SOUTHERN MEADOWS INDUSTRIAL, lot 3 is 3 acre, lot 4 is 1.3 acre, lots 5 to 9 are 1 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 and existing structures on the properties and the water wells on the adjacent properties.

Midland County Public Works:

They will need to get a driveway permit from Public Works to tie into the country road.

Since this is a final and the prior communications were before I got here I'll assume the city is already satisfied with Drainage plans, street construction, water availability, etc.

Planning: (Approved)

Staff recommends approval of the Final Plat of Southern Meadows Industrial, Section 2.

Attachments:

Proposed Final Plat
Application
Location Map
Zoning Map
Aerial



Final Plat Application

Project Number:

SUB-23-06-70

Case Number:

P-24-1985

Proposed Subdivision Plat Name: Southern Meadows Industrial, Section 2**Legal Description (attached sealed Metes and Bounds):** Being a Replat of Lots 1 & 2, Block 1, Southern Meadows Industrial, an Addition to Midland County, Texas**Property Owner**

Printed Name:

CM Butler Construction LLC

Phone (432) 413-3079

Email

chris@cmbcllc.com

Address

4416 Briarwood Ave Ste 110 Box 23

City

Midland

State

TX

Zip

79707

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Printed Name: Paladin 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:

8.545

Type:

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

Number of Lots:

7

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): Christopher M. Butler

Date: 4/22/24

Property Owner (printed): Christopher M. Butler

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.

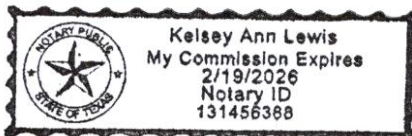
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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

Andrew L Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 22nd day of April, 2024, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

- | | | |
|--|--|---|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☒ Plat in Digital Format (PDF/JPEG) |
| ☐ Mylar | ☒ 1 Copy of Plat (11x17) | ☒ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☒ Public Improvement |
| Check # <u>4760</u> | ☒ Tax Certificates | ☒ Recording Fee |
| | | Check # <u>4761</u> |

Received By: Lester Ochoa

Date: May 20, 2024

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

PACKET
Final Plat Application

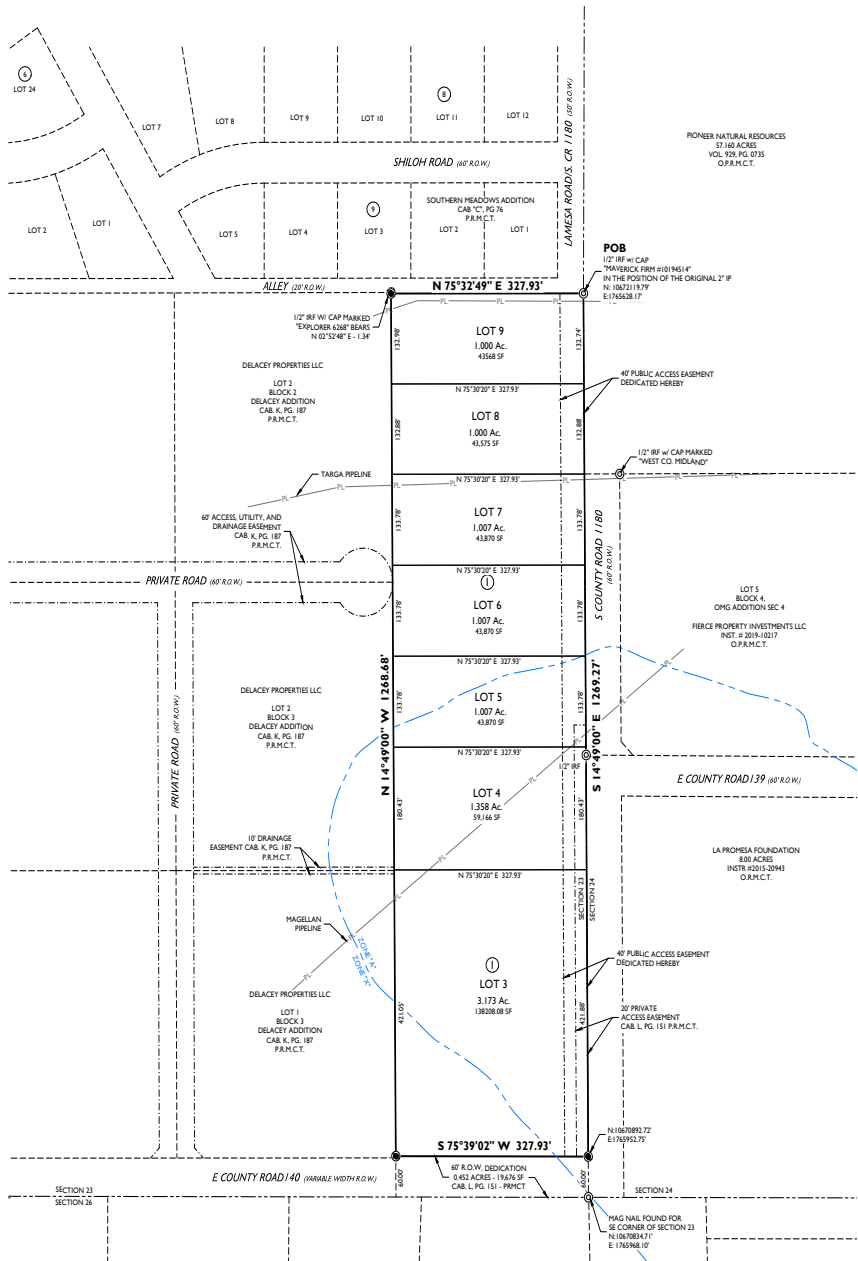
Page 15.131

2

Revised 7/01/19

SOUTHERN MEADOWS INDUSTRIAL
SECTION 2

BEING A REPLAT OF LOTS 1 & 2, BLOCK 1, SOUTHERN MEADOWS INDUSTRIAL,
AN ADDITION TO MIDLAND COUNTY, TEXAS



PACKET

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 MIDLAND, TEXAS.

Gregory W. Shoults
GREGORY W. SHOULTS, EXPL.'S
REGISTERED PROFESSIONAL LAND SURVEYOR #5356
MAVERICK ENGINEERING / LAND SURVEYING (P) 10194514
1909 W. WALL STREET, SUITE 1C
MIDLAND, TX 79701



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS CHM BUTLER CONSTRUCTION LLC IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 23, BLOCK 1, T-1 S, R-1 E, CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT CHM BUTLER CONSTRUCTION LLC, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS SOUTHERN MEADOWS INDUSTRIAL, SECTION 2, AN ADDITION TO MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HEREIN, DO HEREBY DEDICATE TO THE PUBLIC USE FOR THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON:

WITNESS MY HAND AT MIDLAND, TEXAS, THIS

THE DAY OF 2024

CHRIS BUTLER, FOR CHM BUTLER CONSTRUCTION LLC

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

THE DAY OF 2024

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF SOUTHERN MEADOWS INDUSTRIAL, SECTION 2, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS, ON THIS

DAY OF 2024

LUCY SIDNEGA, CHAIRMAN

SECRETARY

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

AT&TS ENERGY

BY:

AT&T

BY:

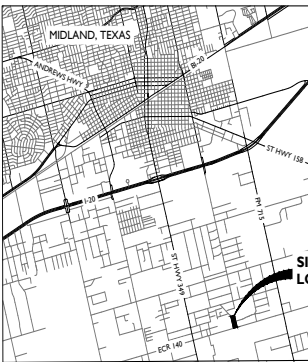
OPTIMUM

BY:

ASTOUND BROADBAND

BY:

PROVIDE CLECING COMPANY



SITE LOCATION

VICINITY MAP

N.T.S.



NOTES

- 1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHDRAWING OF UTILITIES AND BUILDING PERMITS.
2. BASIS OF BEARINGS, COORDINATES AND DISTANCES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE 1420, NORTH AMERICAN DATUM OF 1983, WITH A CONVERGENCE ANGLE (RMS) OF .054846" AND A COMBINED SCALE FACTOR OF 0.999989111 AT 103.742140".
3. 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" SET AT ALL CORNERS, UNLESS OTHERWISE SPECIFIED.
4. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
5. LOCATION OF BURIED UTILITIES AND PIPELINES, IF ANY, IS APPROXIMATE BASED UPON OBTAINED EXISTING SOURCE, CITY OF MIDLAND GIS AND VISUAL EVIDENCE, OR BY ONE-CALL 811. SITE MARKINGS AT THE TIME OF THIS SURVEY DUE CARE IS RECOMMENDED. CALL 1-800-GO-DESS FOR LOCATES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.

LEGEND

- SET 1/2-INCH IRON ROD WIRED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514"
FOUND MONUMENT AS NOTED
BOUNDARY LINE
PROPERTY LINES
EASEMENT LINE
SECTION LINE
UNDERGROUND PIPELINE
FLOOD PLAIN
O.P.M.C.T. OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
P.M.C.T. PLAT RECORDS, MIDLAND CO., TX
D.M.C.T. DEED RECORDS, MIDLAND CO., TX

PROPERTY OWNER

CHM BUTLER CONSTRUCTION LLC
414 BRAWLEY RD STE 110 BOX 23
MIDLAND, TX 79707
DEED INSTRUMENT #2019-4331

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP (HAYSTACK/IAF) DATED: SEPTEMBER 14, 2004, A PORTION OF THIS PROPERTY IS WITHIN THE UNSHADOWED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN". A PORTION OF THIS PROPERTY IS WITHIN ZONE "X", AS SHOWN, ZONE "X" IS DESIGNATED AS AREA WITH A 1% ANNUAL CHANCE OF FLOODING AND A 0.2% CHANCE OF FLOODING OVER THE LIFE OF A 30-YEAR MORTGAGE, BECAUSE DETAILED ANALYSES ARE NOT PERFORMED FOR SUCH AREAS, NO DEPTHS OR BASE FLOOD ELEVATIONS ARE SHOWN WITHIN THESE ZONES.

THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF MAVERICK CIVIL & SURVEY, LLC.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

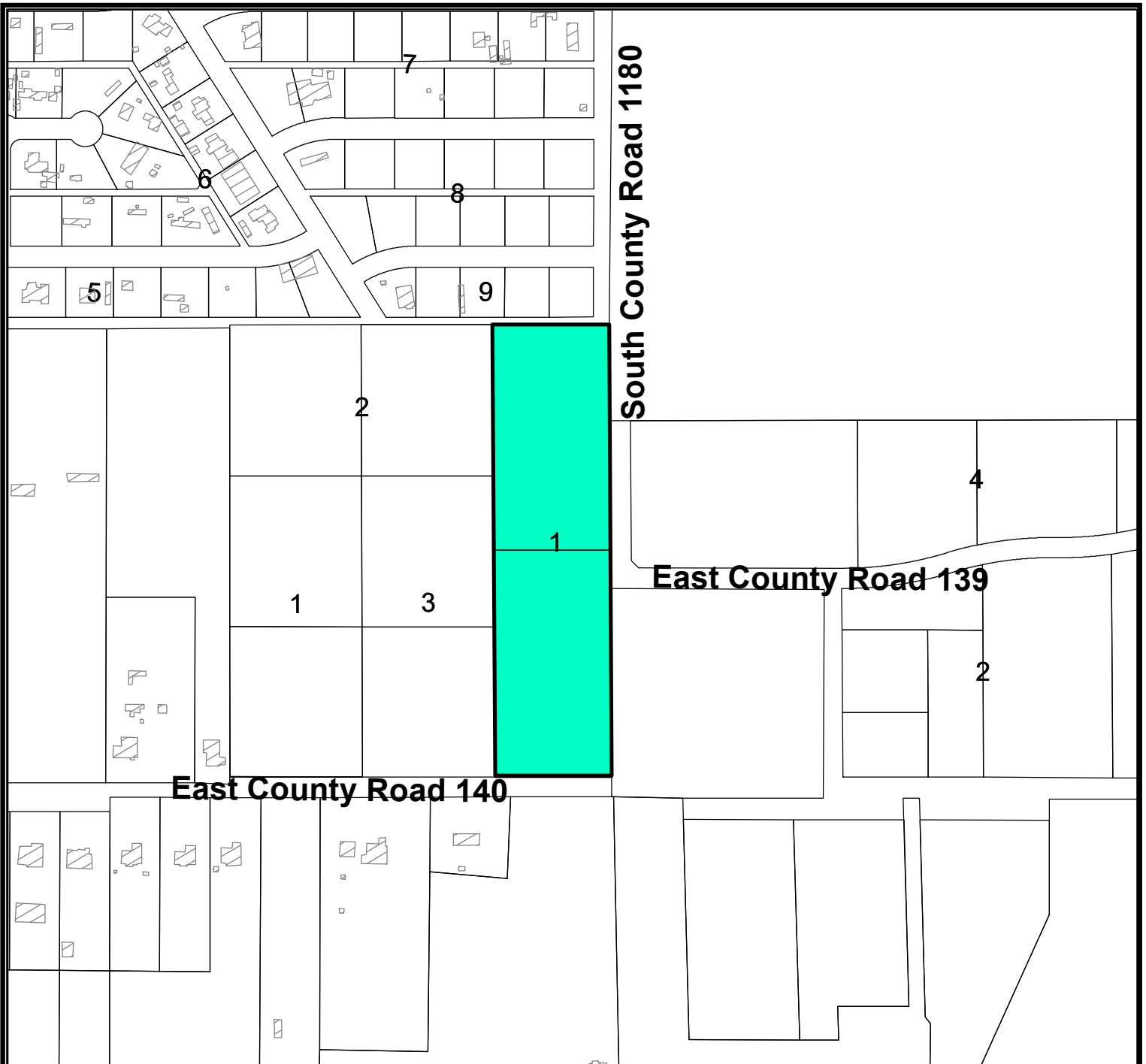
NO.

DATE



MAVERICK
CIVIL ENGINEERING / LAND SURVEYING
1909 West Wall Street, Suite "1C"
Midland, Texas 79701
ENGINEER FIRM #: P-15089
SURVEY FIRM #: 10194514
Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com

SOUTHERN MEADOWS INDUSTRIAL
May 20, 2024
SECTION 2



LOCATION MAP

SUB-23-0670

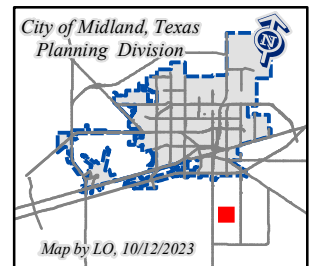
Scale: 1" = 4,869'

Proposed Plat of Southern Meadows Industrial, Section 2, being a replat of Lots 1 & 2, Block 1, Southern Meadows Industrial, Midland County, Texas.

Generally located on the northwest corner of the intersection of East County Road 140 and the proposed South County Road 1180 (ETJ)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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





Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Consider a request by Schumann Engineering for a proposed Final Plat of Crestgate Addition, Section 52, being a replat of Lot 1A, Block 3, Crestgate Addition, Section 33, City and County of Midland, Texas. Generally located northeast of the intersection of Crestfield Street and West Loop 250 North. (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

PD, Planned District for Housing Development (Ordinance 5358)

Preliminary Plat Approval:

Schumann Engineering, on behalf of St. Nicholas Episcopal Church, is requesting to replat Lot 1A, Block 3, Crestgate Addition, Section 33, City and County of Midland, Texas. for ownership purposes.

This plat qualifies for the short form process and therefore does not have a preliminary phase. [11-2-3(l)]

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: Refer to transportations comments.

PAVING: W Loop 250 road is TxDOT facility, built and maintained by TxDOT, no improvements required. Crestfield roadway okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 12" water exists in Crestfield Street W of tract, okay as is. 12" water exists in W Loop 250 Street S of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

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

DRAINAGE: If proposing to develop site drainage can be reviewed with building permit.

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

Transportation: (Approved)

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

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

Fire: (Approved)

No objections.

Oil and Gas: (Approved)

No Oil and Gas Issues.

Building Code: (Approved)

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

GIS: (Approved)

No comments.

Planning: (Approved)

Staff recommends approval of the Final Plat of Crestgate Addition, Section 52.

Letters of Objection:

As of May 16, staff has received one letter of objection.

Attachments:

Proposed Final Plat
Application
Location Map
Zoning Map
Aerial
Ordinance 5358





Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: CRESTGATE ADDITION SECTION 52**Legal Description (attached sealed Metes and Bounds):** BEING A RE-PLAT OF LOT 1A, BLOCK 3,
CRESTGATE ADDITION, SECTION 33, CITY AND COUNTY OF MIDLAND TEXAS**Property Owner**

Printed Name: ST NICHOLAS EPISCOPAL CHURCH

Phone (432) 694-8856

Email russell.meyers@midlandhealth.org

Address 4000 W. LOOP 250 N

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 SURVEYING, INC.

Printed Name: EDUARDO ALEMAN

Phone (432) 254-8327

Email

edaleman@schumannonline.net

Address 800N. MAREINFELD SUITE 100

City MIDLAND

State TX

Zip 79701

Current Zoning:**Reason for Platting:** TO SPLIT LOT INTO 3 LOTS**Plat Information**

Total Acreage: 7.00

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

Number of Lots: 3

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

A Haynie

Date: 4-10-2024

Property Owner (printed):

A Haynie A Haynie

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.

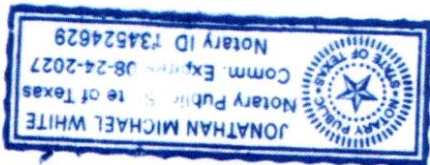
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Amy Haynie who, being by me duly sworn, upon oath says: That (s)he is authorized by St. Nicholas Church 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 10th day of April, 2024 to certify which witness my hand and seal of office.



Jonathan White
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☒ Application Fee

Check # Online

☒ 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 # 1189

Received By: [Signature]

Date: APR 24 2024

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

PACKET
Final Plat Application

Page 16.140
2

May 20, 2024
Revised 7/01/19

CRESTGATE ADDITION SECTION 52

BEING A RE-PLAT OF
LOT 1A, BLOCK 3, CRESTGATE ADDITION, SECTION 33,
CITY AND COUNTY OF MIDLAND TEXAS

STATE OF TEXAS §
CITY AND COUNTY OF MIDLAND §

WHEREAS, DTS REAL ESTATE, LP, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND BEING LOT 1A, BLOCK 3, CRESTGATE ADDITION, SECTION 33, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 7.00 ACRE TRACT OF LAND KNOWN AS LOT 1A, BLOCK 3, CRESTGATE ADDITION, SECTION 33, MIDLAND COUNTY, TEXAS. SAID 7.00 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINF BAR FOUND (N-10707346.72, E-1735945.66) IN THE EAST RIGHT-OF-WAY LINE OF CRESTFIELD STREET FOR THE NORTHWEST CORNER OF THIS TRACT, ALSO BEING THE ORIGINAL NORTHWEST CORNER OF SAID LOT 1A;

THENCE NORTH 75°37'57" EAST 879.86 FEET TO A REINF BAR FOUND IN THE WEST RIGHT-OF-WAY LINE OF CRESTWAY LANE FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°23'07" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE OF SAID CRESTWAY LANE, 369.95 FEET TO THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 75°38'21" WEST, ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF SAID WEST LOOP 250 NORTH, 214.98 FEET TO A REINF BAR FOUND FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE SOUTH 81°15'53" WEST, ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF SAID WEST LOOP 250 NORTH, 348.46 FEET TO A REINF BAR FOUND FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE SOUTH 81°20'51" WEST 158.88 FEET TO A REINF BAR SET TO A CORNER OF THIS TRACT;

THENCE SOUTH 75°38'15" WEST 160.34 FEET TO A REINF BAR SET ALSO BEING THE ORIGINAL SOUTHWEST CORNER OF SAID LOT 1A;

THENCE NORTH 14°20'06" WEST 319.87 FEET TO THE PLACE OF BEGINNING.

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS CRESTGATE ADDITION, SECTION 52, AN ADDITION OF 7.00 ACRES IN THE CITY OF MIDLAND, 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.

ST NICHOLAS EPISCOPAL CHURCH

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS PLAT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2024, BY ST NICHOLAS EPISCOPAL CHURCH.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE CITY PLANNING AND ZONING COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF CRESTGATE ADDITION, SECTION 52, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 2024.

SIGNED: _____
CHAIRMAN: LUCY SISNEGA

ATTEST: _____
SECRETARY: XAVIER BAUGUSS.

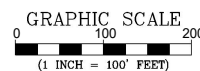
OWNER(S):

ST NICHOLAS EPISCOPAL CHURCH
4000 W LOOP 250 N
MIDLAND, TX 79707

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



RJ DAUM
TEXAS RPLS 4826



NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
1	02/01/2024	SKETCH PLAT	JG	JG	02/01/2024
				CHECKED BY: ED/RJ	PROJECT NO.: 80,020
				JOB NO.: 80,046	SHEET: 1 OF 1

SCHUMANN
SURVEYING, INC.
A LATERAL LAND COMPANY
300 N. MIDLAND AVE.
MIDLAND, TEXAS 79701
Office (432) 684-3548

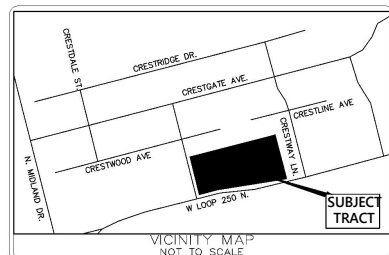
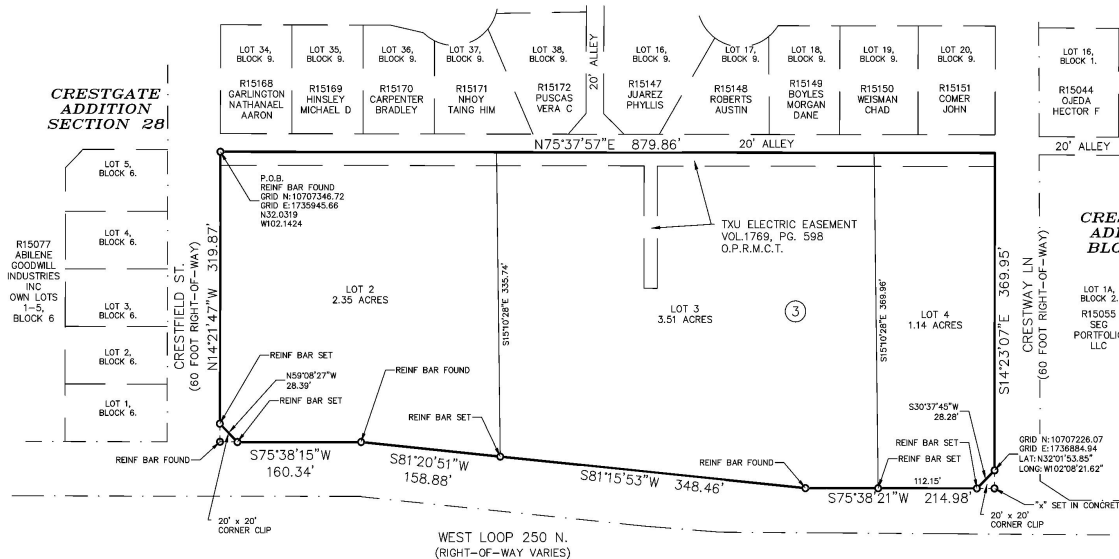
May 20, 2024

CRESTGATE ADDITION, SECTION 52.

CRESTGATE ADDITION BLOCK 9

CRESTGATE ADDITION SECTION 28

CRESTGATE ADDITION BLOCK 29



LEGEND:

- MONUMENT AS DESCRIBED
- PROPERTY LINE
- - - ADJOINING PROPERTIES
- - - SECTION LINE
- - - UTILITY EASEMENT
- - - CITY WATER LINE
- - - OVERHEAD ELECTRIC
- UTILITY POLE

NOTES:

- BEARINGS, DISTANCES AND ACREAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
- MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASE OF FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) ANY LOT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- PROPERTY IS IN ZONE X ACCORDING TO FEMAP MAP PANEL 48329C0067F WITH AN EFFECTIVE DATE OF 9/16/2005.
- NO DIRECT ACCESS TO LOOP 250 FRONTAGE ROAD FOR LOT 1 AND LOT 3, UNLESS APPROVED BY TDDOT.

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

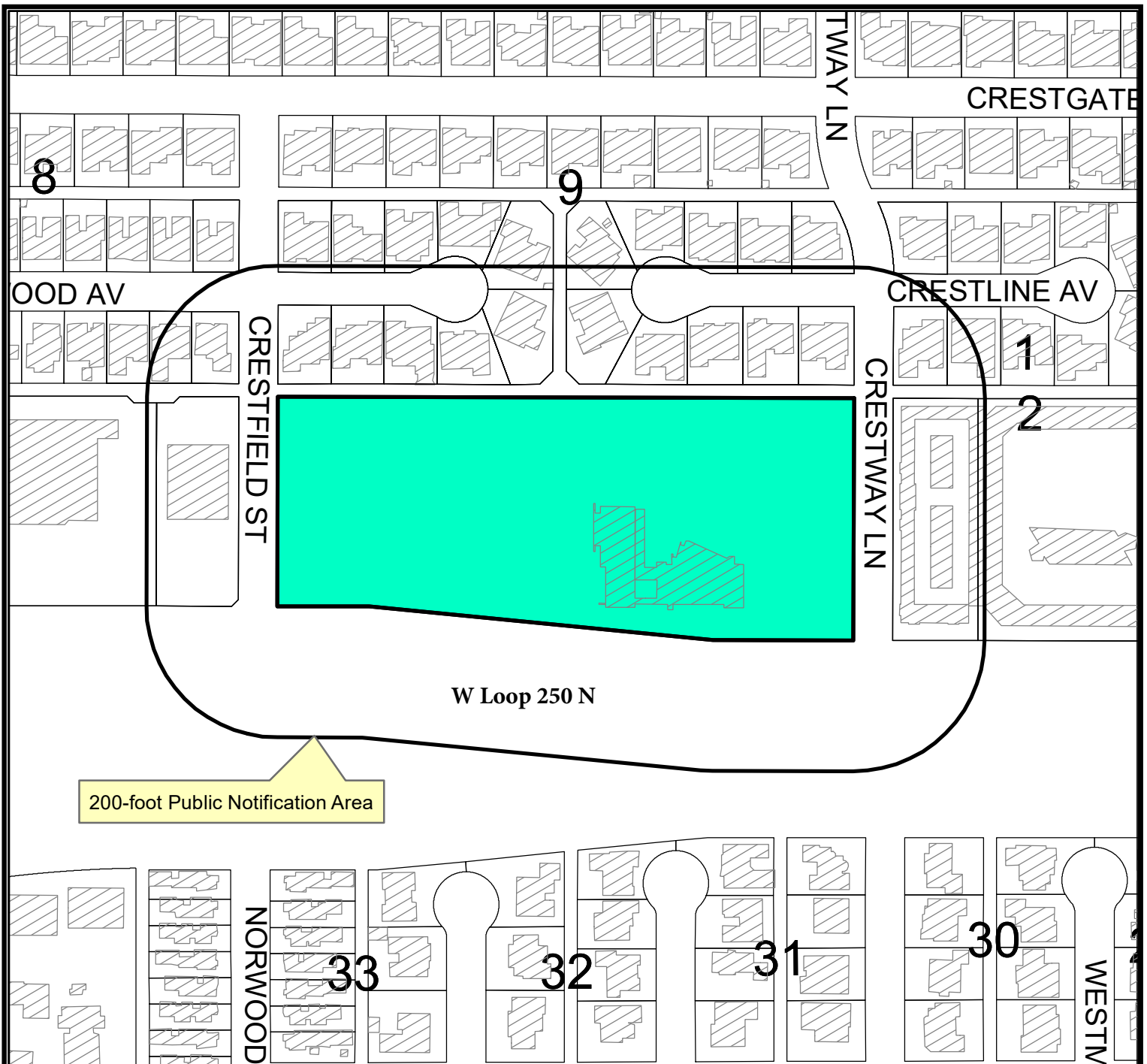
SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM COMMUNICATIONS

SIGNED: _____
ASTOUND COMMUNICATIONS

PACKET



Location Map

SUB-24-0717

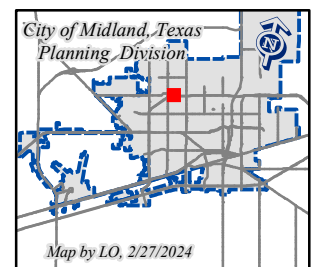
Scale: 1" = 220'

Proposed plat of Crestgate Addition, Section 52, being a replat of Lot 1A, Block 3, Crestgate Addition, Section 33, City and County of Midland, Texas.

Generally located northeast of the intersection of Crestfield Street and West Loop 250 North. (Council District 1)

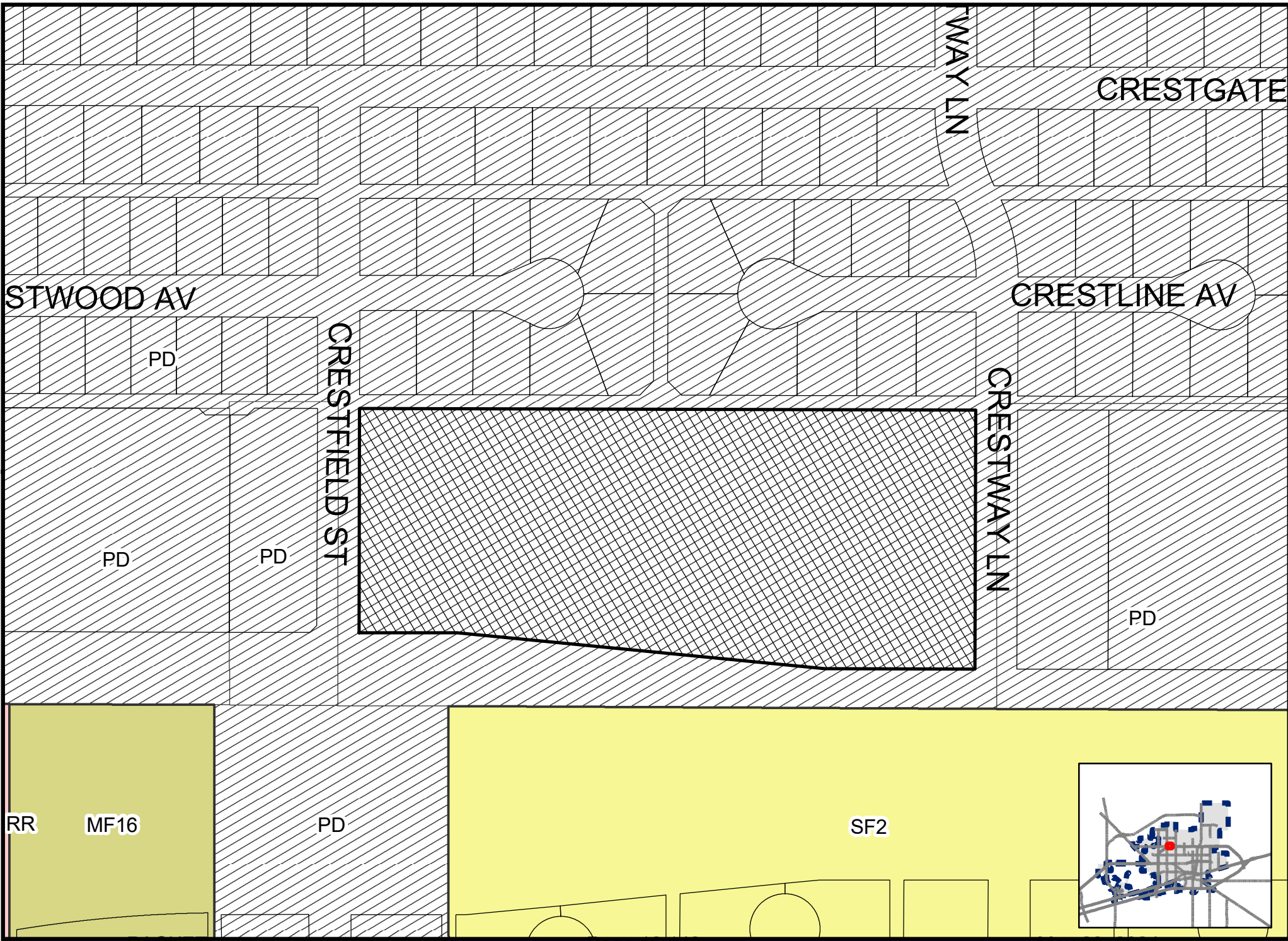
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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ORDINANCE NO. 5358

AN ORDINANCE AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING THE PROPERTY DESCRIBED IN SECTION ONE HEREOF, WHICH IS PRESENTLY ZONED "1F-1", ONE-FAMILY DWELLING DISTRICT, TO BE USED AS A "PLANNED DISTRICT" FOR A HOUSING PROJECT; PROVIDING FOR SUCH USE TO BE SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS AS SET OUT HEREIN; PROVIDING THAT THE PROPERTY SHALL BE IMPROVED ACCORDING TO THE SITE PLAN, ORDINANCES AND OTHER SPECIFICATIONS SET OUT AND REFERRED TO HEREIN; ADDING A PORTION OF SAID PROPERTY TO THE FIRE DISTRICT; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND ORDERING PUBLICATION

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter and the State law with reference to the creation of "Planned Districts" under the zoning ordinance regulations and zoning map, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by the creation of the "Planned District" set out hereinafter and subject to the conditions and restrictions set out hereinafter; and

WHEREAS, the Council, by Ordinance No. 4531, created a Fire District within the City limits of Midland, Texas, and adopted a Fire District Map, appropriately shaded; and

WHEREAS, because of the less restrictive zoning being established for Tract 1 (shown as Lot 23, Block 6 on the general site plan) of the property involved in Section One hereof, the Council finds it to be in the public interest to amend the Fire District so as to add the said premises thereto;

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

SECTION ONE. That Chapter 1, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described property is concerned, which is presently zoned "1F-1", One-Family Dwelling District, and it shall be used as a "Planned District" for a Housing Project, subject to the special conditions and restrictions hereinafter set out:

Said property is described as follows:

A tract of land out of the West part of the S/2 of Section 5, Block X, H. P. Hilliard Survey, Midland County, Texas, being further described by metes and bounds as follows:

BEGINNING at a 1/2" Reinf. Bar set for the West Southwest corner of this tract in the East Right of Way line of North Midland Drive and at the North return of a curve with a Radius of 100 feet, from whence the Southwest corner of said Section 5 bears S. 74° 53' 13" W., 45 feet, and S. 15° 17' 34" E., 149.69 feet, the BEGINNING CORNER OF THIS TRACT;

THENCE N. 15° 17' 34" W., 1,200.68 feet along the East Right of Way line of North Midland Drive to a 1/2" Reinf. Bar set for the Northwest corner of this tract, at the Southwest corner of the City of Midland, Texas, 80 Acre Filtration Plant Site;

THENCE N. 74° 55' 11" E., 2,686.18 feet to a point in a fence line at the Southeast corner of the Filtration Plant Tract for the Northeast corner of this tract;

THENCE S. 15° 19' 45" E., 1,298.88 feet along the fence line to a point for the Southeast corner of this tract in the North Right of Way line of F.M. Highway 868;

THENCE S. 74° 53' 13" W., 2,587.31 feet along the North Right of Way line of F.M. Highway 868, to a 1/2" Reinf. Bar set for the South Southwest corner of this tract at the P.C. of a curve to the right with radius of 100 feet;

THENCE around said curve to the right for 156.77 feet to the PLACE OF BEGINNING.

SAVE AND EXCEPT THE EAST 70 FEET OF THE ABOVE DESCRIBED TRACT leaving a remaining 78.01 acres of land more or less.

SECTION TWO. That Tract 1 (shown as Lot 23, Block 6 on the general site plan) shall be developed and used according to the regulations contained in the City Code for an "LR-2", Local Retail District Zone, except as otherwise permitted or required on the general site plan attached hereto, marked

Exhibit "A", and made a part hereof for all legal purposes.

Development within this "Planned District" shall comply with the said site plan in all respects except the dimensions of lots as shown in Tract 2.

SECTION THREE. That Tract 2 (the remainder of the "Planned District" as depicted on the said site plan) shall be developed and used according to the regulations contained in the City Code applicable to a "1F-2", One-Family Dwelling District, Zone, except as follows:

(1) On all corner lots, a side yard of not less than ten (10) feet shall be observed adjacent to the side street (the street opposite the interior side yard), except that, on Lot 6 of Block 6, a front yard of twenty (20) feet shall be observed adjacent to Crestwood Avenue and a front yard of fifteen (15) feet shall be observed adjacent to Crestfield Street. In no case shall a vehicle entrance to a garage, carport or similar facility off a street be less than twenty (20) feet from the street line.

(2) The front yard set backs shall be no less than twenty (20) feet except where the lots abut upon the turn-around area of a cul-de-sac street where they shall be no less than fifteen (15) feet and except for the front set backs specified for Lot 6, Block 6, above.

(3) All garages, carports or similar facilities shall be constructed so as to be entered from alleyways only and not from streets. No drive-ways shall enter any side street.

(4) There shall be no entries upon the fronts of the lots for vehicular traffic other than a hard surface circular drive which may not occupy more than 80% of the front yards (20% reserved for landscaping).

(5) All dedications shown on said Exhibit "A" including streets, easements for drainage purposes, and alleys behind lots

with rear entrance garages shall be paved at the sole expense of the owner, but shall be afterwards accepted and maintained by the City of Midland. All paving performed and elevations for drainage shall be approved by the Director of Public Works of the City of Midland.

SECTION FOUR. That a true copy of the site plan, attached hereto as Exhibit "A", shall be retained by the Director of Planning and furnished to the Building Inspector for observance in the issuing of permits, for these improvements.

SECTION FIVE. That the Fire District be amended so as to add Tract 1 (shown as Lot 23, Block 6, on Exhibit "A") thereto, and the Building Inspector is authorized and directed to add to the Fire District Map said premises.

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

SECTION SEVEN. 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 EIGHT. 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 NINE. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance, together with the general penalty provision contained in Section 1-3-1 of the City Code of Midland, Texas, 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 25th day of July, A.D., 1978, and passed to second reading on motion of Councilman Marcum, seconded by Councilman Sloan, by the following vote:

Councilmen voting "AYE": Marcum, Sloan, Angelo, Akins, and Howbert

Councilmen voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Councilman Marcum, seconded by Councilman Howbert, on the 8th day of August, A.D., 1978, at a regular meeting of the City Council:

Councilmen voting "AYE": Marcum, Howbert, Angelo, Sloan, and Akins

Councilmen voting "NAY": None

Councilmen "ABSTAINING": Thomas

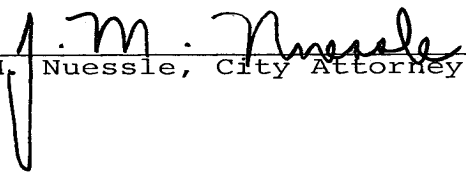
PASSED AND APPROVED THIS 8th day of August, A.D., 1978.


Ernest Angelo, Jr., Mayor

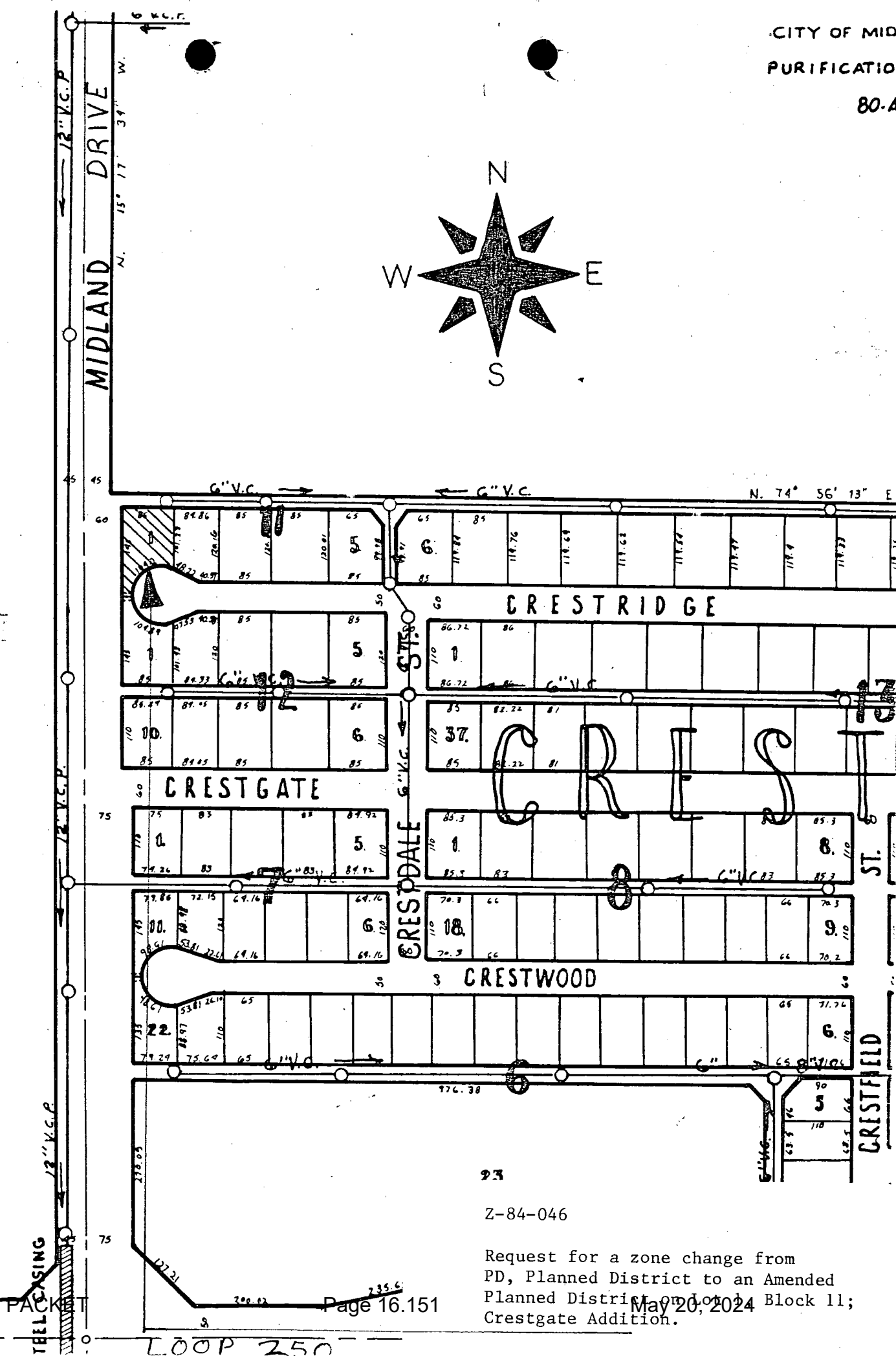
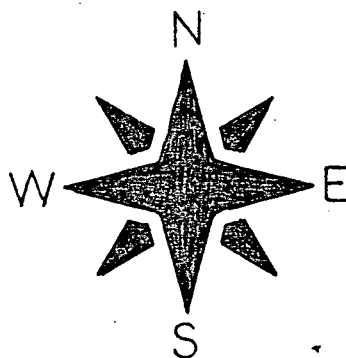
ATTEST:


J. W. McCullough, City Secretary

APPROVED AS TO FORM:


J. M. Nuessle, City Attorney

MATCH TO S

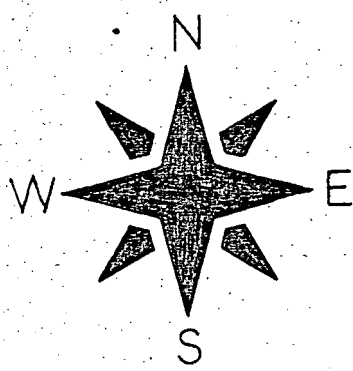
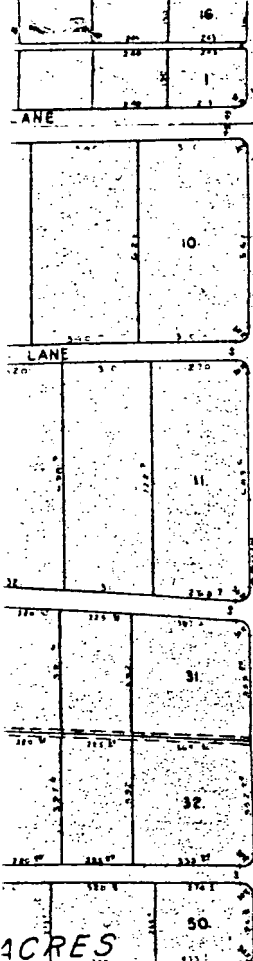


23

Z-84-046

Request for a zone change from
PD, Planned District to an Amended
Planned District, on order of Block 11;
Crestgate Addition.

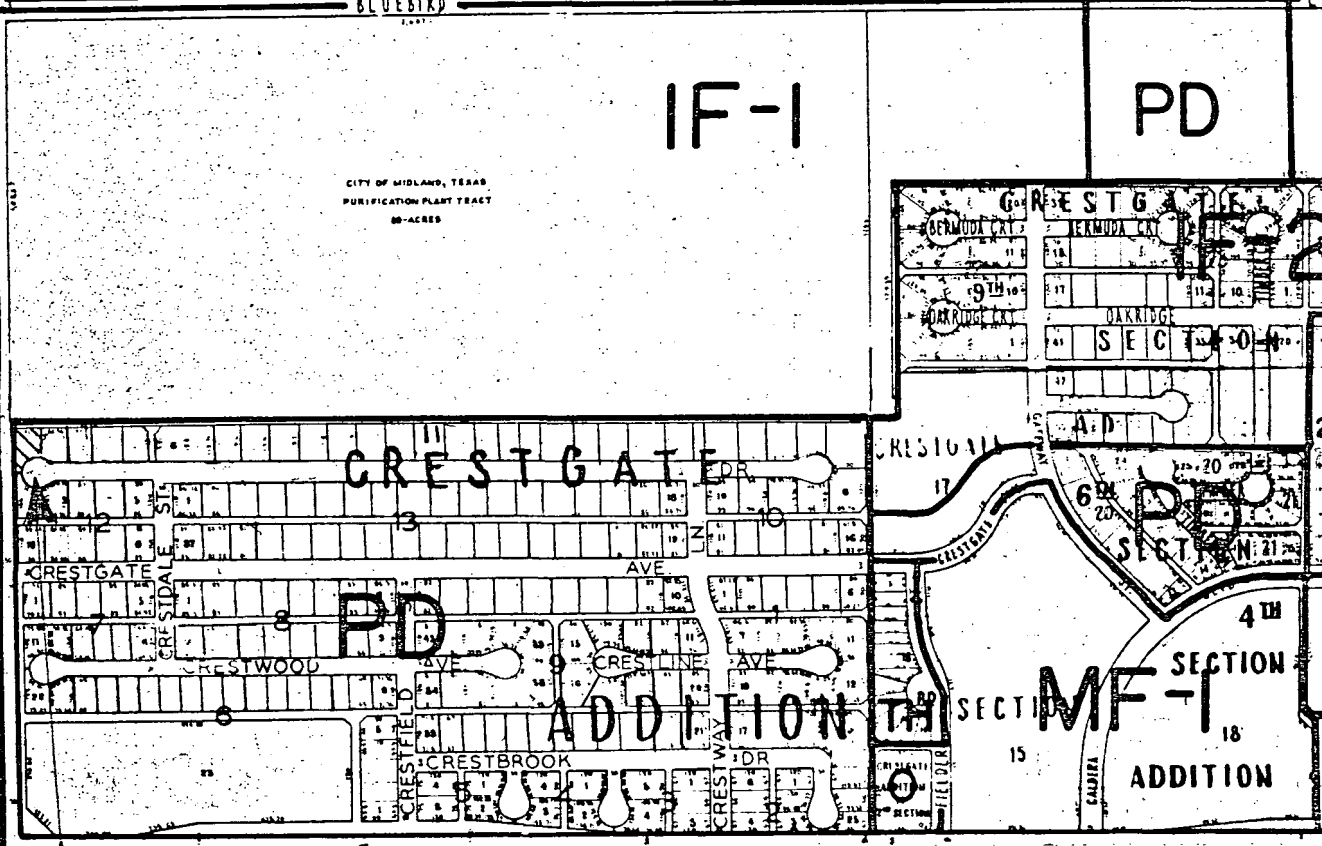
May 20, 2024



AE

CRESTGATE
22 ADDITION
7TH SECTION

CRESTGATE
8TH
SECTION
33
ADDITION

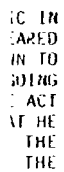


LOOP 250
SEE GRID SHEET

Z-84-046

Request for a zone change from
PD, Planned District to an Amended
Planned District May 20, 2024 Lock 11;
Crestgate Addition.

n Survey



DATED APRIL 9, 1984

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

 C 18

Minda Tullin

TEXAS ELECTRIC SERVICE COMPANY



RECEIVED
MAY 10 2024

PUSCAS VERA C
4001 CRESTWOOD AVE
TX MIDLAND 79707-2737

BY:

PUBLIC NOTICE

The **Planning and Zoning Commission**, of the City of Midland, Texas, will hold a public hearing at 3:30 p.m. on **Monday, May 20, 2024**, in the Council Chamber, City Hall, 300 N. Loraine, Midland, TX 79701 on a request by **Schumann Engineering** for approval of a **Residential Replat** on the following described property:

LEGAL DESCRIPTION: Lot 1A, Block 3, Crestgate Addition, Section 33, City and County of Midland, Texas.

LOCATION: Generally located northeast of the intersection of Crestfield Street and West Loop 250 North. (Council District 1)

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

I object to this request ☒ Comments: I oppose/object to any zoning change that would permit the building, construction of any business (s) that would increase neighborhood traffic, noise, trash..

Required Information:

Carl P. Puscas
Property Owner's Signature

Vera C. Puscas
Printed Name

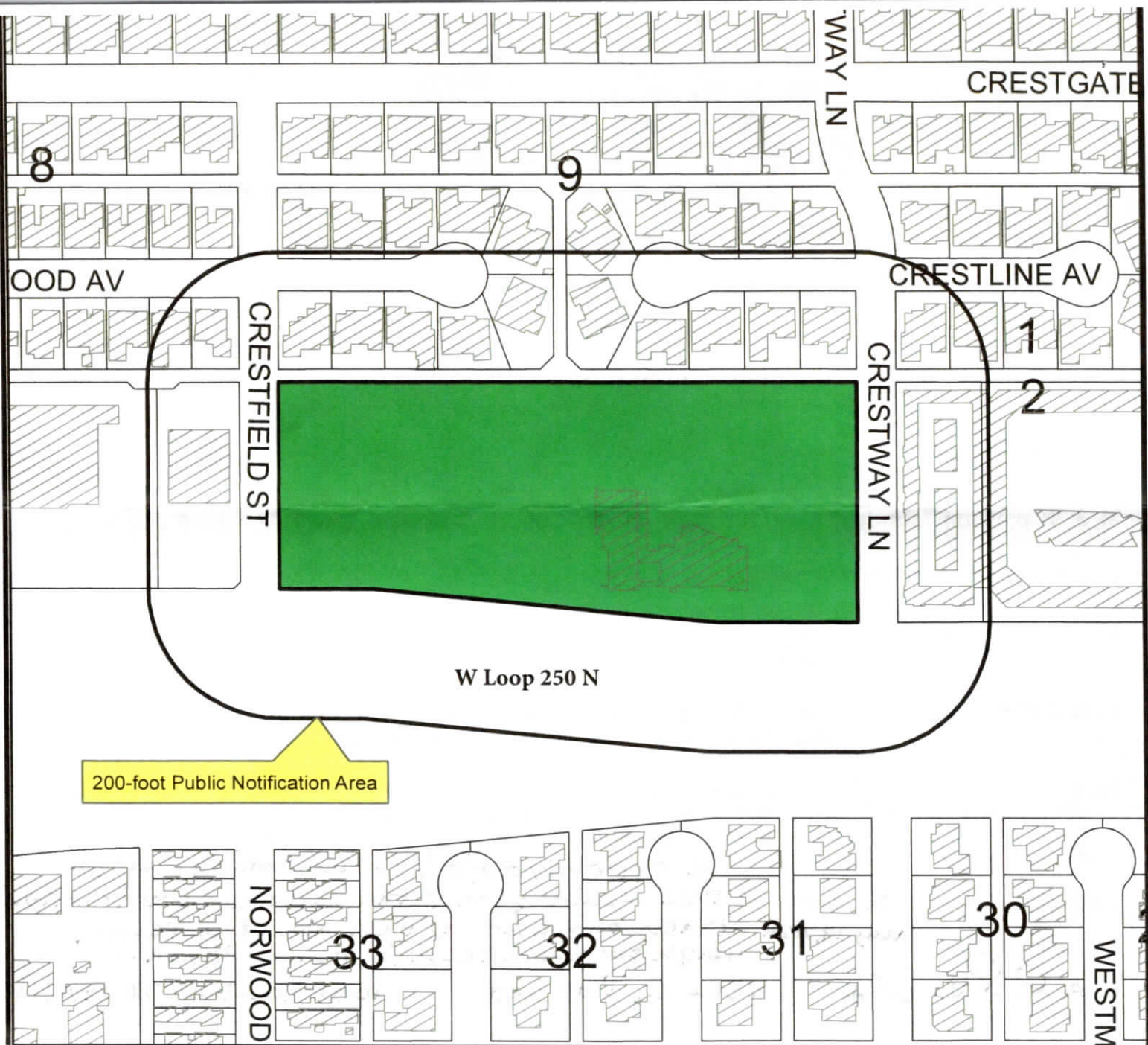
4001 Crestwood Ave
Property Address (No P. O. Boxes)

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

Notices Mailed: 23
Date Mailed: May 3, 2024
Case Number: P-24-1974
Case Name: Crestgate Addition, Section 52
LO: Planner's Initials

Xavier Bauguess
Xavier Bauguess
Planning Division Manager
Department of Development Services

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



Location Map

SUB-24-0717

Scale: 1" = 220'

Proposed plat of Crestgate Addition, Section 52, being a replat of Lot 1A, Block 3, Crestgate Addition, Section 33, City and County of Midland, Texas.

Generally located northeast of the intersection of Crestfield Street and West Loop 250 North. (Council District 1)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Alexis M. Martinez, Associate Planner

SUBJECT: Consider a request by Jorge Chavez for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 4 and Lot 17, Block 61, Park Avenue Heights, Section 2, City and County of Midland, Texas. (Generally located on the east side of South Lee Street and west side of South Tyler Street, approximately 165 feet south of East California Avenue.) (Council District 2)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Jorge Chavez, is requesting a Zone Change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District to build a new single-family at 806 South Tyler and 807 South Lee Street.

Current Zoning:

MF-22, Multiple-Family Dwelling District

Surrounding Zoning and Land Use:

The parcels to the north, south, east, and west are zoned MF-22, Multiple-Family Dwelling District and most are currently vacant, however the parcel to the east is a single-family home. Additionally, several lots in this neighborhood have been rezoned to SF-3, Single-Family Dwelling District recently to build single-family homes.

Analysis:

The subject property is zoned MF-22, Multiple-Family Dwelling District. Jorge Chavez is seeking this zone change in order to construct a single-family dwelling at 806 South Tyler and 807 South Lee Street. The lots are currently undeveloped, and the surrounding neighborhood is currently being developed with single family homes. The lots do meet the requirements of the SF-3, Single-Family Dwelling District zoning district.

This request is consistent with the Tall City Tomorrow Comprehensive Plan, Chapter 3; The Tall City Tomorrow Plan designated this area as U-M, Urban-Medium which supports 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)

No objections to zone change. [For Applicant's Information Only.] Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For Applicant's Information Only.]

Code: (Approved)

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

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant's information only.] No objection to zone change. [For the Applicant's information only.]

Planning:

Therefore, staff recommends approval of this zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District subject to conditions A.

Letters of Objection:

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

Attachments:

Application

Site Plan (Exhibit A)

Maps



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

Project Number: _____

Case Number: 2-24-0377

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

Property Owner Printed Name: <u>Jorge Chavez</u>		Phone <u>(432) 254-0327</u> Email _____	
Address <u>807 J. Lee</u>	City <u>Midland</u>	State <u>Tx</u>	Zip <u>79701</u>

Representative (if different from Applicant or Property Owner) Firm: <u>Schumann Surveying</u> Printed Name: <u>Ed Aleman</u>		Phone <u>(432) 254-0327</u> Email <u>ealeman@schumannonline.net.</u>	
Address <u>800 N. Marienfeld</u>	City <u>Midland</u>	State <u>Tx</u>	Zip <u>79701</u>

Street Address: 807 J. Lee & 806 J. Tyler

Legal Description
Lot: 17/4 Block: 61/61 Subdivision: Park Avenue Heights, Section 2 / Park Avenue Heights, Section 2

Current Zoning: <u>MF 22</u>	Proposed Zone: <u>3F3</u> (List by tracts if more than one district is requested)
-------------------------------------	---

Reason for Zone Change Request: Home Const.

Present Use of Property: Vacant.

Proposed Use of Property: Residential

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

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

Submittal and Fees

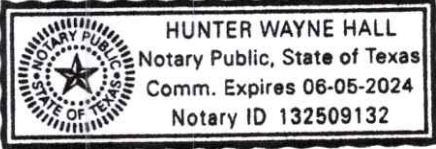
Items to be submitted with this application form:

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

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature):	Date:
Applicant (printed):	
Property Owner (signature): <u>George Chavez</u>	Date: <u>4-24-24</u>
Property Owner (printed): <u>George Chavez</u>	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

STATE OF TEXAS
COUNTY OF MIDLAND

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

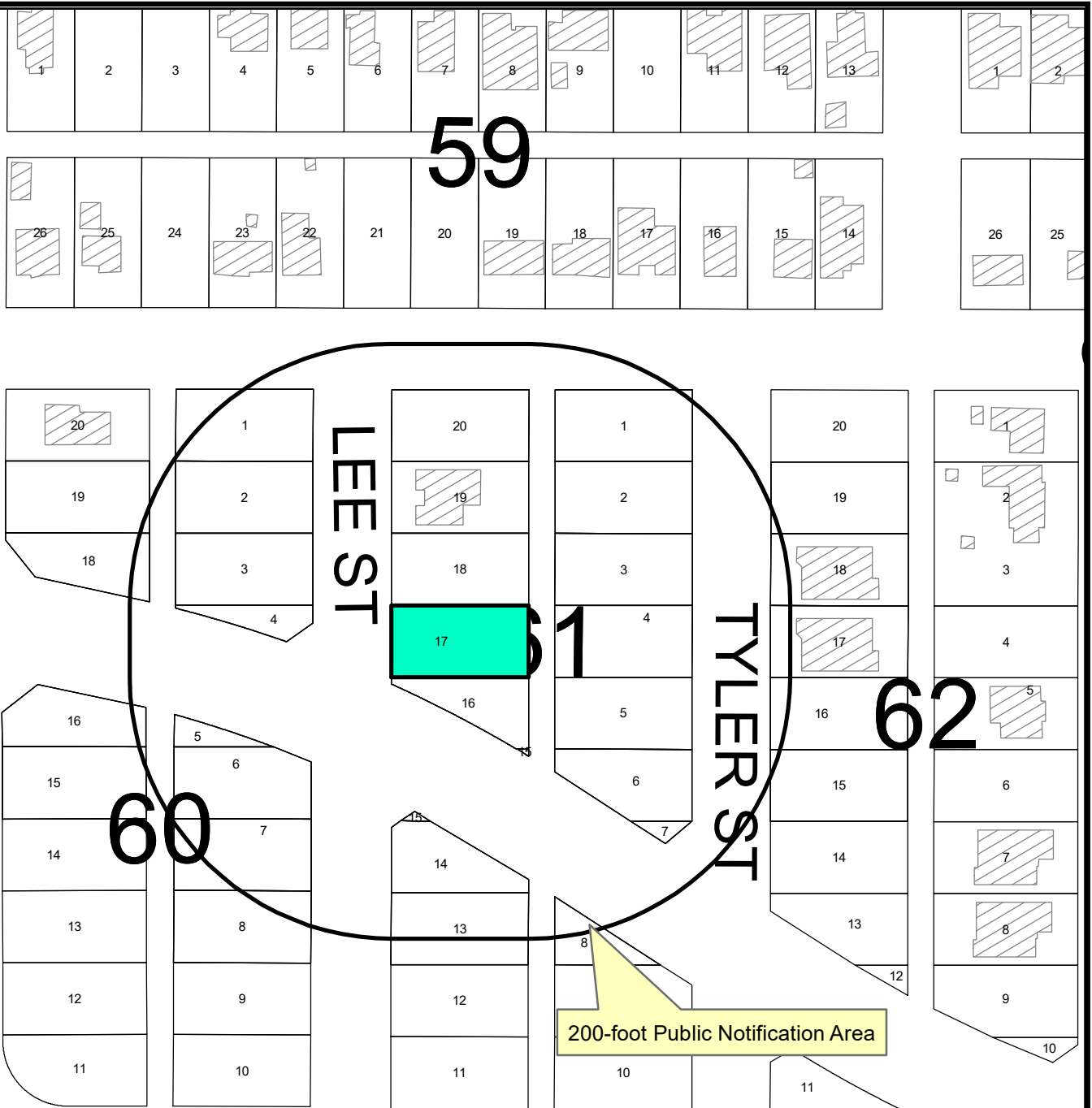


Edward J Aleman
Authorized Agent (signature)

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

HL
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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



Location Map

SUB-24-0377

Scale: 1" = 1,431

Consider a request by Jorge Chavez for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 4 and Lot 17, Block 61, Park Avenue Heights, Section 2, City and County of Midland, Texas.

Generally located on the east side of South Lee Street and west side of South Tyler Street approximately 165 feet south of East California Avenue. (Council District 2)

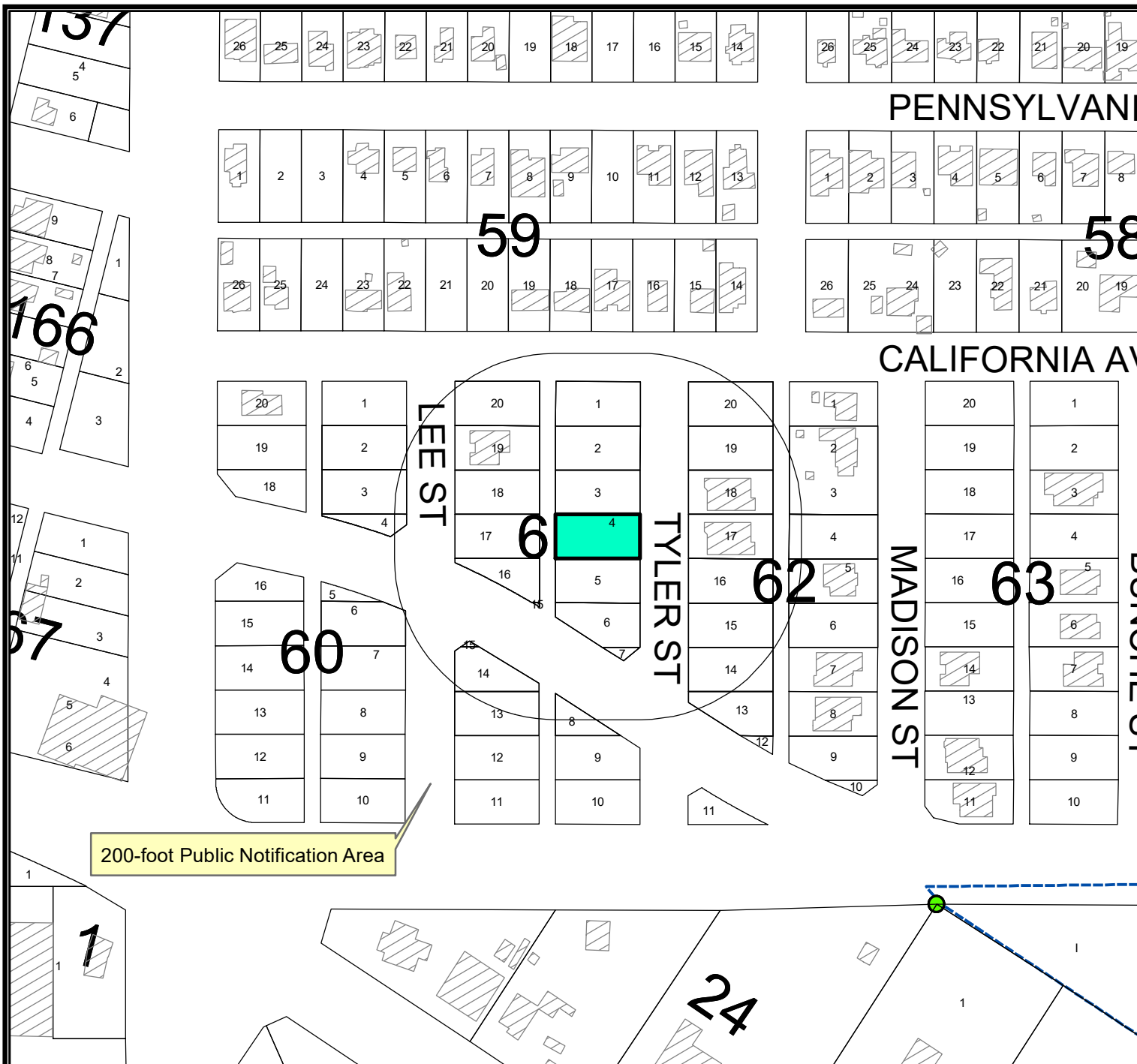
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Location Map

Z-24-0377

Scale: 1" = 2147

Consider a request by Jorge Chavez for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 4 and Lot 17, Block 61, Park Avenue Heights, Section 2, City and County of Midland, Texas.

Generally located on the east side of South Lee Street and west side of South Tyler Street, approximately 165 feet south of East California Avenue. (Council District 2)

PACKET

Page 17.162

LEGEND

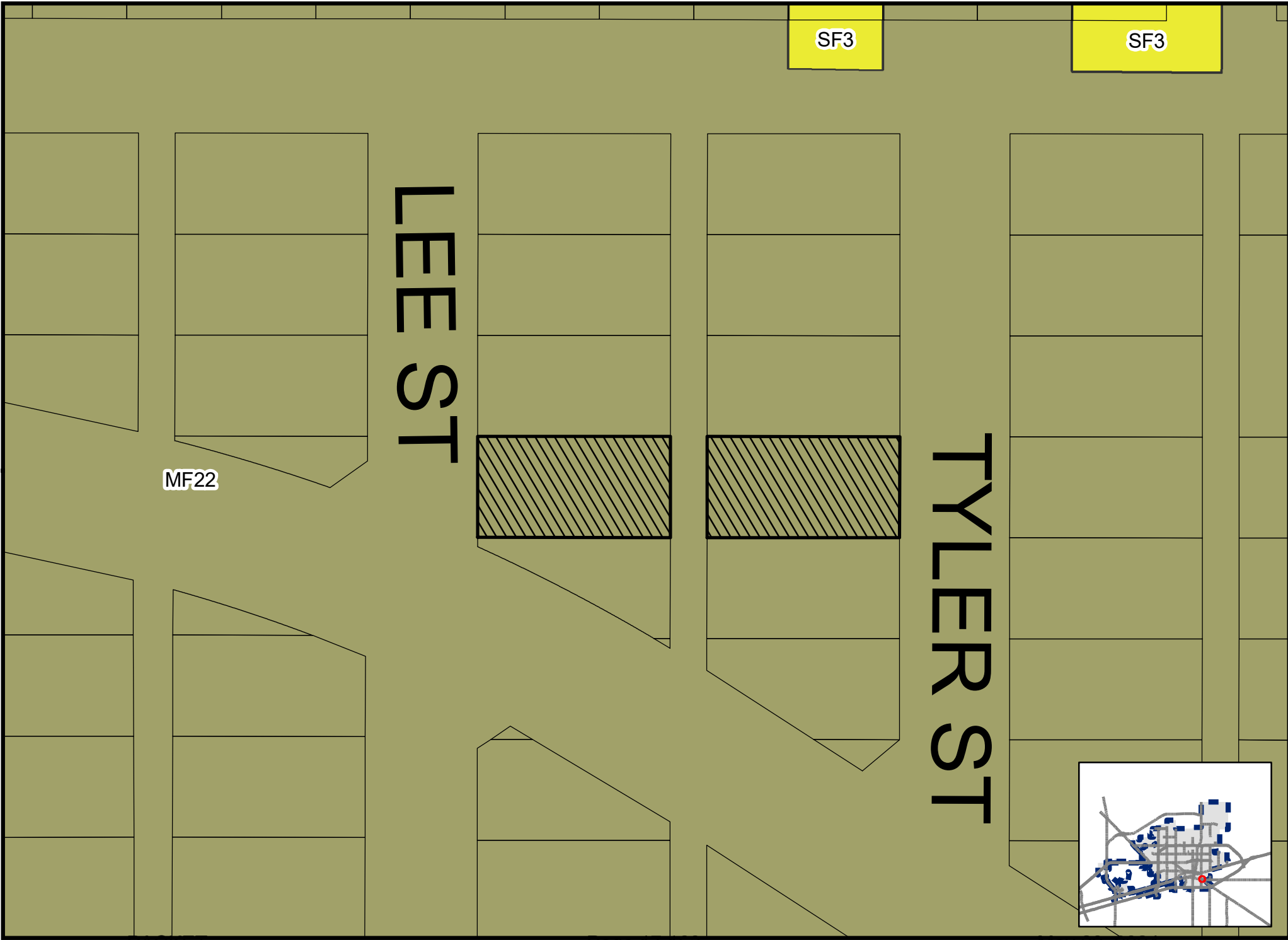
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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May 20, 2024



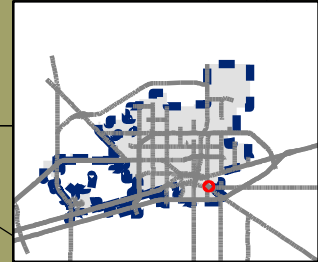
SF3

SF3

MF22

LEE ST

TYLER ST



807 S. LEE ST.
(60 FOOT RIGHT-OF-WAY)

LOT 20

LOT 19

LOT 18

LOT 17, BLOCK 61,
PARK AVENUE HEIGHTS
SECTION 2.

LOT 16

CLOVERDALE RD.

20 FOOT ALLEY

LOT 1

LOT 2

LOT 3

LOT 4, BLOCK 61,
PARK AVENUE HEIGHTS
SECTION 2.

LOT 5

LOT 6

806 S. TYLER ST.
(60 FOOT RIGHT-OF-WAY)



SCHUMANN
SURVEYING, INC.
A LATERAL LAND COMPANY

800 N. WARRENFIELD STREET
SUITE 100
MIDLAND, TEXAS 79701

TEXAS FIRM No. 10148600

Office (432) 684-5548

EXHIBIT

LOTS 4 & 17,
BLOCK 61,
PARK AVENUE HEIGHTS,
SECTION 2.

AN ADDITION TO THE CITY OF
MIDLAND, MIDLAND COUNTY, TEXAS,
ACCORDING TO THE PLAT RECORDED IN
VOLUME 294, PAGE 283,
PLAT RECORDS OF

MIDLAND COUNTY, TEXAS

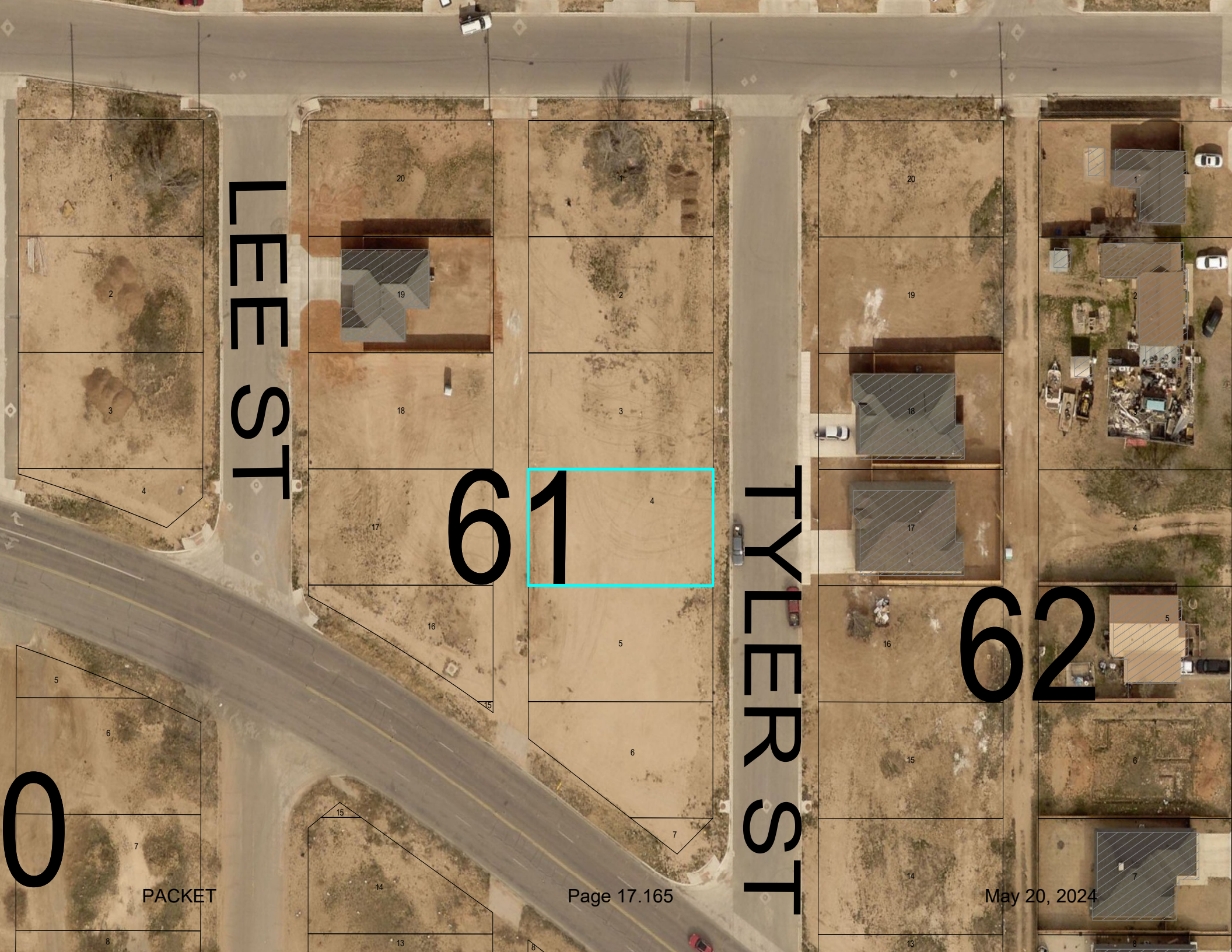
PROJECT:
JOB NO.:

SCALE: 1" = 40'

PACKET

Page 17.164

May 20, 2024



LEE ST

61

TYLER ST

62

PACKET

Page 17.165

May 20, 2024



LEE ST

61

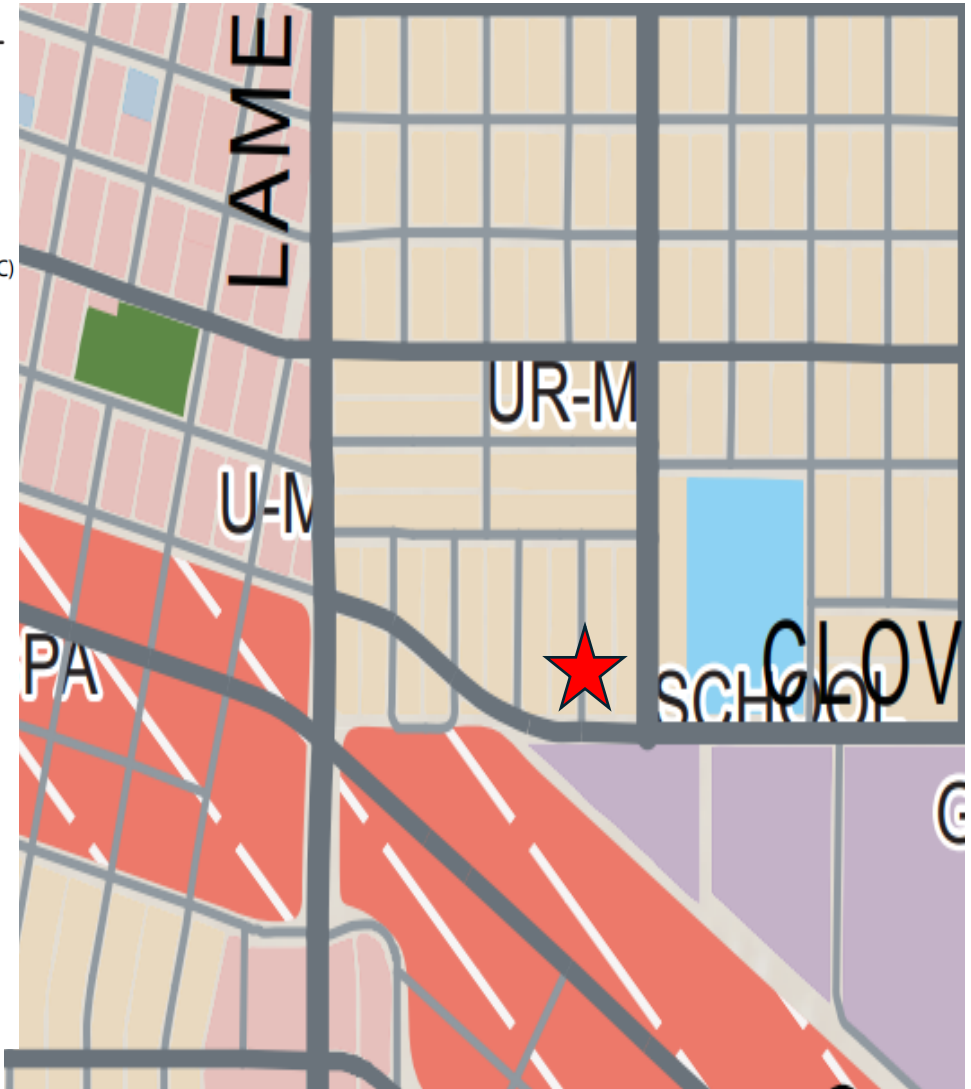
PACKET 60

TYLER ST

Tall City Tomorrow Plan

Future Land Use Plan*

- Urban Residential - Large Lot (UR-LL)
- Urban Residential - Low (UR-L)
- Urban Residential - Medium (UR-M)
- Urban Residential - High (UR-H)
- Urban - Low (U-L)
- Urban - Medium Neighborhood Center (U-M NC)
- Urban - Medium (U-M)
- Urban - High (U-H)
- Regional Commercial (RC)
- Community Commercial (CC)
- Planning Areas
- Village Center
- Future Planning Area
- Employment Reserve (ER)
- Business Park (BP)
- General Industrial (GI)
- School/University
- Civic/Institutional
- Park/Open Space
- Oil Buffer
- Special Study Area
- Local Streets
- Parkway
- Future Roads
- Neighborhood Centers





Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Consider a request by Five Figure Five for a Specific Use Designation with Term for the sale of Alcoholic Beverages Sales for On-Premises Consumption in a Restaurant, on a 15,266 square foot portion of Lot 26 & 27, Block 2, 349 Ranch Estates, Section 2, City and County of Midland, Texas. (Generally located northeast of the intersection of North State Highway 349 and Washita Court. (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Five Figure Five LLC, is requesting a Specific Use Designation (SUD) with Term for Alcoholic Beverages Sales for On-Premises Consumption in a restaurant, Half Acre is located at 1101 Washita Court.

Current Zoning:

RR, Regional Retail District

Surrounding Zoning and Land Use:

The parcel to the north is zoned RR, Regional Retail District, and the location of a Dollar General. The parcels to the east and south are zoned RR, Regional Retail District and are currently vacant. The property to the west is zoned PD, Planned District for Housing Development and is currently vacant.

Analysis:

The property is zoned RR, Regional Retail District and is the location of an existing restaurant, The Half Acre. The RR 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, Half Acre, is 15,266-square feet and the proposed alcohol serviceable area is 10,159-square feet.

The proposed hours of operation:

Monday through Sunday from 11 a.m. to 12 a.m. (midnight)

The proposed hours of alcohol service:

Monday through Sunday from 11 a.m. to 12 a.m. (midnight)

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.” Half Acre 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 objections.

Engineering: (Approved)

No objection.

Oil & Gas: (Approved)

No comments.

Transportation: (Approved)

No objection.

Building Code: (Approved)

The SUD for Half Acre is acceptable. The property must adhere to the maximum occupant load of 670 persons for the alcohol serviceable area. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning: (Approved with Conditions)

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

Conditions:

- A. That the serviceable area of the establishment shall be limited to approximately 10,159 square feet as shown in Exhibit "A".**
- B. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**
- C. That the permitted hours of the sale of alcoholic beverages sales and consumption shall be limited to:**

Monday through Sunday from 11 a.m. to 12 a.m. (midnight)
- 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.**

Letters of Objection:

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

Attachments:

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



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

Project Number: _____

Case Number: SUD-24-0181

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: _____		Phone () Email _____	
Address <u>1101 Washita</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79705</u>

Property Owner Printed Name: <u>5 Figure Five LLC</u>		Phone () Email _____	
Address <u>PO Box 52188</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79710</u>

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

Street Address: <u>1101 Washita, Midland, TX 79705</u>			
Business Name: <u>Half Acre</u>			
Legal Description Lot: <u>27</u> Block: <u>2</u> Subdivision: <u>349 Ranch Estates</u>			
Current Zoning: <u>RR</u>			
Reason for Request: <u>Allow for on premise alcohol sales</u>			

Type of Business (restaurant, bar, lounge, nightclub, etc.): <u>Restaurant</u>			
Proposed/Current Days and Hours of Operation: <u>Monday - Sunday 11am - 12am</u>			
Proposed Days and Hours of Alcohol Service: <u>Monday - Sunday 11am - 12am</u>			
Total Square Footage of Business: <u>15,266</u>			
Square Footage of Alcohol Serviceable Area: <u>10,159</u>			
Restroom Fixtures:	<u>Men</u>	Toilets/Urinals: <u>2</u> / <u>3</u>	Bathroom Sinks: <u>2</u>
	<u>Women</u>	Toilets: <u>3</u>	Bathroom Sinks: <u>3</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):

John C. Scharbauer

Date: 4/9/2024

Applicant (printed): John C. Scharbauer

Property Owner (signature):

Date: 4/9/2024

Property Owner (printed): John C. Scharbauer

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☐ Dimensioned Floor Plan

☐ Application Fee

☐ Site Plan

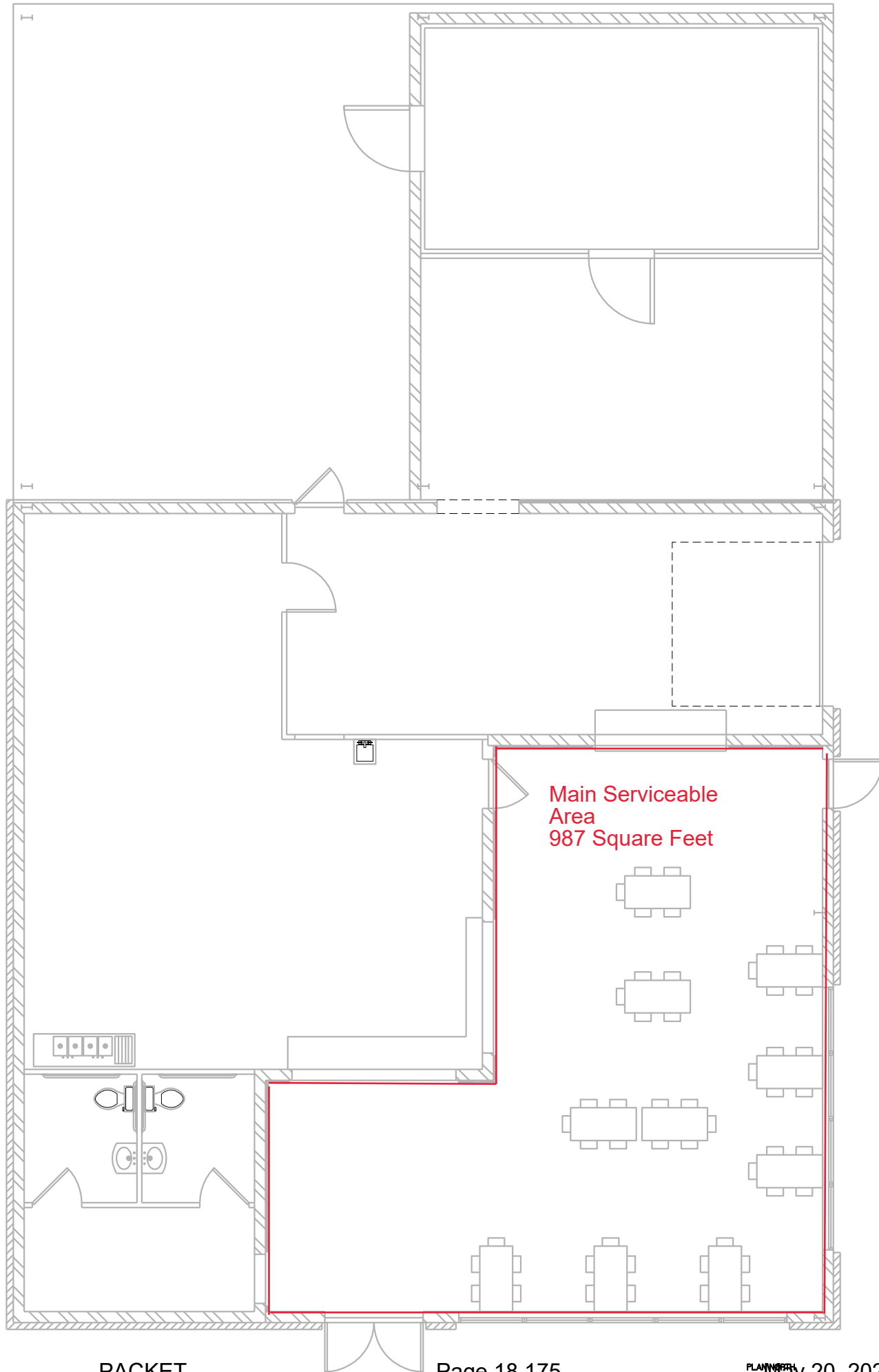
Check # _____

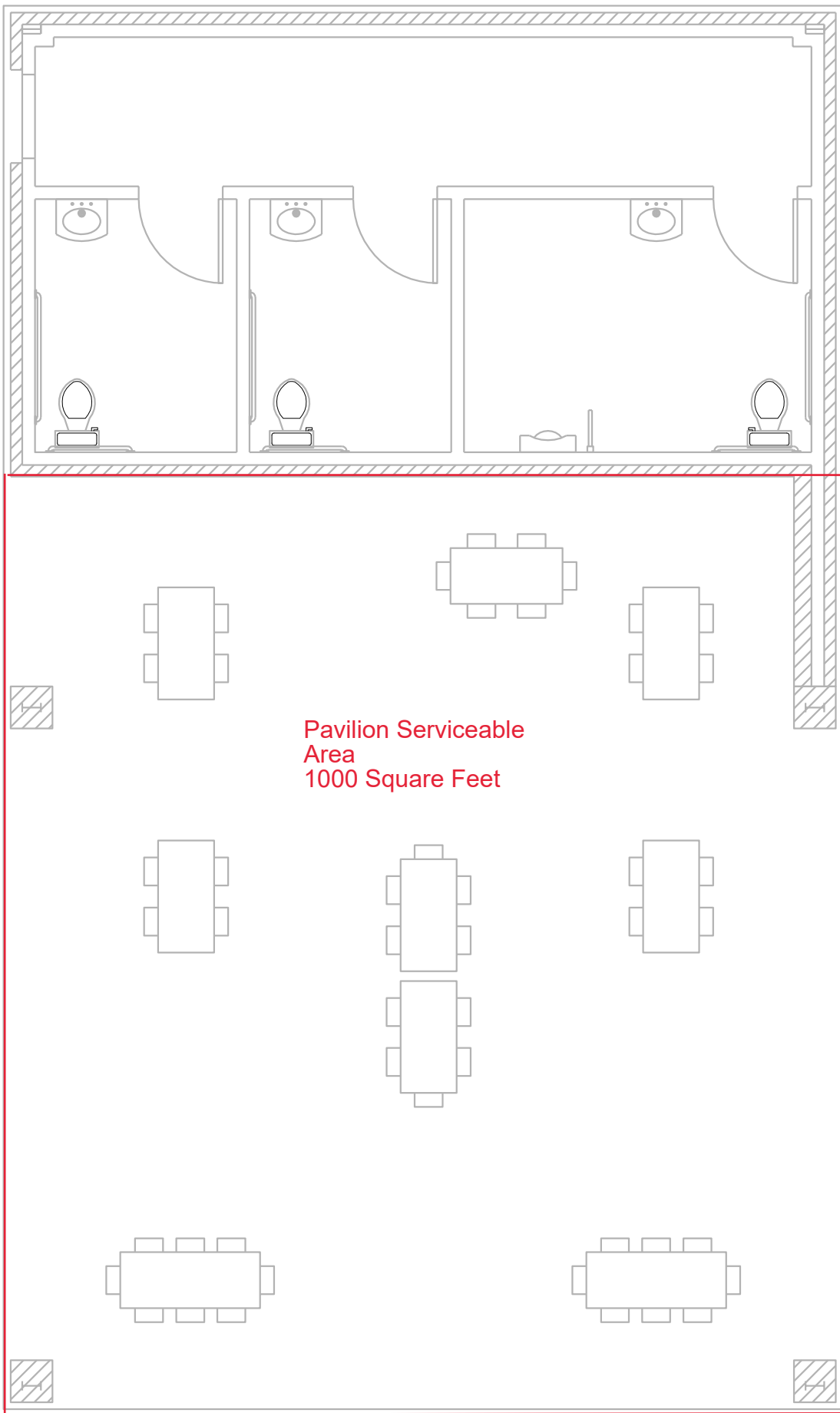
☐ Plans in Digital Format (PDF/JPEG)

Received By: _____

Date: _____

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





DRAWING INDEX

ADD SITE SEATING PLAN
ADD MAIN SEATING PLAN + PAVILION SEATING PLAN

Midland Meat Co. - The Half Acre
Seating Plans
1101 Washita
Midland, TX 79705

Revised:

Brazile

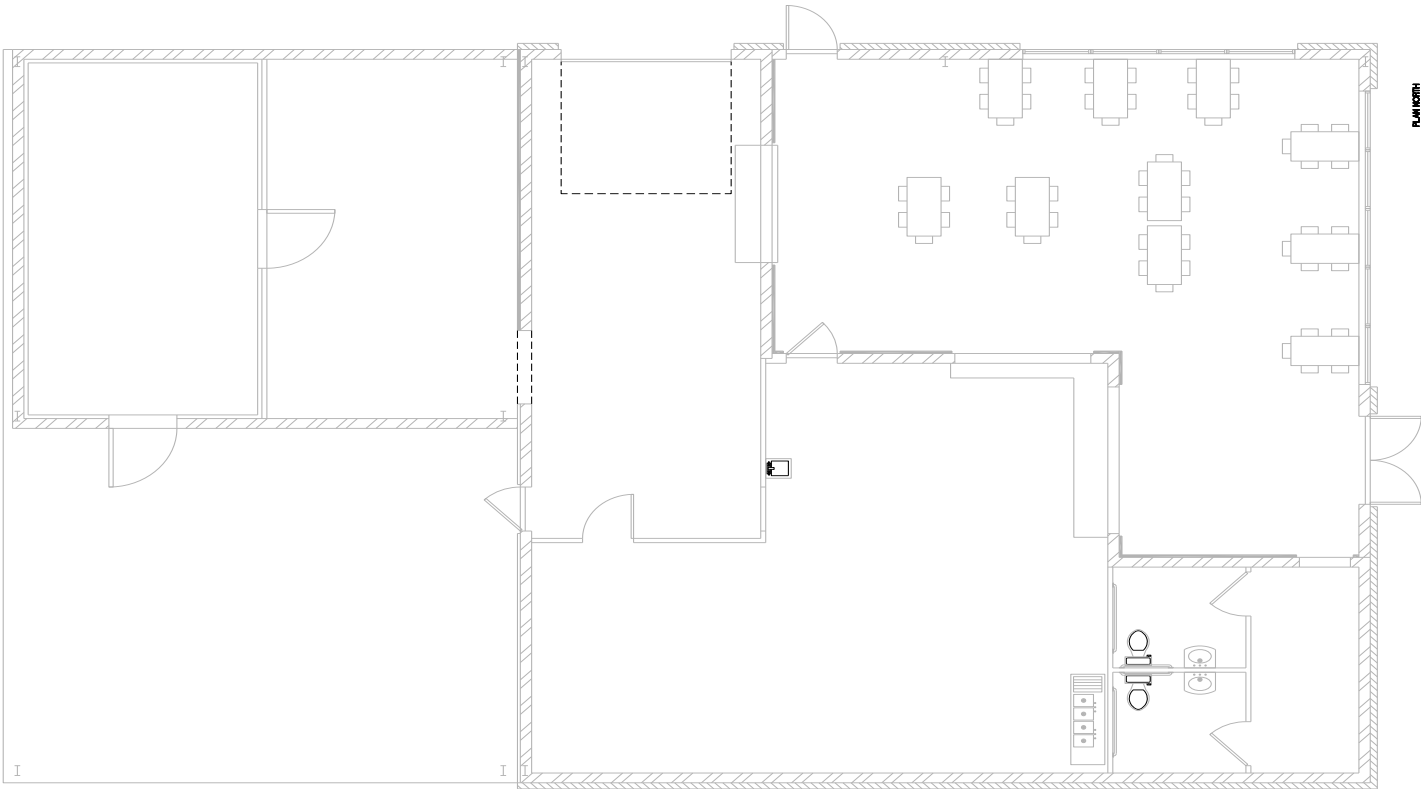
BRASILE ARCHITECTS, P.C.
6975 East Commerce
Midland, TX 79705
brazilearchitects.com

MAIN SEATING PLAN

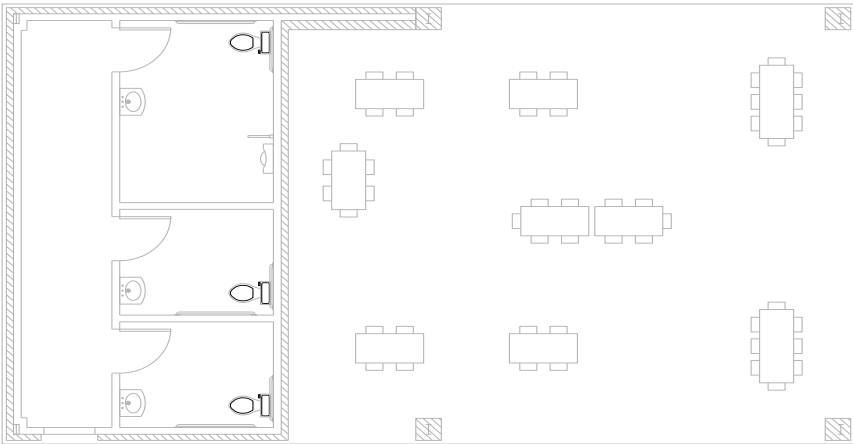
PAVILION SEATING PLAN

A0.1

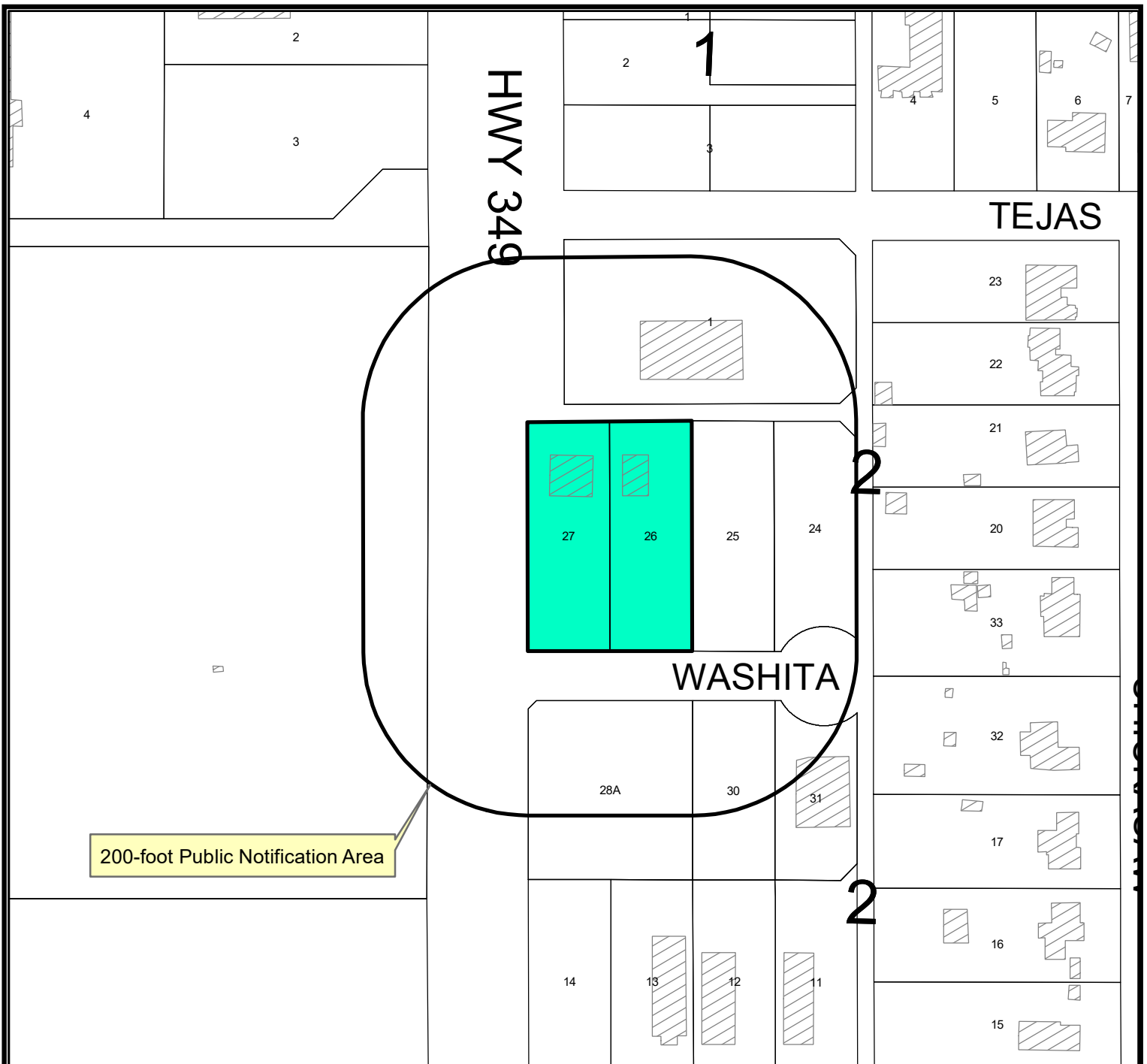
Date: April 1, 2024
Scale: NOTED
Page: 03



1 MAIN SEATING PLAN
SCALE 1/8\"/>



2 PAVILION SEATING PLAN
SCALE 1/8\"/>



Location Map

SUD-24-0181

Scale: 1" = 600'

Consider a request by Five Figure Five LLC for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages for on premises consumption in a restaurant on a 15,266 square foot portion of Lot 26 & 27, Block 2, 349 Ranch Estates, Section 2, City and County of Midland, Texas.

Generally located northeast of the intersection of North State Highway 349 and Washita Court. (District 1)

LEGEND

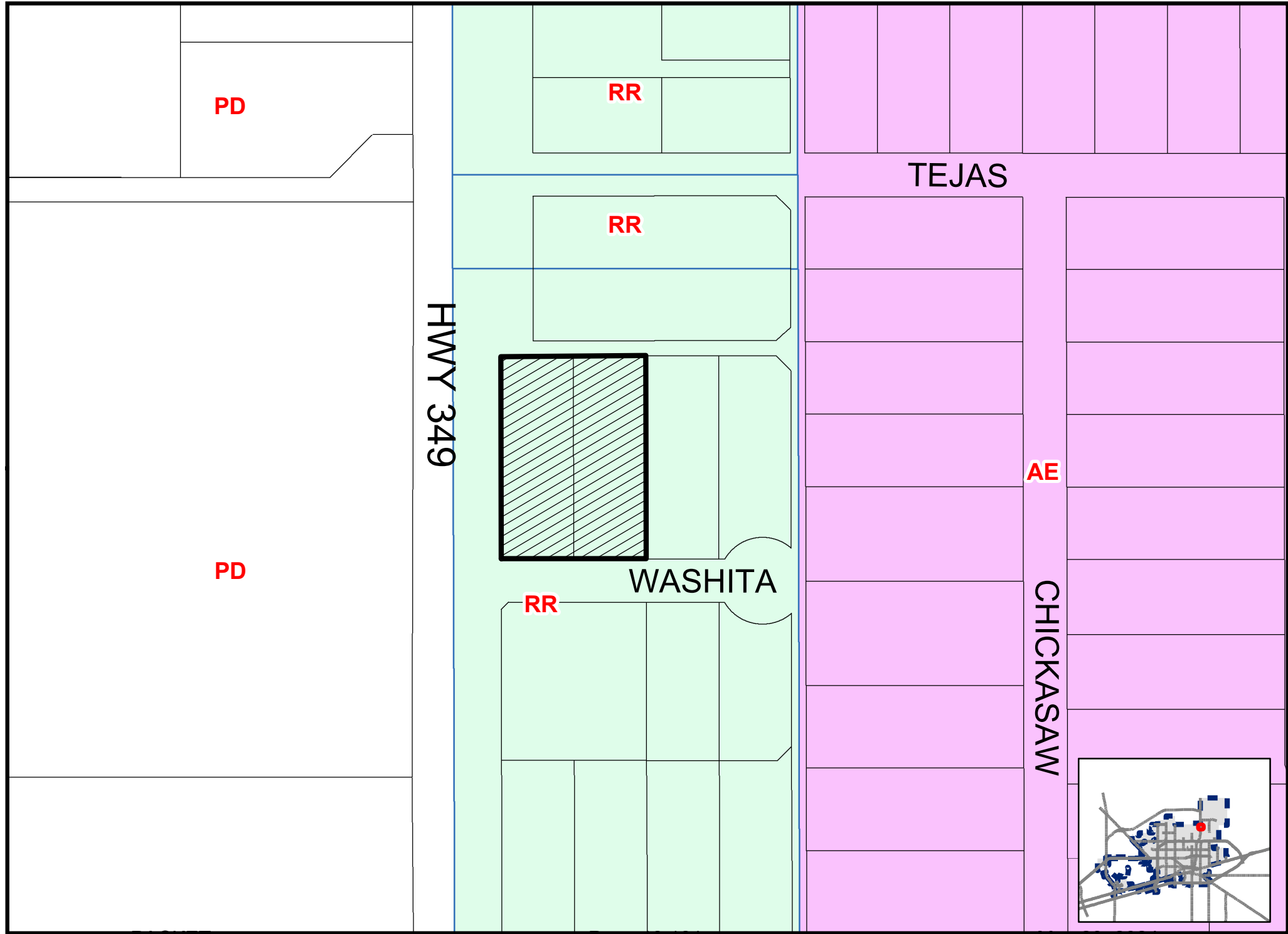
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



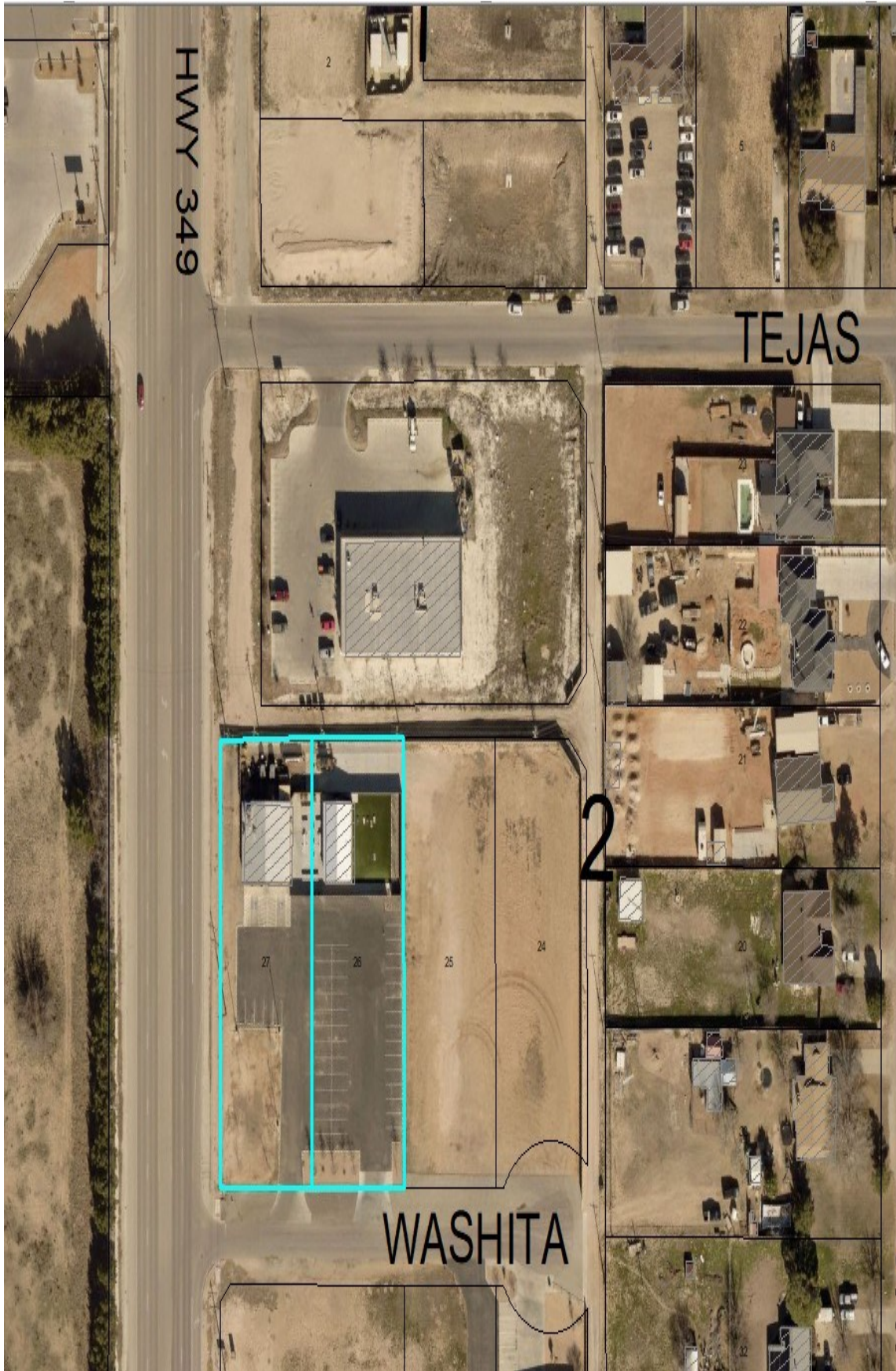
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May 20, 2024









Planning and Zoning Commission

Approved for
Agenda:
Xavier Bauguess

MEETING DATE: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of Homestead Addition, Section 20, being a Replat of Lots 7-12, Block 6, Homestead Addition, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North Fort Worth Street and East Kansas Avenue. (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Parkhill, on behalf of Midland County, is requesting to plat a 0.962-acre tract of land out of Lots 7-12, Block 6, Homestead Addition, City and County of Midland, Texas into one lot for future development.

Current Zoning:

C, Commercial District

Departmental Review:

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

BUILDING CODE: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to

change depending on time of new code edition adoption in the City of Midland and date of permit application.

SURVEYOR: (Approved)

No comment.

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: Mississippi roadway okay as is. The County paid PSC to develop plans of Fort Worth roadway and the City will bid out the project. No public paving improvements required. [For the Applicant's information only.]

WATER: 2" water exists in alley east of tract, okay as is. 6" water exists in Mississippi, okay as is. 6" water exists in Fort Worth, okay as is. 2" water exists in Kansas, 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 east of tract, okay as is. No public wastewater improvements required.[For the Applicant's information only.]

DRAINAGE: Drainage report has been approved with building permit. [For the Applicant's information only.]

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

FIRE: (Approved)

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

OIL AND GAS: (Approved)

No Oil and Gas issues.

GIS: (Approved)

Please make diagonal line for ROW dedication dashed.

PLANNING: (Approved with Conditions)

Staff recommends approval of the Preliminary Plat Homestead Addition, Section 20, subject to conditions 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
Location Map
Zoning Map
Aerial

PRELIMINARY
PLAT
HOMESTEAD
ADDITION
SECTION
20

Being a Subdivision of Block 6,
Homestead Addition, Section 20,
Midland County, Texas



0 60 120

LEGEND

- Proposed All Limits
- Proposed Street ROW
- Proposed 10' Utility Easements
- Proposed Allotment Line
- Existing Lot
- Existing Easements
- Proposed Subdivision
- Existing Allotment Line
- Existing Back of Curb
- Existing Edge of Asphalt
- Existing 1' Contours

NOTE

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

OWNER

Midland County,
Texas
500 North Baseline
1901
432-742-7777
ENGINE
ER:
Parkhill
1700 W Wall St.,
#100 Midland,
TX 79701
1447

HOMESTEAD
ADDITION
SECTION
20
Parkhill

SPECIAL STATE PLANE

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

FLOOD ZONE

Based on the U.S. Department of Housing and Urban Development, Federal Insurance Administration Flood Hazard Boundary Map, Community Number 480477, Map Number 4823C0089F, Panel 202 of 525, revised September 16, 2005, the surveyed property is not located in a Special Flood Hazard Area. According to the map, the current flood zone classification for the surveyed property is Zone X.

UTILITY COMPANY'S

The plat has been checked for accessibility of utilities.

Onco Electric Delivery Service (PLEASE PRINT)

AT&T Texas (PLEASE PRINT)

Atmos Energy (PLEASE PRINT)

Optimum (PLEASE PRINT)

Astound Broadband (PLEASE PRINT)

SURVEYOR'S

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

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

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of HOMESTEAD ADDITION, SECTION 20, was approved by proper action of the City Planning and Zoning Commission of the City of

Chairman - Lucy

Secretary - Elizabeth

OWNER'S

CERTIFICATE

STATE OF TEXAS

COUNTY OF MIDLAND

That we, MIDLAND COUNTY, TEXAS, is the record owner of 0.79 Acres of Land Located in Section 35, Block 40, T-1-S T&P RR Co. Survey, City and County of Midland, Texas and more

These presents, That we, MIDLAND COUNTY, TEXAS do hereby adopt this plat designating the herein above

described property as HOMESTEAD ADDITION, SECTION 20 to the City and County of Midland,

and we do hereby dedicate to the public use forever the streets and easements shown thereon.

By: Ben Clark

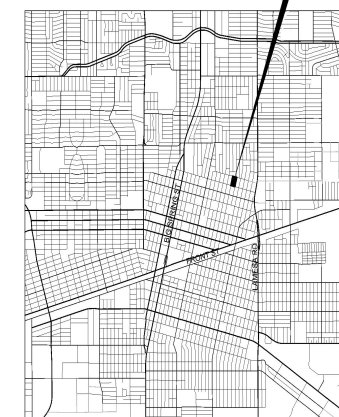
Division Vice President

Notary Public Signature

STATE OF TEXAS

COUNTY OF MIDLAND

This instrument was acknowledged on behalf of MIDLAND COUNTY, TEXAS.



LOCATION MAP

PLAT FILED FOR
RECORD
MIDLAND
COUNTY, TEXAS
DATE
PAGE

May 20, 2024

PACKET

Page 19.187



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Homestead Addition Section 20

Legal Description (attached sealed Metes and Bounds): Being a replat of Homestead Addition Lots 8-12, Section 6, City and County of Midland, Texas

Property Owner

Printed Name: Midland County, Texas

Phone ()

Email

Address 500 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: Parkhill

Printed Name: Josh Wallender

Phone (432) 697-1447

Email

jwallender@parkhill.com

Address 1700 West Wall, Suite 100

City Midland

State TX

Zip 79701

Current Zoning: C

Reason for Platting: Platting for future development

Plat Information

Total Acreage:

0.962 Ac.

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: 4/10/23

Property Owner (printed): TERRY JOHNSON

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

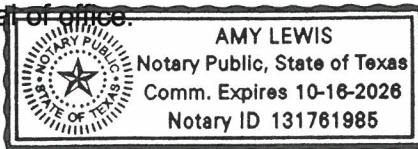
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS COUNTY OF MIDLAND

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

Shelby Freeman
Authorized Agent (signature)

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



Amy Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

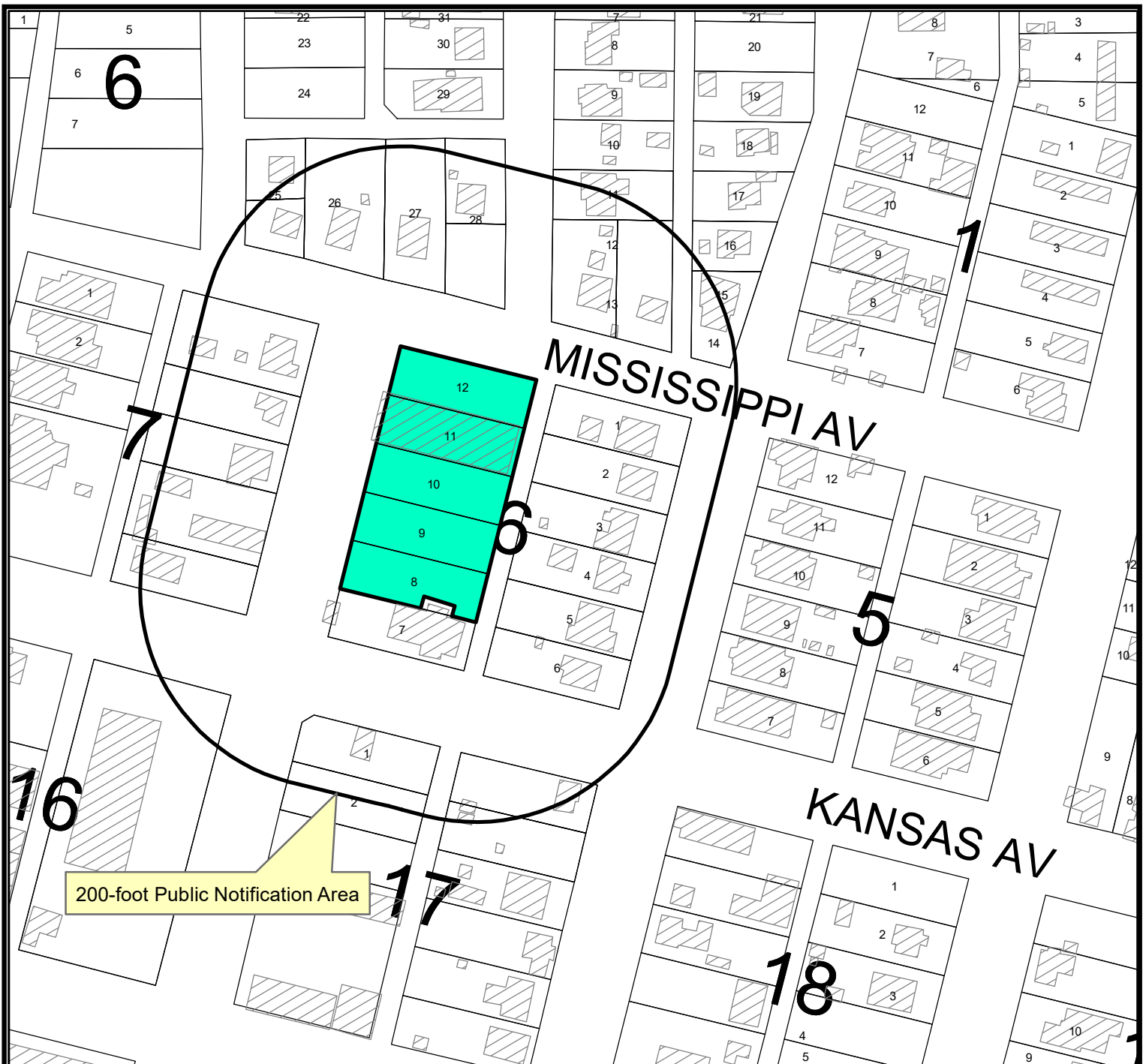
FOR OFFICE USE ONLY

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

Received By: _____

Date: _____

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



Location Map

SUB-24-0725

Scale: 1" = 600'

Proposed Plat of Homestead Addition, Section 20, being a Replat of Lots 7-12, Block 6, Homestead Addition, City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of North Fort Worth Street and East Kansas Avenue. (DISTRICT 2)

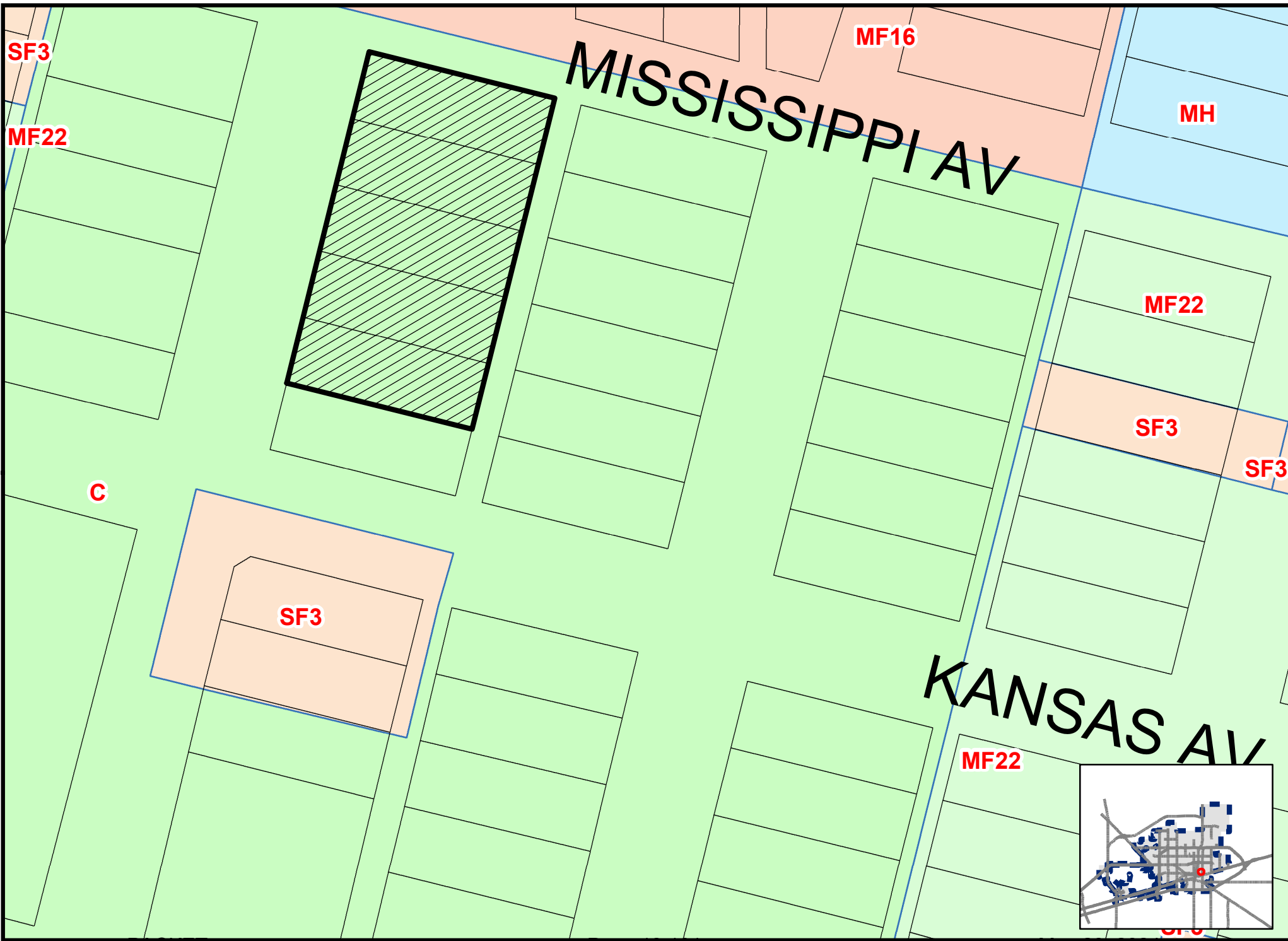
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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SF3

MF22

MF16

MH

MF22

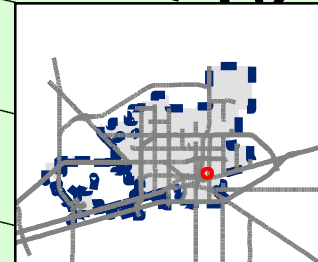
SF3

SF3

C

SF3

MF22



PACKET

Page 19.191

May 20, 2024

Map By DG, 5/8/2024

SUB-24-0725

Scale: 1" = 200'

ZONING MAP



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Planning and Zoning Commission

Approved for
Agenda:
Xavier Bauguess

MEETING DATE: May 20, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion to approve, with staff's recommended conditions, a proposed Preliminary Plat of Chapparral Subdivision, Section 2, being the east 100 feet of Lot 15, Block 2, Chapparral Subdivision, Midland County, Texas. (Generally located on the south side of West County Road 152, approximately 830 feet west of South County Road 1270.) (Extraterritorial Jurisdiction) (Development Services)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Parkhill, is requesting to replat the east 100 feet of Lot 15, Block 2, Chapparral Subdivision, Midland County, Texas, for ownership purposes.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

Building Code: (Approved)

ETJ, no jurisdiction

Engineering: (Approved with Conditions)

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

ROW: Refer to Transportation's Comment's. [For Applicant's Information Only.]

PAVING: Deferral request for paving improvements were administratively approved on 01/19/2024. [For Applicant's Information Only.]

WATER: Deferral request for water improvement were administratively approved on 01/19/2024. [For Applicant's Information Only.]

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

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

SEWER: Deferral request for sewer improvements were administratively approved on 01/19/2024. [For Applicant's Information Only.]

DRAINAGE: Existing site is developed. [For Applicant's Information Only.]

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

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.

GIS: (Approved)

No comments.

Midland County Public Works: (Approved)

They will need to get a permit to tie into the County road from Public Works.

The frontage is okay for this development.

Midland County Health: (Approved)

Yes, the health department will review application from the 1 proposed lot of Chapparral Subdivision, Section 2, RE-PLAT OF EAST 100 FEET OF LOT 15, BLOCK 2,

CHAPARRAL SUBDIVISION MIDLAND COUNTY TEXAS the lot is 1 acre to ensure the proposed plans on the application for the septic system to the existing structures will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

CRMWD: (Approved)

No comments.

Surveyor: (Approved)

No comments.

Planning: (Approved)

Please furnish ownership verification at Final Plat stage. MCAD does not list 3119 as the owners. [Informational]

Staff recommends approval of the Preliminary Plat of Chapparral Subdivision, Section 2, subject to condition A.

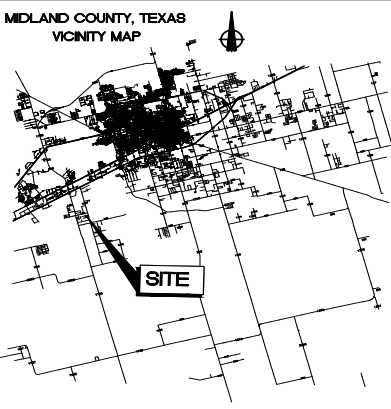
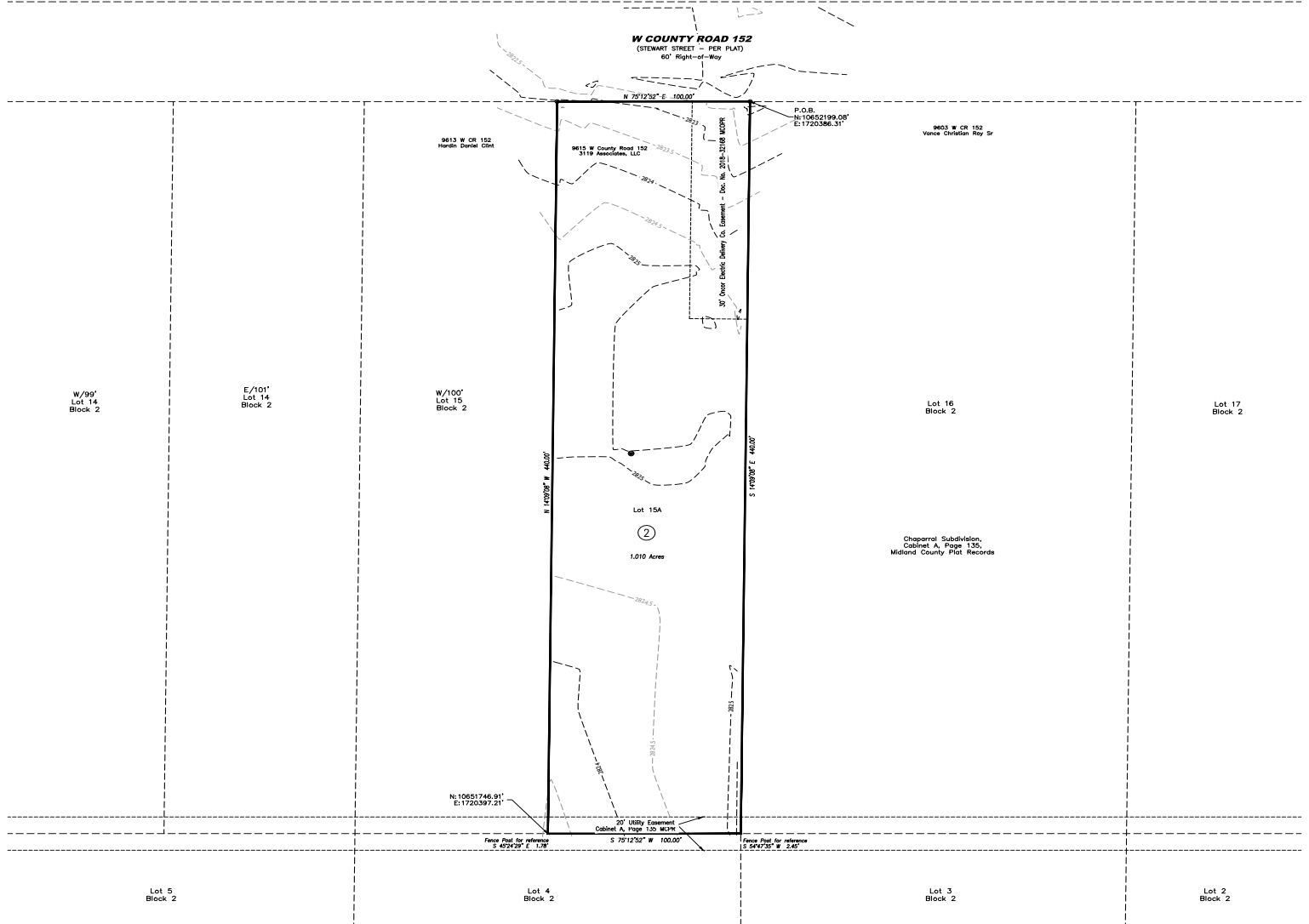
Conditions:

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

Attachments:

Proposed Preliminary Plat
Application
Maps
Aerial Photo

CHAPARRAL SUBDIVISION SECTION 2
A REPLAT OF THE EAST 100 FEET
OF LOT 15, BLOCK 2,
CHAPARRAL SUBDIVISION,
MIDLAND COUNTY, TEXAS.



METES & BOUNDS DESCRIPTION:

The East 100 Feet of Lot 15, Block 2, Chaparral Subdivision recorded in Cabinet A, Page 135, Plat Records, Midland County, Texas.

Boundary more fully describes as follows:

Beginning at (N:10652199.08', E:1720386.31') at 2" iron rod with cap marked 'ASB 5689' set in the south right of way line of W County Road 152 at the northwest corner of Lot 16, said Block 2 and the northeast corner of said Lot 15, for the northeast corner of this tract;

Thence South 14°09'08" East with the west line of said Lot 16 and the east line of said Lot 15, a distance of 440.00 feet to a point at the southwest corner of said Lot 16, the northeast corner of lot 4, said Block 2, and the southeast corner of said Lot 15, for the southeast corner of this tract;

Thence South 75°12'52" West with the north line of said Lot 4 and the south line of said Lot 15, a distance of 100.00 feet to a point for the southwest corner of this tract;

Thence North 14°09'08" West through said Lot 15, a distance of 440.00 feet to a 2" iron rod with cap marked 'ASB 5689' set in the south right of way line of said W County Road 152 for the northwest corner of this tract;

Thence North 75°12'52" East with the south right of way line of said W County Road 152, a distance of 100.00 feet to the Point of Beginning.

Containing 1.010 acres of land.

Bearings & Coordinates are based on the Texas Coordinate System, NAD 1983, Central Zone (CORS).

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. LOCATED IN ETJ.

4. BEARING & COORDINATES SHOWN ON THIS SURVEY ARE RELATIVE TO THE TEXAS COORDINATE SYSTEM, NAD 1983, CENTRAL ZONE (CORS).

5. THIS PROPERTY IS IN ZONE X AND DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS GRAPHICALLY SCALED ONTO FEMA MAP NO. 48329C0200F, DATED SEPTEMBER 16, 2005, PREPARED FOR MIDLAND COUNTY, TEXAS.

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

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "CHAPARRAL SUBDIVISION SECTION 2" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, on the _____ day of _____, 2024.

SIGNED: _____
Chairman
LUCY SISNEGA

ATTEST: _____
XAVIER BAUGNESS

OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, 3119 Associates LLC is/are the record owner(s) of a tract of land situated in THE EAST 100 FEET OF LOT 15, BLOCK 2, CHAPARRAL SUBDIVISION, Midland County Texas, and, hereby dedicate to the public use forever the streets, alleys and easements (and parks) (and parkways) (and drainage basins) [include all that apply] shown thereon.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That 3119 Associates LLC do(es) hereby adopt this plat designating the herein above described property as CHAPARRAL SUBDIVISION SECTION 2, on addition to the City of Midland, Texas, and, hereby dedicate to the public use forever the streets, alleys and easements (and parks) (and parkways) (and drainage basins) [include all that apply] shown thereon.

WITNESS our hands at Midland, Texas, this _____ day of _____, 20____.

Tim Clancy, Principle 3119 Associates LLC

ACKNOWLEDGMENT
STATE OF TEXAS COUNTY OF MIDLAND
This plat was acknowledged before me on _____, 20____
by 3119 Associates LLC.

(Notary Seal) Notary Public, State of Texas

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

SIGNED: _____ ATMOS ENERGY _____ PRINT NAME

SIGNED: _____ ONCOR ELECTRIC DELIVERY _____ PRINT NAME

SIGNED: _____ AT&T TEXAS _____ PRINT NAME

SIGNED: _____ ASTOUND BROADBAND _____ PRINT NAME

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

OWNER:
3119 ASSOCIATES, LLC
PO BOX 27608
MIDLAND, TEXAS 79701
(919)-834-3601

Professional Land Surveying & Mapping
Aaron Burrell Land Surveyors, LLC
415 W. Wall St., Suite 204
Midland, Texas 79701
439-848-4439
aaronburrell.com
P.O. Box 8141
Midland, Texas 79708
TFLPL Firm No. 1099420

SURVEYOR'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS:
That I, AMRON S. BURRELL, 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.

AMRON S. BURRELL
Registration Number 5689

09 November 2023
PACKET



LEGEND
○ 2" iron rod
● Water Well

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PRELIMINARY
May 20, 2024
CHAPARRAL SUBDIVISION
SECTION 2



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: CHAPARRAL SUBDIVISION SECTION 2
Legal Description (attached sealed Metes and Bounds): _____

BEING A REPLAT OF THE EAST 100 FEET OF LOT 15, BLOCK 2, CHAPARRAL SUBDIVISION, MIDLAND COUNTY, TEXAS.

Property Owner

 Printed Name: **3119 ASSOCIATES, LLC**

Phone (432) 262-0999

Email hmcclaney@aol.comAddress **PO BOX 27608**City **RALEIGH**State **NC**Zip **27611**
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 EngineeringPrinted Name: **Paladin Huckaba**

Phone (432) 262-0999

Email phuckaba@maverick-eng.comAddress **1909 W Wall St Ste K**City **Midland**State **TX**Zip **79701**
Current Zoning: ETJ
Reason for Platting: OWNERSHIP
Plat Information
Total Acreage: **1.010**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): Tim Clancy Date: 4/24/24
 Property Owner (printed): Tim Clancy
69931614ADEC412...

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

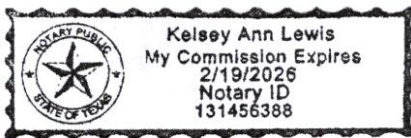
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L. Melten who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by 319 Associates 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. Melten
 Authorized Agent (signature)

Subscribed and sworn to before me, this 24th day of April, 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 ☒ Copy of Dimensioned Plat ☒ Plat in Digital Format (PDF/JPEG)
☒ Application Fee ☒ Copy of Plat (11x17)

Check # 4764

Received By: [Signature]

Date: APR 24 2024

BY: [Signature]

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



Location Map

SUB-23-0690

Scale: 1" = 200'

Proposed replat of Chapparrl Subdivision, Section 2, being the east 100 feet of Lot 15, Block 2, Chapparral Subdivision, Midland County, Texas.

Generally located on the south side of West County Road 152, approximately 830 feet west of South County Road 1270. (Extraterritorial Jurisdiction)

PACKET

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LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

May 20, 2024

